04-R-0866

Clair Muller

A RESOLUTION
BY COUNCILMEMBERS CLAIR MULLER, CARLA SMITH, JIM MADDOX AND HOWARD SHOOK

A RESOLUTION AUTHORIZING THE CREATION OF A CHARTER REVIEW COMMISSION; AND FOR OTHER PURPOSES.

WHEREAS, in 1971 a Charter Commission was established by the Georgia State Legislature to review Atlanta's 100 year old Charter; and

WHEREAS, in 1973 after eighteen (18) months of review a new City Charter was adopted by Senate Bills 49 and 50; and

WHEREAS, in 1993 a Charter Review Commission was created by the City Council; and

WHEREAS, that Commission was expanded and refined in 1994; and

WHEREAS, the City's most recent Charter was adopted in 1996; and

WHEREAS, there were a number of issues that were unresolved following the work of the 1994 Charter Review Commission; and

WHEREAS, the City continues to experience significant change, including shifts in population, increased service demands, and challenges in locating revenue sources; and

WHEREAS, issues have arisen concerning the composition and electoral procedures for the elected officials of the City of Atlanta; and

WHEREAS, it is deemed by the Atlanta City Council as the appropriate time to initiate a review of its Charter.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: **Creation and composition.**

(a) There is hereby created a Charter Review Commission.

(b) Said Commission shall consist of the following:

(1) Two (2) members to be appointed by the Mayor, one of whom must be a member of the 1994 Charter Review Commission;

(2) Two (2) members to be appointed by the City Council President, one of whom must be a member of the 1994 Charter Review Commission;

F-1

(3) Two (2) members appointed by each of the grouped council districts (Districts 1-4 and Post 1 At-Large; Districts 5-8 and Post 2 At-Large; and District 9-12 and Post 3 At-Large);
(4) One (1) member to be appointed by the President of the Atlanta Planning and Advisory Board (APAB);
(5) The chairs of the Fulton County Senate and House Delegations, or their designee;
(6) The chairs of the Dekalb County Senate and House Delegations, or their designee;
(7) One (1) member appointed by the Atlanta Bar Association;
(8) One (1) member appointed by the Gate City Bar Association;
(9) One (1) member appointed by the Atlanta Business League;
(10) One (1) member appointed by the Metro Atlanta Chamber of Commerce;
(11) One (1) member appointed by the Fulton County League of Women Voters; and
(12) One (1) member appointed jointly by the Presidents of the six (6) major universities in the City of Atlanta. These universities include:

a. Spelman University;
b. Morehouse University;
c. Morris Brown University;
d. Clark Atlanta University;
e. Georgia State University; and
f. Georgia Institute of Technology.

(c) The Mayor and the City Council President shall serve as ex-officio members.

(d) Two (2) members of the City Council, one from an at-large post, and one from a district post, to be appointed by the Council shall serve as ex-officio members.

(e) All members of the commission shall be residents of the City of Atlanta.

(f) The Commission shall select its own officers and form whatever functional groups it deems necessary.

(g) All appointments shall be in place no later than August 20, 2004. The final recommendations shall be reported to the City Council no later than December 31, 2004.

SECTION 2: **Charge of the Commission.**

The charge of the Charter Review Commission shall be to review the present Charter to study and make recommendations regarding the following:

(1) The composition of the City Council;
(2) Election procedures for the City Council;
(3) Funding arrangements for City of Atlanta elections; and
(4) Administration and personnel practices resulting from or during a vacancy.

SECTION 3: **Term.**

(a) The term of the Commission shall be from August 20, 2004 until the Commission submits a report of its findings and recommendations to the Mayor and the City Council, but not later than December 31, 2004 on which date the Commission shall be abolished.

(b) The Commission shall hold a minimum of four (4) public hearings, one (1) in each of the quadrants of the City, for the purpose of receiving public comment.

(c) The time and place of such hearings shall be published at least one (1) week in advance in a newspaper of general circulation in Fulton and Dekalb Counties.

(d) The hearings shall be completed not later than thirty (30) days prior to the expiration of the term of Commission.

SECTION 4: **Commission budget.**

(a) The Chief Financial Officer is hereby authorized to establish a Reserve Account in the non-departmental cost center to provide for the Commission

(b) The City Council shall appropriate whatever funds the Commission deems necessary to accomplish its work.

(c) The Commission may raise additional funds from private sources to provide for additional staffing and research needs if deemed necessary, with the approval of the City Council.

(d) The Commission shall prepare a budget and deliver same to the City Council and the Mayor not later than September 15, 2004. Any amendments to same shall be delivered accordingly, immediately upon adoption.

SECTION 5: **Recommendations.**

(a) At the expiration of the term of the Commission, the Commission shall issue a report detailing any recommendations it might develop.

(b) Any recommendations set forth by the Commission shall be accompanied by a budgetary impact statement, with a recommendation for funding sources therefor.

SECTION 6: All resolutions and parts of resolutions in conflict herewith are hereby repealed.