



AGENDA STAFF MEMO

TO: Honorable Mayor and City Council Members
FROM: Steve Krokoff, City Manager
DATE: Submitted on January 16, 2025, for the February 3, 2025, Regular City Council Meeting

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Steven Krokoff

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AGENDA ITEM: Approval of a Waiver of Conflict for Jarrard and Davis, LLP to Represent the Legal Interest of the City of Milton and the City of Alpharetta for the Purposes of Joining and Drafting Bylaws of the EMROC and with Authorization for the Mayor to Execute All Necessary Documents.

SUMMARY:

Approval of this conflict waiver would allow Jarrard & Davis to represent both the City of Milton and the City of Alpharetta for the purposes of joining the North Fulton Emergency Medical Response Oversight Committee and drafting bylaws for its operations, purpose, governance, and responsibilities. Additionally, this conflict waiver would waive any potential conflict of interest in Jarrard & Davis representing both parties for this purpose.

FUNDING AND FINANCIAL IMPACT:

No Funding Impact.

PROCUREMENT SUMMARY (if applicable)

REVIEW & APPROVALS:

Financial Review: Not applicable

Legal Review: Ken Jarrard, Jarrard & Davis, LLP – January 16, 2025

Concurrent Review: Bernadette Harvill, Deputy City Manager –

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Bernadette Harvill

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ATTACHMENT(S):

Milton - Alpharetta Conflict Waiver RE EMROC Bylaws

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WAIVER OF CONFLICT

WHEREAS, THE CITY OF MILTON (“Milton”) is a municipal corporation of the State of Georgia; and

WHEREAS, THE CITY OF ALPHARETTA (“Alpharetta”) is a municipal corporation of the State of Georgia; and

WHEREAS, both Milton and Alpharetta may collectively be referred to hereinafter as the “Parties;” and

WHEREAS, Milton is and has been represented by the law firm of Jarrard & Davis, LLP, in the capacity of general legal counsel as Milton’s City Attorney; and

WHEREAS, Alpharetta is and has been represented by the law firm of Jarrard & Davis, LLP, in the capacity of general legal counsel as Alpharetta’s City Attorney; and

WHEREAS, the Parties, along with the City of Johns Creek, the City of Roswell, and the City of Sandy Springs, (collectively the “Cities”), previously approved the joint execution of a Service Level Agreement (“SLA”) for the provision of enhancing and sustaining EMS service levels within the city limits of each of the Cities;

WHEREAS, the SLA anticipates the establishment of the North Fulton Emergency Medical Response Oversight Committee (“EMROC”) to provide oversight for the SLA;

WHEREAS, the Parties desire to be members of EMROC;

WHEREAS, the Parties have an interest in the drafting of bylaws for EMROC to govern its operations, including its purpose, membership, governance, and responsibilities, in accordance with its mission to support emergency medical response efforts;

WHEREAS, Milton and Alpharetta recognize that Jarrard & Davis, LLP’s representation of both Parties regarding EMROC and the preparation of its bylaws is a waivable

conflict of interest; and

WHEREAS, the governing bodies of the Parties have considered this issue, have been informed of the potential for conflicts or competing interests between the Parties and risks associated with the same; and

WHEREAS, the law firm of Jarrard & Davis, LLP will continue to represent both Parties while protecting both Parties' best interests, in connection with EMROC and its bylaws.

NOW THEREFORE, in light of the above, the governing bodies of Milton and Alpharetta, having considered this issue, do hereby resolve as follows:

1. Milton and Alpharetta acknowledge Jarrard & Davis, LLP's disclosure of this potential conflict.
2. Milton and Alpharetta further acknowledge Jarrard & Davis, LLP's disclosure of this potential conflict at an open meeting.
3. Milton and Alpharetta have been provided an adequate opportunity to consult with independent legal counsel regarding the ramifications of this conflict waiver; and all and any questions by either government have been addressed to the satisfaction of each.
4. Milton and Alpharetta affirmatively waive any actual, potential, or apparent conflict of interest arising from or attributable to Jarrard & Davis, LLP's representation of the Parties with respect to EMROC and its bylaws.

(signature page follows)

Effective between the Parties this _____ day of _____, 2025.

CITY OF MILTON, GEORGIA, by and
through its City Council

By: _____
Mayor

ATTEST:

By: _____
City Clerk

[AFFIX SEAL]

CITY OF ALPHARETTA, GEORGIA,
by and through its City Council

By: _____
Mayor

ATTEST:

By: _____
City Clerk

[AFFIX SEAL]