

House Bill 1593 (AS PASSED HOUSE AND SENATE)

By: Representatives Crowe of the 110th and Holmes of the 129th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Jackson, approved September 21,
2 1995 (Ga. L. 1995 Ex. Sess, p. 269), so as to provide for a city manager; to provide for the
3 appointment, removal, powers, and duties of the city manager; to revise the powers and
4 duties the mayor; provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to provide a new charter for the City of Jackson, approved September 21, 1995 (Ga.
9 L. 1995 Ex. Sess, p. 269), is amended by revising Sections 2.28 and 2.29 as follows:

10 "SECTION 2.28.

11 City manager.

12 (a) There shall be a city manager who shall be the chief administrative officer of the city.
13 The city manager shall be appointed by a majority vote of the city council and shall serve
14 at the pleasure of the city council. The city council shall choose the city manager solely

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15 on the basis of his or her administrative and professional qualifications and experience
16 without political favor of affiliation. The city manager shall be:

17 (1) At least 21 years of age;

18 (2) Of good moral character;

19 (3) Free of a history of conviction of any felony or misdemeanor involving moral
20 turpitude; and

21 (4) The holder of a bachelor's degree or higher in management, public administration,
22 public finance, or any comparable field.

23 (b) The city manager shall function as the administrative and fiscal officer of the city and
24 shall devote his or her entire time and attention to the office. He or she shall be responsible
25 to the city council for the proper administration of affairs of the city and may head one or
26 more city departments. Councilmembers shall deal with employees who are subject to the
27 direction and supervision of the city manager solely through the city manager and neither
28 the city council nor its individual members shall give orders or direction to any such
29 employee, either publicly or privately, except through the city manager. The city manager
30 shall have the power and shall be required to:

31 (1) Serve as the city's personnel director, and as such, appoint, and when necessary for
32 the good of the city, suspend, demote, or remove any employee of the city under his or
33 her supervision. All recommendations for appointment or removal shall be based solely
34 on the merit, qualifications, or disqualifications of the employee concerned, without
35 regard to political beliefs or affiliations.

36 (2) Direct and supervise the administration of all departments, offices, and agencies of
37 the city, except as otherwise provided by this charter or by law. The city manager shall
38 fix the compensation and benefits for employees, subject to the approval of the city
39 council, through a standard schedule of pay for each position in the city government.

40 (3) Consolidate or combine officers, positions, or departments under his or her
41 jurisdiction, with approval of the city council.

42 (4) Prepare, revise, and amend an employee personnel policy, subject to the approval of
43 the city council. Investigate, either personally or through the proper authorities, any and
44 all complaints involving any city department, division, or employee in a professional and
45 timely manner.

46 (5) Attend all meetings of the city council and participate in discussions, but not vote;
47 provided however, that the city manager shall have no right to attend closed meetings of
48 the city council held for the purpose of deliberating the appointment, compensation,
49 discipline, or removal of the city manager.

50 (6) See that all laws, provisions of this charter, and acts of the city council, subject to
51 enforcement by the city manager or by officers subject to the city manager's direction and
52 supervision, are fully and faithfully executed.

53 (7) Prepare and present proposed operating and capital project budgets annually for the
54 city and its utilities for submission, together with a message describing the important
55 features of the budget, to the city council in sufficient advance of the end of each fiscal
56 year. Upon approval by the city council, the budgets shall serve as an appropriations
57 document for the line items indicated therein and the city manager shall administer the
58 operating budget in accordance with the city's financial policies. The city manager shall
59 keep the mayor and city council fully informed as to the financial condition of the city
60 and its future needs and make recommendations to the city council concerning the
61 financial affairs of the city.

62 (8) Supervise the purchase of all materials, supplies, and equipment for which funds are
63 appropriated in the budget, acquire necessary contracts for the operation and maintenance
64 of the city services subject to council approval, and receive bids for purchases or
65 contracts, in accordance with the city's financial policy.

66 (9) Prepare and submit to the city council at the end of each month, a complete report of
67 the finances and administrative activities of the city in the preceding month. The city
68 manager shall also prepare and submit to the city council at the end of each fiscal year,

69 a complete report of the finances and administrative activities of the city for the preceding
70 fiscal year.

71 (10) Make such other reports as the mayor and city council may require concerning the
72 operations of city departments, utilities, offices, and agencies, subject to the request of
73 the mayor and city council.

74 (11) Implement all policies, procedures, and programs which have been established by
75 the mayor and city council.

76 (12) Enforce, or have enforced, all laws and ordinances adopted by the city council.

77 (13) Make recommendations to the mayor and city council concerning the affairs of the
78 city and facilitate the work of the mayor and city council in developing policy.

79 (14) Assist the mayor and city council to develop long-term goals for the city and
80 strategies to implement these goals.

81 (15) Perform other duties as may be required by the mayor and city council in
82 accordance with the provisions of the city's charter and code of ordinances.

83 SECTION 2.29.

84 Powers and duties of mayor.

85 The mayor shall:

86 (1) In coordination with the city council, see that all laws and ordinances of the city are
87 faithfully executed;

88 (2) Appoint those officers, subject to confirmation by the city council, as provided for
89 in this charter;

90 (3) Call special meetings of the city council as provided for in subsection (b) of
91 Section 2.19 of this charter;

92 (4) Approve or disapprove ordinances s provided for in subsection (b) of Section 2.30
93 of this charter;

- 94 (5) Participate in the discussion of all matters brought before the city council and vote
95 only in the event of a tie;
- 96 (6) Sign as a matter of course all written contracts, ordinances, and other instruments
97 executed by the city which by law are required to be in writing; and
- 98 (7) Perform such other duties as may be required by general state law, this charter,
99 ordinance."

100 **SECTION 2.**

101 Said Act is further amended by revising subsections (d) and (e) of Section 3.11 as follows:

102 "(d) There shall be a director of each department or agency who shall be its principal
103 officer. Each director shall, subject to the direction and supervision of the city manager,
104 be responsible for the administration and direction of the affairs and operations of that
105 director's department or agency.

106 (e) All directors under the supervision of the city manager shall be nominated by the city
107 manager, with confirmation or appointment by a majority of the city council. The city
108 manager may suspend or remove directors under his or her supervision. Any director so
109 removed may appeal to the city council, which after a hearing, may override the city
110 manager's action by a majority vote."

111 **SECTION 3.**

112 Said Act is further amended by revising Section 3.16 as follows:

113 "SECTION 3.16.

114 Position classification and pay plans.

115 The city manager shall be responsible for the preparation of a position classification and
116 pay plan which shall be submitted to the city council for approval. Such plan may apply

117 to all employees of the city and any of its agencies, departments, boards, commissions, or
118 authorities. When a pay plan has been adopted, the city council shall not increase or
119 decrease the salary range applicable to any position except by amendment of such pay plan.
120 For purposes of this section, elected and appointed city officials are not city employees.
121 The city clerk, city treasurer, and city accountant shall receive such compensation as
122 provided by the authority which appoints them to their respective office."

123 **SECTION 4.**

124 All laws and parts of laws in conflict with this Act are repealed.