

A RESOLUTION BY COUNCILMEMBER KEISHA LANCE BOTTOMS AUTHORIZING THE APPROVAL AND ADOPTION OF THE FULTON COUNTY SERVICE DELIVERY STRATEGY; AUTHORIZING THE MAYOR TO EXECUTE THE FULTON COUNTY SERVICE DELIVERY STRATEGY ON BEHALF OF THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("Atlanta") was a party to the Fulton County Service Delivery Strategy ("SDS"), dated October 16, 2005, between Atlanta, Fulton County and other municipalities within Fulton County (collectively, the parties to the SDA are referred to as "Pmiies"), pursuant to the Georgia Service Delivery Act, O.C.G.A. §36~ 70~20, *et seq.* ("Act");

And

WHEREAS, Atlanta along with the other Parties to the SDS were required to review and update the SDS at the direction of the Georgia Department of Community Affairs, due to the creation of new municipalities within Fulton County; and

WHEREAS, certain cities requested changes to and disputed specific services within the SDS;

And

WHEREAS, pursuant to the Act, a court action was filed in the matter of *Fulton County, Georgia v. City of Alpharetta, et al.*, Civil Action File No. 2009~CV ~ 177235 ("Lawsuit"), which resulted in a court ordered mediation in an effort to resolve the outstanding disputes over specific service strategies; and

WHEREAS, the court ordered mediation was successful in facilitating resolution to some but not all disputed service strategies and, pursuant to the Act, the court appointed mediator, the Honorable Norman S. Fletcher (ret' d) submitted a final Report to Court at Conclusion of Mediation, dated April2, 2012 ("Mediation Report"); and

WHEREAS, the Court appointed a Special Master, the Honorable Stanley Birch (ret' d), to hear a11d recommend action on all remaining disputes in the Lawsuit, based upon the Mediation Report, and recommend a final updated SDS to resolve the Lawsuit; and

WHEREAS, the parties in the Lawsuit, in conjunction with the Special Master, have resolved all disputes and agreed upon a final Service Delivery Strategy for adoption by all parties to the SDS, as required by the Act, specifically including the following:

a. The City of Atlanta and the Cities of Palmetto, Fairburn and Union City (collectively, "South Fulton Cities") disputed the water service strategy, which was resolved among Doc#776990/rms (11/2/15) the disputing parties and such resolution is incorporated into the Water Service

Strategy, as part of the final SDS; and

b. The City of Sandy Springs disputed the water service strategy as it related to Atlanta's water rate differential, which was originally included in a cross claim that was dismissed without prejudice, thereby removing the dispute from the Lawsuit; and

c. The City of Sandy Springs further disputed Atlanta's right to provide water services within the City of Sandy Springs, which has been resolved between the Atlanta and Sandy Springs and such resolution is incorporated into the Water Service Strategy, as part of the final SDS; and

d. certain cities within Fulton County disputed Fulton County's funding methodologies for street construction and maintenance within the unincorporated area of Fulton County, which was resolved in favor of the terms contained in the Consent Order, attached and incorporated herein as Exhibit "A," as such Consent Order is also made part of the final SDS; and

e. All other disputes among the parties of the SDS are otherwise resolved or disposed of such that no further disputes remain outstanding in the Lawsuit.

WHEREAS, the parties to the Lawsuit have updated the SDS and reached an agreement on all individual service strategies within the SDS, all in accordance with the Act; and

WHEREAS, the Mayor, on behalf of all City of Atlanta departments providing services under the SDS, recommends approval and adoption of the SDS in substantial form as the final SDS attached as Exhibit "B."

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA

HEREBY RESOLVES the final draft of the SDS is hereby approved and adopted on behalf of the City of Atlanta in substantial form as Exhibit "B"; and

BE IT FURTHER RESOLVED that the City Attorney shall be authorized to execute the Consent Order, attached as Exhibit "A", which shall be incorporated in substantial form as Exhibit "B" into the SDS; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the SDS in substantial form as Exhibit "B," inclusive of all appropriate service area maps, intergovernmental agreements and a final resolution of disputes described herein; and

BE IT FURTHER RESOLVED that the City Attorney and Department heads are hereby authorized to assist with the preparation of all final documents, exhibits and agreements, as may be necessary to finalize the SDS for execution by the Mayor; and

BE IT FINALLY RESOLVED that all resolutions in conflict with this Resolution are hereby waived to the extent of the conflict.

**CITY COUNCIL
ATLANTA, GEORGIA**

15-R-4363

SPONSOR SIGNATURES


Keisha Lance Bottoms, Councilmember, District 11

**CITY COUNCIL
ATLANTA, GEORGIA**

15-R-4363

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Workflow List:

Clerk of Council	Completed	11/03/2015 11:54 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
Finance/Executive Committee	Completed	11/10/2015 1:00 PM
Atlanta City Council	Completed	11/16/2015 1:00 PM
Finance/Executive Committee	Completed	12/02/2015 1:00 PM
Atlanta City Council	Completed	12/07/2015 1:00 PM
Finance/Executive Committee	Completed	12/16/2015 1:00 PM
Atlanta City Council	Completed	01/04/2016 1:00 PM
Finance/Executive Committee	Completed	01/13/2016 1:00 PM
Atlanta City Council	Completed	01/19/2016 1:00 PM
Finance/Executive Committee	Completed	01/27/2016 1:00 PM
Atlanta City Council	Completed	02/01/2016 1:00 PM
Finance/Executive Committee	Completed	02/10/2016 1:00 PM
Atlanta City Council	Completed	02/15/2016 1:00 PM
Finance/Executive Committee	Completed	02/24/2016 1:00 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
Finance/Executive Committee	Completed	03/16/2016 1:00 PM
Atlanta City Council	Completed	03/21/2016 1:00 PM
Finance/Executive Committee	Completed	03/30/2016 1:00 PM
Atlanta City Council	Completed	04/18/2016 1:00 PM
Finance/Executive Committee	Completed	04/27/2016 1:00 PM
Atlanta City Council	Completed	05/02/2016 1:00 PM
Finance/Executive Committee	Completed	05/11/2016 1:00 PM
Atlanta City Council	Completed	05/16/2016 1:00 PM
Finance/Executive Committee	Completed	05/25/2016 1:00 PM
Atlanta City Council	Completed	06/06/2016 1:00 PM
Finance/Executive Committee	Completed	06/15/2016 1:00 PM
Atlanta City Council	Completed	06/20/2016 1:00 PM
Finance/Executive Committee	Completed	06/29/2016 1:00 PM
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Atlanta City Council	Completed	09/06/2016 1:00 PM
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Atlanta City Council	Completed	09/19/2016 1:00 PM
Finance/Executive Committee	Completed	09/28/2016 1:00 PM
Atlanta City Council	Completed	10/03/2016 1:00 PM

Last Updated: 12/15/16

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Finance/Executive Committee	Completed	10/12/2016 1:00 PM
Atlanta City Council	Completed	10/17/2016 1:00 PM
Finance/Executive Committee	Completed	10/26/2016 1:00 PM
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Mayor's Office	Pending	

HISTORY:

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RESULT:	REFERRED WITHOUT OBJECTION	Next: 11/10/2015 1:00 PM
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11/16/15 Atlanta City Council RETURNED AS HELD

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12/02/15 Finance/Executive Committee HELD IN COMMITTEE

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12/07/15 Atlanta City Council RETURNED AS HELD

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12/16/15 Finance/Executive Committee HELD IN COMMITTEE

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01/04/16 Atlanta City Council RETURNED AS HELD

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01/13/16 Finance/Executive Committee HELD IN COMMITTEE

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01/19/16 Atlanta City Council RETURNED AS HELD

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01/27/16 Finance/Executive Committee

02/01/16 Atlanta City Council RETURNED AS HELD

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04/18/16	Atlanta City Council	RETURNED AS HELD
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RESULT:	RETURNED AS HELD	Next: 6/29/2016 1:00 PM
06/29/16	Finance/Executive Committee	
RESULT:	RETURNED AS HELD	Next: 7/13/2016 1:00 PM

A RESOLUTION BY COUNCILMEMBER KEISHA LANCE BOTTOMS AUTHORIZING THE APPROVAL AND ADOPTION OF THE FULTON COUNTY SERVICE DELIVERY STRATEGY; AUTHORIZING THE MAYOR TO EXECUTE THE FULTON COUNTY SERVICE DELIVERY STRATEGY ON BEHALF OF THE CITY; AND FOR OTHER PURPOSES.

VOTE RECORD - RESOLUTION 15-R-4363						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> ADVERSED IN COMMITTEE <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> FORWARDED W/NO RECOMMENDATION <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/CONDITION <input type="checkbox"/> FAVORABLE/AMND/CONDITION <input checked="" type="checkbox"/> RETURNED AS HELD <input type="checkbox"/> FAVORABLE/SUB/CONDITION <input type="checkbox"/> FAVORABLE ON CONDITION						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
		MICHAEL JULIAN BOND	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		MARY NORWOOD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		ANDRE DICKENS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CARLA SMITH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		KWANZA HALL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		IVORY LEE YOUNG JR.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CLETA WINSLOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		NATALYN MOSBY ARCHIBONG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		ALEX WAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		HOWARD SHOOK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YOLANDA ADREAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		FELICIA A. MOORE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CLARENCE "C. T." MARTIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		KEISHA LANCE BOTTOMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		JOYCE SHEPERD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> ACCEPTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> ROUTED TO COW <input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRIDEN <input type="checkbox"/> NOT ACCEPTED BY COMMITTEE <input type="checkbox"/> SUSTAINED WITHOUT OBJECTION <input type="checkbox"/> TABLED W/O OBJECTION	
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	