



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: RES2025-011

Agenda Date: 6/2/2025

In Control: City Council

File Type: Resolution

Agenda Section:

Formal Business

Department: Finance

Agenda Title:

Approval to adopt resolution RES2025-011 authorizing certain actions to secure legal action to resolve a dispute regarding the Service Delivery Strategy for Cobb County; and for other purposes and authorize the Mayor to sign and execute all related documents.

Citywide

ISSUE AND BACKGROUND:

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.

Additionally, 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.

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

Smyrna 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.l(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 Smyrna related to the provision or funding of services and the Service Delivery Strategy for Cobb County as may be necessary by law.

RECOMMENDATION / REQUESTED ACTION:

Staff recommends approval to adopt resolution RES2025-011 authorizing certain actions to secure legal action to resolve a dispute regarding the Service Delivery Strategy for Cobb County; and for other purposes and authorize the Mayor to sign and execute all related documents.