

* **Georgia's Service
Delivery Act:**

Overview, Purpose, and Key Elements

December 11, 2014

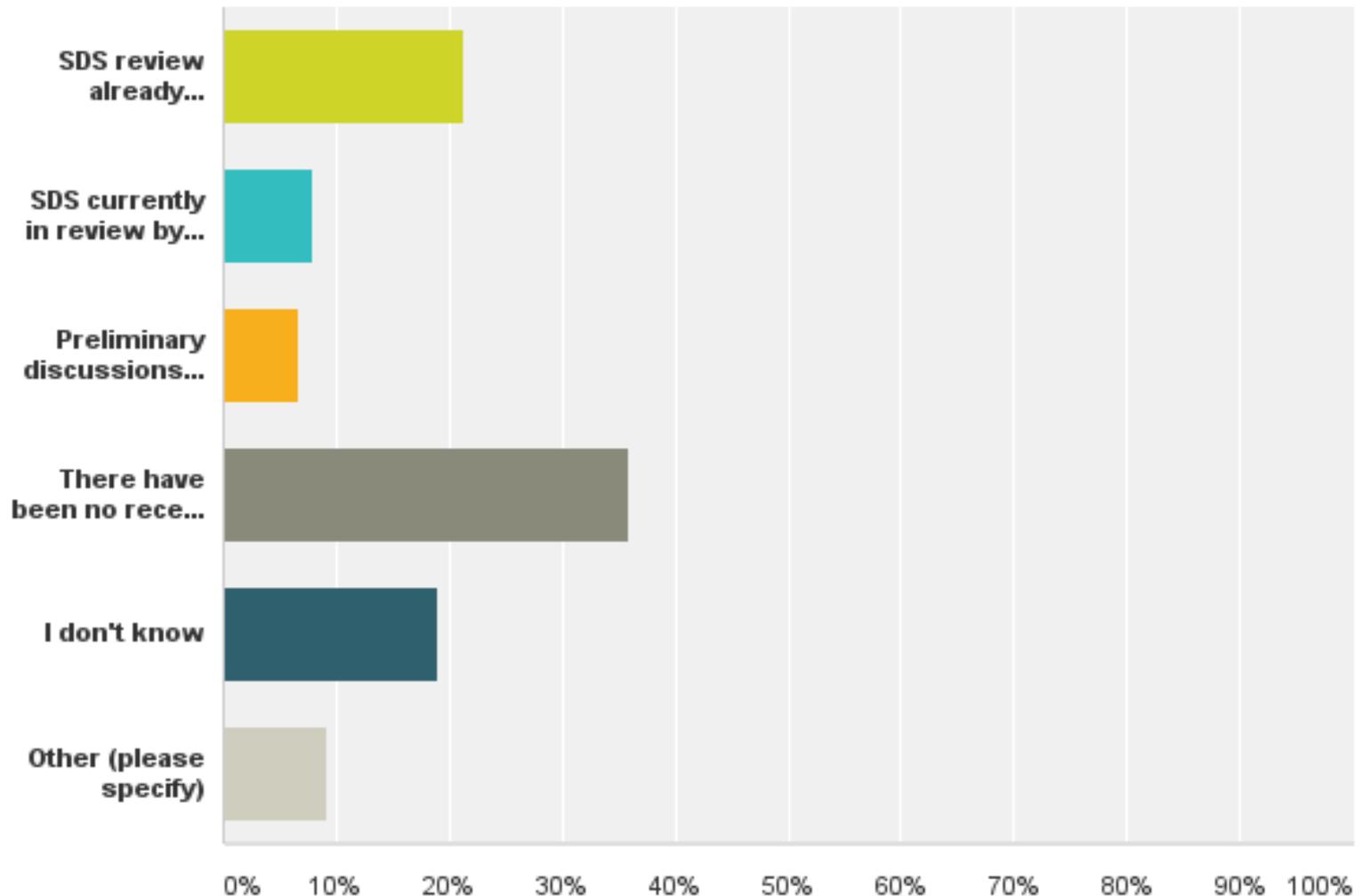
Harlem, Georgia

* GMA Service Delivery Strategy Survey

Summary of Responses

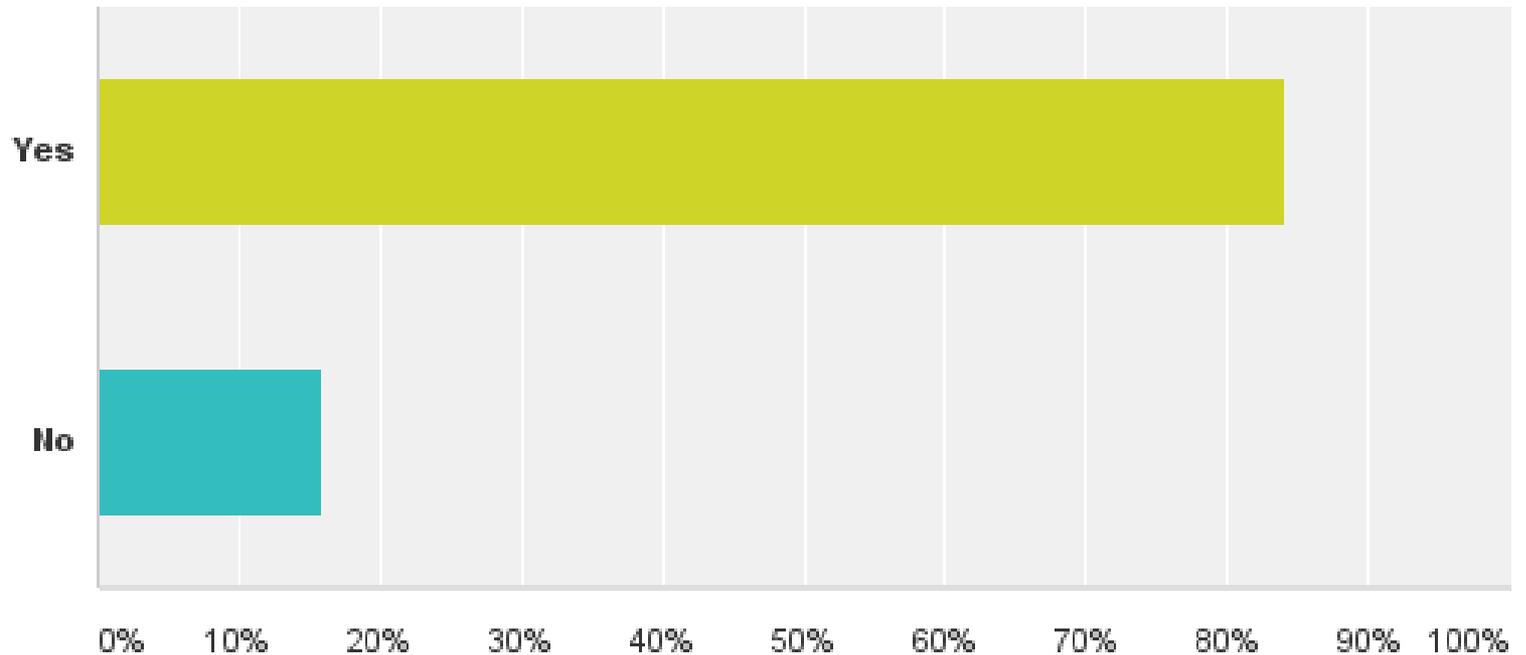
Q5 What is the status of service delivery strategy (SDS) negotiations in your county?

Answered: 164 Skipped: 52



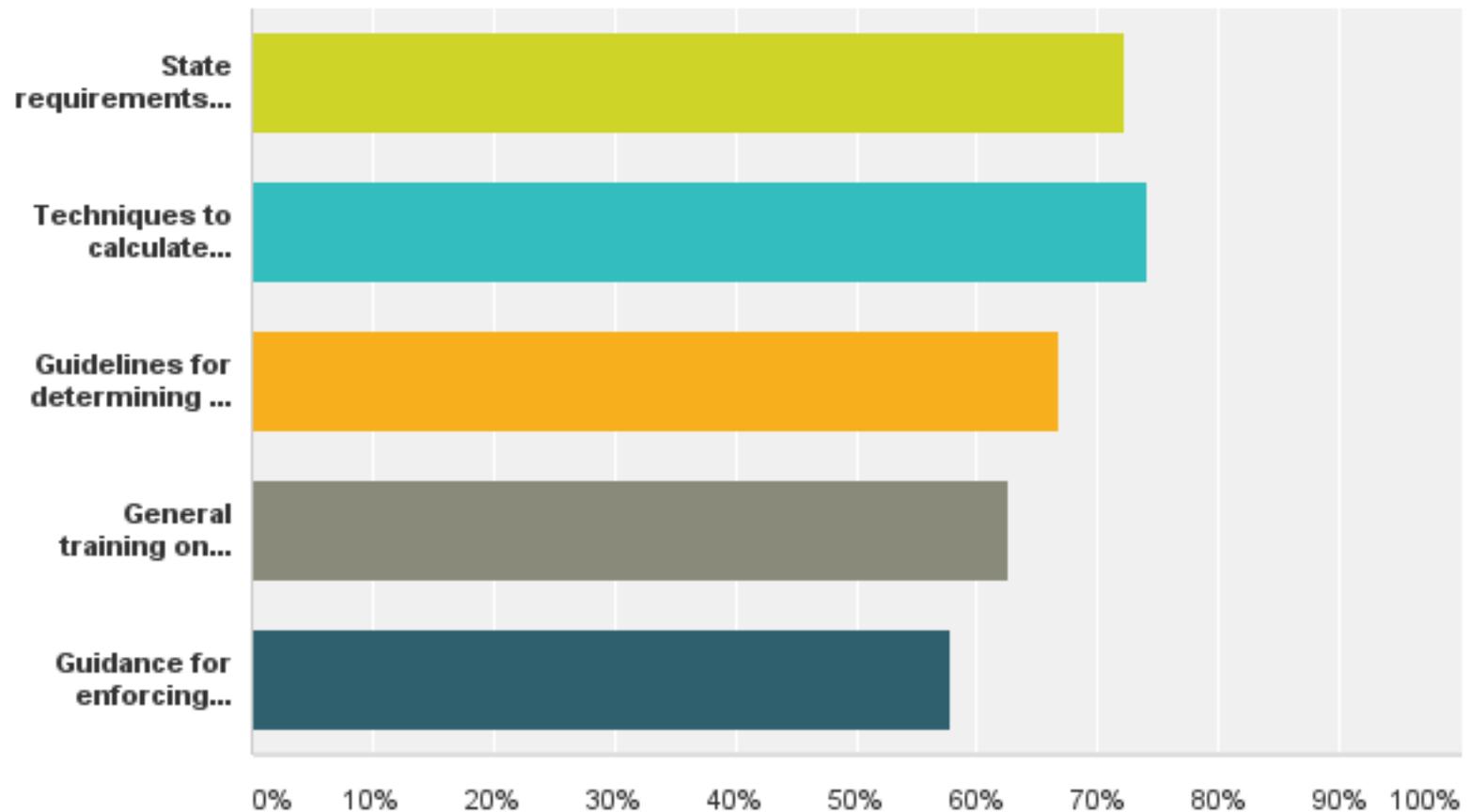
Q6 Would you attend a GMA training session on Service Delivery Strategies, if it were offered?

Answered: 164 Skipped: 52



Q8 When considering SDS training needs, which of the following is important to you? (check all that apply)

Answered: 166 Skipped: 50



O.C.G.A. § 36-70-20

GEORGIA CODE

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*** Current through 2009 Regular Session ***

TITLE 36. PUBLIC ADMINISTRATION

PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS
CHAPTER 70. COORDINATED LOCAL GOVERNMENT PLANNING AND SERVICE
DELIVERY BY MUNICIPAL CORPORATIONS

* Service Delivery Act

§ 36-70-20. Legislative intent

Background and Purpose

The intent of this article is to provide a mechanism by which local governments in each county can develop a certain level of service delivery that is efficient and responsive to citizens in their county. The diversity of local government structures and the unique characteristics of each county throughout the state preclude a uniform approach for the delivery of services in every county. The process provided by this article is intended to minimize inefficiencies resulting from duplication of services and competition between local governments and to provide a mechanism to resolve disputes over local government service delivery, funding equity, and

* Background and Purpose

- * 1995 Future Communities Commission

- * How can we improve local government structure and operation

- * Amendment 19 led to conflicts

- * Recommended legislation for service delivery agreements

* Background and Purpose

- * HB489 traveled with 3 companion bills
 - * HB492 Insurance premiums tax
 - * HB491 Uniform Chart of Accounts
 - * HB490 SPLOST notification requirements
- * Eliminate conflicts between local governments
- * Counties and cities must adopt a Service Delivery Strategy by July 1, 1999.

* Background and Purpose

- * Flexible framework for service delivery system
- * Eliminate duplication of services
- * Eliminate double taxation
- * Minimize incompatible land use plans
- * Provide dispute resolution method

* What Must be Included in a Service Delivery Agreement?

- * Describe of all services provided by each local government and authority
 - * Current arrangements
 - * Future arrangements
- * Describe geographic area where each service is provided



SERVICE DELIVERY STRATEGY
SUMMARY OF SERVICE DELIVERY ARRANGEMENTS PAGE 2

Instructions:

Make copies of this form and complete one for each service listed on page 1, Section III. Use exactly the same service names listed on page 1. Answer each question below, attaching additional pages as necessary. If the contact person for this service (listed at the bottom of the page) changes, this should be reported to the Department of Community Affairs.

County: Laurens

Service: Airport

1. Check the box that best describes the agreed upon delivery arrangement for this service:

Service will be provided countywide (i.e., including all cities and unincorporated areas) by a single service provider. (If this box is checked, identify the government, authority or organization providing the service.): Laurens County

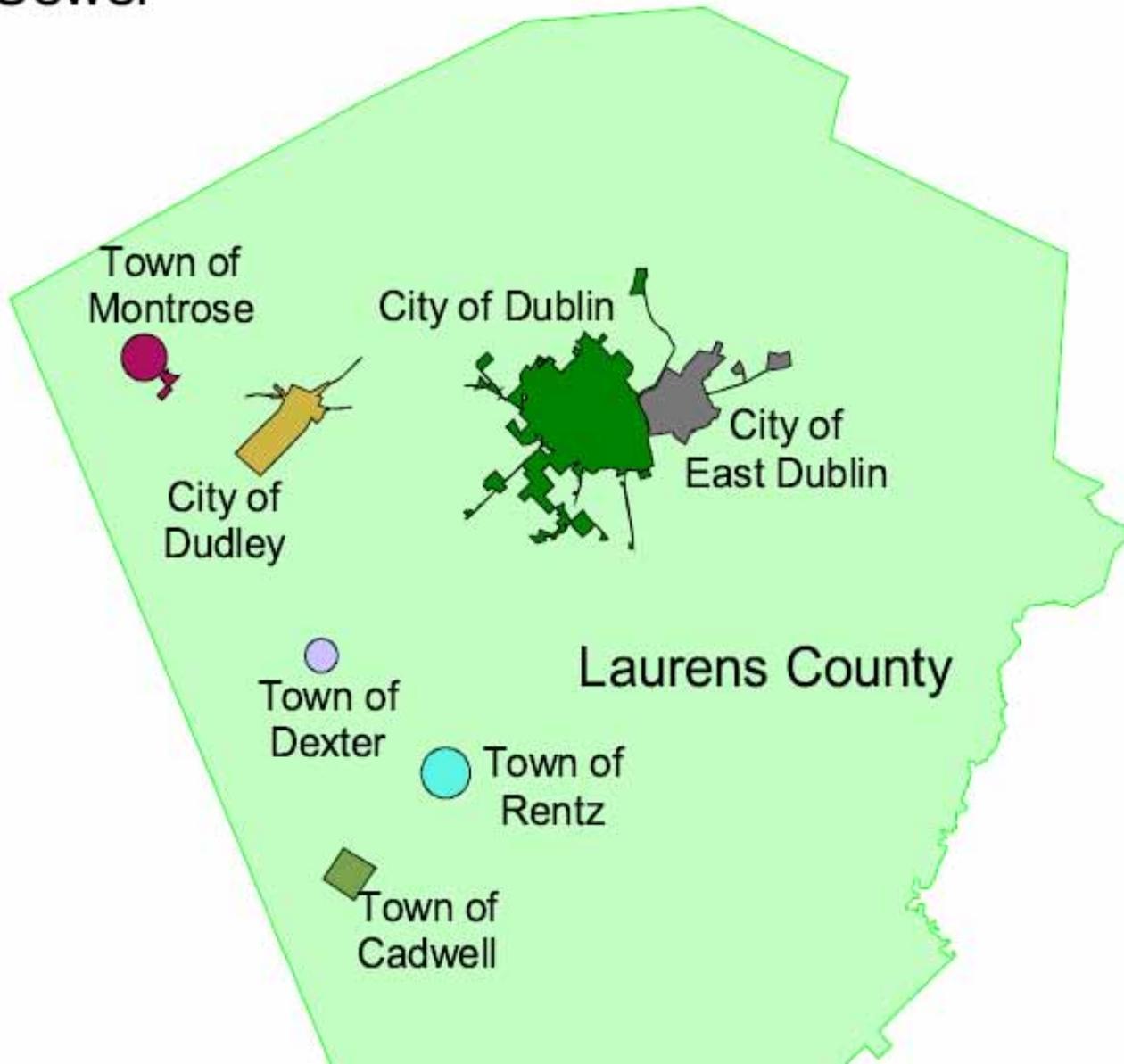
Service will be provided only in the unincorporated portion of the county by a single service provider. (If this box is checked, identify the government, authority or organization providing the service.): _____

One or more cities will provide this service only within their incorporated boundaries, and the service will not be provided in unincorporated areas. (If this box is checked, identify the government(s), authority or organization providing the service: _____

One or more cities will provide this service only within their incorporated boundaries, and the county will provide the service in unincorporated areas. (If this box is checked, identify the government(s), authority or organization providing the service.): _____

MAP SD-2

Sewer



* What Must be Included in a Service Delivery Agreement?

- * Describe funding sources and mechanisms
- * Identify all intergovernmental contracts, ordinances, etc.
- * Services exclude constitutional officers

3. List each government or authority that will help to pay for this service and indicate how the service will be funded (e.g., enterprise funds, user fees, general funds, special service district revenues, hotel/motel taxes, franchise taxes, impact fees, bonded indebtedness, etc.).

Local Government or Authority:

Funding Method:

| | |
|----------------|------------------------------------|
| Laurens County | General Fund, Sales Tax, DOT Funds |
| | |
| | |
| | |
| | |

4. How will the strategy change the previous arrangements for providing and/or funding this service within the county?

No change is anticipated.

5. List any formal service delivery agreements or intergovernmental contracts that will be used to implement the strategy for this service:

Agreement Name:

Contracting Parties:

Effective and Ending Dates:

| | | |
|------|--|--|
| None | | |
| | | |
| | | |
| | | |

6. What other mechanisms (if any) will be used to implement the strategy for this service (e.g., ordinances, resolutions, local acts of the General Assembly, rate or fee changes, etc.), and when will they take effect?

None

3. List each government or authority that will help to pay for this service and indicate how the service will be funded (e.g., enterprise funds, user fees, general funds, special service district revenues, hotel/motel taxes, franchise taxes, impact fees, bonded indebtedness, etc.).

Local Government or Authority:

Funding Method:

| | |
|---------------------|-------------------------|
| Laurens County | General Fund and Grants |
| City of Dublin | General Fund and Grants |
| City of East Dublin | General Fund and Grants |
| | |
| | |

4. How will the strategy change the previous arrangements for providing and/or funding this service within the county?

Laurens County provides law enforcement protection in the unincorporated areas as well as the municipalities of Cadwell, Dexter, Dudley, Montrose, and Rentz. The cities of Dublin and East Dublin both provide the service within their own jurisdictions and have a mutual agreement with the county and each other to provide assistance as needed.

5. List any formal service delivery agreements or intergovernmental contracts that will be used to implement the strategy for this service:

Agreement Name:

Contracting Parties:

Effective and Ending Dates:

| | | |
|----------------------|--|--------|
| Mutual Aid Agreement | Laurens County, City of Dublin, City of East Dublin | 7/1/99 |
| | | |
| | | |
| | | |

6. What other mechanisms (if any) will be used to implement the strategy for this service (e.g., ordinances, resolutions, local acts of the General Assembly, rate or fee changes, etc.), and when will they take effect?

* Criteria for SDS

- * Eliminate unnecessary duplication of services
 - * Higher levels of service are not duplicated services
- * Water and sewer rate differential
- * Compatible land use plans
 - * Extension of water/ sewer must be consistent with all land use plans
 - * Process to resolve disputes over land use classifications of areas to be annexed



SERVICE DELIVERY STRATEGY
FORM 3: Summary of Land Use Agreements

Instructions:

Answer each question below, attaching additional pages as necessary. Please note that any changes to the answers provided will require an update of the service delivery strategy. If the contact person for this service (listed at the bottom of this page) changes, this should be reported to the Department of Community Affairs.

COUNTY:LAURENS

1. What incompatibilities or conflicts between the land use plans of local governments were identified in the process of developing the service delivery strategy?
None

2. Check the boxes indicating how these incompatibilities or conflicts were addressed:

- Amendments to existing comprehensive plans
- Adoption of a joint comprehensive plan
- Other measures (amend zoning ordinances, add environmental regulations, etc.)

If "other measures" was checked, describe these measures:
N/A

| |
|---|
| NOTE: |
| If the necessary plan amendments, regulations, ordinances, etc. have not yet been formally adopted, indicate when each of the affected local governments will adopt them. |

3. What policies, procedures and/or processes have been established by local governments (and water and sewer authorities) to ensure that new extraterritorial water and sewer service will be consistent with all applicable land use plans and ordinances? Laurens County and all cities in Laurens county, including Allentown, have adopted a joint resolution to insure that proposed estraterritorial water and sewer service is compatible with land use plans and ordinances of the territory of the adjoining local government in which the new service is to be extended. (Copy Attached)

4. Person completing form: Brian Benson, County Administrator

* Criteria for SDS

* Eliminate double taxation

- * Services primarily for unincorporated area must be funded by revenues derived exclusively from unincorporated area

- * Special service districts

- * Any other mechanism to eliminate double taxation

premiums and a fire tax district are compared, and,

WHEREAS, the City and County have such a fire district currently in place, and wish to continue it for the duration of this Agreement, or subsequent renewal, as the most cost effective and efficient means of providing fire protection to this area;

NOW, THEREFORE, both parties, City and County, covenant and agree as follows:

-1-

The County has established a special fire tax district, hereinafter referred to as the "Statesboro Fire Tax District" or "SFT District," based upon the five mile driving distance from City fire stations required by the ISO for a property to receive the same ISO rating as provided in the City. The current boundaries of the SFT District are indicated by the area in blue on the map attached hereto as Exhibit A. The SFT District shall be designated upon a map prepared and maintained by the County's GIS Division. The boundaries shall be clearly defined, and the parcels affected coded appropriately so that the SFT District tax can be added to the County's property tax bill for each parcel. The County shall furnish to the City a reasonable number of such maps at no cost. The County agrees to maintain the current SFT District for the duration of this Agreement.

-2-

The money collected from the SFT District tax shall be paid to the City of Statesboro by the 20th day of each month for which tax receipts are collected prior to the beginning of that particular month to pay for the services rendered by the Statesboro Fire Department. The City hereby agrees to establish a Special Revenue Fund, entitled the "Statesboro Fire Services Fund", and shall account for financial activities accordingly. Any funding remaining at fiscal year end shall remain in this fund as fund balance, to be used as necessary in future years.

-3-

The City and County recognize that property taxes are not billed until mid-October, and are not overdue until mid-December of each fiscal year. Consequently the funding to pay for this service will not be immediately available each year. It is agreed by the parties that the City, the County, or some combination thereof, may loan the Statesboro Fire Services Fund the necessary funds each year to cover this temporary cash flow shortage. In that event, each entity shall be entitled to interest on that temporary loan equal to what it would have earned each month on said funds had it been invested in the City's or County's overnight investment accounts. Said interest shall constitute a valid expense of the Statesboro Fire Services Fund. Any funds in the Statesboro Fire Services Fund shall earn monthly the same rate of interest as the City's other overnight investment accounts earn for said month.

* SDS Process Initiation and Development

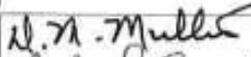
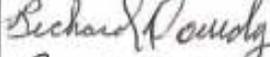
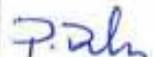
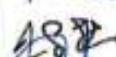
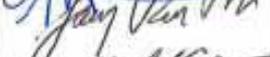
- * Initiate process between July 1, 1997 and January 1, 1998.
- * County sends written notice to:
 - * All cities wholly or partially within the county;
 - * All other cities which provide services within the county; and
 - * All other counties which provide services within the county
- * If county does not initiate the process by 1/1/98, a city may do so

* Procedure for SDS Approval

- * County and cities develop the SDS jointly
- * Approval = adoption of resolution by county and “affected municipalities”
 - * county seat
 - * cities with 9,000+ population
 - * no less than 50% of the remaining municipalities with at least 500 persons
- * 120-day extension allowed

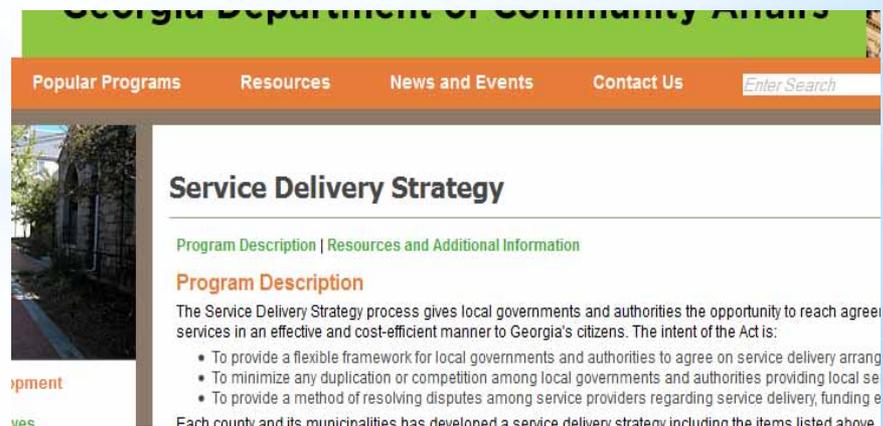
6. Our Service Delivery Strategy continues to ensure that the officially adopted County and City land use plans of all local governments located in the County are compatible and nonconflicting (O.C.G.A. 36-70-24 (4)(A));
7. Our Service Delivery Strategy continues to ensure that the provision of extraterritorial water and sewer services by any jurisdiction is consistent with all County and City land use plans and ordinances (O.C.G.A. 36-70-24 (4)(B)); and
8. Our Service Delivery Strategy continues to contain an agreed upon process between the county government and each city located in the county to resolve land use classification disputes when the county objects to the proposed land use of an area to be annexed into a city within the county (O.C.G.A. 36-70-24 (4)(C)) and;
9. DCA has been provided a copy of this certification and copies of all forms, maps and supporting agreements needed to accurately depict our agreed upon strategy (O.C.G.A. 36-70-27).

If the County does not have an Annexation/Land Use dispute resolution process with each of its cities, list the cities where no agreed upon process exists:

| SIGNATURE: | NAME: (Please print or type) | TITLE: | JURISDICTION: | DATE: |
|---|---------------------------------|----------|---------------------|----------------|
|  | D.M. Mullis | Chairman | Laurens County | 10 Mar 09 |
|  | Richard Dowdy | Mayor | Town of Cadwell | 17 MAR 09 |
|  | Daniel R. Whittle | Mayor | Town of Dexter | Apr. 3, 2009 |
|  | Phil Best | Mayor | City of Dublin | March 18, 2009 |
|  | Jason Locke | Mayor | City of Dudley | MAR. 20, 2009 |
|  | George Gorato | Mayor | City of East Dublin | Apr. 3, 2009 |
|  | Gary Vanness | Mayor | Town of Montrose | MAR 27, 2009 |
|  | M.L. Knight | Mayor | Town of Rentz | April 13, 2009 |
|  | Cloyce Pittman | Mayor | City of Allentown | Mar. 26, 2009 |

* Filing and Verification by DCA

- * County files SDS with DCA
- * DCA has 30 days to verify
- * DCA has no authority to approve or disapprove the SDS



* Sanctions

- * Withhold financial assistance, grants, loans, or permits, including:
 - * LMIG, GEFA loans and grants, CDBG grants
 - * Road contracts with GDOT
 - * EPD permits
- * 3 ways to fail to be in compliance:
 - * SDS not formally adopted by all required governments;
 - * SDS does not address all required components and criteria; or
 - * SDS not updated as required

Programs Linked to Community of Opportunity (or Qualified Local Government-QLG) Designation

The following loan and grant programs operated by DCA will be withheld from non-Qualified Local Governments:

- Appalachian Regional Commission Business Development Revolving Loan Fund
- Appalachian Regional Commission Economic Development Grant Program
- Better HomeTown Program
- Bond Allocation Program
- CDBG Loan Guarantee Program (Section 108 Program)
- Capital Felony Expense Program
- Community Development Block Grant
- Downtown Development Revolving Loan Fund (DD RLF)
- Employment Incentive Program (EIP)
- Immediate Threat and Danger Grant
- Life Sciences Facilities Fund
- Local Development Fund
- Local Jail Improvement Grant
- Main Street Program
- OneGeorgia Programs (EDGE and Equity)
- Redevelopment Fund Program
- Regional Assistance Program (RAP)
- Regional Economic Business Assistance (REBA) Program

The following loan and grant programs operated by other agencies will also be withheld from non-Qualified Local Governments:

- Georgia Environmental Finance Authority
- Georgia Department of Natural Resources:
 - o Coastal Incentives Grant
 - o Land and Water Conservation Fund
 - o Recreational Trails Program
 - o Historic Preservation Fund Grant
 - o Georgia Heritage Grant

* Dispute Resolution Process

- * Before sanctions: alternative dispute resolution (e.g. mediation)
- * If alternative dispute resolution fails, mediator prepares a report for the public record
- * Costs shared by the parties on a pro rata population basis
- * If no agreement after sanctions, any of the parties may file a petition in superior court seeking mandatory mediation.

* When to Update SDS

- * When comprehensive plan is updated;
- * When service delivery arrangements change;
- * When revenue distribution arrangements change;
- * Creation, abolition, or consolidation of local governments;
- * When SDS expires; or
- * Whenever parties agree to revise the strategy

* When to Update SDS

- * If a county or affected municipality refuses to review and revise, any of the parties may use the alternative dispute resolution and appeal procedures

* Goal for Today's Workshop

- * Review your SDS
- * Offer tips for tax equity and duplication of services
- * Compare notes with other cities
- * Why review SDS?
 - * LOST and other negotiations
 - * To inform economic development, budget, and planning decisions
 - * It's about the taxpayers

* Questions?

* GMA Contacts

* Michael McPherson, GMA Governmental Relations Associate, 678-686-6390 or mmcpherson@gmanet.com

* Becky Taylor, GMA Director of Federal Relations & Research, 678-686-6276 or btaylor@gmanet.com

* www.gmanet.com for more resources