

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

ORD2022-###

AN ORDINANCE TO AMEND THE CITY OF SOUTH FULTON'S CHARTER, ARTICLE III, ORGANIZATION OF GOVERNMENT, GENERAL AUTHORITY, AND ORDINANCES, SECTION 3.21, SUBMISSION OF ORDINANCES TO THE MAYOR; AND FOR OTHER LAWFUL PURPOSES

(Sponsored by Councilmember Williams)

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof ("City Council");

WHEREAS, pursuant to City Charter Section 3.10A, the City has established a City council – City manager form of government;

WHEREAS, the full and complete legislative and policy making authority of the City resides in the part-time city council;

WHEREAS, O.C.G.A. § 36-35-6 authorizes the City to amend its municipal charter through a duly adopted ordinance that has been legally advertised in the official organ of the county of the legal situs of the municipal corporation or in a newspaper of general circulation in the municipal corporation; and

WHEREAS, pursuant to City Charter Section 3.10 (b), the City Council is authorized to adopt ordinances and amendments it deems necessary, expedient, or helpful for the health, welfare, safety, comfort and well-being of the inhabitants of the City.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as follows:

Section 1. The City of South Fulton Charter, Article III, Organization of Government, General Authority, and Ordinances is hereby amended by amending Section 3.21 to read as follows:

ARTICLE III. - ORGANIZATION OF GOVERNMENT, GENERAL AUTHORITY, AND ORDINANCES

Sec. 3.21. Submission of ordinances to the mayor.

- (a) Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within ~~five~~ **two** business days following the adoption of such ordinance, resolution, or other action by the city council. The mayor shall have the right to veto any ordinance,

resolution, or other action adopted by the city council, in accordance with the procedures set forth in this section.

- (b) The mayor, within ~~ten~~ **five** business days following receipt of an ordinance, resolution, or other action adopted by the city council, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance, resolution, or other action adopted by the city council has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance, resolution, or other action adopted by the city council to the city clerk within ~~ten~~ **five** business days of receipt, it shall become law at 12:00 Midnight on the ~~tenth~~ **fifth** business day after receipt. If an ordinance, resolution, or other action adopted by the city council is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reason for the mayor's veto. The city clerk shall record upon the ordinance, resolution, or other action adopted by the city council the date of its delivery to and its receipt from the mayor.
- (c) An ordinance, resolution, or other action adopted by the city council vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. Votes to override mayoral vetoes shall only occur at regular scheduled meetings of the city council, and cannot occur at a special meeting or emergency meeting. If the minimum number of councilmembers necessary to vote to override the veto are not present, the action may be continued until the next meeting at which such minimum number of councilmembers are present. The city council may override a veto by the mayor and adopt any ordinance, resolution, or other action adopted by the city council that has been vetoed by the mayor by the affirmative votes of at least five councilmembers, not including the mayor.
- ~~(d) In addition, the mayor may disapprove or reduce any item or items of appropriation in any ordinance, resolution, or other action adopted by the city council. The approved part or parts of any ordinance, resolution, or other action adopted by the city council making appropriations shall become law, and the part or parts disapproved or reduced shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The disapproved or reduced part or parts of any such ordinance, resolution, or other action adopted by the city council shall be presented to the city council as though disapproved and shall not become law unless overridden by the city council as set forth in subsection (c) of this section.~~

Section 2. Amendments are shown with strikethrough to denote text to be deleted and **bold underline** to denote text to be added. Where new sections or paragraphs are added that change the numbering of existing sections or paragraphs, all references throughout the Ordinance will be updated accordingly.

Section 3. It is hereby declared to be the intention of the Mayor and Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

Section 4. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section 5. The City Attorney, City Clerk and/or contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

Section 6. The effective date of this Ordinance shall be the date of adoption unless provided otherwise by the City Charter or state and/or federal law.

[signatures and voting tabulations appear on the following page]

GOVERNMENT OF THE CITY OF SOUTH FULTON

TAMMI SADDLER JONES
CITY MANGER



Karen Slaton-Dixon
FINANCE DIRECTOR

MEMORANDUM

TO: Corey Adams, City Clerk
FROM: Karen Slaton-Dixon, Finance Director *KSD*
DATE: April 21, 2022
SUBJECT: Amend the City Charter Article III Ordinance

CONCLUSION

No direct funds are being requested nor have any direct funds been allocated in the FY22 budget to cover any known expenses.

BACKGROUND

The City desires to amend the City of South Fulton's Charter, Article III, Organization of Government, General Authority, and Ordinances, Section 3.21, Submission of Ordinances to the Mayor.

FINANCIAL IMPACT

The only financial impact that the proposed ordinance would be that of the payments to the attorney that would provide the service to amend the Charter.

GOVERNMENT OF THE CITY OF SOUTH FULTON

khalid kamau
MAYOR



TAMMI SADDLER JONES
CITY MANAGER

MEMORANDUM

TO: 6:05 p.m. First Reading of An Ordinance Of The City Of South Fulton, Georgia, To Amend Requirements And Processes For Proposed Ordinances And Resolutions

DATE: April 26, 2022

SUBJECT: 6:05 p.m. First Reading of An Ordinance Of The City Of South Fulton, Georgia, To Amend Requirements And Processes For Proposed Ordinances And Resolutions

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
Ord2022 Work Session Policy v2 3-14-222	Cover Memo	4/22/2022
COSF Memorandum FIS Work Session Policy Ordinance	Cover Memo	4/25/2022

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

ORD2022-_____

AN ORDINANCE OF THE CITY OF SOUTH FULTON, GEORGIA, TO AMEND REQUIREMENTS AND PROCESSES FOR PROPOSED ORDINANCES AND RESOLUTIONS; AND FOR OTHER LAWFUL PURPOSES.

(Sponsored by Councilmembers Rowell, Willis, Williams, & Gumbs)

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof ("City Council"); and

WHEREAS, pursuant to City Charter Section 3.13, the City Council shall hold regular and, where necessary, specially called public meetings to transact the City's business; and

WHEREAS, pursuant to City Charter Section 3.22, the Mayor shall have prepared an "agenda for each meeting of the city council which shall include all business submitted by the mayor, any councilmember, the city manager, and the city attorney"; and

WHEREAS, work sessions are subject to the Open Meetings Act and must be posted and open to the public except for those issues that by law are permitted to be addressed in closed session; and

WHEREAS, work sessions provide the opportunity for city council to focus on long-term decisions rather than the day-to-day management issues that confront the city; and

WHEREAS, work sessions can help make regular sessions more productive and shorter and can be used for goal-setting, budget review, staff briefings or to provide opportunities for council/board members to study difficult issues, clarify problems and gather and analyze information; and

WHEREAS, the format for the work sessions shall promote efficiency in council operations but not to take action; and

WHEREAS, the following policy shall be used as a guide for the placement of legislative items on all meetings of Mayor and Council; and

WHEREAS, this ordinance is in the best interest of the City, its citizens and the efficient operation of the City.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as follows:

Section 1. That Title 1 (ADMINISTRATION), Chapter 3 (MAYOR AND COUNCIL), Section 1-3002 (Presiding officer and rules for debate) be amended by adding subsection (e.1), to read as follows:

(e.1) *Order of business for work sessions.* When a quorum is present the council shall proceed to the business before it, which shall be conducted in the following order:

- (1) City Manager Items.
 - a. Staff Reports.
 - b. Update City Initiatives Aligned with Strategic Plan.
 - c. Briefing on city contracts/purchases exceeding \$25,000.00.
- (2) Presentations at the request of the Mayor and/or City Council (not to exceed two (2) presentations by request of the Mayor and two (2) presentations at the request of City Council, by order of request and documented by official city email).
- (3) Executive Session (if necessary).
- (4) City Attorney report, if action taken in executive session.
- (5) Adjournment.

The Work Session agenda for the meeting may be amended upon two-thirds vote of the council.

All reports and presentations shall be submitted in writing to the city clerk by 5:00p on the Thursday preceding the work session for inclusion in the work session agenda packet.

Section 2. That Title 1 (ADMINISTRATION), Chapter 3 (MAYOR AND COUNCIL), Section 1-3002 (Presiding officer and rules for debate), subsection (g) (Agenda, preparation of; public comment), subsection (2)(a), be amended to read as follows:

(g) *Agenda, preparation of; public comment.*

...

(2) (a) To have an item placed on the agenda for consideration at a City Council work session meeting, it must be submitted electronically for consideration to the City Clerk by 12:00 p.m. (noon) on the Wednesday immediately preceding the work session date. Any supporting documents germane to the item should also be submitted. To have an item placed on the agenda for consideration at a City Council regular monthly meeting, it must be timely submitted for consideration at the City Council work session which precedes such regular monthly meeting.

Section 3. It is hereby declared to be the intention of the Mayor and Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

Section 4. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section 5. The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

Section 6. The effective date of this Ordinance shall be the date of adoption unless provided otherwise by the City Charter or state and federal law.

[signatures and voting tabulations appear on the following page]

GOVERNMENT OF THE CITY OF SOUTH FULTON

TAMMI SADDLER JONES
CITY MANGER



Karen Slaton-Dixon
FINANCE DIRECTOR

MEMORANDUM

TO: Corey Adams, City Clerk
FROM: Karen Slaton-Dixon, Finance Director *KSD*
DATE: March 30, 2022
SUBJECT: Work Session Policy Ordinance

CONCLUSION

No direct funds are being requested.

BACKGROUND

The city desires to amend requirements and processes for proposed ordinances and resolutions.

FINANCIAL IMPACT

The proposed ordinance as written will have no financial impact on the City's budget.

GOVERNMENT OF THE CITY OF SOUTH FULTON

khalid kamau
MAYOR



TAMMI SADDLER JONES
CITY MANAGER

MEMORANDUM

TO: 6:10 p.m. Second Reading of An Ordinance To Repeal The City Of South Fulton's Face Coverings Or Masks Ordinance Number 2021-016 Requiring Face Covering Or Masks To Be Worn In The City While Indoors To Help Combat The Spread Of COVID-19

DATE: April 26, 2022

SUBJECT: 6:10 p.m. Second Reading of An Ordinance To Repeal The City Of South Fulton's Face Coverings Or Masks Ordinance Number 2021-016 Requiring Face Covering Or Masks To Be Worn In The City While Indoors To Help Combat The Spread Of COVID-19

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
2022Ord Repeal Regular Mask Ordinance Final - Copy	Cover Memo	4/22/2022
COSF Memorandum FIS Repeal Regular Mask Ordinance	Cover Memo	4/25/2022