

**CITY COUNCIL
ATLANTA, GEORGIA**

21-R-4118

A RESOLUTION BY COUNCILMEMBERS JOYCE M. SHEPERD, ANTONIO BROWN, DUSTIN R. HILLIS, CARLA SMITH, MATT WESTMORELAND, CLETA WINSLOW, ANDREA L. BOONE, JENNIFER N. IDE, AMIR R. FAROKHI, MARCI COLLIER OVERSTREET, NATALYN M. ARCHIBONG, ANDRE DICKENS AND MICHAEL JULIAN BOND AS SUBSTITUTED BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY OF ATLANTA WITH FULTON COUNTY, GEORGIA BY WHICH THE CITY OF ATLANTA AND FULTON COUNTY, GEORGIA WOULD AGREE TO CREATE AND ESTABLISH THE CENTER FOR DIVERSION AND SERVICES FOR AN INITIAL TERM OF TWO YEARS, WHICH SHALL BE RENEWABLE ANNUALLY UPON ATLANTA CITY COUNCIL APPROVAL, TO AID THE DESIRE OF THE CITY OF ATLANTA, AND FULTON COUNTY GEORGIA TO TRANSITION AWAY FROM LEGAL SYSTEM RESPONSES THAT UTILIZE JAILS OR ARREST FOR CONCERNS RELATED TO HOMELESSNESS, MENTAL HEALTH, SUBSTANCE USE, AND POVERTY; AND FOR OTHER PURPOSES.

WHEREAS, Pre-arrest diversion allows police officers to offer consent-based and individually tailored social services instead of making an arrest, whereby officers initiate diversions, and are met at the scene of the offense by a PAD Care Navigation team who immediately begin working with a diverted participant; and

WHEREAS, in 2017, pursuant to 17-R-3693 the Atlanta City Council the City of Atlanta to entered into an appropriate Memorandum of Understanding (MOU) with the Fulton County District Attorney, the Fulton County Solicitor, the Fulton County Public Defender's Office, and the Atlanta/Fulton County Pre-Arrest Diversion Initiative, Inc. (PAD, Inc.) for the creation of the PAD Initiative Operational Working Group, and to memorialize the governance and responsibilities thereof; and

WHEREAS, the term of the MOU ran through June 30, 2019; and

WHEREAS, following the expiration of this MOU, the City of Atlanta has continued its partnership with PAD, Inc., a non-profit 501(c)(3) organization which serves as the Managing Entity for the PAD initiative, including through, but not limited to, an appropriation of \$1,500,000 in the Fiscal Year 2021 (FY 2021) budget approved via 20-O-1260; and

WHEREAS, pursuant to 20-O-1738, the Atlanta City Council authorized the Mayor to execute an agreement with the Police Alternatives and Diversion Initiative, Inc., (then known as the Atlanta / Fulton County Pre-arrest Diversion Initiative, Inc.), a non-profit 501(c)(3) organization, to provide pre-arrest diversion and community referral program services, in an amount not to exceed One Million Nine Hundred Fifty-One Thousand Four Hundred and Sixty-Five Dollars and Zero Cents (\$1,951,465.00), for a term of one (1) year, with three (3) one (1) year renewal term options, commencing retroactively on July 1, 2020; and

WHEREAS, in furtherance of its commitment to principles of pre-arrest diversion, the City of Atlanta, (the City) desires to partner with Fulton County, Georgia, (the County) through the execution of an Intergovernmental Agreement (IGA) to create and establish the Center for Diversion and Services; and

WHEREAS, the Georgia Constitution, Article IX, Section 2, Paragraph 3, except as otherwise provided by law, permits local governments to execute Intergovernmental Agreements; and

WHEREAS, the purpose of the creation of the Center for Diversion and Services (the Center) would be to aid the desire of the City and the County to transition away from legal system responses that utilize jails or arrest for concerns related to homelessness, mental health, substance use, and poverty; and

WHEREAS, stakeholders across Atlanta and Fulton County's behavioral health field agree a Continuum of Resources are needed to reduce the number of people experiencing concerns related to mental health, substance use, homelessness, and poverty who enter our legal system in order to reduce the overall population of individuals at the Atlanta City Detention Center (ACDC) and the Fulton County Jail; and

WHEREAS, the needed Continuum of Resources have been well documented by the Fulton County Justice and Mental Health Task Force and the Substance Abuse and Mental Health Administration funded community of practice, which includes City, County, State, and other service providers; and

WHEREAS, the creation and establishment of the Center represents an opportunity for City and the County, and other stakeholders and partners to strengthen partnerships and collaborate on a key element of this Continuum of Resources; and

WHEREAS, the Center also represents an opportunity to not only divert individuals from arrest and jail but also to have an impact on their quality of life and empower them with the care, services, and referrals that are critical to helping them move forward in a positive way; and

WHEREAS, the Center is envisioned as a pre-arrest drop-off point for law enforcement which will include a shared governance model comprised of a wide range of stakeholders and service providers, all of which share a unified vision of providing services in a supportive environment to people experiencing concerns related to homelessness, mental health, substance use, and/or poverty; and

WHEREAS, the Center will provide care and services, including but not limited to (1) peer reception and navigation through Center services; (2) behavioral health screening and needs assessment; (3) non-emergency medical care; (4) sobering rooms; (5) referrals and transportation to off-site treatment and service organizations; (6) case management and basic legal navigation; (7) warrant resolution; and (8) food, laundry, and showers; and

WHEREAS, the City and the County desire to commit to continued meaningful collaboration, both regarding the Center and any future efforts toward building and strengthening the City of Atlanta and Fulton County's Continuum of Resources infrastructure; and

WHEREAS, it is estimated that the funds necessary to establish the Center shall include approximately Three Million Dollars and Zero Cents (\$3,000,000.00) in one-time capital and Five Million Seventy-Thousand Dollars and Zero Cents (\$5,070,000.00) in annual operating costs; and

WHEREAS, accordingly, the City and the County desire to commit to sharing the first year's operating costs equally and working collaboratively to ensure continued Center funding in years two and beyond; and

WHEREAS, the estimated funding commitments for the first year of Center would include the City committing to Three Million Dollars and Zero Cents (\$3,000,000.00) in one-time capital costs and Two Million Five Hundred Thirty-Five Thousand Dollars and Zero Cents (\$2,535,000) in operating costs funding, and Fulton County Georgia committing to Two Million Five Hundred Thirty-Five Thousand Dollars and Zero Cents (\$2,535,000) in operating costs funding; and

WHEREAS, the City and the County desire to memorialize these funding commitments in the IGA by which the City and the County would agree to create and establish the Center for Diversion and Services (the Center); and

WHEREAS, the City and the County commit to continued meaningful collaboration, both regarding the Center and any future efforts toward building and strengthening metropolitan Atlanta's continuum of resources and resource infrastructure.

WHEREAS, specifically, the City and the County recognize that this IGA will result in only a partial utilization of ACDC, and that other separate and distinct opportunities for further collaboration exist for the City and the County regarding joint uses of the facility; accordingly, the City and the County agree to engage in discussions regarding other potential joint uses of the facility and seek a mutually-agreeable resolution no later than twelve months from the execution of this IGA; and

WHEREAS, the Atlanta City Council desires to authorize the Mayor to execute an IGA on behalf of the City of Atlanta with Fulton County, Georgia by which the City and the County would agree to create and establish the Center; and

WHEREAS, the initial term of this IGA shall be two years effective on January 1, 2022, and the IGA may be renewed annually upon the approval of the City and the County; and

WHEREAS, City Council approval shall be necessary for the City of Atlanta to execute any renewals of this IGA.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute an Intergovernmental Agreement on behalf of the City of Atlanta (the City) with Fulton County, Georgia, (the County) by which the City and the County would agree to create and establish the Center for Diversion and Services.

BE IT FURTHER RESOLVED, that the term of this IGA shall be two years effective on January 1, 2022, and the IGA of understanding may be renewed annually upon the approval of the City and the County.

BE IT FURTHER RESOLVED, that Atlanta City Council approval shall be required for the City of Atlanta to execute any renewals of this IGA.

BE IT FURTHER RESOLVED, the City Attorney, is directed to prepare the IGA for execution by the Mayor.

BE IT FURTHER RESOLVED, the IGA will not become binding on the City, and the City will incur no obligation or liability thereunder, until the same have been approved as to form by the City Attorney or her designee, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the County.

BE IT FINALLY RESOLVED, that this Resolution shall be effective immediately upon approval.

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CITY COUNCIL
ATLANTA, GEORGIA

21-R-4118

SPONSOR SIGNATURES




Joyce M. Sheperd, Councilmember, District 12

A RESOLUTION BY COUNCILMEMBERS JOYCE M. SHEPERD, ANTONIO BROWN, DUSTIN R. HILLIS, CARLA SMITH, MATT WESTMORELAND, CLETA WINSLOW, ANDREA L. BOONE, JENNIFER N. IDE, AMIR R. FAROKHI, MARCI COLLIER OVERSTREET, NATALYN M. ARCHIBONG, ANDRE DICKENS AND MICHAEL JULIAN BOND AS SUBSTITUTED BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY OF ATLANTA WITH FULTON COUNTY, GEORGIA BY WHICH THE CITY OF ATLANTA AND FULTON COUNTY, GEORGIA WOULD AGREE TO CREATE AND ESTABLISH THE CENTER FOR DIVERSION AND SERVICES FOR AN INITIAL TERM OF TWO YEARS, WHICH SHALL BE RENEWABLE ANNUALLY UPON ATLANTA CITY COUNCIL APPROVAL, TO AID THE DESIRE OF THE CITY OF ATLANTA, AND FULTON COUNTY GEORGIA TO TRANSITION AWAY FROM LEGAL SYSTEM RESPONSES THAT UTILIZE JAILS OR ARREST FOR CONCERNS RELATED TO HOMELESSNESS, MENTAL HEALTH, SUBSTANCE USE, AND POVERTY; AND FOR OTHER PURPOSES.

VOTE RECORD - RESOLUTION 21-R-4118						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED AS AMENDED <input checked="" type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> ADVERSED IN COMMITTEE <input type="checkbox"/> QUADRENNIALY TERMINATED			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	SECONDER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	MOVER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N. IDE	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. P. MATZIGKEIT	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOYCE M SHEPERD	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<input type="checkbox"/> FORWARDED W/NO RECOMMENDATION <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/CONDITION <input type="checkbox"/> FAVORABLE/AMND/CONDITION <input type="checkbox"/> RETURNED AS HELD <input type="checkbox"/> FAVORABLE/SUB/CONDITION <input type="checkbox"/> FAVORABLE ON CONDITION <input type="checkbox"/> ACCEPTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> ROUTED TO COW <input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRIDDEN <input type="checkbox"/> NOT ACCEPTED BY COMMITTEE <input type="checkbox"/> SUSTAINED WITHOUT OBJECTION <input type="checkbox"/> TABLED W/O OBJECTION <input type="checkbox"/> HELD IN COW <input type="checkbox"/> POSTPONED <input type="checkbox"/> RETAINED AS HELD <input type="checkbox"/> REFER TO ZRB AND ZC W/O OBJECTION <input type="checkbox"/> AUTOMATICALLY TERMINATED (FILED)	
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[Unanimous]

Certified by Presiding Officer	Certified by Clerk
<p style="text-align: center;">CERTIFIED</p> <p style="text-align: center;">11/1/2021</p> <p style="text-align: center;">ATLANTA CITY COUNCIL PRESIDENT</p> <p style="text-align: center;"></p>	<p style="text-align: center;">CERTIFIED</p> <p style="text-align: center;">11/1/2021</p> <p style="text-align: center;">MUNICIPAL CLERK</p> <p style="text-align: center;"></p>
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	