



MEMORANDUM

To: Qualifying Candidates
From: City of Brookhaven, City Clerk's Office
Date: June 13, 2023
Subject: Candidate Information – General Election

Welcome City Council District 1, City Council District 3, and Mayor Candidates!

The purpose of this memorandum is to provide all candidates for Brookhaven City Council District 1 and Council District 3 and Mayor with the information and resources needed upon qualifying for the unexpired term in the November 7, 2023 City of Brookhaven General Election.

Qualifying for the November 7, 2023 General Election will be held at the Brookhaven City Hall, 4362 Peachtree Road, Brookhaven, GA 30319 on **Wednesday, August 23, 2023, Thursday, August 24, and Friday, August 25, 2023**. The hours of qualifying shall be between the hours of 8:30 a.m. and 12:30 p.m. and 1:30 p.m. and 4:30 p.m. The qualifying fee for District 1 and District 3 Council seats is \$360.00 (3% of the current annual salary). The qualifying fee for Mayor's seat is \$480 (3% of the current annual salary).

Per the City of Brookhaven Charter, the Mayor and Council serve four-year staggered terms. The District 1 and 3 Council seat expires at the administration of office of his or her successor elected in the regular election held in November 2023 as provided in subsection (b) of Section 2.02 of the City Charter. No person shall be eligible to serve as Mayor or Council Member unless that person has been a resident of the City of Brookhaven for a continuous period of at least 12 months immediately prior to the date of the election, continues to reside therein during that person's period of service, and continues to be registered and qualified to vote in municipal elections in the City of Brookhaven. No person shall be eligible to serve as a Council Member representing a council district unless that person has been a resident of the district they are seeking to represent for a continuous period of at least 6 months immediately prior to the date of the election and continues to reside in such district during that person's period of service (Charter Section 2.02).

There are no term limits for the position of Council Member. The term limit for Mayor "shall be limited to two four-year terms and shall not include any partial term of office served as mayor (Per H.B. 642 Charter – Charter Section 2.02 (c) and (d)."

The candidates for Council Member who receive a majority vote of the qualified electors of their district voting at the elections of the City shall be elected to a term of office (Charter Section 2.05). If required, a runoff would be held December 5, 2023.

Political parties shall not conduct primaries for city offices and all names of candidates for city offices shall be listed without party designation (Charter Section 2.04). The annual salary of the

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mayor shall be \$46,800 and the annual salary for each councilmember is \$31,200. Expenses for the mayor and councilmembers shall be budgeted annually from the City's General Fund and reimbursement governed by the City's Expense Policy in effect at the time the expense is incurred. (Charter Section 2.07 and ORD 2023-03-02)

Council meetings are held on the second and fourth Tuesday of each month beginning at 7:00 p.m. Each Council meeting is preceded by a Work Session that begins at 4:30 p.m. (There could be occasions when the meeting date and time would need to be changed and there could be Special Called Meetings.)

The following online resources and references are invaluable to candidates for public office:

Georgia Government Transparency & Campaign Finance Commission (GGTCFC)

There are important documents and deadlines pertaining to all candidates for public office. Failure to adhere to the policies and filings as required by the GGTCFC may result in monetary fines. For detailed information and retrieval of all required forms please visit www.ethics.ga.gov.

Please be familiar with the **Georgia Government Transparency and Campaign Finance Act (2018 Edition)**. This booklet is located within the materials provided by the City Clerk's Office and on the Georgia Government Transparency & Campaign Finance Commission at www.ethics.ga.gov.

DOI (Declaration of Intent to Accept Campaign Contributions)

If you are currently not a public officer holding elective office and you plan to run for public office, you must file a DOI BEFORE accepting campaign contributions. The Form DOI is filed with the City Clerk which will be sent to the GGTCFC. This simply means a DOI is filed by a brand new candidate, not by someone already in office because they would have already filed a DOI when they were a new candidate. However, if they are running for a different office then they are a new candidate for that office and a DOI is required.

Form RC (Registration of Campaign Committee)

Candidates are not required to have a campaign committee. However, if a candidate forms a campaign committee, the candidate must register the committee with the GGTCFC prior to accepting any contributions. No contribution may be accepted at any time there is a vacancy in either the position or chairman or treasurer. One person may serve as both chairperson and treasurer. No candidate may have more than one committee. The Form RC is filed with the Commission (GGTCFC).

PFD (Personal Financial Disclosure Statement)

A Personal Financial Disclosure Statement must be filed with the City Clerk no later than the fifteenth day following the date of qualifying as a candidate for office (§ 21-5-50 (a) (1)) or a significant fine will be imposed. The City Clerk will send the statement to the GGTCFC.

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CCDR/FD (Campaign Contribution Disclosure Report/Financial Disclosure Report)

Form CCDR (Campaign Contribution Disclosure Report) - During a General Election, the Campaign Contribution Disclosure Report must be filed with the City Clerk January 31, April 30, June 30, September 30, October 25, and December 31, 2023. The City Clerk will send the report to the GGTCFC. (SB213)

Affidavit of a Candidate's Intent Not to Exceed \$2,500 in Contributions and/or Expenditures

If the candidate does not exceed \$2,500.00 in contributions or expenditures, then the candidate shall not have to file a report under O.C.G.A. §21-5-34 (d.1 (1)). (See affidavit in candidate packet information.)

Contribution Limits (§21-5-41)

There are maximum allowable contribution limits.

Penalties (§ 21-5-34 (k) (1))

Graduated late fees of \$125, \$250, and \$1,000 are imposed for failure to timely file CCDRs or PFDSs. Candidates and public officers are prohibited from using campaign funds to pay late fees. Additional fees, fines, and/or penalties may apply for 45 days or more for late or failure to file.

Two Business Day Report of Contributions Received (§ 21-5-34 (c) (2) (C))

During the period of time between the last report due prior to the date of any election for which the candidate is qualified and the date of such election, all contributions of \$1,000.00 or more shall be reported within two business days of receipt and also reported on the next succeeding regularly scheduled campaign contribution disclosure report. (SB213)

Unsuccessful Candidates Required to File Campaign Contribution Disclosure Reports

Any person who is an unsuccessful candidate in an election and who is required to file campaign contribution disclosure reports shall for the remainder of the election cycle file such reports at the same times as a successful candidate until funds are expended in accordance with the Georgia Government Transparency and Campaign Finance Commission - §21-5-33 - Disposition of Contributions.

Campaign Contribution Disclosure Final Report and Termination Statement

File this report when the campaign account is zeroed out and closed.

Voter Registration List

The cost and price list for the purchase of voter registration list may be obtained through the DeKalb County Voter Registration and Elections Office at 404-298-4020 www.dekalbvotes.com. The voter registration deadline is October 7, 2019.

Knowing the City of Brookhaven

There is a lot of information currently on the City's website including staff and departmental information, Charter, Code of Ordinances, Budgets, and much more at www.brookhavenga.gov.

Thank you for your interest in city government.

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