



# AGENDA REPORT

MEETING DATE:	April 13, 2026	Regular
DEPARTMENT:	City Manager	Steven Krokoff, City Manager
SECTION OF AGENDA:	New Business	April 13, 2026
AGENDA ITEM TITLE:	Consideration of a Waiver of Conflict between the City of Milton and the City of Alpharetta related to legal representation by Jarrard & Davis, LLP in connection with the proposed Intergovernmental Agreement for inmate housing at the Alpharetta Jail.	
STATEMENT OF PURPOSE:	Council action is needed to formally acknowledge and waive the potential conflict of interest arising from Jarrard & Davis, LLP's representation of both Milton and Alpharetta in connection with the proposed inmate housing agreement.	
FINANCIAL IMPACT:	Cost savings for both municipalities related to sharing the costs of creation and review of the intergovernmental agreement.	
RECOMMENDED ACTION:	Approve the Waiver of Conflict between the City of Milton and the City of Alpharetta related to legal representation by Jarrard & Davis, LLP in connection with the proposed Intergovernmental Agreement for inmate housing at the Alpharetta Jail.	

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*Steven Krokoff*  
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## EXECUTIVE SUMMARY:

The City of Milton and the City of Alpharetta are exploring an Intergovernmental Agreement regarding the housing of inmates at the Alpharetta Jail. Both cities are represented by Jarrard & Davis, LLP as general legal counsel, which creates a waivable conflict of interest with respect to this specific matter. The attached waiver formally acknowledges that potential conflict confirms that each governing body has been informed of the associated risks and had the opportunity to consult independent counsel and authorizes continued representation by the same firm for this project. Staff recommends approval so the parties may proceed efficiently with negotiation and preparation of the related intergovernmental agreement.

Staff recommend approval because the ordinance provides a clearer, more administrable, and more transparent framework for alcohol licensing and regulation in the City.

## PURPOSE/BACKGROUND:

Jarrard & Davis, LLP serves as City Attorney for both Milton and Alpharetta. The two cities have an interest in preparing an Intergovernmental Agreement concerning the housing of Milton inmates at the Alpharetta Jail. Because the same law firm represents both municipalities on this matter, the parties must acknowledge the potential for



actual, potential, or apparent conflicts of interest and determine whether to waive that conflict in order to permit the firm to continue representing both cities in connection with the project. The waiver states that both governing bodies have considered the issue, have been informed of the risks, and have had an adequate opportunity to consult independent legal counsel.

### **STAFF ANALYSIS:**

The proposed waiver is a procedural but important legal step that allows the cities to continue using counsel already familiar with both organizations and the contemplated transaction. Approval would help avoid delays in negotiating the inmate housing agreement and promote efficiency in the preparation of documents related to the arrangement. The waiver does not itself approve the underlying jail intergovernmental agreement or bind the City to final terms for inmate housing. Rather, it only addresses the legal representation issue so that negotiations and document preparation may continue with appropriate disclosure and consent. Based on the language in the waiver, both parties expressly acknowledge the conflict and affirmatively waiving it for purposes of this specific project.

### **FINANCIAL IMPACT:**

Total cost: none directly associated with approval of the waiver.

Current fiscal-year impact: none.

Future or ongoing impact: none attributable to the waiver itself, although the related Intergovernmental Agreement may have fiscal implications that would be presented separately.

Funding source: not applicable.

Budgeted or unbudgeted: not applicable.

Risk of delay or denial: delay in negotiating or finalizing the proposed inmate housing agreement and the potential need for separate counsel on the matter.

### **ALTERNATIVES CONSIDERED:**

Option 1: Approve the waiver as presented and allow Jarrard & Davis, LLP to continue representing both parties in connection with this matter.

Option 2: Decline to approve the waiver, which may require one or both cities to retain separate counsel for this project and could delay negotiation of the Intergovernmental Agreement.

Option 3: Table the item for additional discussion or consultation with independent counsel.

### **LEGAL AND REGULATORY CONSIDERATIONS:**

This item is itself legal in nature and is intended to document informed consent to a waivable conflict of interest. The waiver states that disclosure has occurred, that the matter was disclosed at an open meeting, and that each party has had an adequate opportunity to consult independent legal counsel regarding the ramifications of the waiver. Approval of this waiver does not constitute approval of the substantive terms of the future Intergovernmental Agreement, which should be considered separately by Council.

## **OPERATIONAL IMPACT:**

Approval of the waiver would allow the cities and counsel to continue work on the proposed jail housing arrangement without interruption arising from the dual representation issue. There is no immediate operational change from the waiver alone, though it supports continued development of an agreement that could affect inmate transport, detention logistics, and related public safety coordination.

## **COMMUNITY/STAKEHOLDER IMPACT:**

The item has limited direct community impact on its own, as it is primarily a legal and procedural matter. Indirectly, it supports continued intergovernmental coordination on detention services and could contribute to more efficient public safety operations if a final inmate housing agreement is later approved.

## **STAFF RECOMMENDATION:**

Staff recommends approval of the Waiver of Conflict because it provides the necessary formal acknowledgment and consent for Jarrard & Davis, LLP to continue representing both Milton and Alpharetta in connection with the proposed inmate housing Intergovernmental Agreement. Approval will allow negotiations and document preparation to proceed while preserving the City's ability to separately review and approve or reject the substantive jail agreement at a later date.

## **REVIEWS & APPROVALS:**

**Financial Review:**

**Legal Review:**

**Concurrent Review:** Stacey Inglis, Deputy City Manager – April 8, 2026

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*Stacey Inglis*  
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## **ATTACHMENTS:**

Conflict Waiver

## **WAIVER OF CONFLICT**

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

**WHEREAS, THE CITY OF ALPHARETTA, GEORGIA** (“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**, Milton and Alpharetta have an interest in preparing an Intergovernmental Agreement with respect to the housing of inmates at the Alpharetta Jail (the “Project”); and

**WHEREAS**, Milton and Alpharetta recognize that Jarrard & Davis, LLP’s representation of both Parties regarding the Project 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 the Project.

**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 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 the Intergovernmental Agreement.

This \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**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]