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July 1, 2015

Molly Read Woo
1022 Canter Rd. NE
Atlanta, Georgia 30324

RE: *Open Meetings Act Complaint regarding NPU-R*

Dear Ms. Read Woo:

I am writing to you regarding the complaint that the Neighborhood Planning Unit for district R has violated the Open Meetings Act by not allowing Ben Howard and Ron Shakir to attend their public meetings.


As you know, I wrote to the chairperson of NPU-R and requested a response regarding the allegations, a copy of their bylaws, and their thoughts on whether the Open Meetings Act would apply to Neighborhood Planning Units. I received the enclosed response from Ricardo Jacobs, asserting that the Act would not apply to the NPUs. He did not provide me with a copy of the bylaws and did not refute the allegation that Mr. Howard and Mr. Shakir were not allowed to attend meetings.

Although the Georgia Supreme Court has found that the Open Meetings Act does apply to advisory boards that are similar to the Neighborhood Planning Units, I am not convinced that a court would find that the Act applies to NPUs. However, the City of Atlanta Code of Ordinances contains the following ordinance, located in "Article B, Neighborhood Planning":

Sec. 6-3018 – Voting Procedures

(c) All NPU and committee meetings must be open to the public.

Because this law requires the meetings to be open to the public, I believe that it will be more efficient to address this issue through the enforcement of this law, rather than through Open Meetings Act litigation that may not be successful.

Sincerely,

Jennifer Colangelo
Assistant Attorney General

cc: Ricardo Jacobs (via email)