

RESOLUTION TO ACTIVATE THE JOINT PUBLIC SAFETY AND JUDICIAL FACILITIES AUTHORITY FOR THE CITY OF SANDY SPRINGS AND THE CITY OF JOHNS CREEK, TO APPOINT A BOARD OF DIRECTORS, TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITIES, AND TO PROVIDE FOR FILING OF DOCUMENTS WITH THE GEORGIA SECRETARY OF STATE AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS PURSUANT TO O.C.G.A. § 36-75-1, ET SEQ.

WHEREAS, pursuant to O.C.G.A. § 36-75-1, et seq. (the “War on Terrorism Local Assistance Act” or the “Act”), a public body corporate and politic, to be known as the “public safety and judicial facilities authority”, is created in and for each county and municipal corporation in the State of Georgia for nonprofit and public purposes; and

WHEREAS, pursuant to the Act a public safety and judicial facilities authority (an “authority”) may be activated to acquire, construct, improve, or modify, to place into operation, and to operate or cause to be placed into operation, either as owner of all or any part in common with others, a project or projects, which is defined in the Act as the acquisition, construction, equipping, operation, maintenance, and repairing of county or municipal corporation judicial, detention, or public safety facilities, including facilities used or to be used by or in direct support of management and operation of homeland security, police, fire, rescue, and emergency medical services; and

WHEREAS, the Act provides that any number of counties or municipal corporations or a combination of counties and municipal corporations may jointly form an authority to be known as a “joint public safety and judicial facilities authority” for such counties or municipal corporations or both; and

WHEREAS, the City of Sandy Springs (“Sandy Springs”) and the City of Johns Creek (“Johns Creek”) have been working together to evaluate the possibility of forming a multi-jurisdictional 9-1-1 system and now desire to move forward together in the creation of a joint public safety and judicial facilities authority as provided in the Act for the purpose of creating and implementing a 9-1-1 system to serve the needs of both municipal corporations and

WHEREAS, the Act provides that before a joint authority may transact any business or exercise any powers, it must be activated by proper ordinance or resolution of each county and municipal corporation involved, each declaring the need for an authority to function in their city and each declaring that such jurisdiction is at the time of the ordinance or resolution imposing a sales tax levied for the purposes of a metropolitan area system of public transportation and

WHEREAS, the Act further provides that before a joint authority may transact any business or exercise any powers, it must approve an agreement with the other counties or municipal corporations for the activation of an authority and such agreement is executed; and

WHEREAS, the Act provides that control and management of an authority shall be vested in a board of directors whose members shall be residents of the county or municipal corporation, to be appointed by resolution of the governing authority of the county or municipal corporation for a term of four (4) years; and

WHEREAS, the Act provides that a copy of the activating resolution of the governing authority of the county or municipal corporation shall be filed with the Georgia Secretary of State and the Georgia Department of Community Affairs;

NOW THEREFORE, BE IT RESOLVED by the City Council of Sandy Springs as follows:

1. There is hereby determined and declared to be a present and future need for a public safety and judicial facilities authority to function in Sandy Springs; and
2. Sandy Springs is at the time of this resolution imposing a sales tax levied for the purposes of a metropolitan area system of public transportation; and
3. The individuals listed on the attached Exhibit "A" are hereby appointed to the initial Board of Directors for the joint authority to be created for Sandy Springs and Johns Creek and
4. The execution, delivery, receipt and due performance of the Intergovernmental Agreement for the Activation of the Joint Public Safety and Judicial Facilities Authority for the Cities of Sandy Springs, Georgia and Johns Creek, Georgia for the Provision of 911 Communications Services in the Cities of Sandy Springs and Johns Creek (the "Agreement") in substantially the form attached hereto as Exhibit "B", and any other certificates or documents as may be required to be executed, delivered, or received in connection with the creation of a 911 system are hereby authorized in order to carry out, give effect to, and consummate the transactions contemplated by the Agreement ; and
5. The City Manager and the City Attorney are hereby authorized to file appropriate documents with the Georgia Secretary of State and the Georgia Department of Community Affairs and to take any and all actions as may be necessary to activate the joint authority and to carry out the terms of the Agreement pursuant to the provisions of the Act.

APPROVED AND ADOPTED this 21st day of October, 2008.

Approved:



Eva Galambos, Mayor

Attest:



Tracy Tye, Acting City Clerk
(Seal)



EXHIBIT "A"

INITIAL BOARD OF DIRECTORS
FOR JOINT PUBLIC SAFETY AND JUDICIAL FACILITIES AUTHORITY

John McDonough, City Manager of City of Sandy Springs, if he is a resident of the City of Sandy Springs and if not, his designee

John Kachmar, City Manager of City of Johns Creek, if he is a resident of the City of Johns Creek and if not, his designee

EXHIBIT "B"

INTERGOVERNMENTAL AGREEMENT
FOR THE ACTIVATION OF THE
JOINING PUBLIC SAFETY AND JUDICIAL FACILITIES AUTHORITY FOR THE
CITIES OF SANDY SPRINGS, GEORGIA AND JOHNS CREEK, GEORGIA
FOR THE PROVISION OF 911 COMMUNICATIONS SERVICES INN
THE CITIES OF SANDY SPRINGS AND JOHNS CREEK
(attached)