

## Resolution No. 2026 - 089

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**A RESOLUTION OF THE CITY OF POWDER SPRINGS, GEORGIA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE SERVICE DELIVERY STRATEGY AGREEMENT; GRANTING THE MAYOR AUTHORITY TO EXECUTE ALL NECESSARY DOCUMENTS; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

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**WHEREAS** the City of Powder Springs (“City”) previously authorized the execution of a Service Delivery Agreement between the City and Cobb County under the Service Delivery Act, O.C.G.A. § 36-70-20, *et seq.*; 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 Service Delivery Strategy Agreement included new intergovernmental agreements entered into by Cobb County and the City of Mableton, Georgia, to which the City of Powder Springs is not a party, and Cobb County and the City of Mableton have not resolved their remaining disagreements, thereby possibly triggering renegotiation of the City’s Agreement and withholding of payment from Cobb County to the City; and

**WHEREAS** representatives of Cobb County have indicated that the County has no interest in modifying the current Agreement with the City or withholding payment, and the City desires to formally document that stated intent by amending the Agreement to remove the trigger in paragraph 11, which by its terms requires renegotiation and allows the County to stop making payment to the City.

**NOW THEREFORE IT IS RESOLVED** by the Mayor and City Council of the City of Powder Springs, Georgia as follows:

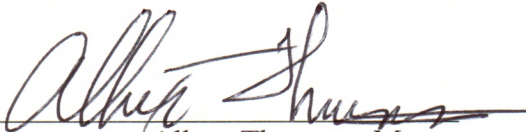
- 1. Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
- 2. Acceptance of Service Delivery Strategy Agreement.** The City hereby approves Amendment Number 1 to the Service Delivery Strategy Agreement attached hereto as Exhibit “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.
- 3. Authorization of the Mayor, Special Counsel, and Clerk.** The City hereby authorizes the Mayor to sign the Amendment in the attached Exhibit A and 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 delivery of the Amendment to Cobb County, for approval and verification. Special Counsel 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.

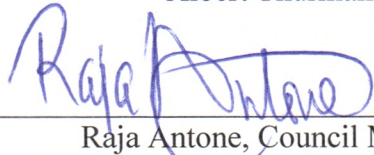
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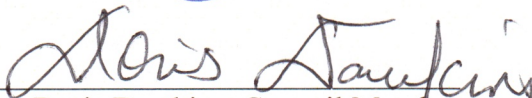
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5. **Repeal of Conflicting Provisions.** All resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

**SO RESOLVED** this 18<sup>th</sup> day of May 2026.

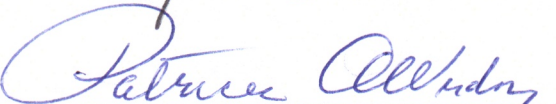
  
Albert Thurman, Mayor

  
Raja Antone, Council Member

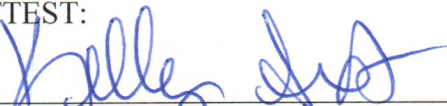
  
Doris Dawkins, Council Member

  
Dwayne Green, Council Member

  
Dwight McMurtry, Council Member

  
Patricia Wisdom, Council Member

ATTEST:

  
Kelly Axt, City Clerk