

What key recommendations were made by the DeKalb Charter Review Commission?

Strengthen the “checks and balances” intent of shared governance between the Chief Executive Officer (CEO) and the Board of Commissioners (BOC) by:

1. **Regulating procurement and purchasing:** The revised charter calls for the CEO to submit to the BOC within a certain time period a proposed ordinance for the purpose of regulating procurement and purchasing and defines a role for the BOC to review and amend the ordinance. **(Section 20)**

Even though legislation was passed several years back to add language calling for the CEO to establish rules to regulate purchasing *subject to the approval of the BOC*, that legislation was never submitted for voter approval, as required, and has been an area of contention between the CEO and BOC. Furthermore, the original language did not articulate a role for the BOC to propose later changes to such ordinances.

2. **Establishing the annual budget:** The revised charter changes the budgeting timeline and calls for the BOC to specify the manner in which the budget report presented to them is to be prepared and supported with documentation. **(Section 19)**

In the past, the BOC did not receive a proposed budget and accompanying report until December 15, which meant that the commissioners did not start seriously reviewing the budget documents until the beginning of the fiscal year for which the budget was intended. Furthermore, commissioners were not provided with sufficient detailed information needed at the beginning of the review process.

3. **Modifying the powers and duties of the BOC and CEO**

The revised charter adds the words “legislative” to the BOC’s functional description and adds the word “implementation” to the BOC’s enforcement powers. This clarifies that the BOC is a legislative body and is intended to jointly exercise authority with the executive branch of county government. **Section 9(a)**

The revised charter adds a subpoena power for the Board of Commissioners. This is a power included in the Georgia Model County Commission Act published by the ACCG (Association of County Commissioners of Georgia) and one that several other county governments with a divided executive/legislative type government provide for their commissioners if needed for the purpose of making inquiries or investigations into the affairs of the county. **Section 9(e)**

The revised charter enables any commissioner to request through the CEO/COO information from DeKalb employees that is necessary to the establishment of policy or legislative action. Such information should be provided in a timely manner and, if denied, a written explanation must be provided as to the reason for the denial. **Section 14(b)**

The revised charter recommends deleting “for cause” as a condition for the BOC discharging either the COO or the County Attorney. **Section 14 (d)**

The revised charter calls for a BOC resolution whenever the CEO changes, consolidates, or abolishes departments, agencies, or offices OR whenever the CEO creates new ones. **Section 14(c)**

The revised charter spells out the enhanced role of the CEO in managing all external relationships and intergovernmental matters for the county in addition to managing internal relationships with the BOC, other elected county officials and the judiciary as well as appointed boards, promoting and improving county government, encouraging the growth of the county, and promoting and developing the well-being of county citizens. **Section 14(a)**

Enhance the Executive Assistant’s role as the top professional manager of the county and rename the Executive Assistant to Chief Operating Officer (COO) Section 16

The revised charter includes language providing for the CEO to delegate to the COO matters concerning the operations, supervision, and administration of departments and renames the position.

The existing Executive Assistant position has specific education and experience requirements appropriate to service as the chief professional manager of the county reporting to the CEO and the BOC. With that knowledge base and as authorized by the CEO, the Chief Operating Officer could be expected to take on more responsibilities for the administration, supervision, and operation of county departments and provide greater professional insight to the CEO and the BOC.

Establish citizen engagement programs to encourage greater citizen input and participation in county government/push citizen expectations for more transparency via public reporting on the county website

The revised charter calls on the BOC to establish one or more **citizen engagement programs**, including, but not limited to, community councils, neighborhood planning units, or other initiatives designed to *intentionally* foster greater input and participation by county residents in DeKalb County government affairs. **Section 9(d)**

The revised charter calls for additional posting on the County website of the following documents: the CEO’s Annual Report Summary; board appointments; the county’s annual budget, budget summary, financial statements, and purchasing bid notices; final reports of the Independent Internal Auditor (which will also be sent to members of the County Legislative Delegation).

Improve the process for making appointments to state authorities, boards, commissions, or other bodies

The revised charter adjusts the timetable for the CEO to make appointments and for the BOC to act on them and provides consequences if either should fail to do so. **Section 15**

The revised charter also calls for the Chief Operating Officer to coordinate and supervise the process for making appointments, identifying vacancies and their timing, reporting same to the

CEO and the BOC on a timely basis, and posting on the county website the roster of appointments and public notices as to the existence and status of vacancies, including the schedule for making appointments. **Section 15(2)(e)**

Establish an Open Records Officer position, a records retention program, and future Charter Review Commissions

The revised charter calls for the establishment of a County Open Records Officer who will be responsible for coordinating and ensuring that all open records requests are managed in a timely and efficient manner. This recommendation is supported by the DeKalb Municipal Association. **(Section 27)**

The revised charter includes language that states the governing authority shall establish and maintain a records retention program in compliance with state law and calls for copies of contracts, maps or other materials or documents related to actions taken by the governing authority to be included in the minutes or incorporated by reference to an alternate location identified by ordinance or resolution. **(Section 22(b) and (e))**

The revised charter calls for establishing future organizational act review commissions no later than January 2029 and every eight years thereafter with funding, staff, legal counsel, administrative support, and outside experts sufficient to perform its duties. Also, if requested by either the CEO or by resolution of the BOC, the commission may review specific chapters of the Code of DeKalb County and make recommendations for chapter revisions. **(Section 28)**

Government charters are the foundation of local government determining what local government looks like in the community. As that community changes over time, so should the charter. Research from both the National Civic League and the International City/County Management Association suggests that charter review commissions should be held with some regular frequency and depending upon the community this could be every 5-6 years or every 10 years.

What other recommendations were made?

- Updates and technical corrections to bring the Organizational Act into compliance with state law
- Improvements to administrative policies and procedures, including changes dealing with vacancies and suspension of the CEO and BOC positions
- Clearer language explaining the practice of “district courtesy” in land use and zoning
- Clarification of the Audit Oversight Committee’s role in identifying and selecting the County’s external auditor

What is the process for passage of these recommendations?

The proposed revisions to the DeKalb Organizational Act, accompanied by a report from the Carl Vinson Institute, will be distributed to the CEO, the BOC, and the DeKalb State Legislative Delegation. After review, further public discussion, any additional changes, and final approval by the legislative delegation, the Organizational Act will be forwarded to the entire legislature for a vote. If both chambers pass the Organizational Act it is sent to the Governor for approval. DeKalb citizens then vote on the Organizational Act via a referendum.