



# DeKalb County Charter Review Commission

FINAL REPORT RECOMMENDATIONS

BOARD OF COMMISSIONERS PRESENTATION

MARCH 5, 2024

# The Charter Review Commission Overview

- ▶ Created by Executive Order of the CEO 3/18/2021
- ▶ 15 members appointed by CEO, BOC, DeKalb Senate and House Delegation
- ▶ Met 20+ times and had 6 public hearings
- ▶ Vote Requirement: 10 of 15 “YES” votes. Almost all were unanimous.
- ▶ Goal: DeKalb legislative delegation to enact local legislation this session approving a November ballot referendum. BOC and CEO endorsements of recommendations are vital.

# Charter Review Commission Resources

- ▶ The Carl Vinson Institute provided research assistance and produced the Commission's Final Report
  - ▶ Report delivered to CEO, BOC and Delegation in January 2024
- ▶ COO Zach Williams represented the Administration and attended all meetings
- ▶ County Attorney conducted an Organizational Act section-by-section review

# Key Recommendations

- ▶ Budget: Changes annual budget submission deadline to Oct 1.
  - ▶ BOC must adopt a budget by last meeting in December.
  - ▶ If no budget is passed by the BOC, the CEO's budget is automatically in force until a budget is passed by the BOC.
- ▶ Purchasing: Requires the CEO to submit a recommended ordinance, subject to BOC approval, regulating purchasing and procurement by county agencies.
  - ▶ The BOC has 60 days to review, amend and approve the proposed ordinance. Subsequent amendments can be proposed by the BOC or the CEO.

# Key Recommendations (continued)

## ▶ CEO or BOC Vacancies:

- ▶ BOC can fill a temporary vacancy on BOC; if they do not, the senior judge of the Superior Court fills the vacancy.

## ▶ Appointments to boards and commissions:

- ▶ If the CEO doesn't nominate someone for an open position, the BOC may fill the position by majority vote.
- ▶ If the BOC fails to reject or confirm the nomination to a board or commission within the specified time, the CEO's nomination stands confirmed.
- ▶ Establishes the COO as responsible for tracking appointments, expiration dates and vacancies.

# Key Recommendations (continued)

## ▶ Governance Issues:

- ▶ Clarifies that BOC is legislative branch of the Governing Authority and jointly exercises governance with the executive branch.
- ▶ Enables commissioners to request through the CEO/COO information from DeKalb employees necessary to establishing policy or legislative action. Information to be provided in a timely manner and, if denied, a written explanation must be provided as to reason for the denial.
- ▶ Following the adoption of an authorizing resolution, authorizes BOC to issue subpoenas and require production of evidence when making inquiries and conducting investigations into the affairs of county departments / agencies.

# Key Recommendations (continued)

## ▶ Governance Issues:

- ▶ Calls for a BOC resolution whenever the CEO changes, consolidates or abolishes departments, agencies or offices OR creates new ones.
- ▶ Calls on the BOC to intentionally foster citizen engagement programs through the Community Council, NPUs or other initiatives.
- ▶ Eliminates the legal term “for cause” as a condition for the BOC discharging either the COO or County Attorney, but retains 5-vote majority to terminate.
- ▶ Eliminates the CEO’s voting right to break a tie at BOC meetings.

# Recommendations (continued)

## ▶ Communication and Open Records:

- ▶ Adds the requirement that many documents must be put on the website in addition to being printed in the legal organ
- ▶ Provides for the creation of future charter review commissions
- ▶ Creates an Open Records Officer for the county
- ▶ Changes the title of the Executive Assistant to Chief Operating Officer throughout the Act.



# State Law Compliance Recommendations

- ▶ Dozens of corrections to conform to state law, including:
  - ▶ Residency and age requirements for holding county office
  - ▶ The timeline for filling vacancies and calling special elections
  - ▶ Salaries of CEO and commission
  - ▶ Maximum penalty for ordinance violation (elimination of chain gangs for those unable to pay fines)
  - ▶ Conforms provisions to state law regarding creation of vacancies in office when a commissioner or CEO qualifies for other elective offices

# Items considered, but did not have the votes to pass

- ▶ Changing county government structure
  - ▶ CEO form to County Manager/County Chair form of government
- ▶ Changing BOC structure and size
  - ▶ Elimination of Super Districts
  - ▶ Increasing the number of BOC seats from 7 to 9
- ▶ Term limits for County Commissioners

# Next Steps / Timing

- ▶ Request Board of Commissioners to submit a resolution to the DeKalb Delegations supporting the CRC recommendations.
- ▶ Time is of the essence. There are only 10 legislative days left in the current General Assembly session to get a bill passed to have a referendum on the ballot in November.
- ▶ Thank you for the opportunity to meet with you today.
- ▶ What questions can we answer for you?