

1 **A RESOLUTION TO APPROVE CONDUCTING A LOCAL RATE STUDY FOR**
2 **THE WATER BASINS IMPACTING SOUTH FULTON COUNTY; TO**
3 **DETERMINE IF ANY IMPROVEMENTS ARE NEEDED TO THE WATER AND**
4 **SEWER TREATMENT FACILITIES IN THE AREA; TO RATIFY ACTIONS**
5 **TAKEN BY THE STAFF; TO MANDATE THAT THE RESULTS OF THE STUDY**
6 **BE PRESENTED TO THE BOARD OF COMMISSIONERS FOR REVIEW AND**
7 **TO DETERMINE WHETHER A RATE INCREASE IS NEEDED TO SUPPORT**
8 **ANY RECOMMENDATIONS FROM THE STUDY; AND FOR OTHER PURPOSES.**
9

10 **WHEREAS**, counties in Georgia are delegated the authority to provide
11 sewer and water services in the Supplementary Powers provision of the Georgia
12 Constitution (Art. 9, § 2, ¶ III of the Georgia Constitution of 1983); and,

13 **WHEREAS**, Fulton County's authority to "prescribe, revise, and collect
14 rates, fees, tolls, or charges for the services..." is set out in O.C.G.A. § 36-82-62;
15 and,

16 **WHEREAS**, the Metropolitan North Georgia Water Planning District
17 ("MNGWPD") recommends to local governments in its Wastewater and Water
18 Management Plans that "...water rates should be based on a local rate study and
19 designed to provide a sufficient revenue stream to support program costs and
20 facility maintenance;" and,

21 **WHEREAS**, the Fulton County Public Works Department and the Fulton
22 County Finance Department, with the assistance of a professional consultant, desire
23 to conduct a local rate study to determine the short and long term needs for the
24 County's water and sewer system in the areas located in South Fulton County ("South
25 County System"); and

26 **WHEREAS**, a detailed analysis of the Fulton County Water and Sewer System
27 ("System") was conducted in 2015 to identify comprehensive capital improvement
28 projects needed for areas throughout the County for the purpose of providing
29 adequate and cost-effective water and sewer services to its existing and future

30 customers for the foreseeable time horizon; and

31 **WHEREAS**, in conjunction with this effort, the Public Works Department
32 presented, and the Fulton County Board of Commissioners approved, a detailed list of
33 capital improvements designated as the 2016 to 2025 Capital Improvement Program
34 (“Program”), which were necessary to meet the System needs at the time; and

35 **WHEREAS**, mayors of cities in South Fulton County have expressed a desire
36 to have a new local rate study performed which will address the short term and long
37 term water and sewer needs of South Fulton County as a result of the growth in this
38 area since the 2015 study was performed; and

39 **WHEREAS**, in order to meet the current and future water and sewer needs
40 of South Fulton County through 2026, and to sustain and improve the quality of health
41 for its citizens, the County must determine if any capital improvement projects are
42 needed, along with the proposed cost of the same, and the appropriate allocation of
43 those costs to both existing and future customers; and

44 **WHEREAS**, the Fulton County Board of Commissioners recognizes the need
45 for a local rate study to be performed in order to identify capital improvement projects
46 in South Fulton County that should be initiated in order to continue to sustain and
47 enhance the South County System along with the quality of life for all its citizens.

48 **NOW, THEREFORE BE IT RESOLVED**, that the Fulton County Board of
49 Commissioners hereby authorizes and approves initiating a local rate study for the
50 South County System.

51 **BE IT FURTHER RESOLVED**, that the County Manager is directed to initiate
52 the study and report any recommendations to the Board of Commissioners at the first
53 available meeting immediately after the recommendations are finalized.

54 **BE IT FURTHER RESOLVED**, that the Board of Commissioners shall review the

recommendations of the local rate study once they are presented to determine if a rate increase is warranted to support any proposed new capital improvements to the South Fulton System.

BE IT FURTHER RESOLVED, that any actions that the County Manager and the staff have already undertaken in furtherance of this effort are hereby ratified and approved.

BE IT FURTHER RESOLVED, that every effort should be taken to contact the mayors in South Fulton County and solicit their input into the process.

BE IT FINALLY RESOLVED, that this Resolution shall become effective when adopted, and that all resolutions and provisions of the Code of Laws in conflict with this Resolution are hereby repealed to the extent of the conflict.

PASSED AND ADOPTED, by the Board of Commissioners of Fulton County, Georgia the 4th day of December, 2019.

**FULTON COUNTY BOARD OF
COMMISSIONERS**

Robert L. Pitts, Chairman

ATTEST:

Tonya R. Grier
Interim Clerk to the Commission

APPROVED AS TO FORM:

Patrise Perkins-Hooker
County Attorney