

#6

(Do Not Write Above This Line) **10-0-1174**

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

An Ordinance to restore essential personnel needs to the City of Atlanta Office of the Solicitors and Office of the Public Defender and essential expenditures to address various needs of the Municipal Court Operations for Fiscal Year 2011 Funded by the City of Atlanta "City Jail Fund" from account number 7701.190101.3511712.2650000.20 which will be available for use when the Atlanta Detention Center transaction is completed with Fulton County, and for other purposes.

APPROVED BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

Filed

JUL 06 2010

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

6/7/10

Referred To:

Finance / Excc

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

6/16/10

Chair

John

Action:

Fav, Adv, Hold (see rev. side)

Other:

on substitute

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

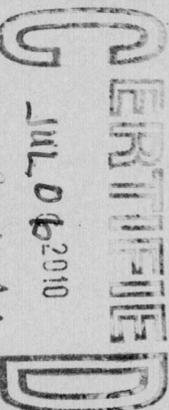
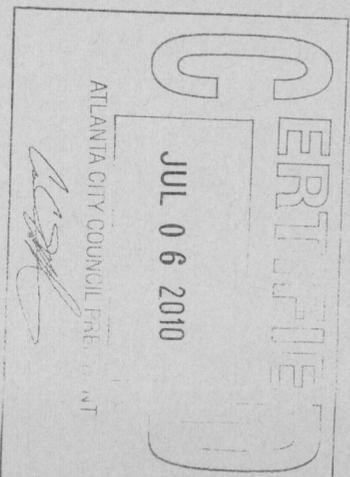
Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RRC Vote

CERTIFIED



Randy Douglas
MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 427
7/06/10
3:20 PM

Atlanta City Council

REGULAR SESSION

10-O-1174

RESTORE PERSONNEL NEED TO CITY SOLICITOR
OFFICE AND OFFICE OF PUBLIC DEFENDER
FILE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

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

10-O-1174

AN ORDINANCE BY COUNCILMEMBER IVORY LEE YOUNG JR

AS SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO RESTORE ESSENTIAL PERSONNEL NEEDS TO THE CITY OF ATLANTA OFFICE OF THE SOLICITORS AND OFFICE OF THE PUBLIC DEFENDER AND ESSENTIAL EXPENDITURES TO ADDRESS VARIOUS NEEDS OF THE MUNICIPAL COURT OPERATIONS FOR FISCAL YEAR 2011 FUNDED BY THE CITY OF ATLANTA "CITY JAIL FUND" FROM ACCOUNT NUMBER 7701.190101.3511712.2650000.20 WHICH WILL BE AVAILABLE FOR USE WHEN THE ATLANTA DETENTION CENTER TRANSACTION IS COMPLETED WITH FULTON COUNTY, AND FOR OTHER PURPOSES.

Whereas, The Atlanta City Council has approved terms to grant Fulton County, Georgia a leasehold interest in the Atlanta Municipal Jail; and

Whereas, a trust fund was created entitled the "City Jail Fund" as established by Article 4 of the City of Atlanta Charter – Courts, Section 4-177 in the City of Atlanta Code of Ordinances, where The City of Atlanta Court shall impose an additional penalty of 15% on all criminal traffic offenses and such funds shall be deposited into the this fund; and

Whereas, the funds located within the "City Jail Fund" have been consistently used for the maintenance of the Municipal Jail facility; and

Whereas, this penalty of 15% will no longer be collected for the "City Jail Fund" upon the transfer of Municipal Jail operations and maintenance obligations to Fulton County, Georgia, and the unexpended funds then held in the City Jail Fund will be free to be appropriated by ordinance for any effort consistent with the needs of the City of Atlanta, and

Whereas, due to substantial personnel cuts which are not justified through an examination of best practice for either the Offices of Solicitor or the Public Defender, it is our desire to restore certain personnel to equip these two departments with the critical personnel classifications as to restore them to a level consistent other comparable departments across the country, and

Whereas, the Chief Municipal Court Judge has revealed certain personnel, equipment needs to insure safe and efficient court room operations and for other purposes.

NOW THEREFORE BE IT ORDAINED THAT:

SECTION 1.

At the time of the transfer of Municipal Jail operations and maintenance obligations to Fulton County, Georgia, the fund known as the "City Jail Fund" will cease to exist and the money located therein will immediately be transferred to the various account and

centers numbers, (to be provided at the time of the execution of the agreement with Fulton County), to specifically fund the following:

1. OFFICE OF THE CITY OF ATLANTA PUBLIC DEFENDERS
 - a. 2 - Full-time Public Defenders (Lawyers) at a pay grade G.27 (with full benefits)
 - b. 4 - Part-time Public Defenders (Lawyers) at a pay grade G.27 (no benefits required)
 - c. 1 - Full-time Investigator at a pay grade G.14
 - d. 1 Full-time Records Analyst at a pay grade G.11

2. OFFICE OF THE CITY OF ATLANTA SOLICITOR
 - a. 9 - Full-time Assistant Municipal Court Solicitor (Lawyers) at a pay grade G.27
 - b. 3 Full-time Investigators at a pay grade G.17
 - c. 3 Full-time Legal Program Assistant at a pay grade G.13
 - d. 1 Full time Records Manager at a pay grade G.21

3. MUNICIPAL COURT OPERATIONS
(\$181,000.00 for the following):
 - a. Computer Equipment Upgrade
(Quotes from The Department Information Technology see Chief Judge. for. detail)
 - b. Increased Security Needs
(2 Armed Police Officers - APD)
 - c. Computer Software for Parking Ticket Interface
(Quotes from The Department Information Technology see Chief Judge for detail)

SECTION 2.

That the Municipal Court Budget Manager is instructed to provide The Chief Financial Officer and The Commissioner of Human Resources, Chief Judge of the Municipal Court, The Director of The City of Atlanta Solicitors and The Director of The Public Defender a reconciliation of the "City Jail Fund" at end of each month starting with the end of this fiscal year until an approved intergovernmental agreement is executed with Fulton County, or until December 31, 2010, which ever shall occur sooner, in order to provide a proper accounting to the funds value.

SECTION 3.

That the Commissioner of Human Resources is instructed to evaluate the requested personnel needs defined in this ordinance, work with the impacted departments and develop a personnel paper that would be introduced at the time of approval of the intergovernmental agreement with Fulton County.