

**CITY COUNCIL
ATLANTA, GEORGIA**

14-O-1321

*****AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AMENDING THE FY 2014 GENERAL FUND BUDGET, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS THE AMOUNT OF FIVE HUNDRED FIFTY-TWO THOUSAND, EIGHT HUNDRED TWENTY-THREE DOLLARS AND SIXTY-THREE CENTS (\$552,823.63) RECEIVED FROM FULTON COUNTY AS A REFUND OF MONIES PAID IN ADVANCE TO FULTON COUNTY FOR THE CONDUCT OF THE CITY OF ATLANTA'S 2013 GENERAL AND RUN-OFF ELECTIONS; AND FOR OTHER PURPOSES.**

Workflow List:

Office of Research and Policy Analysis	Completed	06/11/2014 1:10 PM
Finance/Executive Committee	Completed	06/12/2014 1:25 PM
Atlanta City Council	Completed	06/18/2014 5:39 PM
Finance/Executive Committee	Pending	

HISTORY:

06/11/14	Finance/Executive Committee	
06/16/14	Atlanta City Council	REFERRED TO COMMITTEE

RESULT:	REFERRED TO COMMITTEE [UNANIMOUS]	Next: 6/25/2014 1:00 PM
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd	
ABSENT:	Kwanza Hall	

RESULT:	REFERRED TO COMMITTEE [UNANIMOUS]	Next: 6/25/2014 1:00 PM
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd	
ABSENT:	Kwanza Hall	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY - BLUE BACK

*****AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AMENDING THE FY 2014 GENERAL FUND BUDGET, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS THE AMOUNT OF FIVE HUNDRED FIFTY-TWO THOUSAND, EIGHT HUNDRED TWENTY-THREE DOLLARS AND SIXTY-THREE CENTS (\$552,823.63) RECEIVED FROM FULTON COUNTY AS A REFUND OF MONIES PAID IN ADVANCE TO FULTON COUNTY FOR THE CONDUCT OF THE CITY OF ATLANTA'S 2013 GENERAL AND RUN-OFF ELECTIONS; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta received a refund of election advances from Fulton County and the City desires to deposit in a trust account established for current and future election costs; and

WHEREAS, due to the uncertain occurrence of a special election to fill a vacancy or to present a question to voters (i.e. bond referendum) in a non-general election year, maintenance of a funded account to pay for elections pursuant to Section 21-2-71(Exhibit A) of the Georgia Election Code is fiscally prudent; and

WHEREAS, in accordance with Section 21-2-9(c)(d)(Exhibit B) of the Georgia Election Code there shall be a City of Atlanta General Election, and in accordance with Section 21-2-403(Exhibit C) of the Georgia Election Code; and if necessary, a General Run-Off Election in all applicable precincts.

The CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: That the 2014 General Fund Budget, is hereby amended as follows:

ADD TO ANTICIPATIONS

1001	General Fund	
000002	Balance Sheet Organization	
3419102	General Election-Reimbursement	\$552,823.63
7701	Trust Fund	
200317	NDP - Fulton County Elections	
3419102	General Election-Reimbursement	\$552,823.63
1110000	Governing Body	

ADD TO APPROPRIATIONS

1001	General Fund	
200317	NDP - Fulton County Elections	
5710001	Payments to Other Governments	
1400000		\$552,823.63
7701	Trust Fund	
200317	NDP - Fulton County Elections	
5424004		
1110000	Governing Body	\$552,823.63

Section 2: That the correspondence transmitting the refund and the documentation of actual 2013 General and Run-off Elections costs received from Fulton County are hereby shown as (Exhibit D).

Section 3: That deposits will be made into this account as any election related payments such as qualifying fees, late filing fees, etc. are received.

Section 4: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY
FINANCE EXECUTIVE COMMITTEE

AN ORDINANCE AMENDING THE FY 2014 GENERAL FUND BUDGET, BY
ADDING TO ANTICIPATIONS AND APPROPRIATIONS THE
AMOUNT OF FIVE HUNDRED FIFTY TWO THOUSAND,
EIGHT HUNDRED TWENTY THREE DOLLARS AND SIXTY-THREE CENTS
(\$552,823.63) RECEIVED FROM FULTON COUNTY AS A REFUND OF MONIES
PAID IN ADVANCE TO FULTON COUNTY FOR THE CONDUCT OF
THE CITY OF ATLANTA'S 2013 GENERAL AND RUN-OFF
ELECTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta received a refund of election advances from
Fulton County and the City desires to deposit in a trust account established for current and
future election costs; and

WHEREAS, due to the uncertain occurrence of a special election to fill a vacancy or to present a
question to voters (i.e. bond referendum) in a non-general election year, maintenance of a funded
account to pay for elections pursuant to Section 21-2-71 (Exhibit A) of the Georgia Election Code is
fiscally prudent; and

WHEREAS, in accordance with Section 21-2-9 (Exhibit B) of the Georgia Election Code there shall be a
City of Atlanta General Election, and in accordance with Section 21-2-403 (Exhibit C) of the Code of
Georgia Election Code; and if necessary, a General Run-Off Election in all applicable precincts.

The CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as
follows:

SECTION 1: That the 2014 General Fund Budget, is hereby amended as follows:

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3419102	General Election-Reimbursement	\$552,823.63
7701	Trust Fund	
200317	NDP - Fulton County Elections	
3419102	General Election-Reimbursement	\$552,823.63
1110000	Governing Body	

Attachment: Election account 2nd draft (14-O-1321 : Election account)

ADDDTOAPPROPRIATIONS

1001	General Fund	
200317	NDP - Fulton County Elections	
5710001	Payments to Other Governments	
1400000		\$552,823.63
7701	Trust Fund	
200317	NDP - Fulton County Elections	
5424004		
1110000	Governing Body	\$552,823.63

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Attachment: Election account 2nd draft (14-O-1321 : Election account)

EXHIBIT A

O.C.G.A. § 21-2-71

GEORGIA CODE
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*** Current Through the 2013 Regular Session ***

TITLE 21. ELECTIONS
CHAPTER 2. ELECTIONS AND PRIMARIES GENERALLY
ARTICLE 2. SUPERVISORY BOARDS AND OFFICERS
PART 3. SUPERINTENDENTS

O.C.G.A. § 21-2-71 (2013)

§ 21-2-71. Payment by county or municipality of superintendent's expenses

The governing authority of each county or municipality shall appropriate annually and from time to time, to the superintendent of such county or municipality, the funds that it shall deem necessary for the conduct of primaries and elections in such county or municipality and for the performance of his or her other duties under this chapter, including:

- (1) Compensation of the poll officers, custodians, and other assistants and employees provided for in this chapter;
- (2) Expenditures and contracts for expenditures by the superintendent for polling places;
- (3) Purchase or printing, under contracts made by the superintendent, of all ballots and other election supplies required by this chapter, or which the superintendent shall consider necessary to carry out the provisions of this chapter;
- (4) Maintenance of all voting equipment required by this chapter, or which the superintendent shall consider necessary to carry out this chapter; and
- (5) All other expenses arising out of the performance of his or her duties under this chapter.

HISTORY: Code 1933, § 34-402, enacted by Ga. L. 1964, Ex. Sess., p. 26, § 1; Ga. L. 1970, p. 347, § 5; Ga. L. 1998, p. 295, § 1; Ga. L. 2003, p. 517, § 7.

EXHIBIT B

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*** Current Through the 2013 Regular Session ***

TITLE 21.ELECTIONS
CHAPTER 2. ELECTIONS AND PRIMARIES GENERALLY
ARTICLE 1. GENERAL PROVISIONS

O.C.G.A. § 21-2-9 (2013)

§ 21-2-9. Date of election for offices

(a) The Governor, Lieutenant Governor, Secretary of State, Attorney General, State School Superintendent, Commissioner of Insurance, Commissioner of Agriculture, Commissioner of Labor, members of Congress, district attorneys, members of the General Assembly, and county officers not elected pursuant to Code Section 21-2-139 shall be elected in the November election next preceding the expiration of the term of office.

(b) Justices of the Supreme Court, Judges of the Court of Appeals, judges of the superior courts, and county judicial officers, offices of local school boards, and nonpartisan offices elected pursuant to Code Section 21-2-139 shall be elected in the nonpartisan general election next preceding the expiration of the term of office.

(c) All general municipal elections to fill municipal offices shall be held on the Tuesday next following the first Monday in November in each odd-numbered year. Public notice of such elections shall be published by the governing authority of the municipality in a newspaper of general circulation in the municipality at least 30 days prior to the elections. In addition, the municipality shall immediately transmit a copy of such notice to the Secretary of State.

(d) Whenever a municipal general primary or election is held in conjunction with the general primary or November general election in even-numbered years, the time specified for the closing of the registration list, the time within which candidates must qualify for the municipal primary or election, and the time specified for the holding of any runoff necessary shall be the same as specified for general elections.

HISTORY: Orig. Code 1863, §§ 1245, 1265, 1266, 1267, 1268, 1270, 1274; Code 1868, §§ 1326, 1346, 1347, 1348, 1349, 1351, 1355; Ga. L. 1869, p. 22, §§ 1, 2; Ga. L. 1872, p. 29, § 2; Ga. L. 1872, p. 80, § 8; Code 1873, §§ 1305, 1319, 1320, 1321, 1323, 1327; Code 1882, §§ 1305, 1319, 1320, 1321, 1323, 1327; Ga. L. 1894, p. 40, § 1; Civil Code 1895, §§ 83, 97, 98, 99, 101, 105; Ga. L. 1898, p. 42, § 1; Ga. L. 1898, p. 43, § 1; Civil Code 1910, §§ 97, 111, 112, 113, 115, 119; Ga. L. 1913, p. 135, § 1; Ga. L. 1914, p. 47, § 1; Code 1933, §§ 34-2302, 34-2401, 34-2602, 34-2603, 34-2701, 34-2705; Ga. L. 1957, p. 102, § 1; Ga. L. 1957, p. 117, § 1; Code 1933, § 34-802, enacted by Ga. L. 1964, Ex. Sess., p. 26, § 1; Ga. L. 1978, p. 1004, § 15; Ga. L. 1983, p. 884, § 6-3; Ga. L. 1986, p. 855, § 3; Ga. L. 1998, p. 295, § 1; Ga. L. 2005, p. 253, § 4/HB 244; Ga. L. 2008, p. 817, § 1/HB 1098; Ga. L. 2012, p. 995, § 1/SB 92.

Attachment: Election account 2nd draft (14-O-1321 : Election account)

EXHIBIT C

O.C.G.A. § 21-2-403

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TITLE 21.ELECTIONS
CHAPTER 2. ELECTIONS AND PRIMARIES GENERALLY
ARTICLE 11. PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS
PART 1. GENERAL PROVISIONS

O.C.G.A. § 21-2-403 (2013)

§ 21-2-403. Time for opening and closing of polls

At all primaries and elections the polls shall be opened at 7:00 A.M. eastern standard time or eastern daylight time, whichever is applicable, and shall remain open continuously until 7:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, at which time they shall be closed; provided, however, that, in all cities having a population of 300,000 or more according to the United States decennial census of 1970 or any future such census, the polls shall remain open continuously until 8:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, during the cities' general elections, at which time they shall be closed and provided, further, that, in a special election held to fill a vacancy in an office in which the district represented by such office lies wholly within the boundaries of a city, the polls shall close at the same time as for a municipal general election in such city.

HISTORY: Ga. L. 1865-66, p. 24, § 1; Code 1868, § 1313; Code 1873, § 1286; Code 1882, § 1286; Civil Code 1895, § 70; Ga. L. 1898, p. 93, § 1; Civil Code 1910, § 80; Code 1933, § 34-1302; Ga. L. 1941, p. 321, § 1; Ga. L. 1943, p. 480, § 1; Code 1933, § 34-1304, enacted by Ga. L. 1964, Ex. Sess., p. 26, § 1; Ga. L. 1998, p. 295, § 1; Ga. L. 2001, Ex. Sess., p. 311, § 1.

EXHIBIT A

O.C.G.A. § 21-2-71

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- (1) Compensation of the poll officers, custodians, and other assistants and employees provided for in this chapter;
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BOARD OF REGISTRATION AND ELECTIONS

130 PEACHTREE STREET, S.W., SUITE 2186

ATLANTA, GA 30303-3460

404-612-7020

April 24, 2014

Ms. Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta
Suite 2700
55 Trinity Avenue
Atlanta, Georgia 30303

Dear Ms. Johnson:

Enclosed is an accounting of the costs to conduct the City of Atlanta General Election on November 5, 2013 and the General Runoff Election on December 3, 2013.

The City of Atlanta submitted a check in the amount of \$934,684.44 for the conduct of the General Election and \$508,992.45 for the General Runoff Election. Total election expenses incurred were \$890,853.26. As a result, the City of Atlanta is due a refund in the amount of \$552,823.63. Enclosed is your refund check.

If I can be of further assistance, please do not hesitate to call me at 404-612-7020.

Sincerely,



Dwight Brower
Elections Chief

DB/bem

Enclosures

Cc: Mr. Richard Barron, Director