

MEMORANDUM

To: Mayor and City Council

From: Lenny Felgin, Assistant City Attorney

Date: February 10, 2014

Subject: **Discussion of Revised Intergovernmental Agreement with DeKalb County for the Provision of Election Services**

ITEM DESCRIPTION

DeKalb County has submitted a revised Intergovernmental Agreement (IGA) for the provision of election services.

BACKGROUND

In 2009 the City Council approved an Intergovernmental Agreement (IGA) with DeKalb County for the provision of election services.

DeKalb County has revised the IGA and is requesting that the Agreement be approved by City Council. The main revision to the IGA covers the defense of litigation arising from Dunwoody elections. DeKalb County will now undertake the defense (at the City's expense) of any claim(s) stemming from an issue that arises from the action(s) of any of DeKalb County's employees in the Dunwoody election. In the prior version of the IGA, the City would have been responsible for defense as well as the any costs incurred with the defense. The City Council asked what changes DeKalb County was requesting that are different from the currently existing agreement. The first attachment shows what those substantive changes are that are being requested. The second attachment reflects additional negotiated changes between the City and DeKalb County due to the City's concerns over paying for DeKalb County to solely oversee any defense of election disputes.

RECOMMENDED ACTION

Staff recommends that Council approve the revised Intergovernmental Agreement with DeKalb County for the provision of election services.