CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

BY COUNCIL MEMBERS

02-O-0847

AN ORDINANCE RESCINDING ORDINANCE #02-O-0246 ADOPTED BY THE ATLANTA CITY COUNCIL ON FEBRUARY 22, 2002 AND APPROVED ON MARCH 6, 2002; AMENDING SEC. 2-36, DIVISION 1, ARTICLE II, CHAPTER 2 OF THE CODE OF ORDINANCES SO AS TO PROVIDE FOR COUNCIL PRESIDENT'S EXPENSE ACCOUNTS; REPEALING CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance #02-O-0246 was adopted by the Atlanta City Council on February 22, 2002, and approved on March 6, 2002, to provide expense accounts for the Office of Council President; and

WHEREAS, said ordinance referred and amended the wrong section in the Atlanta City Code of Ordinances; and

WHEREAS, the correct code section has now been identified for such amendment.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF ATLANTA, GEORGIA, as follows:

Section 1. That Ordinance #02-O-0246, adopted by the Atlanta City Council on February 22, 2002, and approved on March 6, 2002, is hereby rescinded in its entirety.

Section 2. That, to provide for Council President's expense accounts, Sec. 2-36, Division 1, Article II, Chapter 2 of the Code of Ordinances of the City of Atlanta, Georgia, is hereby deleted in its entirety and replaced by the following:

DIVISION 1. GENERALLY

Sec. 2-36. President of council.

(a) The president of the council shall, upon taking the chair, call the members of the council to order and, on the presence of a quorum, cause the journal of the proceedings of the last council meeting to be read for approval by the council.

(b) The president shall preserve order and decorum and shall have general control of the council chamber and its appurtenances.

(c) The president shall sign all ordinances, resolutions, subpoenas and other documents issued by order of the council and shall rule upon all questions of order, subject to appeal by any councilmember.

(d) The president shall propound all questions to the council and shall declare the vote thereof upon voice vote or, if in doubt, upon a call of the vote. The president shall vote only if a tie vote of the council occurs.

(e) The council shall select a president pro tempore on an annual basis who shall preside in the absence of the president. The councilmember selected to serve as president pro tempore shall be chosen on a rotational basis based on seniority as has been the tradition. If two or more councilmembers are of equal seniority, the selection shall be made on the basis of the numerical order of the respective district or post. No councilmember shall serve a second year as president pro tempore until all members have served at least one year. During the absence of the president, the president pro tempore shall discharge the duties and exercise the powers and authority of the president. In the absence of the president pro tempore, the president shall appoint any member of the council to preside in the president's absence. The councilmember so chosen shall discharge the duties and exercise the powers and authority of the president. The member of the council presiding, whether the president pro tempore or a member of the council appointed by the president, shall vote on all questions before the council during the time such member is presiding.

(f) All appointments to committees made by the council president shall be for one year.

(g) The president shall be authorized to compel the attendance of councilmembers by subpoena, in such circumstances as the president shall deem to warrant the issuance of a subpoena. The subpoena shall, when issued, be executed immediately and without delay by any officer of the council so designated in accordance with its rules or by the president. The president shall have the authority to levy a fine of up to $50.00 upon any councilmember who willfully fails to respond to a subpoena.

(h) The president shall have all the powers and shall perform all the duties normally incumbent upon a presiding officer, it being the president's primary responsibility to ensure the expeditious discharge of public responsibilities and obligations imposed upon the council by law.

(i) Upon the assumption by the president of the council of the powers and duties of the mayor as provided in section 2-204(d) of the Charter and, where appropriate, until a special election can be conducted pursuant to the terms of section 5-103 of the Charter, the president pro tempore of the council, elected pursuant to subsection (e) of this section, shall assume and discharge the powers and duties of the president of the council.

(j) If both the mayor and president of the council are unable to perform their duties because of death, disability, incapacity, disqualification or as otherwise provided in the Charter, the president pro tempore shall, where applicable, until a special election can be conducted pursuant to the terms of section 5-103 of the Charter, exercise all powers and discharge all duties of the office of the mayor, and the council shall immediately thereafter elect from among its members a president pro tempore whose powers and duties shall be as provided in the Charter and this Code for the president of the council.

(k) The Council President's expense accounts and appropriations shall be structured as follows:

(1) The chief financial officer is authorized and directed to establish within the city's standard chart of accounts, within the category of other current operating expenses, an expense account entitled "President's expense." The account shall be charged for expenses relating to official city business of the President, to include but not be limited to business travel; convention and training; newsletter and other publication or correspondence production and distribution; office and operating supplies; service, equipment, maintenance or repair contracts; subscriptions to publications; and postage. Should the President desire to utilize a portion of the expense accounts to fund projects for the public good, the president may by ordinance establish a separate account from which to fund such projects which are outside the scope of regular office expenses.

(2) For appropriations to the President's accounts, the President shall be deemed to be the equivalent of a department head within the context of authority over the funds appropriated to the center designated and shall have authority to draw against and transfer among accounts within such center in conformity with this Code and administrative provisions, with the exception of the salaries permanent part-time and benefits accounts. Appropriations for salaries permanent part-time and benefits shall only be expended as compensation and benefits for council assistants and are restricted from transfer to any other account. All other expenditures within the center shall be charged against the appropriate expense account in the city's chart of accounts. Notwithstanding the foregoing, the prohibition against transferring allocations from the President's cost center shall not apply to transfers from any line item in the President's cost center to an operating department.

(3) Subsections (1) and (2) of this section notwithstanding, the chief financial officer is authorized to ensure that funds required for salary and benefit costs shall be encumbered in such accounts and that no encumbered funds so required shall be spent for any other purpose.

(4) If the President incurs expenses or obligations in excess of the sums appropriated for use in any calendar year, the appropriations for the succeeding year shall be reduced by the amount of any such overage. If the President shall not be serving in office in the succeeding year, such excess expenses or obligations shall be immediately reimbursable to the city.

(5) The mayor and the chief financial officer are authorized to carry forward, as appropriations payable, from one fiscal year to the next, within a four-year term of office, unexpended funds in appropriations to the cost center established for the President.

Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby rescinded.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, OMC

ADOPTED by the Council — MAY 20, 2002
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 — MAY 29, 2002

RCS# 3760
5/20/02
3:48 PM

Atlanta City Council

Regular Session

02-O-0847 Rescind Ordinance 02-O-0246 to provide for Council President's Expense Accounts
ADOPT

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	3
ABSENT	1

Y Smith	Y Archibong	Y Moore	Y Mitchell
E Starnes	Y Fauver	Y Martin	Y Norwood
E Young	Y Shook	Y Maddox	B Willis
Y Winslow	E Muller	Y Boazman	NV Woolard

02-O -0847

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ADOPTED BY
MAY 2 0 2002
COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☑ PERSONAL PAPER REFER

Date Referred 5/6/02

Referred To: Committee on Council

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee	Committee
COC	
Date 5/20/02	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other:	Action: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer to	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other:	Action: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐2nd ☐1st & 2nd Readings ☐3rd

☐Consent ☐V Vote ☑RC Vote

CERTIFIED

CERTIFIED

MAY 2 0 2002

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

MAY 2 0 2002

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 2 9 2002

WITHOUT SIGNATURE BY OPERATION OF LAW