

10-0-1833

(Do Not Write Above This Line)

AN ORDINANCE AMENDING THE 2011 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF ONE-MILLION, NINETY-EIGHT THOUSAND, ONE-HUNDRED FIFTY-NINE DOLLARS (\$1,098,159.00) FOR THE FY 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT ("JAG") AWARD FROM UNITED STATES DEPARTMENT OF JUSTICE, AND FOR OTHER PURPOSES.

ADOPTED BY

NOV 15 2010

SUBSTITUTE COUNCIL

First Reading

Committee Public Safety and Legal Administration
Date October 26, 2010
Chair Debra Mayberry
Referred To Public Safety and Legal Administration

Committee

Date

Chair

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

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

Other

Other

Members

Members

Refer to the paper
for further information
see enclosure

Refer To

Committee

Committee

Date

Date

Chair

Chair

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

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

Members

Members

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

Date Referred: 11/01/10
Referred To: Public

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

FINAL COUNCIL ACTION Readings
 2nd
 1st & 2nd
 3rd
 Consent
 V Vote
 RC Vote

CERTIFIED
NOV 15 2010
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
NOV 15 2010
Municipal Clerk

MAYOR'S ACTION APPROVED

NOV 24 2010

WITHOUT SIGNATURE BY OPERATION OF LAW



**SUBSTITUTE ORDINANCE
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

AN ORDINANCE AMENDING THE 2011 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF ONE-MILLION, NINETY-EIGHT THOUSAND, ONE-HUNDRED FIFTY-NINE DOLLARS (\$1,098,159.00) FOR THE FY 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (“JAG”) AWARD FROM UNITED STATES DEPARTMENT OF JUSTICE, AND FOR OTHER PURPOSES.

WHEREAS, the United States Department of Justice (“DOJ”) has, through the 2010 Edward Byrne Memorial Justice Assistance Grant Program, awarded the Atlanta Police Department and Fulton County Government a grant award totaling one-million, ninety-eight thousand, one-hundred fifty-nine dollars (\$1,098,159), with no matching funds; and

WHEREAS, the Department will receive the entire joint award and then pay to Fulton County their share of the joint award as agreed to in the attached Memorandum of Understanding approved by resolution 10-R-1180. These pay-outs total two-hundred seventy-one thousand, two-hundred forty dollars (\$271,240). The Atlanta Police Department will retain eight-hundred twenty-six thousand, nine-hundred nineteen dollars (\$826,919) to fund police initiatives; and for other purposes.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the 2011 (Intergovernmental Grant Fund) Budget, Department of Police is hereby amended as follows:

PTAEO				ADD TO ANTICIPATIONS						
Award Number			Amount	Fund	GL Dept#	Exp Acct	Function Activity Number	GL Project#	GL Funding Source	
250131945			\$1,098,159	250131945	240101	3311101	1320000	210891	31945	
Contract Total: \$1,098,159										

PTAEO					ADD TO APPROPRIATIONS					
Project Number	Award Number	Exp. Acct.	Owni ng Org.	Amount	Fund	GL Dept#	Exp Acct	Function Activity Number	GL Project#	GL Funding Source
24210891	250131945	5999999	COA	\$1,098,159	2501 31945	240101	5999999	1320000	210891	31945
Contract Total: \$1,098,159										

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

Deputy Clerk

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

NOV 15, 2010
NOV 24, 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 16th day of June, 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. 10-0627; and Atlanta City Council Resolution No. 10-R- 1180; 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.



FULTON COUNTY GEORGIA

J.H.E.

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

ATTEST:

[Signature]
Clerk to the Commission

APPROVED AS TO FORM:

[Signature]
County Attorney

ITEM # 10-0627 RCS 6/16/10
RECESS MEETING



CITY OF ATLANTA, GEORGIA

A handwritten signature in black ink, appearing to read "Kasim Reed".

Honorable Kasim Reed
Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Thanda Daughlin Johnson".

Municipal Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Pat [unclear]".

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# 685
11/15/10
2:20 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1822

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 5

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

CONSENT I

		11-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-1984	35. 10-R-1935	44. 10-R-1940
2. 10-O-0930	36. 10-R-1936	45. 10-R-1941
3. 10-O-1769	37. 10-R-1937	46. 10-R-1942
4. 10-O-1829	38. 10-R-1938	47. 10-R-1943
5. 10-O-1860	39. 10-R-1939	48. 10-R-1944
6. 10-O-1983	40. 10-R-1955	49. 10-R-1945
7. 10-O-1985	41. 10-R-1956	50. 10-R-1946
8. 10-O-1820	42. 10-R-1957	51. 10-R-1947
9. 10-O-1821	43. 10-R-1958	52. 10-R-1948
10. 10-O-1831		53. 10-R-1949
11. 10-O-1832		54. 10-R-1950
12. 10-O-1833		55. 10-R-1951
13. 10-R-1959		56. 10-R-1952
14. 10-R-1960		57. 10-R-1953
15. 10-R-1961		58. 10-R-1954
16. 10-R-1962		
18. 10-R-1963		
19. 10-R-1964		
20. 10-R-1923		
21. 10-R-1867		
22. 10-R-1968		
23. 10-R-1969		
24. 10-R-1917		
25. 10-R-1896		
26. 10-R-1927		
27. 10-R-1929		
28. 10-R-1971		
29. 10-R-1997		
30. 10-R-1930		
31. 10-R-1931		
32. 10-R-1932		
33. 10-R-1933		
34. 10-R-1934		