



COBB COUNTY MANAGER'S OFFICE

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Jackie R. McMorris, EdD
County Manager

May 30, 2025

The Honorable Michael Owens
Mayor of the City of Mableton
1400 Veterans Memorial Highway SE
Suite 134-200
Mableton, Georgia 30126

Re: Urgent Matters Regarding Law Enforcement Services in the City of Mableton

Mayor Owens:

I am writing to address critical issues concerning law enforcement services within the City of Mableton, particularly in light of the transition period ending and the forthcoming Service Delivery Strategy (SDS) sanctions, both of which will occur at 12:01 a.m. on Sunday, June 1, 2025.

As you are aware, the City and County have reached certain agreements and approvals regarding the delivery of services, while other services remain unresolved. One of those unresolved services pertains to law enforcement services. It is unfortunate and regrettable that the situation has escalated to this point, as it was entirely avoidable. The City of Mableton was incorporated on May 9, 2023, and a two-year transition period was provided to prepare for the changes set to take effect on June 1, 2025.

Since November 2022, the County has made multiple efforts to resolve outstanding issues prior to the implementation of SDS sanctions. Enclosed is an abbreviated summary of the County's actions during this period for your reference. (Exhibit A)

During mediation on May 23, 2025, the City and County reached an agreement regarding law enforcement services (\$9.5 million for a single year of service to be paid in arrears); however, despite this agreement, the City Council declined to approve the agreements at their meeting which began on May 28, 2025.

Unfortunately, as of 11:59 p.m. on May 31, 2025, the County will not be able to provide the City Government with the following:

1. Law Enforcement Services. The \$9.5 million accepted by the County to avoid SDS sanctions to provide law enforcement services was less than half of the cost to provide these services. The County accepted the deal in good faith at a cost to the taxpayers of the

other six cities and the unincorporated area in order to try to protect our citizens residing in your city. Sadly, it seems that your city is not able to meet us half way.

2. CCDOT Services. The SDS agreement negotiated in mediation included the provision of CCDOT Services for one year. Since the City rejected the SDS agreement, the County will not be providing CCDOT services.
3. Stormwater and Drainage Services. Stormwater and drainage services were contingent upon the City accepting detention ponds, accepting assignment of the Metro District's required stormwater facility agreements for properties in the City, and CCDOT providing certain services required by the County's MS4 permit. Since the City indicated in mediation that it did not want to accept the detention ponds or assignment of the stormwater facility maintenance agreements, the County agreed to provide the service for six month so long as the City retained CCDOT to provide litter removal and stormwater facility maintenance on the City's streets. Regrettably, since the City was unable to agree to the CCDOT agreement negotiated at mediation, we will not be able to provide stormwater and drainage services to the City. Additionally, the City will need to make arrangements with the Environmental Protection Division of the Department of Natural Resources about securing its own MS4 permit.

Public safety remains our paramount concern. Historically, the County has provided law enforcement services within the area now incorporated as the City of Mableton. By law, starting June 1, 2025, the City will assume sole and exclusive responsibility for providing law enforcement within its municipal boundaries. Consequently, the County will no longer be authorized to provide such services within Mableton.

At this time, the County is uncertain whether the City has actual plans regarding delivery of this service. This uncertainty raises significant concerns for the safety and well-being of County residents who live, work, or travel within Mableton city limits.

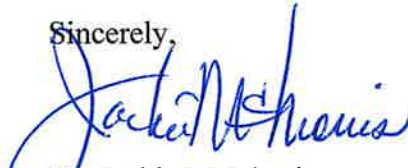
Mableton representatives previously assured the County that a contingency plan for law enforcement services would be in place should the City decide not to contract with the County. We respectfully request your confirmation that such a contingency plan exists and is fully operational. If confirmed, the County will rely on your assurance that Mableton is capable of providing effective law enforcement services within its municipal boundaries beginning June 1, 2025.

Should we not receive confirmation, the County will have to assume that no such contingency plan exists and that the City intends to operate without law enforcement coverage upon the commencement of the sanctions. This situation would necessitate the County to consider all necessary actions to protect the lives and safety of its residents within Mableton's municipal boundaries.

Please respond at your earliest convenience, but no later than noon on May 30, 2025, so that we may determine the appropriate measures to safeguard public safety.

Thank you for your immediate attention to this urgent matter. We look forward to your prompt response.

Sincerely,



Dr. Jackie McMorris
Cobb County Manager

Enclosure: Summary of County Actions (Exhibit B to Mediation Statement)

cc: Cobb County Board of Commissioners
Mableton City Council
Emilia Walker, Esq., Mableton City Attorney
William Rowling, Cobb County Attorney

Exhibit A

Summary of Cobb County Efforts to Assist Mableton During its Transition Period

Following the election of the City of Mableton Mayor and City Council, Cobb County leaders and staff began meeting with City officials and staff on June 16, 2023. Over the next two years, multiple meetings were held between officials and staff of Cobb County and Mableton to discuss services during the Transition Period and after the Transition Period, some of which are noted below.

On July 20, 2023, the Mayor met with the County Manager, the Community Development Director, Police Chief, and Fire Chief to talk about the possibility of contracted services for the City. Another meeting was held with the Mayor, County Manager, Public Safety Director, Community Services Director, and Police Chief on August 9, 2023. On September 19, 2023, the Mayor met with Commissioner Sheffield, County Manager, Police Chief, Finance Director, and Assistant Finance Director to discuss an estimate for the County to provide law enforcement services to the City.

Over the course of these meetings, City officials and staff expressed a desire to contract with Cobb County for the County to provide Cobb County Police Department (CCPD) and Cobb County Department of Transportation (CCDOT) services within the City's municipal boundaries on behalf of the City.

Mableton assumed ownership and responsibility for public roads within its municipal boundaries in the summer of 2023 by entering into franchise agreements with utility providers pursuant to O.C.G.A. § 36-31-7.1(a). On November 3, 2023, Cobb County staff met with Mableton's Mayor, a council member, and City Attorney to discuss how the City intended to fulfill its responsibility for the roads inside of the city, including road maintenance and utility permitting. During that meeting, Mableton's representatives requested that the County continue to provide these services within its municipal boundaries. By law, newly incorporated municipalities are required to pay the "actual cost" to the county in exchange for all county-provided services within the municipality during the transition period. City officials assured the County that a draft Intergovernmental Agreement for such services would be provided to the County by no later than November 23, 2023. Nevertheless, the City did not prepare such an agreement and, to date, the City has failed to pay the County for the cost of these services, which have been continually provided by the County since November 2023.

Once the City Manager was hired, the City and County Manager met and/or spoke regularly in an effort to make the transition for Mableton as smooth as possible. On July 30, 2024, the City Manager met with Commissioner Sheffield, the County Manager, Parks and Recreation Director, Public Safety Director, Fire Chief, Police Chief, Transportation Director, Water System Director, Community Services Director, and Finance Director to discuss services to Mableton. Commissioner Sheffield, the County Manager and City Manager met on October 29, 2024. On December 19, 2024, the County Manager and Community Services Director met with the City Manager to discuss SDS and Community Development.

Cobb County officials scheduled a meeting with City of Mableton officials for January 29, 2025, to discuss the City of Mableton's impending municipal service responsibilities and to develop a comprehensive service delivery arrangement in preparation for the update to the existing Cobb County Service Delivery Strategy (SDS), which required an update and verification by the Georgia Department of Community Affairs (DCA) by May 31, 2025. City of Mableton officials rescheduled the meeting for February 18, 2025, so that Mableton could have additional time for internal discussions to determine what services the City intended to provide internally and which services the City intended to provide by way of contract with the County.

Prior to or during the February 18, 2025, meeting, the County Attorney's Office provided the following draft intergovernmental agreements (IGAs) to the City Attorney and City Manager to aid City officials in understanding the City's service responsibilities and the terms under which the County would be willing to provide such services to the City by way of contract:

1. Law Enforcement;
2. 911 Services;
3. City Inmate Housing;
4. Water and Sewer Services;
5. Stormwater Management;
6. Transportation (Road/Traffic Signal Maintenance, Transit, Street Light District Administration, and Utility Permitting);
7. Fire, Emergency, and Fire Marshal Services;
8. Animal Control Services;
9. City Elections; and
10. Landscape Maintenance at the I-20 Interchange.

The proposed service arrangements and the draft IGAs for such services were presented and discussed in detail with Mableton's City Manager, City Attorney, and its consultant during the February 18, 2025, meeting. Cobb County Water System's Director also presented information about a water and sewer agreement, as well as a stormwater agreement that would allow Mableton to meet some of its Clean Water Act responsibilities by remaining under the County's MS4 permit, but included the necessity that the City take over the detention ponds in the County's name but located in the City. Many of these services would have been provided by the County at no cost to the City under the terms proposed by the County.

Nevertheless, the County received no further communication from City representatives concerning these services. Mableton officials had previously indicated their desire to contract with the County for these services but then refused to engage with the County in the drafting or the negotiation of the necessary IGAs. Between April 7th and April 9th, 2025, the Cobb County Attorney's Office provided the City Attorney with updated drafts of the IGAs – once again requesting participation and engagement from the City. Rather than engaging with the County on the pressing matters of law enforcement, 9-1-1, utilities, road maintenance, etc., the City of Mableton sent a letter to the County on April 10, 2025, formally requesting that Cobb County sell

15 park properties (totaling 538 acres) to the City of Mableton at the rate of \$100 per acre, referencing a Georgia Code Section that does not apply to Cobb County.

On April 14, 2025, the Cobb County Board of Commissioners and staff met with the City of Mableton Mayor, Council, staff, and consultants to discuss the requirements of the Service Delivery Strategy Act, the looming June 1, 2025, deadline and sanctions, the required approval of Form 2s for each service by Cobb County and all seven cities, the necessity of feedback from Mableton, the necessity of IGAs to be executed for any services that Mableton wants Cobb County to provide, and the cost of such services. All the necessary SDS Forms and IGAs were provided to Mableton at that time. During the April 14, 2025, meeting, Mableton rejected the County's offer to provide these services at cost and, instead, asked for an agreement whereby the City would only be responsible for approximately 38% of the actual cost of these services. The County offered to provide the services at approximately 90% of the actual cost, and the City of Mableton refused the offer. Further, Mableton offered no comments on the draft IGAs, but informed the County that they would also need to contract with the County to provide services related to regulated business for June 1, 2025.

On April 16, 2025, Cobb County provided the City with electronic drafts of the SDS Form 2s required for the upcoming SDS update with a request for input from Mableton on the five Form 2s for services that were not in dispute so that they could be finalized and submitted to the other six cities for their review and approval prior to May 1, 2025. The City failed to respond.

On April 21, 2025, Cobb County provided the City with an updated stormwater management IGA and an updated water and sewer IGA. The City failed to respond.

On April 30, 2025, Mableton provided a letter to the County reducing its prior offer for County law enforcement and road maintenance services from the City's previous offer to pay the County approximately 38% of the cost of the services down to approximately 21% of the actual cost of the services for the next ten years.

Prior to the mediation that occurred on May 23, 2025, Mableton offered no comments or revisions to the terms of the proposed IGAs or Form 2s.

Finally, on May 27, 2025, the Cobb County Board of Commissioners approved a comprehensive SDS packet to include agreements and the necessary DCA forms for each of the City's services on terms that City representatives had indicated were acceptable to the City. At 5:50 p.m. on May 28, 2025, the City Attorney contacted the County Attorney's Office to request one change on the SDS agreement and one change on the transportation agreement, which the County Attorney's Office accepted. Then, after midnight on May 29, 2025, the Mableton City Council voted against approving the negotiated SDS agreements and forms.