

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Georgia Department of Transportation Memorandum of Agreement
AGENDA SUMMARY:	Approval is requested for a Memorandum of Agreement between Georgia Department of Transportation and Columbus Consolidated Government that would allow for Columbus Police Department officers to manage and control property that belongs to GDOT and is located within the jurisdictional boundaries of the City of Columbus.
INITIATED BY:	Public Works

Recommendation: Approval is requested for a Memorandum of Agreement between Georgia Department of Transportation and Columbus Consolidated Government that would allow for Columbus Police Department officers to manage and control property that belongs to GDOT and is located within the jurisdictional boundaries of the City of Columbus.

Background: Public Works is required to remove waste materials from areas of the city owned by GDOT. In the course of performing these jobs, it has become necessary, on occasion, to provide a law enforcement presence to preclude any interaction between people camped in these areas and the Public Works team members. Without legal authority this action is not possible. This agreement between the two parties provides for such authority.

Analysis: The Department of Public Works requires this agreement to ensure the safety of all team members.

Financial Considerations: None

Legal Considerations: The Legal Department of the Consolidated Government of Columbus has reached this agreement with the Georgia Department of Transportation.

Recommendation/Action: Approval is requested for the Consolidated Government of Columbus to enter into this agreement with Georgia Department of Transportation.

RESOLUTION

A RESOLUTION AUTHORIZING THE MEMORANDUM OF AGREEMENT BETWEEN THE GEORGIA DEPARTMENT OF TRANSPORTATION (“GDOT”), AND THE COLUMBUS, GEORGIA CONSOLIDATED GOVERNMENT (“CCG”).

WHEREAS, GDOT is responsible under the law for effectively managing, controlling, and maintaining the roads on the state highway system and other properties that it owns (“public rights-of-way”); and,

WHEREAS, unauthorized camping on GDOT public rights-of-way in Columbus, Georgia/Muscogee County has resulted in instances of fires, damaged infrastructure, unsanitary conditions, impeded thoroughfares, and/or other detriments adversely impacting the public health, safety, and welfare of Georgia citizens; and,

WHEREAS, O.C.G.A § 32-6-6 makes it unlawful to knowingly use GDOT’s public rights-of-way for unauthorized camping; and,

WHEREAS, the Columbus, Georgia Consolidated Government has the ability to and is willing to assist GDOT in prohibiting unauthorized camping on GDOT’s public rights-of-way in Columbus/Muscogee County, Georgia.].

Now, THEREFORE, in consideration of the mutual promises contained herein, the Parties to this MOA agree to the following provisions:

1. GDOT and the CCG shall work together to ensure that GDOT’s public rights-of-way within the boundaries of Columbus/Muscogee County are free of unauthorized camping in order to safeguard critical infrastructure and promote the existence of safe, sanitary conditions for all persons that use them.

2. The CCG may at its discretion enforce O.C.G.A. § 32-6-6 in any instance in which unauthorized camping on GDOT’s rights-of-way within CCG’s jurisdiction is observed by members of Columbus/Muscogee County law enforcement. The presence of a representative of GDOT is not required for enforcement action to be taken by CCG.

3. GDOT will provide support to CCG in legal proceedings initiated as a result of lawful enforcement actions taken to halt unauthorized camping on GDOT’s public rights-of-way within Columbus, Georgia/Muscogee County.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the ___ day of April 2021 and adopted at said meeting by the affirmative vote of _____members of said Council.

Councilor Allen voting _____.
Councilor Barnes voting _____.
Councilor Crabb voting _____.
Councilor Davis voting _____.
Councilor Garrett voting _____.

Councilor House voting _____.
Councilor Huff voting _____.
Councilor Thomas voting _____.
Councilor Tucker voting _____.
Councilor Woodson voting _____.

Sandra T. Davis, Clerk of Council

B.H. "Skip" Henderson, Mayor