

**10-R-1897**

(Do Not Write Above This Line)

A RESOLUTION BY  
PUBLIC SAFETY & LEGAL  
ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING  
THE MAYOR OR HIS DESIGNEE TO  
ENTER INTO A MEMORANDUM OF  
UNDERSTANDING WITH THE  
STATE OF GEORGIA TO PERMIT  
THE GEORGIA EMERGENCY  
MANAGEMENT AGENCY TO  
EXPEND HOMELAND SECURITY  
GRANT PROGRAM FUNDING ON  
BEHALF OF THE POLICE  
DEPARTMENT OF ATLANTA,  
GEORGIA FOR CBRN EQUIPMENT  
PURSUANT TO THE URBAN AREAS  
SECURITY INITIATIVE.

ADOPTED BY

NOV 01 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 \_\_\_\_\_

ASLA Committee

Date 10/26/10

Chair [Signature]

Action Fav, Adv, Hold (see rev. side)  
Other

Members [Signature]

[Signatures: J. C. ...]

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side)  
Other

Members

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

Refer To

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

**CERTIFIED**  
NOV 01 2010

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

**CERTIFIED**  
NOV 01 2010

[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

NOV 10 2010

WITHOUT SIGNATURE  
BY OPERATION OF LAW



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

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF GEORGIA TO PERMIT THE GEORGIA EMERGENCY MANAGEMENT AGENCY TO EXPEND HOMELAND SECURITY GRANT PROGRAM FUNDING ON BEHALF OF THE POLICE DEPARTMENT OF ATLANTA, GEORGIA FOR CBRN EQUIPMENT PURSUANT TO THE URBAN AREAS SECURITY INITIATIVE.**

**WHEREAS**, the United States Department of Homeland Security (“DHS”) issued grant number 2007-GE-T7-0054 (“Grant”) to the State of Georgia; and

**WHEREAS**, the Grant is related to the Urban Areas Security Initiative (“UASI”), which was established to address the unique planning, organization, equipment, training, and exercise needs of high-threat, high-density Urban Areas, and assist them in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from acts of terrorism; and

**WHEREAS**, The City of Atlanta, Georgia (“City”), has requested that the State of Georgia retain and expend local share funding from the Grant on behalf of the Atlanta Police Department (“APD”) for CBRN equipment; and

**WHEREAS**, the Georgia Emergency Management Agency (“GEMA”), on behalf of the State of Georgia, has agreed to expend Grant funding in the approximate amount of three hundred twelve thousand one hundred ten dollars and no cents (\$312,110.00) on behalf of APD for CBRN equipment; and

**WHEREAS**, the City is authorized to executed a Memorandum of Understanding with the GEMA under the provisions of Ga. Const. Art. IX, Sec. III, Para. I; and

**NOW, THEREFORE BE IT RESOLVED BY COUNCIL OF THE CITY OF ATLANTA, AS FOLLOWS:**

**BE IT RESOLVED**, that the Mayor or his designee be and is hereby authorized to enter into a Memorandum of Understanding with the State of Georgia to permit the GEMA to expend Grant funding on behalf of the Police Department of Atlanta, Georgia pursuant to the UASI.

**BE IT RESOLVED**, that the City is directed to prepare an appropriate Memorandum of Understanding for execution of the Mayor.

**BE IT RESOLVED**, that the Memorandum of Understanding will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to the State of Georgia.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

NOV 01, 2010

NOV 10, 2010



**MEMORANDUM OF UNDERSTANDING / AGREEMENT  
BETWEEN  
STATE OF GEORGIA,  
GEORGIA EMERGENCY MANAGEMENT AGENCY (GEMA),  
AND  
ATLANTA, GEORGIA  
REGARDING STATE USE OF  
HOMELAND SECURITY GRANT FUNDING ON BEHALF OF  
ATLANTA POLICE DEPARTMENT OF ATLANTA, GEORGIA**

1. **PARTIES.** The parties to this Agreement are the State of Georgia and Atlanta Police Department of Atlanta, Georgia, a local unit of government located within the State of Georgia.
2. **AUTHORITY.** This Agreement is authorized under the provisions of Ga. Const. Art. IX, Sect. III, Para. I.
3. **PURPOSE.** The purpose of this Agreement is to set forth terms by which the State of Georgia shall expend Homeland Security Grant Program funding on behalf of Atlanta Police Department of Atlanta, Georgia. On August 13, 2007, the United States Department of Homeland Security issued grant number 2007-GE-T7-0054 to the State of Georgia. Under this grant, the State of Georgia must allocate grant funding to local units of government. Under this grant, local units of government may authorize the State of Georgia to make purchases on their behalf, provided that the local units of government and the State of Georgia enter into an Agreement on the matter.
4. **RESPONSIBILITIES:** Atlanta, Georgia, has requested that the State of Georgia retain and expend local share Homeland Security Grant Program funding on behalf of the Atlanta Police Department for the local, regional and statewide projects listed in Paragraph 5, Projected Costs in support of the state strategic plan.

Georgia Emergency Management Agency, the State Administrative Agency, on behalf of the State of Georgia, has agreed to allocate, retain and expend local share Homeland Security Grant Program funding for this project on behalf of the Atlanta Police Department for local, regional and statewide projects as specified in Paragraph 5, Projected Costs. The State of Georgia shall assign title in all purchases to the Atlanta Police Department of Atlanta, Georgia.

5. **PROJECTED COSTS.** The following is the preliminary and approximate overall cost breakdown of the projects and costs for which Atlanta, Georgia, has requested that the State of Georgia retain local funding and use on behalf of the Atlanta Police Department.



Project	Description	Local Funding
Law Enforcement CBRNE Response	Enhancing Law Enforcement Team(s) by providing equipment	\$312,110.00

6. **OTHER PROVISIONS.** Nothing in this Agreement is intended to conflict with current laws or regulations of the State of Georgia or relevant local units of government. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

7. **EFFECTIVE DATE.** The terms of this agreement will become effective on the \_\_\_ day of \_\_\_\_\_, 2010.

8. **MODIFICATION.** This agreement may be modified upon the mutual written consent of the parties.

9. **TERMINATION.** The terms of this agreement, as modified with the consent of both parties, will remain in effect until the completion of the project identified in Paragraph 5, the expenditure of funding, and the transfer of title to any equipment to the local unit of government, unless earlier terminated by either party. Either party upon sixty (60) days' written notice to the other party may terminate this agreement.

10. **SIGNATURES.** By signing this agreement, the signatories represent that they are authorized to sign this agreement on behalf of their jurisdiction and to bind the jurisdiction to all terms of this agreement.

**APPROVED BY:**

ATLANTA POLICE DEPARTMENT  
ATLANTA, GEORGIA

GEORGIA EMERGENCY  
MANAGEMENT AGENCY

\_\_\_\_\_  
George N. Turner, Chief of Police

\_\_\_\_\_  
Charley English, Director

Date \_\_\_\_\_

Date \_\_\_\_\_

RCS# 633  
11/01/10  
3:38 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1872,10-R-1898,

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>	<b>11-01-10</b>
1. 10-O-1874 2. 10-O-1881 3. 10-O-1767 4. 10-O-1479 5. 10-O-1781 6. 10-O-1875 7. 10-O-1876 8. 10-O-1870 9. 10-R-1836 10. 10-R-1897 11. 10-R-1858 12. 10-R-1859 13. 10-R-1884 14. 10-R-1830 15. 10-R-1835 16. 10-R-1861 17. 10-R-1862 18. 10-R-1863 19. 10-R-1864 20. 10-R-1865 21. 10-R-1882 22. 10-R-1823 23. 10-R-1824 24. 10-R-1825 25. 10-R-1826 26. 10-R-1827 27. 10-R-1828 28. 10-R-1837 29. 10-R-1838 30. 10-R-1839 31. 10-R-1840 32. 10-R-1841 33. 10-R-1842 34. 10-R-1843	35. 10-R-1844 36. 10-R-1845 37. 10-R-1846 38. 10-R-1847 39. 10-R-1848 40. 10-R-1849 41. 10-R-1850 42. 10-R-1851 43. 10-R-1852 44. 10-R-1853 45. 10-R-1854 46. 10-R-1855 47. 10-R-1856 48. 10-R-1857	