

Resolution No. 2025 - 105

A RESOLUTION OF THE CITY OF POWDER SPRINGS, GEORGIA, AUTHORIZING LEGAL ACTION TO RESOLVE A DISPUTE REGARDING THE SERVICE DELIVERY STRATEGY FOR COBB COUNTY; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Powder Springs, Georgia ("Powder Springs") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, the Service Delivery Act, O.C.G.A. § 36-70-20, *et seq.*, requires each county and all cities located therein to develop, approve, and implement a service delivery strategy that specifies the manner in which all local governmental services will be provided and funded; and,

WHEREAS, the sanctions provided for in O.C.G.A. § 36-70-27 may soon be imposed on all local governments and governmental entities within Cobb County. Although a Service Delivery Agreement between Cobb County and the Cities of Acworth, Austell, Kennesaw, Marietta, Powder Springs, and Smyrna has been entered into and verified by the Georgia Department of Community Affairs, there is no Service Delivery Strategy Agreement between Cobb County and the City of Mableton that has been verified by the Georgia Department of Community Affairs; and,

WHEREAS, the Service Delivery Act provides for a means by which local governments can resolve a dispute regarding a service delivery strategy.

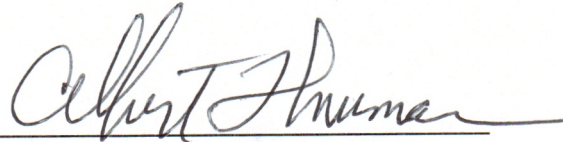
THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF POWDER SPRINGS AS FOLLOWS:

- 1. Incorporation of Recitals.** The above-stated recitals are true and correct and are incorporated as though fully set forth herein.
- 2. Authorization to Legal Counsel.** Powder Springs hereby authorizes the firm of Smith, Welch, Webb & White, LLC., as Special Counsel, upon the imposition of the sanctions provided for in O.C.G.A. § 36-70-27, to take all actions necessary or convenient toward seeking mandatory mediation and holding sanctions in abeyance, judicial resolution, or any other necessary legal endeavor, pursuant to the dispute resolution process provided for in the Service Delivery Act generally and O.C.G.A. § 36-70-25.1(d) particularly. Moreover, the firm of Smith, Welch, Webb & White, LLC. is hereby authorized to take all such other legal actions as may be necessary or convenient toward protecting the rights of the City of Powder Springs related to the provision or funding of services and the Service Delivery Strategy for Cobb County as may be necessary by law.
- 3. Additional Documents, Attestation, and Authorization.** Powder Springs hereby authorizes the Mayor to execute any and all documents which may be necessary or convenient to effectuate this Resolution and for the City Clerk to attest same. Moreover, the City Manager, City's attorneys, and other City personnel as may be necessary, are authorized to assist in all legal endeavors related to the purpose for this Resolution, including investigation, processing, and filing of petitions, lawsuits, mediation, motions, and any other action that may be necessary, including, but not limited to hiring experts or consultants to assist with the above-stated purposes.

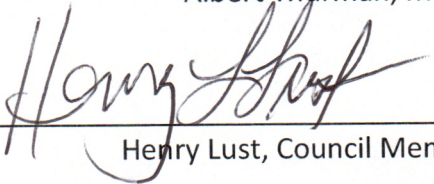
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- 4. Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
- 5. Repeal of Conflicting Provisions.** All Powder Springs resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
- 6. Effective Date.** This Resolution shall take effect immediately.

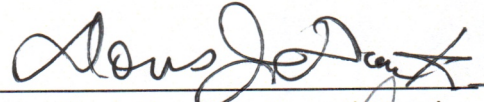
SO RESOLVED this 2nd day of June 2025.



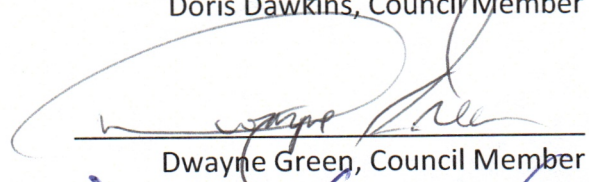
Albert Thurman, Mayor



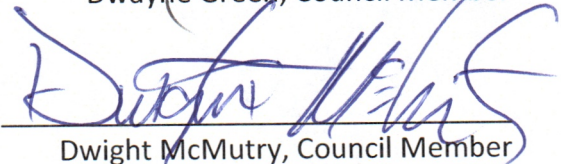
Henry Lust, Council Member



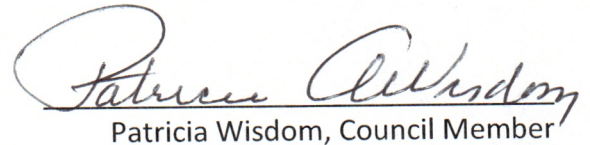
Doris Dawkins, Council Member



Dwayne Green, Council Member

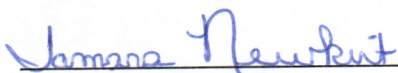


Dwight McMurtry, Council Member



Patricia Wisdom, Council Member

ATTEST:



~~Kelly Axt, City Clerk~~

Tamara Newkirk, Deputy City Clerk