



**CITY COUNCIL
ATLANTA, GEORGIA**

24-O-1399

AN ORDINANCE BY COUNCILMEMBER LILIANA BAKHTIARI AS SUBSTITUTED BY THE COMMITTEE ON COUNCIL TO AMEND THE CHARTER OF THE CITY OF ATLANTA GEORGIA, 1996 GA LAWS P.4469 ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 O.C.G.A, SECTION 36-35-1 ET SEQ. AS AMENDED, BY AMENDING ATLANTA CITY CHARTER PART 1 (CHARTER AND RELATED LAWS) SUBPART A (CHARTER) ARTICLE 3 (EXECUTIVE) CHAPTER 4 (BOARDS, AUTHORITIES, COMMISSIONS AND OTHER SIMILAR BODIES) SECTION 3-401(II)(B) (AS IT RELATES TO THE TERMINATION OF BACES) TO IMPLEMENT A PROCESS BY WHICH THE CHAIR OF THE COMMITTEE ON COUNCIL MAY SUNSET BOARDS, AUTHORITIES, COMMISSIONS AND OTHER SIMILAR BODIES FOLLOWING A PERIOD OF INACTIVITY OF TWO (2) YEARS; TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES TO REFLECT THE ACTIONS OF THIS CHARTER AMENDMENT; AND FOR OTHER PURPOSES.(1ST READING 8/5/24; 2ND READING, 1ST ADOPTION 8/19/24; 3RD READING 9/16/24))

WHEREAS, the City of Atlanta has the authority to create boards, authorities, commissions or other similar bodies (BACE's) to solve issues that may arise related to corporate, municipal, governmental, or public purposes and for the security, peace, health, and good government of the city; and,

WHEREAS, BACE's may be created in the City to perform duties including, but not limited to, making studies, conducting research and investigations, holding hearings, and preparing recommendations as to City functions or needed ordinances and resolutions; and,

WHEREAS, The City currently supports over 136 BACE's; and,

WHEREAS, certain boards, authorities, commissions, etc. (BACE) created by action of the Atlanta City Council have either accomplished the purposes for which they were created, have surpassed their authorized term, and/or are no longer required; and

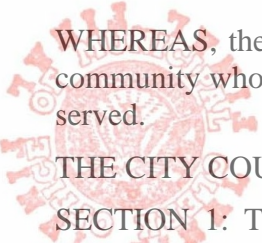
WHEREAS, Section 3-401(ii)(b) of the Atlanta City Charter currently provides that Council Staff will periodically review BACE's to determine if any have met their intended purpose and draft legislation to sunset the appropriate BACE's annually; and,

WHEREAS, some BACE's fall through the cracks of the review process due to their make up or nature, and;

WHEREAS, evidence suggests that several "active" BACE's have not met or hit quorum for several years; and

WHEREAS, There is a need to implement additional processes to clean up the list of BACE's and ensure that the boards are meeting and running efficiently; and

WHEREAS, BACE's codified in the City of Atlanta Code of Ordinances are exempt from the provisions of this ordinance; and



WHEREAS, the City Council of the City of Atlanta extends its gratitude to all of the members of the community who contributed their time and insights in service of the mission of the BACE on which they served.

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

SECTION 1: That Part I, (Charter and Related Laws), Subpart A (Charter), Article 3 (Executive), Chapter 4 (Boards, Authorities, Commissions and Other Similar Bodies), Section 3-401(II)(b) (As it relates to the termination (sunset) of BACEs) is hereby amended such that it shall read as follows (with permanent additions in underline font and permanent deletions in strikethrough font):

(1) Any BACE, not codified within the Atlanta City Charter and Related Laws, and Code of Ordinances, that fails to establish a quorum within 90 days after adoption of authorizing ordinance or resolution, or who fails to meet within 60 days of establishing a quorum of members, shall be terminated (sunset) by the Municipal Clerk without authorization from the City Council; but with notice of such terminations being provided by the Clerk to the Mayor, Council President, all members of Council, any other identified appointing entities, and any appointees to the BACE whose appointment was made within the 90 day period. Prior to termination (sunset), the Municipal Clerk shall provide a thirty (30) day notice to the sponsor of the legislation to establish the BACE and the BACE chair or designated BACE contact person to inform them of the potential termination (sunset). The BACE will then be terminated (sunset) upon inaction of the sponsor of the legislation to establish the BACE following the 30-day notification.

(2) The Council Staff Director, or his or her designee within the Council's Office of Research and Policy, shall periodically, but not less than once every two years, review all BACEs to determine if the purpose for which the BACE was created has been fulfilled and whether termination (sunset) is necessary. If so determined, an ordinance or resolution shall be drafted by the Council Staff Director, or his or her designee, for presentation to City Council via the committee of purview over said BACE.

(3) On behalf of the Chair of the Committee on Council, the Council Staff Director, or his or her designee within the Council's Office of Research and Policy shall periodically, but not less than once every two years, review all BACEs to identify which BACE's have not met, achieved quorum or otherwise undertaken any official actions for a period no less than two years. Any identified BACE's shall be terminated via ordinance or resolution for presentation to City Council via Committee on Council.

(4)(3) BACEs that terminate (sunset) as provided in this subsection shall be reestablished only by ordinance or resolution of the City Council.

SECTION 2: Part II (Code of Ordinances), Chapter 2 (Administration), Article XVI (Boards, Council, Commission and Authorities) Division I (Generally) of the City of Atlanta Code of Ordinances shall be amended to include the following:

Sec 2-1856: Termination (Sunset) of BACEs

(1) Any BACE, not codified within the Atlanta City Charter and Related Laws, and Code of Ordinances, that fails to establish a quorum within 90 days after adoption of authorizing ordinance or resolution, or who fails to meet within 60 days of establishing a quorum of members, shall be terminated (sunset) by the Municipal Clerk without authorization from the City Council; but with notice of such terminations being provided by the Clerk to the Mayor, Council President, all members of Council, any other identified appointing entities, and any appointees to the BACE whose appointment was made within the 90 day period. Prior to termination (sunset), the Municipal Clerk shall provide a thirty (30) day notice to the sponsor of the legislation to establish the BACE and the BACE chair or designated BACE contact person

to inform them of the potential termination (sunset). The BACE will then be terminated (sunset) upon inaction of the sponsor of the legislation to establish the BACE following the 30-day notification.

(2) The Council Staff Director, or his or her designee within the Council's Office of Research and Policy, shall periodically, but not less than once every two years, review all BACEs to determine if the purpose for which the BACE was created has been fulfilled and whether termination (sunset) is necessary. If so determined, an ordinance or resolution shall be drafted by the Council Staff Director, or his or her designee, for presentation to City Council via the committee of purview over said BACE.

(3) On behalf of the Chair of the Committee on Council, the Council Staff Director, or his or her designee within the Council's Office of Research and Policy shall periodically, but not less than once every two years, review all BACEs to identify which BACE's have not met, achieved quorum or otherwise undertaken any official actions for a period no less than two years. Any identified BACE's shall be terminated via ordinance or resolution for presentation to City Council via Committee on Council.

(4) BACEs that terminate (sunset) as provided in this subsection shall be reestablished only by ordinance or resolution of the City Council.

SECTION 3: That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

SECTION 4: That the amendments in this Ordinance shall be effective upon adoption.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith be and the same are hereby waived to the extent of the conflict only.

SECTION 6: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of the Charter of the City of Atlanta, Georgia and of Chapter 2 of the City of Atlanta Code of Ordinances, including Editor's notes, and shall not delete any references, but shall amend them to include this ordinance.

A true copy,



Corrine A. Lindo

Municipal Clerk

ADOPTED as amended by the Atlanta City Council
APPROVED by Mayor Andre Dickens

SEP 16, 2024
SEP 24, 2024



PUBLIC NOTICE

NOTICE OF PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF ATLANTA

Notice is hereby given that Ordinance 24-O-1399 has been introduced to amend the Charter of the City of Atlanta (Ga. Laws, 1996, p. 4469, et seq.) approved April 15, 1996, as amended, said Ordinance being captioned as follows:

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA GEORGIA, 1996 GA LAWS P.4469 ET SEQ., ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 O.C.G.A, SECTION 36-35-1 ET SEQ. AS AMENDED, BY AMENDING ATLANTA CITY CHARTER PART 1 (CHARTER AND RELATED LAWS) SUBPART A (CHARTER) ARTICLE 3 (EXECUTIVE) CHAPTER 4 (BOARDS, AUTHORITIES, COMMISSIONS AND OTHER SIMILAR BODIES) SECTION 3-401(II)(B) (AS IT RELATES TO THE TERMINATION OF BACES) TO IMPLEMENT A PROCESS BY WHICH THE CHAIR OF THE COMMITTEE ON COUNCIL MAY SUNSET BOARDS, AUTHORITIES, COMMISSIONS AND OTHER SIMILAR BODIES FOLLOWING A PERIOD OF INACTIVITY OF TWO (2) YEARS; TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES TO REFLECT THE ACTIONS OF THIS CHARTER AMENDMENT; AND FOR OTHER PURPOSES.

A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.