

A RESOLUTION BY COUNCILMEMBER MICHAEL J. BOND 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, 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF SIX HUNDRED THIRTY-ONE THOUSAND, EIGHT-HUNDRED SEVENTY-TWO DOLLARS (\$631,872), FOR THE PURPOSE OF SUPPORTING LAW-ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES; AND FOR OTHER PURPOSES.

Workflow List:

| | | |
|-----------------------------|-----------|--------------------|
| Atlanta City Council | Completed | 05/21/2014 5:57 PM |
| Finance/Executive Committee | Pending | |

HISTORY:

| | | |
|----------|----------------------|----------------------------|
| 05/19/14 | Atlanta City Council | REFERRED WITHOUT OBJECTION |
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| RESULT: | REFERRED WITHOUT OBJECTION | Next: 5/28/2014 1:00 PM |
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| RESULT: | REFERRED WITHOUT OBJECTION | Next: 5/28/2014 1:00 PM |
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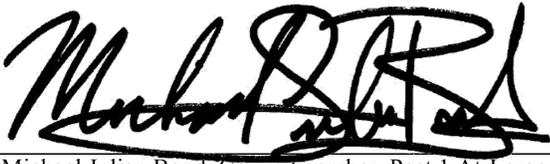
| | |
|---|--------------------|
| Certified by Presiding Officer | Certified by Clerk |
| | |
| Mayor's Action <i>See Authentication Page Attachment</i> | |

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-R-3610

SPONSOR SIGNATURES

A handwritten signature in black ink, appearing to read "Michael Julian Bond", written over a horizontal line.

Michael Julian Bond, Councilmember, Post 1 At-Large

A RESOLUTION BY COUNCILMEMBER MICHAEL J. BOND 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, 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF SIX HUNDRED THIRTY-ONE THOUSAND, EIGHT-HUNDRED SEVENTY-TWO DOLLARS (\$631,872), FOR THE PURPOSE OF SUPPORTING LAW-ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES; AND FOR OTHER PURPOSES.

WHEREAS, the United States Bureau of Justice Assistance ("BJA") has announced that the City of Atlanta ("City") Department of Police ("Department") is eligible to apply for the FY2014 Edward Byrne Memorial Justice Assistance Grant ("JAG 2014"), in conjunction with Fulton County, Georgia ("County"), in the amount of six hundred thirty-one thousand, eight-hundred seventy-two dollars (\$631 ,872); and

WHEREAS, the Department and County wish to enter into an Inter-local Agreement ("Agreement") which will specify the terms and conditions for the reallocation of the JAG 2014 funds (see attached as Exhibit "A"); and

WHEREAS, pursuant to the Agreement, the City of Atlanta Police Department ("Department") will apply for the joint-award on behalf of the Department and the County and then pay the County one hundred fifty-seven thousand, nine hundred sixty-eight dollars (\$157 ,968), while retaining for the Department the amount of four hundred seventy-three thousand, nine hundred four dollars (\$473,904) for the purpose of fund crime suppression and other police programs; and

WHEREAS, the Department desires to enter into the Agreement with the County in order to share the JAG 2014 funds for the purpose of purchasing police equipment and other 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 Inter-local Agreement ("Agreement") (see attached as Exhibit "A") with Fulton County, Georgia ("County"), in order to share funds from the U.S. Department of Justice, 2012 Byrne Justice Assistance Grant Program ("JAG"), in the amount of six hundred thirty-one thousand, eight-hundred seventy-two dollars (\$631 ,872);.

BE IT FURTHER RESOLVED, that pursuant to the agreement the City agrees to pay the

County one hundred fifty-seven thousand, nine hundred sixty-eight dollars (\$157 ,968), while retaining for the Department the amount of four hundred seventy-three thousand, nine hundred four dollars (\$473,904) for the purpose of fund crime suppression and other police programs.

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.

(Do Not Write Above This Line)

[Handwritten Signature]

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- 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: _____

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

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

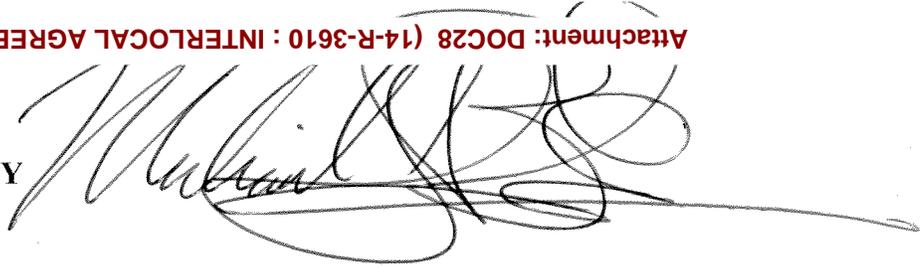
Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____

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

CERTIFIED

MAYOR'S ACTION

A RESOLUTION BY



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Legislative White Paper

Committee of Purview: Public Safety

Caption: 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, 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF SIX HUNDRED THIRTY-ONE THOUSAND, EIGHT-HUNDRED SEVENTY-TWO DOLLARS (\$631,872), FOR THE PURPOSE OF SUPPORTING LAW-ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES; AND FOR OTHER PURPOSES.

Council Meeting Date: 19 May 2014

Legislation Title: Resolution to Enter into MOU for 2014 JAG Grant

Requesting Dept.: Police

Contract Type: N/A

Source Selection: N/A

Bids/Proposals Due: N/A

Invitations Issued: N/A

**Number of Bids/
Proposals Received:** N/A

Bidders/Proponents: N/A

Background: The Memorandum of Understanding (MOU) is a requirement of a joint-grant application with Fulton County. The Edward Byrne Memorial Justice Assistance Grant is provided annually to the Department and can be used for almost any Departmental cost (except capital improvements). The grant requires a joint application with Fulton County. The MOU specifies the terms and conditions for the allocation of the JAG funds (see attached as Exhibit "A").

Fund Account Center: N/A

Source of Funds: N/A

Fiscal Impact: \$473,904 added to the Department of Police for police programs, with no matching funds.

Term of Contract: 3 year grant

Method of Cost Recovery: Grant

Approvals:

DOF:

DOL:

Prepared By: Investigator Kurt Braunsroth

Contact Number: 404-546-4266

THE STATE OF GEORGIA
COUNTY OF FULTON

KNOW ALL BY THESE PRESENT

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

2014 BYRNE JUSTICE ASSISTANCE GRANT ("JAG") PROGRAM AWARD

This Agreement is made and entered into this _____ day of _____, 2014, 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 2014 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 2014 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 2014 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, 2014 Meeting Agenda Item No. 14-_____; and Atlanta City Council Resolution No. 14-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 \$631,872; 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 \$631,872 in accordance with the DOJ funding formula allocation to the CITY and the COUNTY. The JAG award will be divided as follows; the CITY will retain \$473,904 and agrees to pay the COUNTY a total of \$157,968 of JAG funds.

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

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

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Investigator Kurt Braunsroth

Contact Number: 404-546-4266

Originating Department: Police

Committee(s) of Purview: Public Safety

Chief of Staff Deadline: walk-on

Anticipated Committee Meeting Date(s): 13-14 May 2014

Anticipated Full Council Date: 19 May 2014

Legislative Counsel's Signature:

Commissioner's Signature:

Chief Financial Officer:

Chief Information Officer Signature (for IT Procurements):

Chief Procurement Officer Signature:

CAPTION

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, 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF SIX HUNDRED THIRTY-ONE THOUSAND, EIGHT-HUNDRED SEVENTY-TWO DOLLARS (\$631,872), FOR THE PURPOSE OF SUPPORTING LAW-ENFORCEMENT AND CRIMINAL JUSTICE ACTIVITIES; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: (date) Received by LC from CPO: (date)

Received by Mayor's Office: (date) Reviewed by: (date)

Submitted to Council: (date)