

July 8, 2023

DeKalb County Chief Executive Officer
DeKalb County Board of Commissioners
Manuel J. Maloof Center
1300 Commerce Dr, Decatur, GA 30030

RE: Call for Referendum

Dear Honorable CEO and DeKalb County Commissioners,

Please find attached a resolution of the Brookhaven City Council requesting DeKalb County place on the ballot this fall a referendum concerning annexation into the City of Brookhaven. State law concerning citizen-initiated annexations — regardless of adjacent city support — is complex and unnecessarily burdensome. County and City officials have heard from the community that they want more transparency and they do not want neighborhoods split. There is nothing more transparent than putting the question to a referendum and letting voters determine their future.

The City has made clear its objective to support communities that want improved services, lower taxes, as well as improving service coordination overall by eliminating existing and future islands. A map of the City's referendum area is attached.

The City Council and I would like to invite you, and any County Commissioners interested, to Brookhaven City Hall for a public discussion of the County's position on a referendum for County residents wanting to annex into any DeKalb municipality. The City will be reaching out to your office shortly to determine your availability before the City's July 25 council meeting.

As elected fellow officials, we trust you will provide publicly a rationale why property owners and electors should or should not be allowed to vote on annexation into the City of Brookhaven. While the County contemplates the call for a referendum, the City of Brookhaven will continue the verification process on the current annexation application and accept any subsequent annexation applications that may be pending.

City of Brookhaven

4362 Peachtree Road, Brookhaven, GA 30319

Phone: 404-637-0500 • Fax: 404-637-0501

www.brookhavenga.gov



In closing, all County residents have a right to seek better services and lower taxes, while also remaining residents of DeKalb County.

Warmest Regards,

A handwritten signature in black ink, appearing to read "John Ernst". The signature is fluid and cursive, with a large initial "J" and "E".

John Ernst, Mayor
City of Brookhaven

CC: Brookhaven City Council
DeKalb Municipal Association
Media
State Representatives

STATE OF GEORGIA
DEKALB COUNTY
CITY OF BROOKHAVEN

RES 2023-06-123

**CITY OF BROOKHAVEN RESOLUTION CALLING FOR A
REFERENDUM ON ANNEXATION**

June 30, 2023

**A RESOLUTION OF THE CITY OF BROOKHAVEN TO CALL UPON DEKALB COUNTY TO
ALLOW A REFERENDUM VOTE ON AN ANNEXATION INTO THE CITY OF
BROOKHAVEN WITHIN A DEFINED AREA**

WHEREAS, Section 2.11 of the Charter of the City of Brookhaven confers authority and power to the City Council to do such as it deems necessary or helpful to the peace, good order, protection of life and property, comfort, prosperity or well-being of the inhabitants of the City; and

WHEREAS, The City of Brookhaven has received and approved at least seven annexation applications requested by adjacent property owners since 2014; and

WHEREAS, The City of Brookhaven is aware of at least six areas west of Clairmont Road that are seeking annexation into Brookhaven using the 60% method; and

WHEREAS, In a meeting hosted by DeKalb County on June 27, and in a subsequent meeting of the Brookhaven City Council on June 28, there were numerous requests from property owners and residents for a popular vote on annexation, which was echoed by DeKalb CEO Michael Thurmond; and

WHEREAS, The City of Brookhaven philosophically agrees with CEO Michael Thurmond and residents on annexation, while acknowledging that all previous annexations and pending annexation are in full compliance with State law.

NOW, THEREFORE BE IT RESOLVED that the City of Brookhaven requests that DeKalb County authorize and allow a popular referendum Nov. 7, 2023 on annexation in the DeKalb County unincorporated areas, defined as the entire unincorporated areas South of Interstate 85, West of Clairmont Road, and North of the Atlanta City Limits; and

BE IT FURTHER RESOLVED that Brookhaven requests that DeKalb County authorize a popular vote on annexation into the City of Brookhaven no later than 12:01 p.m. on July 25, 2023; and

BE IT FURTHER RESOLVED that the City of Brookhaven will allow all annexation application attempts currently underway to continue through at least July 25, 2023 at 7 p.m.

PASSED AND ADOPTED by the City Council of the City of Brookhaven, Georgia this 30TH day of June, 2023.



APPROVED:

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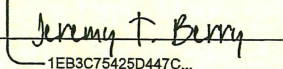
John Arthur Ernst, Jr., Mayor

STATE OF GEORGIA
DEKALB COUNTY
CITY OF BROOKHAVEN

RES 2023-06-123

APPROVED AS TO FORM:

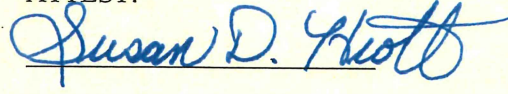
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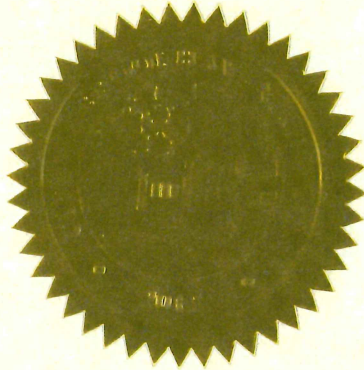
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Jeremy Berry, City Attorney

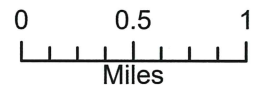
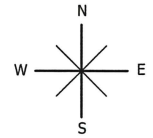
ATTEST:



Susan D. Hiott, City Clerk



Merry Hills / Toco Hills Proposed Referendum Area



- Major Road
- Minor Road
- Collector
- Local
- Proposed Referendum Area
- Brookhaven

DRAFT

