



Office of the City Clerk
1526 East Forrest Avenue
East Point, Georgia 30344
404-270-7100 Telephone
404-765-1014 Facsimile
www.eastpointcity.org

MAYOR
JANNQUELL PETERS

July 31, 2015

COUNCIL MEMBERS
SHARON SHROPSHIRE
ALEXANDER GOTHARD
KAREN RENE'
LANCE RHODES
NANETTE SAUCIER
MYRON B. COOK
DEANA HOLIDAY INGRAHAM
LATONYA MARTIN

VIA EMAIL: edpittman26@bellsouth.net

CITY MANAGER
FREDERICK GARDINER

Mrs. Pittman,

We are in receipt of your Open Records Request received on July 28, 2015 regarding all ordinances passed by Mayor and Council setting any and all utility rates and fees since January 1, 2008 to include any Power Cost Adjustment Rider rates.

Your requested information is attached at no charge. Your report consists of nine (9) pages.

If you need further assistance, please contact me at 404.270.7088.

Sincerely,

Keshia McCullough

Keshia McCullough
Deputy City Clerk

1 STATE OF GEORGIA
2 COUNTY OF FULTON

ORDINANCE NO. 017-10

3
4 AN ORDINANCE

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6
7 AN ORDINANCE TO AMEND PART 8, CHAPTER 2
8 "UTILITIES," ARTICLE B "ELECTRICITY," OF THE
9 CODE OF ORDINANCES, SO AS TO PROVIDE FOR
10 CERTAIN ELECTRIC UTILITY POLICIES
11 INCLUDING THE IMPOSITION OF A POWER COST
12 ADJUSTMENT APPLICABLE TO THE CITY'S
13 ELECTRIC UTILITY CUSTOMERS; TO ESTABLISH
14 A DISCOUNT FOR SENIOR CITIZENS; AND FOR
15 OTHER PURPOSES.

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17 WHEREAS, the City of East Point operates an electric utility for its residential and
18 commercial customers; and

19 WHEREAS, the City purchases its electric energy from wholesale provider Electric
20 Cities of Georgia, Inc./Municipal Electric Authority of Georgia ("MEAG"); and

21 WHEREAS, in 2007 the City adopted electric utility rates that assumed certain
22 proceeds from the sale of excess power, thus setting a base cost of power; and

23 WHEREAS, in 2008, the City realized electric utility revenue above the base cost of
24 power; and

25 WHEREAS, in 2009, the City experienced a deficit in electric utility revenue of
26 \$4,266,567 because the sale of excess power yielded less revenue to offset power costs; and

27 WHEREAS, the 2009 electric utility deficit was partially offset by the additional
28 revenue generated in 2008; and

29 WHEREAS, in 2010, it is estimated by MEAG that the City will have a deficit in
30 electric utility revenue of \$1,790,026, resulting in a cumulative deficit of \$5,010,090; and

31 **WHEREAS**, the changes in electric energy costs are driven by the increase in the
32 cost of fuels such as coal and natural gas, increased environmental regulation by state and
33 federal agencies, and increased fixed and capital costs associated with maintaining power
34 generation facilities; and

35 **WHEREAS**, the City now wishes to impose a Power Cost Adjustment of 7.1 mills
36 per kilowatt hour (KWH) (\$.0071) effective immediately and to implement a
37 procedure to make power cost adjustments in the future to accurately reflect the total
38 cost of providing electric service and to utilize the \$1,795,000 (One Million Seven
39 Hundred Ninety-Five Thousand Dollars) of refunds from MEAG for 2009 and
40 2010⁰⁴ for payment of the electric utility requirements.

41 **WHEREAS**, the City has determined that it is in the best interests of the City as well
42 as its senior citizens to grant a discount to senior citizens who qualify and remain in good
43 standing.

44 **BE IT ORDAINED BY THE CITY COUNCIL OF EAST POINT** as follows:

45 **Section One:** That Part 8, Chapter 2 “Utilities,” Article B “Electricity,” of the Code
46 of Ordinances be amended by creating a new section 8-2105, which
47 shall read as follows:
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49 **Section 8-2105 Adjustments to Electric Rates**

50 (a) *Definition:* Power Cost Adjustment shall mean that increase or decrease in rates charged
51 to customers of the City’s electric utility sufficient for the City to recover total electric utility
52 costs, including but not limited to wholesale power cost, investment in future energy
53 resources, costs of distribution system operation and maintenance, administrative costs
54 attributable to utility operations, and transfers and allocations paid to the City. Rates
55 charged to electric utility customers may be increased or decreased in an amount per kilowatt
56 hour (kWh) through a Power Cost Adjustment. In keeping with sound financial
57 management practices, the policy of the City will be to ensure that its utilities will be

58 operated in a fiscally sound manner and as such to make Power Cost Adjustments to pass on
59 increased operating, maintenance and capital costs to utility customers as needed.

60 (b) *Annual review* - At least annually during budget preparation, the City Council shall cause a
61 review and analysis to be made of the City's base rates charged for electric utility service as
62 compared to the total cost of providing that service to determine whether such rates are
63 sufficient to operate the electric utility. Information by MEAG on electric utility costs or
64 studies conducted by experts in the field of utility rates may be considered during this annual
65 review.

66 (c) *Quarterly Report* - The City Manager will make a quarterly report to the City Council on
67 the status of the electric utility with a recommendation on a Power Cost Adjustment as
68 dictated by the existing revenue to budget ratio.

69 (d) *Senior Residential Discount* - Electric utility customers, age 65 or older on January 1st of
70 any calendar year may receive a \$7.00 per month discount on electric service for no more
71 than one residential account. The City Manager shall establish an appropriate application
72 and verification form to implement this discount program. No retroactive discounts may be
73 awarded. To be eligible, the senior citizen must continuously meet all of the following
74 criteria:

- 75 (1) the senior citizen must be the named residential account holder;
- 76 (2) the senior citizen account holder must be as a full-time resident of the
77 location at which utility services are provided;
- 78 (3) the account must remain in good standing with no overdue balance.
79 Any billing cycle for which there accrues or remains an overdue balance will
80 not have the senior discount applied thereto;
- 81 (4) the senior citizen account holder must provide evidence of continued
82 residency and qualification by January 1st of every year to continue eligibility
83 for the senior discount.

84

85 **Section Two:** (a) It is hereby declared to be the intention of the Mayor and Council that all
86 sections, paragraphs, sentences, clauses and phrases of this ORDINANCE are or were,

87 upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and
88 constitutional.

89 (b) It is hereby declared to be the intention of the Mayor and Council that, to the
90 greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase
91 of this ORDINANCE is severable from every other section, paragraph, sentence, clause or
92 phrase of this ORDINANCE. It is hereby further declared to be the intention of the Mayor
93 and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,
94 clause or phrase of this ORDINANCE is mutually dependent upon any other section,
95 paragraph, sentence, clause or phrase of this ORDINANCE.

96 (c) In the event that any phrase, clause, sentence, paragraph or section of this
97 ORDINANCE shall, for any reason whatsoever, be declared invalid, unconstitutional or
98 otherwise unenforceable by the valid judgment or decree of any court of competent
99 jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
100 unconstitutionally or unenforceability shall, to the greatest extent allowed by law, not render
101 invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
102 sentences, paragraphs or sections of the ORDINANCE and that, to the greatest extent
103 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
104 ORDINANCE shall remain valid, constitutional, enforceable, and of full force and effect.

105 **Section Three:** That this ordinance shall become effective immediately.

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107 BE IT ORDAINED by the City Council of East Point, this 8 day of

108 November, 2010.

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CITY OF EAST POINT, GEORGIA

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Earnestine Pittman, Mayor

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ATTEST:

Agnes Beltier
City Clerk

APPROVED AS TO FORM:

Nina R. Huber
City Attorney



1 STATE OF GEORGIA
2 COUNTY OF FULTON

ORDINANCE NO. 007-12

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5 AN ORDINANCE

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8 AN ORDINANCE TO AMEND THE FY 2012 BUDGET
9 TO REVISE THE WATER AND SEWER UTILITY
10 RATE SCHEDULE; TO REPEAL CONFLICTING
11 ORDINANCES; AND FOR OTHER PURPOSES.
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14 WHEREAS, the duly elected governing authority of the City of East Point, Georgia is the
15 Mayor and Council thereof; and

16 WHEREAS, the Mayor and Council desire to amend the FY 2012 Budget to modify
17 the rates charged for Water and Sewer Service;

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
19 CITY OF EAST POINT as follows:

20 Section One:

21 That the FY 2012 Budget shall be and is hereby amended by deleting the Water &
22 Sewer Utility Rate Schedule and substituting the Revised Water & Sewer Utility Rate
23 Schedule attached hereto.

24 Section Two:

25 (a) It is hereby declared to be the intention of the Mayor and Council that all
26 sections, paragraphs, sentences, clauses and phrases of this ordinance are or were, upon their
27 enactment, believed by the Mayor and Council to be fully valid, enforceable and
28 constitutional.

29 (b) It is hereby declared to be the intention of the Mayor and Council that, to the
30 greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase
31 of this ordinance is severable from every other section, paragraph, sentence, clause or phrase

32 of this ordinance. It is hereby further declared to be the intention of the Mayor and Council
33 that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase
34 of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause
35 or phrase of this ordinance.

36 (c) In the event that any phrase, clause, sentence, paragraph or section of this
37 ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
38 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
39 the express intent of the Mayor and Council that such invalidity, unconstitutionally or
40 unenforceability shall, to the greatest extent allowed by law, not render invalid,
41 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
42 sentences, paragraphs or sections of the ordinance and that, to the greatest extent allowed by
43 law, all remaining phrases, clauses, sentences, paragraphs and sections of the ordinance shall
44 remain valid, constitutional, enforceable, and of full force and effect.

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46 Section Three: That this ordinance shall become effective immediately upon its adoption.

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48 BE IT ORDAINED by the City Council of East Point, this 19 day of
49 March, 2012.

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CITY OF EAST POINT, GEORGIA

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Earnestine D. Pittman

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Mayor

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Earnestine D. Pittman

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ATTEST:

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Agnes B. Gordiano

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Agnes Beltran, City Clerk

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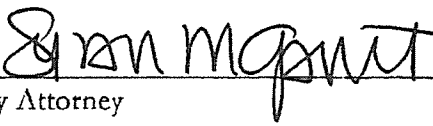
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APPROVED AS TO FORM:



City Attorney

**SCHEDULE OF CALCULATED RATES
CITY OF EAST POINT, GA
WATER SYSTEM**

	Number of ERU's	Adopted
<u>Base Charge:</u>		
Charge Per Meter Size Includes 3,000 gal usage		
3/4"	1.00	\$24.25
1"	2.50	\$43.03
1 1/2"	5.00	\$74.33
2"	8.00	\$111.89
3"	15.00	\$199.53
4"	25.00	\$324.73
6"	50.00	\$637.73
8"	80.00	\$1,013.33
 Multi-Family (per unit)		
3/4"	0.80	\$21.77
 <u>Volume Charge (per 1,000 gal):</u>		
4,000 gal - 7,000 gal		\$3.91
8,000 gal - 15,000 gal		\$4.89
16,000 gal+		\$6.84

3/26/12