

AN ORDINANCE
BY COUNCILMEMBER ANDRE DICKENS



**AN ORDINANCE TO AMEND CHAPTER 2 (ADMINISTRATION),
ARTICLE V (ADMINISTRATIVE ORGANIZATION OF THE EXECUTIVE
BRANCH), OF THE CITY OF ATLANTA CODE OF ORDINANCES TO
ADD A NEW SECTION 2-281 ENTITLED THE DEPARTMENT OF
TRANSPORTATION; AND FOR OTHER PURPOSES.**

WHEREAS, Article 1, Section 1-102, Subsection (b), of the City of Atlanta (the “City”) Charter vests the City with all powers necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants; and

WHEREAS, Article 1, Section 1-102, Subsection (c) 11, of the City Charter authorizes the City to maintain the streets, alleys, sidewalks, and walkways within City limits; and

WHEREAS, Article 1, Section 1-102, Subsection (c) 37, of the City Charter authorizes the City to regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the City; and

WHEREAS, Article 1, Section 1-102, Subsection (c) 41, of the City Charter authorizes the City to regulate and control streets, public alleys, and ways and the uses thereof; and

WHEREAS, the City has an interest in maintaining the health, safety, and welfare of its residents or any visitor who uses the City’s transportation system; and

WHEREAS, the City has an interest in regulating through the lawful exercise of its police powers, the use of the City’s transportation system; and

WHEREAS, the City currently regulates the City’s transportation system using multiple departments and offices within the City; and

WHEREAS, the City commissioned a comprehensive study entitled “Delivering Mobility, An Assessment of a Stand-Alone Atlanta Transportation Department” (the “Study”), which was prepared by the consulting group WSP USA and completed March 5, 2018; and

WHEREAS, the Study found that restructuring the way transportation is managed in the City could catalyze, and be the vehicle for, providing transportation leadership vision, talent and capacity; and

WHEREAS, Article 3, Section 3-301, Subsection (g), of the City Charter authorizes the Mayor to initiate or create additional departments; and

WHEREAS, Article 3, Section 3-305 of the City Charter authorizes the Mayor to appoint all commissioners of departments, subject to confirmation by a majority of the City Council; and

WHEREAS, it is in the best interest of the City to establish a Department of Transportation under the Executive Branch to unify the City's operations regarding the City's transportation system, effectively administer and maintain the City's transportation system, and move towards a sustainable, multimodal transportation future whereby residents and visitors have a variety of mobility options.

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

SECTION 1: That Chapter 2 (Administration), Article V (Administrative Organization of the Executive Branch), of the City of Atlanta Code of Ordinances is hereby amended to add a new section 2-281 entitled the Department of Transportation which shall read as follows:

(a) The Department of Transportation shall consist of the following offices:

- (1) Office of Mobility Strategy, Planning, and Performance;
- (2) Office of Capital Programming and Delivery; and
- (3) Office of Operations and Maintenance.

(b) The functions and duties of the Department of Transportation shall include:

- (1) Design the strategy and vision for a multimodal transportation system that provides residents, commuters, and visitors safe access within and to the City of Atlanta;
 - (2) Plan, program, and deliver transportation projects to improve safety and mobility within the City of Atlanta;
 - (3) Maintain and operate transportation assets to provide an efficient and effective transportation system;
 - (4) Coordinate transportation activities and investments with partnering jurisdictions and agencies; and
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(5) Other transportation functions and duties which are under the purview of the Department of Public Works, the Department of City of Planning, and Renew Atlanta which may be transferred to the Department of Transportation.

(c) Commissioner of the Department of Transportation:

(1) The Department of Transportation shall be led by the Commissioner of the Department of Transportation who shall be responsible for the administration and direction of the affairs and operations of the department and shall exercise general management and control thereof.

(2) The Commissioner of the Department of Transportation shall report directly the Mayor.

(3) The Mayor, pursuant to Section 6-401 of the City of Atlanta Code of Ordinances is authorized and hereby designates the Commissioner of the Department of Transportation as the Mayor's designee to execute certain contracts and purchase orders for projects relating to the transportation system of the City of Atlanta approved in accordance with the requirements set forth in City Code Section 2-1190 (Small Purchases).

SECTION 3: The Chief Financial Officer is authorized to amend the Fiscal Year 2020 budget to create an appropriate fund, account and center number and to allocate appropriate funding for the creation of the Department of Transportation.

SECTION 4: City Code Section 2-282 through Section 2-300 continue to be reserved.

SECTION 5: All ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.

SECTION 6: This ordinance shall become effective when signed by the Mayor or as otherwise provided by law.