



City of Fairburn Council Meeting- Zoom

October 11, 2021, at 7:00 pm

Dial (929) 205-6099

Meeting ID 770 964 2244

Electronic Device

<https://zoom.us/j/7709642244>

The Honorable Mayor Elizabeth Carr-Hurst, Presiding

The Honorable Mayor Pro-Tem Alex Heath
The Honorable Linda J. Davis
The Honorable Pat Pallend

The Honorable Hattie Portis-Jones
The Honorable Ulysses J. Smallwood
The Honorable James Whitmore

Mr. Randy Turner

City Attorney

I. Meeting Called to Order:

The Honorable Mayor Carr-Hurst

II. Roll Call:

Mrs. Deannia Ray
City Clerk

III. Invocation:

Bishop Aaron Lackey
Temple of Prayer Family Worship
Cathedral

IV. Adoption of City Council Minutes:

Councilmembers

September 27, 2021 - City Council Meeting Minutes (Zoom)

V. Adoption of the City Council Agenda:

Councilmembers

VI. Public Comments: Thirty (30) minutes shall be available for public comments. Each speaker shall be limited to three (3) minutes; however, a speaker may transfer his or her three (3) minutes to another speaker, but no speaker shall be permitted to speak for more than (6) minutes; further in the event, if more than ten (10) speakers desire to speak, each speaker shall be limited to two (2) minutes and no speaker may speak more than four (4) minutes. Issues raised at this time are generally referred to City Administration for review. Responses will be provided at a later date.

VII. Agenda Items:

1. Utilities

Mr. John Martin

For Mayor and Council to approve the 2022 annual subscription under supplemental power supply policy between Municipal Electric Authority of Georgia (MEAG) and the City of Fairburn.

2. Utilities

Mr. John Martin

For Mayor and Council to approve the Resolution for Amendment No. 3 to the Inter-Participant Contract (IPC) – Joint Purchasing service cost allocation among all members of Electric Cities of Georgia, Inc.

VIII. Council Comments

Councilmembers

IX. Executive Session

Litigation

X. Adjournment

Councilmembers

When an Executive Session is required, one will be called for the following issues:

(1) Personnel (2) Real Estate or (3) Litigation



City of Fairburn
Mayor and Council Meeting- Zoom
September 27, 2021
7:00 pm

- I. The meeting was called to order at 7:00 pm by the Honorable Mayor Elizabeth Carr-Hurst.
- II. Roll Call was taken by City Clerk, Deannia Ray with the following members present:

The Honorable Mayor Elizabeth Carr-Hurst
The Honorable Mayor Pro Tem Alex Heath The Honorable James Whitmore
The Honorable Pat Pallend The Honorable Hattie Portis-Jones
The Honorable Ulysses J. Smallwood The Honorable Linda J. Davis

The attendance of Council constituted a quorum and the meeting proceeded.

City Attorney Randy Turner was also in attendance.

The invocation was led by Mayor Pro Tem Alex Heath.

- III. Adoption of City Council Minutes:
Motion to approve the September 13, 2021, City Council Minutes (Zoom) was made by Mayor Pro Tem Heath and the second was provided by Councilman Smallwood.
Vote: 5-1: Motion Carried.
Motion to approve the September 13, 2021, Executive Session City Council Minutes was made by Councilman Whitmore and the second was provided by Mayor Pro Tem Heath.
Vote: 5-1: Motion Carried.
- IV. Mayor Carr-Hurst asked for a motion to amend the agenda to add the Georgia Cities Week Proclamation. Motion to approve amending the agenda was made by Councilman Whitmore and the second was provided by Councilwoman Davis.
Vote: 6-0: Motion Carried.
- V. The Proclamation recognizing Georgia Cities Week, October 3-9, 2021, was read by City Clerk, Deannia Ray. The schedule of events were discussed. A motion was made by Mayor Pro Tem Heath to approve the Proclamation as read. The second was provided by Councilwoman Davis.
Vote: 6-0: Motion Carried.

VI. **Public Hearing:**

1. **Finance Department**

Mr. Rodrique Taylor

To Set the 2021 Millage Rate at 8.100 for the City of Fairburn.

The motion to open the public hearing was made by Councilman Smallwood and the second was provided by Mayor Pro Tem Heath.
Vote: 6-0: Motion Carried.

Mayor Carr-Hurst stated that thirty (30) minutes has been allotted for the public hearing to discuss the 2021 Millage Rate. Fifteen (15) minutes for the City and fifteen (15) minutes for the public. First, the City of Fairburn presented.

Mr. Taylor stated that the City of Fairburn's Finance Department is announcing the 2021 millage rate at 8.1 for the City of Fairburn. Mr. Taylor discussed the millage rate had been set at 8.1 for the last five years. The exemptions have increased this year and typically those exemptions include the homestead exemptions, the Veteran's exemptions, and the Freeport exemptions. The Freeport exemption is based on an incentive program for Georgia counties offering manufacturing and warehouse companies an exemption for a certain period of time. He stated there was a decrease due to the exemptions, and the net levy percentage decreased by negative 22.79 from the previous year. Mr. Taylor is recommending that Mayor and City Council approve the 2021 millage rate at 8.1, the same as the previous year.

Mayor Carr-Hurst asked the City Clerk if there were any citizen comments. The clerk stated that she has not received any citizen comments.

Councilwoman Portis-Jones asked Mr. Taylor to explain to the Citizens even though the millage rate is unchanged, why have the taxes increased?

Mr. Taylor explained that in many cases, the property values have increased.

Councilwoman Davis stated that she has noticed other cities, particularly in the South Fulton area, that allow exemptions for their citizens, but Fairburn does not. After a brief discussion, Mr. Taylor advised the Mayor and Council that he would find out what type of exemptions are offered, how much and would distribute those findings to them.

Councilwoman Portis-Jones requested instructions on how to apply for these exemptions be added to the request.

Mayor Carr-Hurst asked for any questions or comments. There were none.

Motion to close the public hearing was made by Councilwoman Davis and the second was provided by Mayor Pro Tem Heath. Vote: 6-0: Motion Carried.

A motion was made by Councilman Smallwood to approve the 2021 millage rate at 8.10. A second was provided by Councilwoman Portis-Jones. Vote: 6-0: Motion Carried.

VII. **Public Comment:** There were no public comments.

VIII. **Agenda Items**

1. **Office of the Mayor**

Mayor Carr-Hurst

For Mayor and Council to appoint Mr. Gemorial Johnson to the East Point-Fairburn Housing Authority.

Mayor Carr-Hurst explained that East Point-Fairburn Housing Authority has had a vacancy about a year. The terms of the members are staggered four (4) year terms or until their successors are appointed.

The Mayor introduced Mr. Michael Spann, Director of East Point-Fairburn Housing Authority.

Mr. Spann stated that they were excited to bring candidate, Mr. Gemorial Johnson to Council tonight. Mr. Johnson is a very accomplished young man, and we are honored and privileged to

present him to the Fairburn City Council tonight for consideration for an appointment on the Board of Commissioners for the Fairburn Housing Authority. Mr. Gemorial Johnson is an experienced leader, non-profit manager, and education administrator. He also has an extensive background working in nonprofits, the Chick-fil-A Foundation, the Habitat for Humanity Foundation, and a number of successful volunteer activities.

Mr. Johnson thanked everyone and stated he was very excited about this opportunity to join the Board.

Motion to approve the appointment of Mr. Gemorial Johnson to the East Point-Fairburn Housing Authority was made by Mayor Pro Tem Heath and seconded by Councilman Whitmore.

Vote: 6-0: Motion Carried.

2. Planning & Zoning

Ms. Tarika Peeks

For Mayor and Council to approve the Highway 74 & Meadow Glen Parkway Final Plat.

Ms. Peeks explained that the applicant, Foresite Group, is requesting to subdivide the 9.511-acre parcel at the intersection of Highway 74/Senoia Road and Meadow Glen Parkway into three (3) tracts. The three (3) tracts will be subdivided as follows:

Tract #	Acreage
1	5.275
2	2.953
3	1.283

Mayor Pro Tem Heath asked if the property was being subdivided to sell smaller tracks. Ms. Peeks stated yes, they are in the process of developing this property and tract number one is an approved site for Tractor Supply, and they are in the land disturbance permit process. Tract numbers two and three are also on future site developments for commercial properties.

Councilwoman Portis-Jones asked if Ms. Peeks could share what was being proposed for track two and three. Ms. Peeks stated that on tract three, no future tenant has been proposed for that location but on tract two, we have received a conceptual plan for a Dollar General store. The conceptual plan has not been approved. After a brief discussion about having the same type of commercial proposals, Ms. Peeks stated that the Dollar General is in close proximity of the Family Dollar, but we do not have any ordinances in place to limit certain types or restrict certain types of commercial developments. The only thing we have in the regulations are for gas stations and fast-food restaurants with drive-thrus.

Councilwoman Portis-Jones showed some concern about the lot sizes and what businesses can and cannot be located at the site.

Councilwoman Davis and Councilman Smallwood also showed concern about Dollar General going there and wants to explore options on what can be done.

Attorney Randy Turner suggested Council to table this agenda item until the October 25th City Council meeting.

Councilwoman Portis-Jones made a motion to table this agenda item until the October 25th City Council meeting with research provided to Mayor and Council. The second was provided by Councilwoman Davis. Vote: 6-0: Motion Carried.

3. Finance Department

Mr. Rodrique Taylor

For Mayor and Council to adopt the proposed budget for fiscal year 2021 – 2022.

Mr. Taylor stated that the City of Fairburn's finance department has compiled the proposed budget for fiscal year 2021-2022. The fiscal year 2021 proposed budget totals \$59,623,418 which represents an overall increase of \$2,486,140 or 4% over the fiscal year 2020 adopted budget. The General Fund has a proposed budget of \$21,220,184 which represents an overall increase of \$3,409,119 or 16% increase from the prior year. Budgeted funds include General fund, Confiscated Drugs fund, American Rescue Act fund, Go Bond fund, TSPLOST fund, Water and Sewer fund, Storm Water fund, Water and Sewer Bond fund, Electric fund, Sanitation fund and Educational Complex fund. This budget includes increases for Community Outreach, holiday bonus pay including taxes, professional services, flex fuel vehicles, Juneteenth holiday and six percent (6%) salary increase for all eligible employees.

After a brief discussion concerning the Community Outreach, holiday bonus pay and the six percent salary increase to eligible employees, a motion as made by Councilwoman Portis-Jones to adopt the proposed budget for fiscal year 2021 – 2022 as presented. The second was provided by Mayor Pro Tem Heath.

Vote: 6-0: Motion Carried.

IX. Council Comments:

Mayor Pro Tem Heath stated he appreciates the people of our city, and they are able to work together very well and he appreciates that. Not too many cities are working together as we see on the news but there are greater things coming and he just can't wait to see them come.

Councilman Whitmore stated that he was glad to see that the Mayor and Council has approved another budget moving forward for the first of October. I'm really ecstatic about the opportunity to give our employees a 6% increase as well deserved.

Councilman Smallwood had no comment.

Councilwoman Portis-Jones had no comment.

Councilman Pallend had no comment.

Councilwoman Davis stated that she missed the last Council meeting and she's glad to be back and looking forward to all those great things that is in store for our citizens here in the City of Fairburn.

X. Executive Session – N/A

Mayors Comments:

Mayor Carr-Hurst stated that she saw some employees online at tonight's meeting and they're going to spread the news tomorrow that the bonus' have been approved and they are excited. The employees will get the increase on the first pay period in December so they will have time to spend it before Christmas. She wished everyone a safe week, to take care of yourselves and if you have not gotten the shot, please go get the shot.

XII. **Adjournment:** There was no motion to adjourn. The meeting ended at 7:56 pm.

Deannia Ray, City Clerk

Elizabeth Carr-Hurst, Mayor



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: APPROVAL OF THE 2022 ANNUAL SUBSCRIPTION UNDER SUPPLEMENTAL POWER SUPPLY POLICY BETWEEN MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA (MEAG) AND THE CITY OF FAIRBURN

(☒) AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: 10/04/2021 Work Session: Council Meeting: 10/11/2021

DEPARTMENT: Utilities (Electric)

BUDGET IMPACT: The budget impact will be included in the FY22 budget. The proposed expenditures will come out of the Electric Account (510-0000-53-1530).

PUBLIC HEARING? () Yes (☒) No

PURPOSE: For Mayor and Council to review and approve the 2022 Annual Subscription Under Supplemental Power Supply Policy between Municipal Electric Authority of Georgia (MEAG) and the City of Fairburn.

HISTORY: The City of Fairburn has authorized MEAG to aggregate all MEAG Participant nominations to adequately supply power that will be needed annually.

FACTS AND ISSUES: This is an annual agreement that the projections provided identify needs for both supplemental power and reserves. The supplemental power product reflects the value of capacity with energy priced at the hourly market, while the reserve capacity product is the capacity price only.

RECOMMENDED ACTION: Staff recommends that the Mayor and Council approve the 2022 Annual Subscription Under Supplemental Power Supply Policy between Municipal Electric Authority of Georgia (MEAG) and the City of Fairburn and authorize the Mayor to sign the agreement for the City of Fairburn.


Elizabeth Carr-Hurst, Mayor

To: *MEAG Power Participants*
From: *Roger Brand – Director of Bulk Power* *Roger Brand*
Date: *August 2, 2021*
Subject: *Annual Subscription for Supplemental Power*

The annual subscription process for supplemental power supply is now underway and we are providing information for your review and consideration. Attached is your ten-year supplemental power supply estimates based on the latest load forecast and the Year 2022 Annual Subscription Form for Supplemental Power.

After reviewing this information, please nominate your supplemental power supply alternative and return to MEAG Power by October 1, 2021. Please note that the Supplemental Power Supply Policy has been updated and approved by the MEAG Power Board to clarify the timing of responses and required actions. In order to provide time to complete all transactions and agreements the following schedule has been established:

- Release of information to Participants by Power Supply – Aug 1
- Receipt of Authorization Agreement form to MEAG – October 1
- Completion of Off-System purchase agreements – Dec. 31
- Completion of Inter-Participant Transfers – Jan. 15

Under the Revised Supplemental Power Policy there are four alternatives. The first alternative (i) is for a Participant to acquire the necessary resources itself. The second alternative (ii) is for a Participant to acquire the necessary resources itself through an Inter-Participant Transfer (IPT) Agreement [or off system purchase power contract]. The third alternative (iii) is to subscribe to one or more of the power supply products identified in the attached Nomination Form in specific amounts. TEA has estimated the price ranges for these products and are subject to change. However, we are providing this to you as a benchmark to assist in your decision making process. The fourth alternative (iv) is for a Participant to nominate MEAG Power to act as its agent to acquire the necessary resources to fulfill its supplemental power supply requirements.

Please note that the revision to the Supplemental Power Supply Policy also specifies that if a Participant Authorization Agreement form is not received by the October 1 deadline or a Participant that has elected the Annual Self-Supply option does not meet the deadline for acquisition of its supply needs, MEAG Power will acquire the Supplemental Bulk Power Supply resources on behalf of the Participant.

Per the Supplemental Power Supply Policy, the projections provided identify needs for both supplemental power and reserves. The supplemental power product reflects the value of capacity with energy priced at the hourly market, while the reserve capacity product is the capacity price only.

Participants who have excess capacity for supplemental supply and/or reserves may choose to offer the excess to deficit Participants at the rate specified in option five (v).

Please remember that each Participant is required to carry 15% capacity reserves. If the staff determines that a Participant is not carrying sufficient reserves, we have the responsibility to purchase reserves to fulfill the requirement. The costs would be allocated back to the Participants based on their shortfall of the reserve requirement.

Your regional manager will be in contact with you to discuss in more detail your particular power supply needs. If you have any questions about your nomination, please contact your regional manager, Tina Atchison at (770) 563-0586, or Curt Halstead at (770) 563-0396.

AUTHORIZATION AGREEMENT
Year 2022 Annual Subscription
Under Supplemental Power Supply Policy
between
Municipal Electric Authority of Georgia
and
City of Fairburn
(Participant)

In accordance with the MEAG Supplemental Power Supply Policy, the Undersigned Participant hereby elects to: (all Participants must elect one option and return)

- (i) _____ (Opt-out) Acquire the necessary resources for its Supplemental Power Supply Requirements itself;
- (ii) X (Annual Self Supply) acquires the necessary resources for its Supplemental Power Supply Requirements for the Power Supply year itself through an Inter-Participant Transfer (IPT) Agreement [or off system purchase power contract];
- (iii) _____ (Subscription) Subscribe to one or more of the power supply alternatives identified in the attached Nomination Form in specific amounts;
- (iv) _____ (Agent) Designate MEAG as its agent to nominate and acquire any combination of resources to optimize their Supplemental Power Supply Requirements. Please specify agency limitations if any, _____;

or

- (v) _____ Nominate my excess capacity for supplemental at \$15.38/kW-Yr plus the hourly energy market price or for reserves at \$9.54/kW-Yr at DP. Supplemental will be allocated first, then any remaining amounts will be allocated to reserves. Please specify amount and limitations if any, _____.

By executing this Authorization Agreement, Participant understands that MEAG will aggregate all MEAG Participant nominations and attempt to contract for the total amount of Participant supplemental power supply requirements nominated under this Annual Subscription. Participant also understands that MEAG will purchase the capacity necessary to ensure that system planning reserve requirements are met and assign this capacity for one or more years to those Participants deemed capacity deficient. Participant agrees that these reserve capacity purchases may be made at "market" prices from other Participants.

Participant agrees to and accepts the above nomination, this _____ day of _____, 2021.

Participant: _____

By: _____

_____,
Mayor or other authorized representative

Supplemental Supply Nomination Form

Participant

Product	Forecast Option/Capacity Price (\$/kW-Yr) @ DP		Forecast Energy Price (\$/MWh) @ DP		Participant Subscription (MW) @ DP	Comments
	Bud	High	Bud	High		
Energy Products						
Short Term (1 mo - 364 dy)						
3 Month 5x16 (Jun-Aug)			40.15	44.16		Firm Liquidated Damages, Low risk
3 Month 7x24 (Jun-Aug)			32.61	35.88		Firm Liquidated Damages, Low risk
Medium Term (1 - 5 yr)						
Annual 5x16 (2022)			39.22	43.14		
Annual 7x24 (2022)			32.75	36.03		Firm Liquidated Damages, Low risk
Capacity Products						
Reserve Capacity (Jun-Aug)	9.54	10.97				Purchased from other Participant or from off-system at no more than the high price
Supplemental Capacity (2022)	15.38	18.46	Hrly. Mkt. Price			Purchased from other Participant or from off-system at no more than the high price

Supplemental Needs
City of Fairburn
kW at Delivery Point

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Coincident Peak	22,911	23,413	23,720	23,907	24,025	24,105	24,158	24,207	24,255	24,303
Reserves	2,958	3,033	3,079	3,107	3,125	3,137	3,145	3,152	3,159	3,167
Requirements	25,869	26,446	26,799	27,014	27,150	27,242	27,303	27,359	27,414	27,470
Own Resources	-	-	-	-	-	-	-	-	-	-
Supplemental Purch	3,621	3,621	3,621	3,621	3,621	3,621	3,621	3,621	-	-
SEPA	1,755	1,755	1,755	1,755	1,755	1,755	1,755	1,755	1,755	1,755
Wansley CC	3,925	3,925	3,925	3,925	3,925	3,925	3,925	3,925	3,925	3,925
Wansley	1,519	-	-	-	-	-	-	-	-	-
Scherer	3,176	3,176	3,176	3,176	3,176	3,176	3,176	3,176	3,176	3,176
Hatch	1,718	1,718	1,718	1,718	1,718	1,718	1,718	1,718	1,718	1,718
Vogtle 1&2	2,696	2,696	2,696	2,696	2,696	2,696	2,696	2,696	2,696	2,696
Vogtle 3&4	1,561	3,121	3,121	3,121	3,121	3,121	3,121	3,121	3,121	3,121
Solar PPA	-	-	-	-	-	-	-	-	-	-
IPT/Other	-	-	-	-	-	-	-	-	-	-
Resources	19,972	20,013	20,013	20,013	20,013	20,013	20,013	20,013	16,392	16,392
Excess/(Deficit)	(5,897)	(6,433)	(6,786)	(7,001)	(7,137)	(7,229)	(7,290)	(7,345)	(11,023)	(11,078)
% Reserves	-12.9%	-14.7%	-15.9%	-16.6%	-17.0%	-17.3%	-17.5%	-17.7%	-34.0%	-34.1%
Deficit Reserve Capacity	(2,958)	(3,033)	(3,079)	(3,107)	(3,125)	(3,137)	(3,145)	(3,152)	(3,159)	(3,167)
Deficit Supplemental Capacity	(2,939)	(3,400)	(3,707)	(3,893)	(4,012)	(4,092)	(4,145)	(4,193)	(7,863)	(7,912)



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: APPROVAL OF THE RESOLUTION FOR AMENDMENT NO. 3 TO THE INTER-PARTICIPANT CONTRACT (IPC)-JOINT PURCHASING SERVICE COST ALLOCATION AMONG ALL MEMBERS OF ELECTRIC CITIES OF GEORGIA, INC.

☐ AGREEMENT
☐ ORDINANCE

☐ POLICY / DISCUSSION
☒ RESOLUTION

☐ CONTRACT
☐ OTHER

Submitted: 10/04/2021

Work Session:

Council Meeting: 10/11/2021

DEPARTMENT: Utilities (Electric)

BUDGET IMPACT: No budget impact

PUBLIC HEARING? ☐ Yes ☒ No

PURPOSE: For Mayor and Council to review and approve the Resolution for Amendment No. 3 to the Inter-Participant Contract (IPC)-Joint Purchasing service cost allocation among all members of Electric Cities of Georgia, Inc.

HISTORY: The City of Fairburn has used joint purchasing for power supplies and inventory needs. They have always been a valuable resource for competitive pricing for all ECG participants.

FACTS AND ISSUES: The purpose of the ECG Board's request is to revise the Joint Purchasing service cost allocation and remove the existing lower (2%) & higher (7.5%) cost "caps" of any single members fiscal years cost. This amendment will remove the "caps" and divide the costs equally among all members of Joint Purchasing. (See attached memo)

RECOMMENDED ACTION: Staff recommends that the Mayor and Council approve Amendment No. 3 to the Inter-Participant Contract (IPC)-Joint Purchasing service cost allocation among all members of Electric Cities of Georgia, Inc. and authorize the Mayor to sign the agreement for the City of Fairburn.


Elizabeth Carr-Hurst, Mayor

Deannia Ray

From: John Giles <JGiles@ecoga.org>
Sent: Monday, September 27, 2021 9:26 AM
To: Mayor Hurst; John Martin
Cc: Arika Birdsong-Miller; John Giles; Sabrina Milner; Brian Jaynes
Subject: Joint Purchasing
Attachments: IPC-Amendment-3-Joint-Purchasing-Resolution.doc; IPC-Amendment-3-signature-page.doc

Mayor,

The ECG Board is requesting a decision by the City of Fairburn to accept modifying the **Inter-Participant Contract (IPC) - Joint Purchasing** service cost allocation for our Fiscal Year 2023 (begins July 1, 2022) and beyond.

The existing IPC Joint Purchasing language is shown below, with the proposed Board revision shown in **"red"**. The purpose of the Board request is to revise the Joint Purchasing service cost allocation and remove the existing lower (2%) & higher (7.5%) cost "caps" of any single members fiscal years cost. This existing methodology has proven over time to be an obstacle in the appropriate cost allocation to Members. By removing the "caps", the Board believes the appropriate allocation of Joint Purchasing fiscal year service costs will be divided equally among all Members of Joint Purchasing. The tangible delivery of services and bidding information involved in Joint Purchasing is identical to all Members of the service. Therefore, the equal distribution of costs seems appropriate.

If the existing FY22 Budget had used this revised language, then the City of Fairburn Joint Purchasing Costs would have increased from \$6,883 to \$7,648...a \$765 increase...

If the City of Fairburn is in agreement, please approve and execute the attached Resolution and signatory page (which has the attached revised IPC Exhibit A-7). The signatory page must be signed by one of your ECG Authorized Officials (City Clerk or Mayor). Thanks and please let me know if you have any questions..

Giles

Proposed FY23 Revision

Exhibit A-7

Joint Purchasing (JP)

The Joint Purchasing ("JP") Service includes, among other things:

- Aggregating annual purchase needs across members for common utility inventory items,
- Aggregating purchase needs across members for larger, product-specific buys on a quarterly or as-needed basis (such as 3-phase transformers, large switchgear, etc.),
- Developing common standards and specifications for utility inventory items, and
- Developing the mechanism to buy/sell excess inventory.

ECG may add additional inventory and products from time to time. Purchase contracts for inventory and products are between a Participant and a contractor. ECG's JP Service includes bidding and other procurement and sales assistance only.

The Annual Costs of the JP Service shall be allocated to each Participant confirming its agreement to receive the JP Service for a Fiscal Year (together, the "JP Participants") based upon allocating Fiscal Year Costs to all JP Participants equally. ~~fixed charge determined by allocating the costs of such Service to each JP Participant based upon a formula reflecting each JP Participant's Net Kilowatt Hour Purchases as a percentage of the total Net Kilowatt Hour Purchases by all JP Participants; provided that the total annual amount to be paid by each such JP Participant shall be no less than 2 percent and no more than 7.5 percent of the estimated Annual Budget for the JP Service. Any costs not recovered as a result of the application of the maximum cap shall be reallocated to each JP Participant that has not reached the maximum cap based upon the foregoing formula, which process shall be repeated until all costs of the JP Service are allocated to JP Participants.~~ Over and under recoveries related to such Service shall be allocated on the same basis.



John Giles

President & CEO

o 770.563.1234 c 770.316.2827

e jgiles@ecoga.org w ecoga.org

1470 Riveredge Pkwy. NW | Atlanta, GA 30328



**RESOLUTION
CITY OF FAIRBURN**

APPROVING AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL PARTICIPANT
CONTRACT AMONG ALL MEMBERS RESPECTING PARTICIPATION IN ELECTRIC CITIES OF
GEORGIA, INC.; AND FOR OTHER PURPOSES

WHEREAS, all 52 political subdivisions or other governmental bodies owning or operating electric distribution systems in the State of Georgia (the "Participants"), including City of Fairburn (the "Participant"), caused to be formed Electric Cities of Georgia, Inc. ("ECG"), as successor to GMA's Electric Section, on September 2, 1992, in order to facilitate increased joint action among the Participants; and

WHEREAS, ECG is a Georgia nonprofit corporation under the Georgia Nonprofit Code, an instrumentality of the Participants under Section 115 of the Internal Revenue Code, and operates on a nonprofit basis on behalf of each of the Participants, having no purpose other than to benefit the Participants directly or through economies of scale, and all of its Annual Costs and benefits are shared and allocated among the Participants; and

WHEREAS, the 52 Participants have entered into an Intergovernmental Participant Contract, dated as of February 1, 2013 (the "Contract"), setting forth the terms of certain services to be provided by ECG on each of their behalf (the "Services"); and

WHEREAS, the Participants desire that certain amendments be made to the Contract respecting Exhibit A-7 – Joint Purchasing, and the Contract, pursuant to Section 403 thereof, may be amended with the written approval of 75% of the Participants that would be affected by such amendment ("Affected Participants") using the weighted vote methodology set forth in such section;

NOW, THEREFORE, be it resolved by the governing body of the Participant in a meeting duly assembled, and it is hereby resolved by authority thereof, as follows:

Section 1. The Participant hereby (1) approves each of the amendments provided for by that certain draft Amendment No. 3 to the Contract among the Participants in substantially the form attached hereto as Exhibit A (the "Amendment") and (2) approves and authorizes the execution and delivery of the Amendment. Such Amendment shall be executed by (the Participant "Authorized Official" for ECG activities), attested by the appropriate officer of the Participant, and shall have the Participant's seal affixed thereto, and shall be delivered to ECG on behalf of the other Participants. Execution of the Amendment as authorized herein shall be conclusive evidence of the Participant's approval thereof.

Section 2. The Participant hereby authorizes the Authorized Official to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLVED this ____ day of _____, 2021.

CITY OF FAIRBURN

MAYOR

Attest:

CITY CLERK

(SEAL)

IPC Amendment #3

Exhibit A-7

Joint Purchasing (JP)

The Joint Purchasing (“JP”) Service includes, among other things:

- Aggregating annual purchase needs across members for common utility inventory items,
- Aggregating purchase needs across members for larger, product-specific buys on a quarterly or as-needed basis (such as 3-phase transformers, large switchgear, etc.),
- Developing common standards and specifications for utility inventory items, and
- Developing the mechanism to buy/sell excess inventory.

ECG may add additional inventory and products from time to time. Purchase contracts for inventory and products are between a Participant and a contractor. ECG’s JP Service includes bidding and other procurement and sales assistance only.

The Annual Costs of the JP Service shall be allocated to each Participant confirming its agreement to receive the JP Service for a Fiscal Year (together, the “JP Participants”) based upon allocating Fiscal Year Costs to all JP Participants equally. Over and under recoveries related to such Service shall be allocated on the same basis.

PARTICIPANT: City of

Check the Blank Below to approve the attached hereto IPC Amendment #3 – Exhibit A-7

<hr/>	IPC Amendment #3 – Exhibit A-7
-------	--------------------------------

City of

By: _____

Print Name: _____

Print Title: _____

Attest: _____

Print Name: _____

Print Title: _____

(SEAL)

[SIGNATURE PAGE TO
AMENDMENT NO. 3 TO
INTERGOVERNMENTAL
PARTICIPANT CONTRACT]