

# **Bond Case Briefs**

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## **INTERGOVERNMENTAL AGREEMENTS - GEORGIA**

### **City of Union Point v. Greene County**

**Supreme Court of Georgia - March 15, 2018 - 812 S.E.2d 278**

City brought action against county alleging that county had unilaterally discontinued police and fire dispatch and communications services to the city's police and fire departments.

The trial court determined that portion of Service Delivery Strategy Act (SDS Act) was unconstitutional and that sovereign immunity barred remedies not specifically provided for in SDS Act. City appealed and county cross-appealed.

The Supreme Court of Georgia held that:

- Sovereign immunity did not bar city's claims under SDS Act;
- City's claims against county seeking specific performance of intergovernmental agreement concerning police and fire protection were not barred by sovereign immunity;
- Dispute resolution process prescribed by SDS Act did not violate separation of powers provision of state constitution;
- Funding of road and bridge maintenance was not at issue before mediator, such that trial court was not permitted to consider issue;
- Trial court was not authorized by SDS Act to enter permanent injunction; and
- Trial court was not authorized by SDS Act to enter declaratory and injunctive relief regarding funding of recreation and library services.