

RESOLUTION 2024 - 119

A RESOLUTION OF THE CITY OF POWDER SPRINGS GEORGIA, APPROVING SERVICE DELIVERY STRATEGY AGREEMENT PERTAINING TO SETTLEMENT WITH COBB COUNTY, GEORGIA OVER THE DELIVERY AND FUNDING OF CERTAIN SERVICES PURSUANT TO THE SERVICE DELIVERY ACT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Powder Springs (the “City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia, and is charged with providing certain public services to local residents; 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 Service Delivery Act also requires the periodic review and revision of service delivery strategies upon the occurrence of any one of the six conditions specified in O.C.G.A. § 36-70-28(b); and

WHEREAS, the City and Cobb County are engaged in mediation to review and revise the Parties’ Service Delivery Strategy; and

WHEREAS, the City is hereby adopting the attached Service Delivery Strategy Agreement, which reflects the agreement reached as a result of mediation; and

WHEREAS, the Mayor and Council of the City of Powder Springs desire to approve the forms contained herein for the funding and provision of services as set forth thereunder and authorize the Mayor of Powder Springs to sign same and for the Special Counsel to monitor the final submission to the Department of Community Affairs (“DCA”).

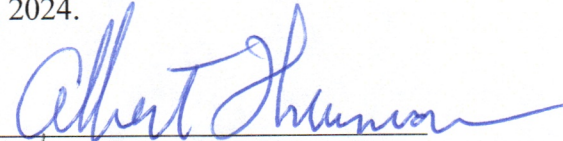
THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF POWDER SPRINGS, GEORGIA, AS FOLLOWS:

- 1. Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
- 2. Acceptance of Service Delivery Strategy Agreements.** The City hereby approves the Service Delivery Strategy Agreements attached hereto as Exhibit “A”, subject to non-substantive modifications that deal with the form of the information conveyed, rather than the substances of how services will be provided or funded. The City is aware of other intergovernmental agreements (“IGAs”) that exist and, to the extent those IGAs are still effective, the City approves the inclusion of those IGAs in the transmittal to the DCA for verification, but this Resolution does not extend or alter in any way those IGAs.

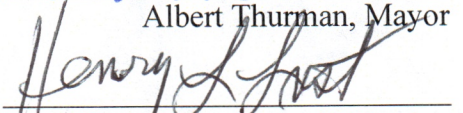
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3. **Authorization of the Mayor, Special Counsel, and Clerk.** The City hereby authorizes the Mayor to sign the Service Delivery Strategy Agreements attached as Exhibit A on its behalf. The City also authorizes the Special Council Andrew Welch and the law firm of Smith, Welch, Webb & White, LLC to review and monitor any changes that may arise until final acceptance by DCA, and authorize the delivery of the Service Delivery Strategy Agreements attached as Exhibit "A" to Cobb County and the DCA, as applicable, for approval and verification. Special Council is further authorized, in consultation with the Mayor or City Manager and City Attorney, to make non-substantive modifications to Exhibit A that deal with the form of information conveyed, rather than the substance of how services will be provided or funded.
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 resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

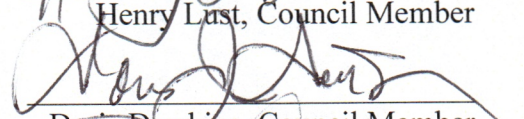
SO RESOLVED AND EFFECTIVE this 14th day of August, 2024.



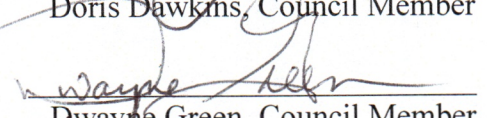
Albert Thurman, Mayor



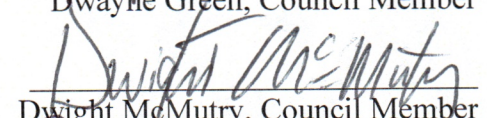
Henry Lust, Council Member



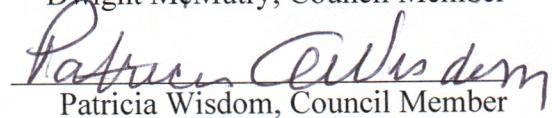
Doris Dawkins, Council Member



Dwayne Green, Council Member

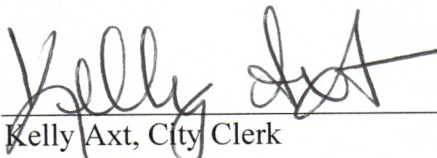


Dwight McMurtry, Council Member



Patricia Wisdom, Council Member

Attest:



Kelly Axt, City Clerk