

10-B-1180

(Do Not Write Above This Line)

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH FULTON COUNTY, GEORGIA, IN ORDER TO SHARE FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE, 2010 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF ONE MILLION, NINETY-EIGHT THOUSAND, ONE HUNDRED FIFTY-NINE DOLLARS (\$1,098,159), FOR THE PURPOSE OF SUPPORTING LAW- ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES; AND FOR OTHER PURPOSES.

ADOPTED BY

JUN 2 1 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PSLA
 Date 6/15/10
 Chair [Signature]
 Action Fav, Adv, Hold (see rev. side)
 Other _____

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____

Members [Signature]
 Refer To _____

Members [Signature]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____

Members [Signature]
 Refer To _____

Members [Signature]
 Refer To _____

Members [Signature]
 Refer To _____

Refer To _____

Refer To _____

- FINAL COUNCIL ACTION**
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vo

CERTIFIED

CERTIFIED
 JUN 2 1 2010
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 JUN 2 1 2010
 [Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION
 [Signature]
 0102 8 2 10
APPROVED



**A RESOLUTION BY:
PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH FULTON COUNTY, GEORGIA, IN ORDER TO SHARE FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE, 2010 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF ONE MILLION, NINETY-EIGHT THOUSAND, ONE-HUNDRED FIFTY-NINE DOLLARS (\$1,098,159), FOR THE PURPOSE OF SUPPORTING LAW-ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES; AND FOR OTHER PURPOSES.

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance (“BJA”), offers grant funds to: (1) provide training and technical assistance to support law enforcement activities; (2) implement programs that improve the criminal justice system; and (3) conduct research to support law enforcement activities in state and local jurisdictions; and

WHEREAS, BJA has announced that the City of Atlanta’s Department of Police (“Department”) is eligible to apply for a Justice Assistance Grant (“JAG”), in conjunction with Fulton County, Georgia (“County”), in the amount of one million, ninety-eight thousand, one-hundred fifty-nine dollars (\$1,098,159); and

WHEREAS, the Cities and County wish to enter into an Interlocal Agreement (“Agreement”) which will specify the terms and conditions for the reallocation of the JAG funds (see attached as Exhibit “A”); and

WHEREAS, pursuant to the Agreement, the City of Atlanta Police Department will apply for the joint-award on behalf of all and then pay the County one-hundred twenty-five thousand, three-hundred thirteen dollars (\$125,313); and

WHEREAS, the City desires to enter into an Agreement with the County in order to share the JAG funds for the purpose of purchasing police equipment and supplementing police programs.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the Mayor be and is hereby authorized, on behalf of the City of Atlanta (“City”), to enter into an Interlocal Agreement (“Agreement”) (see attached as Exhibit “A”) with Fulton County, Georgia (“County”), in order to share funds from the U.S. Department of Justice, 2009 Byrne Justice Assistance Grant Program (“JAG”), in the amount of one million, ninety-eight thousand, one-hundred fifty-nine dollars (\$1,098,159).



BE IT FURTHER RESOLVED, that the City agrees to pay the County one-hundred twenty-five thousand, three-hundred thirteen dollars (\$125,313) and retain the remainder of the JAG funds in the amount of nine-hundred seventy-two thousand, eight-hundred forty-six dollars (\$972,846).

BE IT FINALLY RESOLVED, that the Agreement shall not become binding upon the City and the City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the municipal clerk, and delivered to the County.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JUN 21, 2010
JUN 23, 2010



THE STATE OF GEORGIA
COUNTY OF FULTON

KNOW ALL BY THESE PRESENT

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY ATLANTA, GEORGIA, AND FULTON COUNTY, GEORGIA

2010 BYRNE JUSTICE ASSISTANCE GRANT ("JAG") PROGRAM AWARD

This Agreement is made and entered into this _____ day of _____, 2010, by and between FULTON COUNTY, GEORGIA, acting by and through, the Honorable John H. Eaves, Ph.D., Chair of the Fulton County Board of Commissioners, (hereinafter referred to as "the COUNTY") and the CITY OF ATLANTA, GEORGIA, acting by and through its Mayor, the Honorable Kasim Reed, (hereinafter referred to as "the CITY"), both of Fulton County, State of Georgia witnesseth:

WHEREAS, the 2010 Byrne Justice Assistance Grant ("JAG") Program provides funding to local governments to create safer communities and improve the functioning of the criminal justice system from the U.S. Department of Justice ("DOJ"); and

WHEREAS, a disparity in allocated 2010 JAG funding exists between the COUNTY and the CITY, and this disparity is recognized by the U.S. Department of Justice; and

WHEREAS, this disparity is the result of the fiscal burden the County bears for the state mandated prosecution and incarceration of all Part One felony cases in Fulton County, and US DOJ JAG regulations require that an understanding (or agreement) be reached between the CITY and the County regarding allocated 2010 JAG funding before an application may be submitted to US DOJ; and

WHEREAS, this Agreement is made under the authority of Fulton County Board of Commissioners, 2010 Meeting Agenda Item No. 10-_____; and Atlanta City Council Resolution No. 10-R-_____; and

WHEREAS, each governing body, in performing governmental function or in paying for the performance of governmental function hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of the parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the CITY and the COUNTY will jointly share a total JAG grant allocation in the amount of \$1,098,159; and



WHEREAS, the CITY and the COUNTY agree that the CITY will apply for and administer the JAG grant on behalf of the CITY and COUNTY; and

WHEREAS, the City of Atlanta agrees to require no additional compensation for administering the JAG grant program; and

WHEREAS, the COUNTY agrees to provide to the CITY quarterly reports as required by the DOJ; and

WHEREAS, the CITY and the COUNTY agree to the allocation of funds as set out in Section 1 below; and

WHEREAS, the CITY and COUNTY find it to be in their best interests to allocate the JAG funds as described and set forth herein.

NOW THEREFORE, the COUNTY and the CITY agree as follows:

Section 1.

The CITY and the COUNTY agree to divide the total allocated JAG funds in the amount of \$1,098,159 in accordance with the DOJ funding formula allocation to the CITY and the COUNTY. (see attached spreadsheet).

Section 2.

Nothing in the performance of this Agreement shall impose any liability for claims against the COUNTY other than claims for which liability may be imposed by statute or the Georgia General Assembly.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY other than claims for which liability may be imposed by statute or the Georgia General Assembly.

Section 4.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.



Section 5.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; furthermore, this Agreement shall not create any rights in any party not a signatory hereto.



**FY 2010 Edward Byrne Memorial Local Justice Assistance
Grant Allocation of Funds**

Jurisdiction	FY 2010 JAG Formula Allocation of Funds	FY 2010 JAG Disparity Allocation of Funds
City of Atlanta	\$972,846.00	\$826,919.00
Fulton County	\$125,313.00	\$271,240.00
Totals	\$1,098,159.00	\$1,098,159.00



FULTON COUNTY GEORGIA

Honorable John H. Eaves, Ph.D.
Chair, Fulton County Board of
Commissioners

ATTEST:

Clerk to the Commission

APPROVED AS TO FORM:

County Attorney

CITY OF ATLANTA, GEORGIA

Honorable Kasim Reed
Mayor

ATTEST:

Municipal Clerk

APPROVED AS TO FORM:

City Attorney



**FY 2010 Edward Byrne Memorial Local Justice Assistance
Grant Allocation of Funds**

Jurisdiction	FY 2010 JAG Formula Allocation of Funds	FY 2010 JAG Disparity Allocation of Funds
City of Atlanta	\$972,846.00	\$826,919.00
Fulton County	\$125,313.00	\$271,240.00
Totals	\$1,098,159.00	\$1,098,159.00

RCS# 320
6/21/10
3:00 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1166,10-O-0875

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	NV Bottoms	NV Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

CONSENT I

		06-21-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-1178	43. 10-R-1179	77. 10-R-1103
2. 10-O-1165	44. 10-R-1072	78. 10-R-1104
3. 10-O-0876	45. 10-R-1073	79. 10-R-1105
4. 10-O-0945	46. 10-R-1074	80. 10-R-1106
5. 10-O-0946	47. 10-R-1075	81. 10-R-1107
6. 10-O-0947	48. 10-R-1076	82. 10-R-1108
7. 10-O-0948	49. 10-R-1077	83. 10-R-1109
8. 10-O-0949	50. 10-R-1078	84. 10-R-1110
9. 10-O-0950	51. 10-R-1079	85. 10-R-1111
10. 10-O-1041	52. 10-R-1080	86. 10-R-1112
11. 10-O-1176	53. 10-R-1081	87. 10-R-1113
12. 10-O-0897	54. 10-R-1082	88. 10-R-1114
13. 10-O-0924	55. 10-R-1083	89. 10-R-1115
14. 10-O-0932	56. 10-R-1084	90. 10-R-1116
15. 10-O-0933	57. 10-R-1085	91. 10-R-1117
16. 10-O-1057	58. 10-R-1086	92. 10-R-1118
17. 10-R-1139	59. 10-R-1087	93. 10-R-1119
18. 10-R-1140	60. 10-R-1088	94. 10-R-1120
19. 10-R-1141	61. 10-R-1089	95. 10-R-1121
20. 10-R-1154	62. 10-R-1182	96. 10-R-1122
21. 10-R-1180	ITEMS ADVERSED	97. 10-R-1123
22. 10-R-1181	ON CONSENT	98. 10-R-1124
23. 10-R-1143	63. 10-R-0839	99. 10-R-1125
24. 10-R-1144	64. 10-R-1090	100. 10-R-1126
25. 10-R-1146	65. 10-R-1091	101. 10-R-1127
26. 10-R-1060	66. 10-R-1092	102. 10-R-1128
27. 10-R-1061	67. 10-R-1093	103. 10-R-1129
28. 10-R-1062	68. 10-R-1094	104. 10-R-1130
29. 10-R-1155	69. 10-R-1095	105. 10-R-1131
30. 10-R-1156	70. 10-R-1096	106. 10-R-1132
31. 10-R-1157	71. 10-R-1097	107. 10-R-1133
32. 10-R-1158	72. 10-R-1098	108. 10-R-1134
33. 10-R-1159	73. 10-R-1099	109. 10-R-1135
34. 10-R-1160	74. 10-R-1100	110. 10-R-1136
35. 10-R-1164	75. 10-R-1101	111. 10-R-1137
36. 10-R-1172	76. 10-R-1102	112. 10-R-1138
37. 10-R-1177		
38. 10-R-1183		
39. 10-R-0931		
40. 10-R-1070		
41. 10-R-1071		
42. 10-R-1175		