

**MINUTES OF REGULAR MEETING  
COBB COUNTY BOARD OF COMMISSIONERS  
JUNE 11, 2024  
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, June 11, 2024, at 9:00 a.m. in the second-floor public meeting room at 100 Cherokee Street, Cobb County Building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid  
Commissioner JoAnn Birrell  
Commissioner Keli Gambrill  
Commissioner Jerica Richardson  
Commissioner Monique Sheffield

**CALL TO ORDER**

Chairwoman Cupid called the meeting to order at 9:02 a.m.

**PRESENTATIONS**

1. **To present a proclamation designating June 15, 2024, as *Elder Abuse Awareness Day*.**

Commissioner Gambrill presented a proclamation designating June 15, 2023, as Elder Abuse Awareness Day.

**PUBLIC HEARING**

2. **To conduct a public hearing for completion of the service and fare equity analysis for the proposed CobbLinc Microtransit Pilot Project in South Cobb County.**

Drew Raessler, Transportation Agency Director, requested the Board conduct a public hearing for completion of the service and fare equity analysis for the proposed CobbLinc Microtransit Pilot Project in South Cobb County.

Chairwoman Cupid opened the public hearing and asked those wishing to speak to come forward to address the Board. Following eight speakers, the public hearing was closed.

No official action was taken by the Board.

***Clerk's Note:*** Chairwoman Cupid called for a brief recess at 9:46 a.m. through 9:48 a.m.

**PUBLIC COMMENT**

1. Kevin Redman addressed the Board regarding the transportation system/mobility.
2. Samuel Foster addressed the Board regarding MSPLOST and trail connectivity.
3. Matt Stigall addressed the Board regarding MSPLOST.
4. Barbara Coley addressed the Board regarding MSPLOST.
5. Connor Manthey addressed the Board regarding MSPLOST
6. Jim Kerr addressed the Board regarding MSPLOST
7. Mohammed Sakhi addressed the Board regarding MSPLOST
8. Chris Zweifel addressed the Board regarding MSPLOST
9. Virginia Choate addressed the Board regarding the Lower Roswell Road project and MSPLOST
10. Leroy Emkin addressed the Board regarding the Lower Roswell Road project

***Clerk's Note:** Commissioner Birrell and Commissioner Gambrill requested the following statements that are on file in the County Clerk's office be attached to each vote and made a part of these minutes. Commissioner Gambrill submitted a copy of her Brief in Civil Action Case 24-1-2122, Alicia Adams vs Cobb County Board of Elections (On file in the Office of the County Clerk).*

**Commissioner Birrell's statement**

*In light of the Supreme Court's ruling last week regarding standing on the Home Rule issue. My position regarding the Home Rule Challenge still stands. I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).*

*I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022, under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022, and certified by the Board of Elections on November 15, 2022.*

*In addition, I do support the Order on Cross Motions for Summary Judgment (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024, which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.*

**Commissioner Gambrill's statement**

*When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.*

*While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.*

**MINUTES OF REGULAR MEETING  
COBB COUNTY BOARD OF COMMISSIONERS  
JUNE 11, 2024  
9:00 AM**

**Page | 3**

*In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General Assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).*

*In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002). In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."*

*Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to be a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.*

*With the majority of this Board's actions on October 25, 2022, and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.*

*Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022, on November 15, 2022, and not the maps that the Board of Commissioners made effective on October 26, 2022.*

*In a letter dated October 3, 2022, Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.*

*In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.*

*Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."*

*While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.*

**CONSENT AGENDA**

MOTION: Motion by Cupid second by Richardson, to **approve** the following items on the Consent Agenda, *as revised*; with exception to Items 18 and 19, *Community Development, which were withdrawn from the agenda*; and **authorize** execution of the necessary documents by the appropriate County personnel.

**District Attorney**

3. **To approve a contract with the Georgia Department of Human Services and the Cobb Judicial Circuit District Attorney to provide Child Support Services to the citizens of Cobb County.**

To **approve** the SFY 2025 Contract, with the Georgia Department of Human Services and the Cobb Judicial Circuit District Attorney, in the amount of \$1,004,056.00; **approve** a supplemental contribution of \$699,269.00 to the program; **authorize** the transfer of all personnel from Unit G374 to Unit G375; **authorize** the corresponding budget transactions; and **further designate** the District Attorney as the signature authority for all documents related to ongoing Department of Human Services agreements with Cobb Judicial Circuit District Attorney, for this and all future fiscal years.

Funding will be available with the following appropriations:

|                       |                   |                       |                       |
|-----------------------|-------------------|-----------------------|-----------------------|
| Increase Revenue:     | 270-170-G375-4433 | Federal               | \$ 662,676.96         |
|                       | 270-170-G375-4452 | State                 | \$ 267,636.83         |
|                       | 270-170-G375-4960 | FY24 Local Match      | \$ 18,435.55          |
|                       | 270-170-G375-4960 | FY25 Local Match      | \$ 55,306.66          |
|                       | 270-170-G375-4960 | FY24 Subsidy          | \$ 174,817.25         |
|                       | 270-170-G375-4960 | FY25 Subsidy          | \$ 524,451.75         |
|                       |                   |                       | <b>\$1,703,325.00</b> |
| Increase Expenditure: | 270-170-G375-6012 | Salary - Regular      | \$ 883,553.11         |
|                       | 270-170-G375-6032 | Disability            | \$ 3,182.23           |
|                       | 270-170-G375-6034 | FICA                  | \$ 67,291.73          |
|                       | 270-170-G375-6036 | Health                | \$ 389,606.40         |
|                       | 270-170-G375-6038 | Life/ADD              | \$ 6,179.11           |
|                       | 270-170-G375-6044 | Retirement            | \$ 35,343.68          |
|                       | 270-170-G375-6045 | Additional Retirement | \$ 247,395.73         |
|                       | 270-170-G375-6052 | Worker's Comp         | \$ 11,592.88          |
|                       | 270-170-G375-6054 | Dental                | \$ 7,180.13           |
|                       | 270-170-G375-6116 | Office Supplies       | \$ 20,000.00          |
|                       | 270-170-G375-6350 | Filing Fees           | \$ 5,000.00           |
|                       | 270-170-G375-6438 | General Printing      | \$ 5,000.00           |
|                       | 270-170-G375-6476 | Utilities             | \$ 1,000.00           |
|                       | 270-170-G375-6532 | Equipment Rental      | \$ 4,000.00           |
|                       | 270-170-G375-6584 | Membership Dues       | \$ 5,000.00           |
|                       | 270-170-G375-6400 | Travel                | \$ 12,000.00          |
|                       |                   |                       | <b>\$1,703,325.00</b> |

**Superior Court Administration**

4. **To authorize the acceptance and appropriation of a Criminal Justice Coordinating Council grant award to support the Mental Health Court Program.**

To **authorize** the acceptance of the grant funds from the Criminal Justice Coordinating Council, in the amount of \$213,052.00, for the period July 1, 2024, through June 30, 2025, to support the Mental Health Court; **authorize** the transfer of all personnel from Unit S144 to S154 in the grant fund; **authorize** the corresponding budget transactions; **authorize** Court Administrator, Christopher Hansard, or Accountability Courts Director, Jennifer Tillery, to sign quarterly reimbursement requests on behalf of the County; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Grant Fund's budget with the following appropriations:

|                       |                   |                         |              |
|-----------------------|-------------------|-------------------------|--------------|
| Increase Revenue:     | 270-225-S154-4467 | CJCC                    | \$213,052.00 |
| Increase Expenditure: | 270-225-S154-6012 | Personnel & Fringe      | \$164,688.00 |
|                       | 270-225-S154-6320 | Medical/Dental Services | \$42,870.00  |
|                       | 270-225-S154-6400 | Training/Travel         | \$2,747.00   |
|                       | 270-225-S154-6326 | Professional Services   | \$2,747.00   |

5. **To authorize the acceptance and appropriation of a Criminal Justice Coordinating Council grant award to support the Veterans Accountability and Treatment Court Program.**

To **authorize** the acceptance of the grant funds from the Criminal Justice Coordinating Council, in the amount of \$227,214.00, for the period July 1, 2024, through June 30, 2025, to support the Veterans Accountability and Treatment Court; **authorize** the transfer of all personnel from Unit S145 to S155 in the grant fund; **authorize** the corresponding budget transactions; **authorize** Court Administrator, Christopher Hansard, or Accountability Courts Director, Jennifer Tillery, to sign quarterly reimbursement requests on behalf of the County; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Grant Fund's budget with the following appropriations:

|                       |                   |                         |              |
|-----------------------|-------------------|-------------------------|--------------|
| Increase Revenue:     | 270-225-S155-4467 | CJCC                    | \$227,214.00 |
| Increase Expenditure: | 270-225-S155-6012 | Personnel & Fringe      | \$164,195.00 |
|                       | 270-225-S155-6320 | Medical/Dental Services | \$ 12,645.00 |
|                       | 270-225-S155-6400 | Travel                  | \$ 4,120.50  |
|                       | 270-225-S155-6326 | Professional Services   | \$ 46,253.50 |

6. **To authorize the acceptance and appropriation of a Criminal Justice Coordinating Council grant award to support the Drug Treatment Court Program.**

To **authorize** the acceptance of the grant funds from the Criminal Justice Coordinating Council, in the amount of \$240,518.00, for the period July 1, 2024, through June 30, 2025, to support the Drug Treatment Court; **authorize** the transfer of all personnel from Unit S143 to S153 in the grant fund; **authorize** the corresponding budget transactions; **authorize** Court Administrator, Christopher Hansard, or Accountability Courts Director, Jennifer Tillery, to sign quarterly reimbursement requests on behalf of the County; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Grant Fund's budget with the following appropriations:

|                       |                   |                         |              |
|-----------------------|-------------------|-------------------------|--------------|
| Increase Revenue:     | 270-225-S153-4467 | CJCC                    | \$240,518.00 |
| Increase Expenditure: | 270-225-S153-6012 | Personnel & Fringe      | \$176,243.00 |
|                       | 270-225-S153-6320 | Medical/Dental Services | \$ 58,781.00 |
|                       | 270-225-S153-6400 | Travel                  | \$ 2,727.00  |
|                       | 270-225-S153-6326 | Professional Services   | \$ 2,727.00  |

**Juvenile Court**

7. **To authorize the acceptance and appropriation of a Criminal Justice Coordinating Council grant award to support the Juvenile Drug Treatment Court Program.**

To **authorize** the acceptance and appropriation of grant funds from the Criminal Justice Coordinating Council for the Cobb County Juvenile Drug Treatment Court Program, in the amount of \$91,650.00, for the period of July 1, 2024, through June 30, 2025; **authorize** the corresponding budget transactions; **authorize** Juvenile Court Administrator, Adolphus Graves, or Juvenile Drug Court Coordinator, Donta Justice, to sign quarterly reimbursement requests on behalf of Cobb County; and **further authorize** the Chairwoman to execute the necessary documents.

|                      |                   |                         |             |
|----------------------|-------------------|-------------------------|-------------|
| Increase revenue     | 270-190-S156-4467 | CJCC                    | \$91,650.00 |
| Increase expenditure | 270-190-S156-6326 | Contract Services       | \$75,944.00 |
|                      | 270-190-S156-6320 | Medical/Dental Services | \$10,535.00 |
|                      | 270-190-S156-6400 | Training/Travel         | \$ 5,171.00 |
|                      |                   | TOTAL                   | \$91,650.00 |

8. **To authorize the acceptance and appropriation of a Criminal Justice Coordinating Council grant award to support the Cobb County Family Treatment Court.**

To **authorize** the acceptance and appropriation of grant funds from the Criminal Justice Coordinating Council, in the amount of \$90,334.00, for the period of July 1, 2024, through June 30, 2025; **authorize** the corresponding budget transactions; **authorize** Juvenile Court Administrator, Adolphus Graves, or Drug Court Coordinator, Emma Walton, to sign quarterly reimbursement requests on behalf of Cobb County; and **further authorize** the Chairwoman to execute the necessary documents.

|                      |                   |                         |             |
|----------------------|-------------------|-------------------------|-------------|
| Increase revenue     | 270-190-S157-4467 | CJCC                    | \$90,334.00 |
| Increase expenditure | 270-190-S157-6326 | Contract Services       | \$64,200.00 |
|                      | 270-190-S157-6320 | Medical/Dental Services | \$19,000.00 |
|                      | 270-190-S157-6400 | Travel/Training         | \$ 7,134.00 |
|                      |                   | TOTAL                   | \$90,334.00 |

**State Court Administration**

9. **To authorize the acceptance and appropriation of a grant from the Georgia Accountability Court Funding Committee and authorize the DUI Court to retain the position of Surveillance Officer.**

To **authorize** the acceptance of grant funds from the Georgia Accountability Court Funding Committee; **authorize** the DUI Court to maintain the position of the Surveillance Officer for the period of July 1, 2024, through June 30, 2025; **authorize** the transfer of all authorized personnel expenses from Unit S142 to S159 in the grant fund; **authorize** the funding of expenses for training, substance abuse treatment, transportation, and drug testing; **authorize** the corresponding budget transactions in the amount of \$74,772.00; and **further authorize** the Chairwoman, Judge Eric A. Brewton, or Darcy Kamau to execute the necessary documents.

|                       |                   |                                         |             |
|-----------------------|-------------------|-----------------------------------------|-------------|
| Increase Revenue:     | 270-220-S159-4467 | (Criminal Justice Coordinating Council) | \$74,772.00 |
| Increase Expenditure: | 270-220-S159-6326 | (Professional Services)                 | \$42,774.00 |
| Increase Expenditure: | 270-220-S159-6018 | (Salary/Benefits)                       | \$22,147.00 |
| Increase Expenditure: | 270-220-S159-6400 | (Travel/Training)                       | \$9,851.00  |

**Water System**

10. **To convey by quitclaim deeds to two underlying property owners any County rights associated with sanitary sewer easements located in Land Lot 718 of the 16th District.**

To **convey** by quitclaim deeds to two underlying property owners, The Lodge in Kennesaw, LLC and The Inn at Lithia Springs, LLC, any County rights associated with sanitary sewer easements located in Land Lot 718 of the 16th District.

11. **To approve additions to the List of Prequalified Contractors for Water and Sewer Line Construction.**

To **approve** the addition to the List of Prequalified Contractors for Water and Sewer Line Construction.

12. **To approve a construction contract with TADO Construction, LLC for the R.L. Sutton Water Reclamation Facility Sludge Holding Tank Cover Replacement, Program No. T2029.**

To **approve** a construction contract with TADO Construction, LLC, in the amount of \$1,655,000.00, for the R.L. Sutton Water Reclamation Facility Sludge Holding Tank Cover Replacement, Program No. T2029; **authorize** the corresponding budget transfers; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's CIP Budget as follows:

Transfer from:

R.L. Sutton Water Reclamation Facility Miscellaneous Improvements

|                       |                   |         |                |
|-----------------------|-------------------|---------|----------------|
| Preliminary Estimates | 510-500-5753-8005 | T2501-Z | \$1,692,242.00 |
|-----------------------|-------------------|---------|----------------|

Transfer to:

R.L. Sutton Water Reclamation Facility Sludge Holding Tank Cover Replacement

|                               |                   |         |                |
|-------------------------------|-------------------|---------|----------------|
| Construction                  | 510-500-5753-8260 | T2029-C | \$1,655,000.00 |
| Interest Expense on Retainage | 510-500-5753-6613 | T2029-A | \$ 4,138.00    |
| Contingency                   | 510-500-5753-8810 | T2029-T | \$ 33,104.00   |
| Total                         |                   |         | \$1,692,242.00 |

**Public Services Administration**

**PARKS**

13. **To approve the Amendment to the Cobblestone Golf Course Management Agreement with Affiniti Golf Partners, LLC to allow additional time to facilitate negotiations for a new management agreement, and to obtain the required consent of the U.S. Army Corps of Engineers.**

To **approve** the Restated and Amended Cobblestone Golf Course Management Agreement with Affiniti Golf Partners, LLC. for a term as set forth in the Amendment, but in no event later than August 30, 2024, unless otherwise earlier terminated or further amended as provided in the Amendment; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

14. **To authorize the acceptance of a Local Assistance and Tribal Consistency Funds grant through the US Department of Treasury for FY22/FY23.**

To **authorize** acceptance of the FY22/FY23 LATCF Grant; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman or Michael Brantley; PARKS Director; to execute the necessary documents.

|                       |                   |                            |              |
|-----------------------|-------------------|----------------------------|--------------|
| Increase Revenue:     | 270-105-G168-4422 | (Payment in Lieu of Taxes) | \$100,000.00 |
| Increase Expenditure: | 270-105-G168-6494 | (Building & Grounds - R&M) | \$85,000.00  |
| Increase Expenditure: | 270-105-G168-8805 | (Designated CRS/CIP)       | \$15,000.00  |

**Support Services Agency**

**Support Services Administration**

15. **To approve a lease agreement between 515 Roswell Street, LLC, as Landlord, and Cobb County, as Tenant, for office space located at 515 Roswell St., Marietta, GA, through the brokerage firm of McWhirter Realty Partners.**

To **approve** a lease agreement with 515 Roswell Street, LLC, for office space located at 515 Roswell St., Marietta, GA, for an initial term of one (1) year, at an annual rental amount of \$66,959.64, payable in monthly installments of \$5,579.97, and with the option to renew/extend the lease for two (2) successive one-year terms by written notice to 515 Roswell Street LLC, through the brokerage firm of McWhirter Realty Partners, on terms and conditions substantially the same as those set forth in the attached; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available in the DATE Fund with the following transactions:

|                       |                   |                      |             |
|-----------------------|-------------------|----------------------|-------------|
| Decrease Expenditure: | 010-040-0500-8852 | DATE Fund Reserves   | \$16,739.91 |
| Increase Expenditure: | 010-040-0500-6534 | Rental – Real Estate | \$16,739.91 |

Lease agreement will commence on July 1, 2024. FY2024 funding, in the amount of \$5,579.97 per month, for the remainder of the fiscal year (July 1 – September 30, 2024).

**Property Management**

16. **To ratify previous action by the County Manager authorizing an emergency change order to the Elevator Modernization Project at Juvenile Court Building, 32 Waddell St. SE, Marietta 30090.**

To **ratify** action by the County Manager for change order and subsequent modernization updates of the Judge's elevators located in Juvenile Court; **authorize** purchase order for Schindler Elevator Corporation in the amount of \$135,520.00; **authorize** the corresponding budget transaction; and **further authorize** the Procurement Services Director to execute the necessary documents.

Funding is available in the Property Management Capital Improvement budget as follows:

381-110-PM01-8110-PM2306-A

**Procurement Services**

17. **To approve the award of a contract with Safeware, Inc. for public safety and community resilience products, services and solutions.**

To **approve** the award of a contract with Safeware, Inc. for public safety and community resilience products, services and solutions that will be available to Cobb County Government but also, on a national level, to all state and local governmental entities, public and private primary, secondary and higher education entities, non-profit entities, and agencies for the public benefit under the auspices of the Public Promise Procurement cooperative purchasing program, and **authorize** the Chairwoman and the Purchasing Director to execute the necessary documents and any subsequent amendments such as renewals, price changes, etc.

**Community Development**

18. **Withdrawal of request to review a summary of the show cause hearing conducted by the License Review Board on May 16, 2024, for Stunning Health, LLC d/b/a Peace Spa.**

This item was withdrawn from the agenda.

19. **Withdrawal of request to review a summary of the appeal hearing conducted by the License Review Board on May 16, 2024, for Cobb Kwik Mart, LLC d/b/a Cobb Kwik Mart.**

This item was withdrawn from the agenda.

**CobbWorks**

**20. To approve the Local Workforce Development Board Certification.**

To **approve** the Local Workforce Development Board Certification and **further authorize** the Chairwoman to execute the necessary documents.

**County Manager**

**21. To approve the First Amendment to extend the Contract for Professional Services between Cobb County and Dentons US LLP for lobbyist services.**

To **approve** the First Amendment to extend the Contract for Professional Services with Dentons US LLC; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the County Manager's operating budget as follows:

|            |                   |                       |
|------------|-------------------|-----------------------|
| Available: | 010-020-0251-6326 | Professional Services |
|------------|-------------------|-----------------------|

**Finance**

**22. To adopt a resolution adopting all budget amendments set forth in agenda items on this date.**

To **adopt** a resolution adopting all budget amendments set forth in agenda items on this date. A copy of said resolution is attached and made a part of these minutes.

**County Clerk**

**23. To approve minutes.**

To approve the minutes from the following meetings:

- May 28, 2024 - Agenda Work Session
- May 28, 2024 - BOC Work Session
- May 28, 2024 - BOC Regular Meeting

**CONSENT VOTE: ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

**REGULAR AGENDA**

**Transportation**

24. **To approve a contract with Baldwin Paving Company, Inc., for roadway safety and operational improvements on Lower Roswell Road, Project No. E6020, Cobb DOT Contract No. 000672.**

Motion by Richardson, second by Sheffield, to **approve** a contract with Baldwin Paving Company, Inc., in an amount not to exceed \$7,030,505.46, for roadway safety and operational improvements on Lower Roswell Road, Project No. E6020, Cobb DOT Contract No. 000672; and **authorize** the Chairwoman to execute the necessary documents.

Available in the 2011 SPLOST Transportation Improvements Program Fund, as follows:

Available: 345-050-E006-E602-8762-E6020-C Turnkey Construction \$6,087,048.91

The 2011 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on December 14, 2010, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Improvements.

Lower Roswell Road is an eligible project/program under the Safety and Operational Improvements – Roadway Improvements Component of the 2011 SPLOST Transportation Improvements (Cobb County 2011 SPLOST, pp. 10, 28). Lower Roswell Road corridor improvements, from Woodlawn Drive to Davidson Road, include widening to add turn lanes and median, and access management.

SPLOST Project Summary as of May 1, 2024: Lower Roswell Road

Budget: \$11,198,994.12 Expended: \$2,479,970.80

Available in the Water System DOT Projects - Relocate Lines Adopted CIP Budget, as follows:

Available: Lower Roswell Road Safety and Op. Imprvs.

|                           |                        |                     |
|---------------------------|------------------------|---------------------|
| 510-500-5756-8260-W4440-C | Construction           | \$943,456.55        |
| 510-500-5756-8265-W4440-M | Materials and Supplies | \$ 10,000.00        |
| 510-500-5756-8810-W4440-T | Contingency            | <u>\$ 18,900.00</u> |
|                           | Total:                 | \$972,356.55        |

VOTE: **ADOPTED 3-2**, Commissioner Birrell and Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

25. To determine that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et. seq., on two parcels on Lower Roswell Road, Project No. E6020.

Motion by Richardson, second by Sheffield, to **determine** that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et. seq.; **authorize** the commencement of condemnation proceedings on two parcels on Lower Roswell Road, Project No. E6020; **adopt** Resolutions and Orders in form substantially similar to that presented and as approved by the County Attorney's Office; and **further authorize** the Chairwoman to execute the necessary documents. A copy of Attachment I is attached and made a part of these minutes.

VOTE: **ADOPTED 3-2**, Commissioners Birrell and Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

26. To approve a Utility Relocation Agreement with Georgia Power Company for preliminary engineering and relocation of facilities on Lower Roswell Road, Project No. E6020, Cobb DOT Contract No. 002227.

Motion by Richardson, second by Sheffield, to **approve** a Utility Relocation Agreement with Georgia Power Company, in an amount not to exceed \$37,222.00, for preliminary engineering and relocation of facilities on Lower Roswell Road, Project No. E6020, Cobb DOT Contract No. 002227; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2011 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

|                |                                |                      |             |
|----------------|--------------------------------|----------------------|-------------|
| Transfer from: | 345-050-E006-E602-8781-E6020-U | Preliminary Estimate | \$37,222.00 |
| Transfer to    | 345-050-E006-E602-8786-E6020-U | Utility Relocation   | \$37,222.00 |

The 2011 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on December 14, 2010, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Improvements.

Lower Roswell Road is an eligible project/program under the Safety and Operational Improvements – Roadway Improvements Component of the 2011 SPLOST Transportation Improvements (Cobb County 2011 SPLOST, pp. 10, 28). Lower Roswell Road corridor improvements, from Woodlawn Drive to Davidson Road, include widening to add turn lanes and median, and access management.

SPLOST Project Summary as of May 1, 2024: Lower Roswell Road

|         |                 |           |                |
|---------|-----------------|-----------|----------------|
| Budget: | \$11,198,994.12 | Expended: | \$2,479,970.80 |
|---------|-----------------|-----------|----------------|

VOTE: **ADOPTED 3-2**, Commissioners Birrell and Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

27. To adopt a resolution imposing a Cobb County one percent Mobility Special Purpose Local Option Sales Tax specifying the specific transit projects to be funded by the proceeds of such tax, and requesting the Election Superintendent to call an election of the voters of Cobb County to approve the imposition of such sales and use tax.

Motion by Cupid, second by Richardson, to **adopt** a resolution imposing a Cobb County one percent Mobility Special Purpose Local Option Sales Tax specifying the specific transit projects to be funded by the proceeds of such tax request, and requesting the Election Superintendent to call an election of the voters of Cobb County on November 5, 2024, to **approve** the imposition of such sales and use tax; and **authorize** the Chairwoman to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

VOTE: **ADOPTED 3-2**, Commissioners Birrell and Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

*Clerk's Note: Chairwoman Cupid called for a brief recess at 11:06 a.m. through 11:11 a.m.*

28. To approve a contract with C.W. Matthews Contracting Company, Inc., for Old Floyd Road at Veterans Memorial Highway, Project No. X2329, Cobb DOT Contract No. 001661.

Motion by Sheffield, second by Birrell, to **approve** a contract with C.W. Matthews Contracting Company, Inc., in an amount not to exceed \$4,978,000.00, for Old Floyd Road at Veterans Memorial Highway, Project No. X2329, Cobb DOT Contract No. 001661; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfers:

|                |                                |                      |                |
|----------------|--------------------------------|----------------------|----------------|
| Transfer from: | 347-050-X230-X230-8005-X2329-C | Preliminary Estimate | \$2,800,000.00 |
|                | 347-050-X230-X230-8761-X2329-C | Preliminary Estimate | \$ 82,000.00   |
|                | 347-050-X200-X200-8005-X2000-A | Preliminary Estimate | \$1,729,188.29 |
| Transfer to:   | 347-050-X230-X230-8762-X2329-C | Turnkey Construction | \$4,611,188.29 |

MINUTES OF REGULAR MEETING  
COBB COUNTY BOARD OF COMMISSIONERS  
JUNE 11, 2024  
9:00 AM

Page | 15

To approve a contract with C.W. Matthews Contracting Company, Inc., for Old Floyd Road at Veterans Memorial Highway, Project No. X2329, Cobb DOT Contract No. 001661 (CONT).

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Old Floyd Road at Veterans Memorial Highway is an eligible project/program under the Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 17). Safety and Operational Intersection Improvements include typical safety and operational intersection improvements or roundabout construction. Specific locations have been determined by analysis.

SPLOST Project Summary as of May 1, 2024: Old Floyd Road at Veterans Memorial Highway

|         |                |           |              |
|---------|----------------|-----------|--------------|
| Budget: | \$3,948,622.97 | Expended: | \$989,705.03 |
|---------|----------------|-----------|--------------|

Adjusted SPLOST Project Summary, following requested budget transfer:

|                  |                |
|------------------|----------------|
| Adjusted Budget: | \$5,677,811.26 |
|------------------|----------------|

Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

|                |                                          |                                     |
|----------------|------------------------------------------|-------------------------------------|
| Transfer from: | DOT Projects - Relocate Lines            |                                     |
|                | 510-500-5756-8005-W4069-Z                | Preliminary Estimate \$384,111.71   |
| Transfer to:   | Old Floyd Road at Veterans Memorial Hwy. |                                     |
|                | 510-500-5756-8260-W4474-C                | Construction \$366,811.71           |
|                | 510-500-5756-8265-W4474-M                | Materials and Supplies \$ 10,000.00 |
|                | 510-500-5756-8810-W4474-T                | Contingency \$ 7,300.00             |
|                |                                          | Total: \$384,111.71                 |

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

29. **To approve the recommended ranking of the three most qualified firms for preliminary engineering design of Cumberland Core Loop - Segment D, State P.I. No. 0019780, Cobb County Project No. B2434 and Cumberland Core Loop - Segment E, State P.I. No. 0019618, Cobb County Project No. B2433.**

Motion by Richardson, second by Gambrill, to **approve** the recommended ranking of the three most qualified firms for engineering design of Cumberland Core Loop - Segment D, State P.I. No. 0019780, Cobb County Project No. B2434, and Cumberland Core Loop - Segment E, State P.I. No. 0019618, Cobb County Project No. B2433; and **authorize** negotiations for final scope of services and fees beginning with the top-ranked firm, Kimley-Horn and Associates, Inc.

VOTE: **ADOPTED 4-1**, Commissioner Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

**Public Services Agency**

**PARKS**

30. **To approve a Purchase Order with HD Excavations & Utilities, LLC to provide construction services for the construction of a new sanitary sewer system at Big Shanty Park under the 2022 PARKS SPLOST Program.**

Motion by Gambrill, second by Richardson, to **approve** a Purchase Order for HD Excavations & Utilities; LLC in an amount not to exceed \$533,500.00 for construction of the new sanitary sewer system at Big Shanty Park; **authorize** the corresponding budget transactions; and **further authorize** the Procurement Director to execute the necessary documents.

Funding is available in the 2022 PARKS SPLOST funds as follows:

348-105-B065-B0658-C-8113 (Subsurface Infrastructure) \$ 533,500.00

SPLOST Project Summary as of May 1, 2024:

Parks Subsurface Infrastructure (Countywide):

Budget: \$1,500,000.00 Expended to Date: \$515,430.39

The 2022 SPLOST, adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Construction of a new sanitary sewer system at Big Shanty Park is an eligible project under the 2022 SPLOST (Cobb County 2022 SPLOST, Page 32). Connecting the Restroom/Concession building to the County sanitary sewer system will prevent future failures and continued deterioration of the existing septic system.

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

*Clerk's Note: Chairwoman Cupid left the meeting at 11:32 a.m.*

### **PUBLIC COMMENT**

1. Alex C. addressed the Board regarding MSPLOST
2. Tyler Haber addressed the Board regarding MSPLOST
3. Daniel Foster addressed the Board regarding MSPLOST
4. Christine Rozman addressed the Board regarding various matters.
5. Pamela Rearden addressed the Board regarding various matters.
6. Alicia Adams addressed the Board regarding MSPLOST
7. Pat Burns addressed the Board regarding Friends of the Concord Road Covered Bridge Historic District.
8. Tracy Stevenson addressed the Board regarding MSPLOST
9. Jeremy McKeown addressed the Board regarding sustainable development / MSPLOST
10. Craig Harfoot addressed the Board regarding MSPLOST

*Clerk's Note: Vice Chairwoman Richardson called for a recess for lunch at 12:09 p.m.. through 1:12 p.m.*

### **COMMUNITY DEVELOPMENT HEARINGS**

31. **To conduct a hearing regarding the application for an alcoholic beverage licenses for One Stop Spirits, LLC doing business as, Supreme International Beer, Wine & Spirits, 1338 Veterans Memorial Hwy, SE, Bldg. #200, Mableton, GA 30126, Jeremy Barton, licensee.**

Bill Rowling, County Attorney, and Sam Hensley, Jr., attorney for the License Review Board and the Business License Division, opened the Appeal Hearing for the Cobb County Beer, Wine, and Sunday Sales Package License for One Stop Spirits, LLC, doing business as, Supreme International Beer, Wine & Spirits, 1338 Veterans Memorial Hwy, SE, Bldg. #200, Mableton, GA 30126.

Mr. Hensley, provided opening remarks, background information, and introduced counsel Kevin Leff, Attorney for One Stop Spirits, LLC, doing business as, Supreme International Beer, Wine & Spirits.

Mr. Hensley called Ms. Ellisia Webb, Business License Division Manager, to testify. Mr. Leff and the Board questioned Ms. Webb.

The Board questioned Ms. Jessica Guinn, Community Development Agency Director.

Mr. Leff, provided opening remarks, background information, introduced the Applicant, Mr. Jeremy Barton, and submitted exhibits into the record with no objection.

**To conduct a hearing regarding the application for an alcoholic beverage licenses for One Stop Spirits, LLC doing business as, Supreme International Beer, Wine & Spirits, 1338 Veterans Memorial Hwy, SE, Bldg. #200, Mableton, GA 30126, Jeremy Barton, licensee (CONT.)**

Mr. Hensley questioned Mr. Barton.

The Board questioned Mr. Barton and Mr. Leff.

Mr. Hensley and Mr. Leff provided closing remarks.

The Board asked additional questions and the following motion was made:

Motion by Sheffield, second by Richardson to uphold the administrative denial of the application for the Cobb County Beer, Wine, and Sunday Sales Package License for One Stop Spirits, LLC doing business as, Supreme International Beer, Wine & Spirits, 1338 Veterans Memorial Hwy, SE, Bldg. #200, Mableton, GA 30126.

VOTE: FAILED 1-3, Birrell, Richardson, and Gambrill opposed

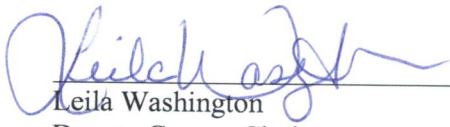
After discussion, the following motion was made:

Motion by Richardson, second by Birrell to **uphold** the decision of the License Review Board for approval of the application for the Cobb County Beer, Wine, and Sunday Sales Package License for One Stop Spirits, LLC doing business as, Supreme International Beer, Wine & Spirits, 1338 Veterans Memorial Hwy, SE, Bldg. #200, Mableton, GA 30126.

VOTE: **ADOPTED 3-1**, Sheffield opposed

**ADJOURNMENT**

The meeting was adjourned at 2:07 p.m.

  
\_\_\_\_\_  
Leila Washington  
Deputy County Clerk  
Cobb County Board of Commissioners

**Commissioner Birrell's statement**

*In light of the Supreme Court's ruling last week regarding standing on the Home Rule issue. My position regarding the Home Rule Challenge still stands. I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).*

*I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Board of Elections on November 15, 2022.*

In addition, I do support the Order on Cross Motions for Summary Judgment (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024 which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.

**Commissioner Gambrell's statement**

*When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.*

*While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.*

*In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).*

*In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002). In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."*

*Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.*

*With the majority of this Board's actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.*

*Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.*

*In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.*

*In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.*

*Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."*

*While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.*

COBB COUNTY BOARD OF COMMISSIONERS

RESOLUTION

ADOPTING ALL BUDGET AMENDMENTS SET  
FORTH IN AGENDA ITEMS ON THIS DATE

WHEREAS, Georgia Law, O.C.G.A. § 36-81-3 (b), requires each unit of government to operate under an annual balanced budget adopted by ordinance or resolution; and

WHEREAS, Cobb County Code 2-49 provides for revisions to the adopted budget during the year only by formal action of the commission in a regular meeting; and

WHEREAS, in official opinion date February 24, 1999, the Attorney General of the State of Georgia concluded that all amendments to the budgets of local government must be adopted by ordinance or resolution;

NOW, THEREFORE, BE IT RESOLVED the Cobb County Board of Commissioners does hereby adopt all such budget amendments as are set forth in agenda items which are adopted by the Board of Commissioners without change this date, as well as other such budget amendments as shall be specifically detailed in motions adopted by the Board of Commissioners this date.

This 11<sup>th</sup> of June 2024



## Resolution

*A Resolution of the Board of Commissioners of Cobb County, Georgia imposing a County one percent (1%) Mobility Special Purpose Local Option Sales Tax as authorized by Part 3 of Article 5b of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, specifying the specific transit projects to be funded by the proceeds of such tax, which shall have been selected from the Regional Transit Plan (ARTP) and approved by the Atlanta-Region Transit Link Authority; specifying the approximate cost of such transit projects; specifying the period of time for which such tax shall be imposed; requesting the Election Superintendent to call an election of the voters of Cobb County to approve the imposition of such sales and use tax; approving the form of ballot to be used in such an election; and for other purposes.*

**WHEREAS**, House Bill 930 of the 2018 Session of the Georgia General Assembly allows the County to develop a referendum to levy a sales tax in .05% increments of up to 1% which can be used for transit capital and transit operational expenses, for a duration of up to 30 years; and

**WHEREAS**, eligible expenses must be identified as projects selected from the Atlanta-Region Transit Link Authority's (ATL) Regional Transit Plan (ARTP); and

**WHEREAS**, the Board of Commissioners adopted a resolution accepting the Cobb County Mobility Special Purpose Local Option Sales Tax (MSPLOST) – Proposed Program of Projects, and authorizing staff to proceed with development of a MSPLOST ballot referendum for November 2024; and

**WHEREAS**, in accordance with House Bill 930, the County sent official notices by certified mail on March 27, 2024 to the mayors in each qualified municipality located within the County, inviting each of the qualified municipalities to meet to discuss possible transit projects from the ARTP for inclusion in the Cobb County MSPLOST referendum and the proposed rate of tax; and

**WHEREAS**, the County conducted the meeting with the participating qualified municipalities on April 8, 2024; and

**WHEREAS**, in accordance with House Bill 930, on May 20, 2024, the County delivered written notice to the ATL of the intent to call for a referendum by email, followed by submission by certified mail; and

**WHEREAS**, in accordance with House Bill 930 (O.C.G.A. § 48-8-269.45(c)), during its June 6, 2024 meeting, the ATL notified the County that it approved the County's list of transit projects from the ARTP in its entirety.

**NOW, THEREFORE, be it Resolved**, by the Board of Commissioners of Cobb County, Georgia as follows:

- A. Assuming the question of imposing a County Mobility Special Purpose Local Option Sales Tax is approved by the voters of the special district in the election hereinafter referred to, the MSPLOST shall be imposed for the Purposes, Term and Estimated Costs as follows:

1. The purposes for which the proceeds of the tax are to be used and may be expended include transit projects, as defined in O.C.G.A. § 48-8-269.40, and as chosen from the approved project list included on the regional transit plan (ARTP) approved by the Atlanta-Region Transit Link Authority (Projects); all as more fully set forth in Exhibit A attached hereto and incorporated herein by way of specific reference.
2. In order to finance the Projects described herein, the MSPLOST in the amount of one percent (1%) on all sales and uses in the County is hereby authorized to be levied and collected within the special district created in the County as provided in the Act. The MSPLOST is to be imposed for a period of thirty (30) years.
3. The proceeds of such tax are to be used to wholly or partially fund the Projects. The County Projects, the Municipal Projects, and the estimated amount of anticipated MSPLOST proceeds to be allocated to each project are set forth in Exhibit A hereto.

B. Call for the Election; Ballot Form; Notice

1. The Board of Elections and Registration of Cobb County is hereby requested to call an election in all voting precincts in the County on the 5<sup>th</sup> day of November, 2024, for the purpose of submitting to the qualified voters of the County the question set forth in paragraph 2 below.
2. The ballots to be used in the election shall have written or printed thereon substantially the following:  
  

( ) **YES** Shall a special 1 percent sales and use tax be imposed in the special district consisting of Cobb County for a period

( ) **NO** of time not to exceed thirty years and for the raising of funds for transit and transit supportive projects? These projects will be as defined in O.C.G.A. § 48-8-269.40, and will be inclusive of the approved project list within the Atlanta-Region Transit Link Authority Regional Transit Plan (ARTP).

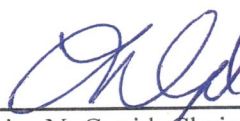
If imposition of the tax is approved by the voters, such vote shall constitute approval of the issuance of general obligation debt of Cobb County in the principal amount not to exceed \$950,000,000 for the above purpose.

3. The Board of Elections and Registration of Cobb County is hereby authorized and requested to publish a notice of the election as required by law in the newspaper in which Sheriff's advertisements for the County are published once a week for four weeks immediately preceding the date of the election. The notice of the election shall be in substantially the form attached hereto as Exhibit B.
4. It is hereby requested that the election be held by the Board of Elections and Registration of Cobb County in accordance with the election laws of the

State of Georgia, including, without limitation, the election laws relating to special elections. It is hereby further requested that the Board of Elections and Registration of Cobb County canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the state revenue commissioner.

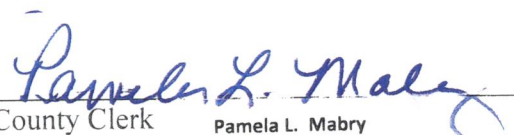
- C. The Clerk of the Board of Commissioners is hereby authorized and directed to deliver a copy of this Resolution to the Board of Elections and Registration of Cobb County, with a request that the Board of Elections and Registration of Cobb County issue the call for an election.
- D. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of the MSPLOST.
- E. This Resolution shall take effect immediately upon its adoption.

COBB COUNTY, GEORGIA

  
Lisa N. Cupid, Chairwoman  
Cobb County Board of Commissioners



ATTEST:

  
County Clerk      Pamela L. Mabry  
County Clerk

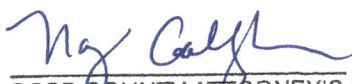
[COUNTY SEAL]

Date Adopted 6/11/24

**APPROVED**  
PER MINUTES OF  
COBB COUNTY  
BOARD OF COMMISSIONERS

6/11/24

Approved As To Form:

  
COBB COUNTY ATTORNEY'S OFFICE

## CLERK'S CERTIFICATE

### COBB COUNTY, GEORGIA

I, Pamela L. Mabry, Clerk of the Board of Commissioners of Cobb County, Georgia, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of the Resolution adopted by the Board of Commissioners at an open public meeting duly called and lawfully assembled at 9:00 A.M., on the 11th day of June, 2024 pertaining to the approval and authorization to call for the imposition of a Mobility Special Purpose Local Option Sales Tax, if approved by the voters of Cobb County at the election on November 5, 2024, and matters related thereto (the "Resolution"), the original of the Resolution being duly recorded in the Minute Book of the Board of Commissioners, which Minute Book is in my custody and control, and that the Resolution has not been amended or rescinded and is in full force and effect as of the date hereof.

I do hereby certify as follows:

- (a) That the following members of the Board of Commissioners were present at said meeting:

Chairwoman Lisa N. Cupid

Commissioner Keli Gambrill

Commissioner Jerica Richardson

Commissioner JoAnn K. Birrell

Commissioner Monique Sheffield

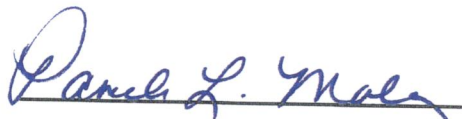
- (b) That the following member was absent: \_\_\_\_\_

- (c) That the Resolution was duly adopted by a vote of:

Aye 3 Nay 2

**WITNESS** my hand and the official seal of Cobb County, Georgia, to be effective as of the 11th day of June, 2024.

[COUNTY SEAL]



Pamela L. Mabry  
Clerk, Board of Commissioners of Cobb  
County