

RESOLUTION NO. 2024 - 130

A RESOLUTION APPROVING A CONFLICT-OF-INTEREST WAIVER PERTAINING TO THE ACQUISITION OF REAL ESTATE AT THE FLORENCE ROAD ROUNDABOUT AND REPRESENTATION OF THE PROPERTY OWNER AND THE CITY BY THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS the City of Powder Springs (“City”) has programmed a transportation improvement project under the Special Purpose Local Options Sales Tax program (SPLOST”) at Florence Road and Powder Springs Dallas Road with the construction of a roundabout (the “Florence Roundabout Project); and

WHEREAS the Florence Roundabout Project requires a small amount of right of way acquisition from the State Road and Tollway Authority (“SRTA”) in order to complete said project; and

WHEREAS during the review process by the SRTA, the SRTA contacted its attorney to prepare the necessary paperwork for the conveyance of property to the City; and

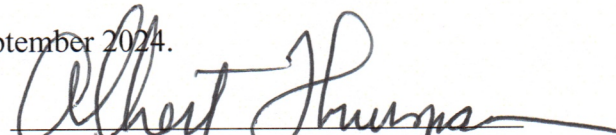
WHEREAS SRTA is represented by GDCR Law, who is also the City’s Attorney, and said representation presents a potential conflict of interest; and

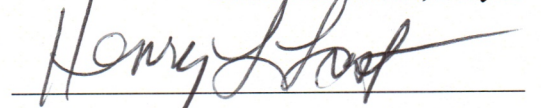
WHEREAS given the nature of the Florence Roundabout Project and the relatively small amount of land required to complete the project, the City’s attorney reasonably believes, and the city concurs, that she will be able to provide competent and diligent representation to both the City and SRTA; and

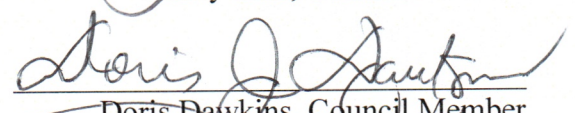
WHEREAS, the representation is not prohibited by law, does not involve the assertion of a claim by the City or SRTA against the other in litigation, and the City desires to provide its consent to the City’s attorney to handle the legal matter of acquiring right of way, despite the possibility of a conflict of interest.

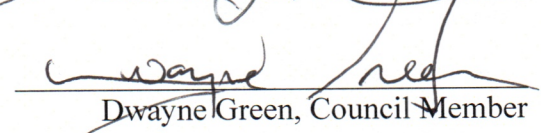
BE IT THEREFORE RESOLVED by the Mayor and Council that it hereby acknowledges the potential conflict of interest the City may have in her representation of both the City and the SRTA, consents to the City’s attorney handling the legal matter of right way needed to complete the transportation improvements at Florence and Powder Springs Dallas Road and approves the conflict of interest waiver.

SO RESOLVED AND EFFECTIVE this 16th day of September 2024.


Albert Thurman, Mayor

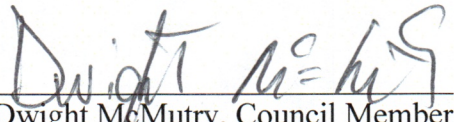

Henry Lust, Council Member

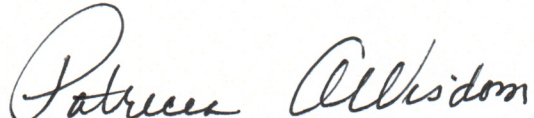

Doris Dawkins, Council Member


Dwayne Green, Council Member

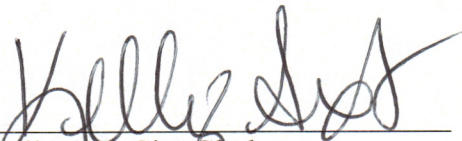
[additional signatures follow}

RESOLUTION NO. 2024 - 130


Dwight McMurtry, Council Member


Patricia Wisdom, Council Member

Attest:


Kelly Axt, City Clerk