

**January 26, 2023**  
**Item No. 7.2.**  
**Spring Fee Resolution Amendment**

**Sponsor:** Mary Ellen Leonard, Director of Fiscal Services

**Reviewed By CBC:** City Council

**Agenda Caption:** Presentation, discussion, and possible action on the First Amendment to Resolution No. 08-25-22-8.4, that adopts fees, rates and charges as provided by Chapter 2 “Administration”, Article V “Finance”, Division 2 “Fees, Rates and Charges” of the Code of Ordinances, City of College Station, Texas.

**Relationship to Strategic Goals:**

Good Governance  
Financial Sustainability  
Core Services & Infrastructure  
Neighborhood Integrity  
Diverse & Growing Economy  
Improving Mobility  
Sustainable City

**Recommendation(s):** Staff recommends the City Council approve the First Amendment to Resolution No. 08-25-22-8.4 to update certain sections and fees for Fiscal Year 2023.

**Summary:** All fees, rates and charges in the Code of Ordinances are adopted by resolution of the City Council as provided in Sec. 2-117 of the Code. On August 25, 2022, the Fiscal Year 2023 fees were adopted by Council. However, electric vehicle usage charges were not included as additional research was necessary. In addition, it is recommended that the electric rates be simplified by removing the summer / winter differential. Electric Vehicle Fast Charger rates and the summer / winter differential changes are included as part of this amendment. This First Amendment to Resolution No. 08-25-22-8.4 updates the affected sections, fees, rates and charges for Fiscal Year 2023.

While implementing configurations for the utility billing software upgrade, it was discovered that the calculation of late charges and penalties in the software is different than the current flat amount. In order to avoid costly change orders related to software customization, staff is recommending that Resolution No. 08-25-22-8.4 be amended to align with the software calculation. The change in calculation will go into effect when this First Amendment to Resolution No. 08-25-22-8.4 is passed.

**Budget & Financial Summary:** This change will not impact the budget.

**Attachments:**

1. FY 22-23 Fee Resolution 01.26.23 - Final (1)
2. FY 22-23 Fee Resolution 01.26.23 - redline

## RESOLUTION NO.

### FIRST AMENDMENT TO RESOLUTION NO. 08-25-22-8.4

**FIRST AMENDMENT TO RESOLUTION NO. 08-25-22-8.4 OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS (CITY), THAT ESTABLISHED FEES, RATES AND CHARGES AS AUTHORIZED IN CHAPTER 2 “ADMINISTRATION”, ART. V. “FINANCE”, DIV. 2 “FEES, RATES AND CHARGES” OF THE CODE OF ORDINANCES.**

**WHEREAS**, the Code of Ordinances, City of College Station, Texas contains substantially all ordinances compiled, adopted and approved by the College Station City Council; and

**WHEREAS**, Chapter 2 “Administration”, Art. V. “Finance”, Div. 2 “Fees, Rates and Charges” of the Code of Ordinances, City of College Station, Texas requires all fees, rates and charges be adopted by resolution; and

**WHEREAS**, on August 25, 2022, the City of College Station adopted Resolution No. 08-25-22-8.4 that established fees, rates and charges as authorized in Chapter 2 “Administration”, Art. V. “Finance”, Div. 2 “Fees, Rates and Charges” of the Code of Ordinances; and

**WHEREAS**, the City of College Station now wishes to amend certain sections of Resolution No. 08-25-22-8.4, as shown in this First Amendment to Resolution No. 08-25-22-8.4; now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:**

- PART 1:** That the City Council in Resolution No. 08-25-22-8.4 approved, authorized and established the fees, rates and charges as provided by Chapter 2 “Administration”, Art. V. “Finance”, Div. 2 “Fees, Rates and Charges” of the Code of Ordinances, City of College Station, Texas, and now needs to amend certain sections of Resolution No. 08-25-22-8.4, as shown in **Exhibit A, “Fees, Rates and Charges”**.
- PART 2:** That reference to a Chapter, Article, Division or Section in **Exhibit A, “Fees, Rates and Charges”** shall be considered a reference to the same Chapter, Article, Division or Section from the Code of Ordinances, City of College Station, Texas.
- PART 3:** That the City Council is only amending certain sections of Resolution No. 08-25-22-8.4, as shown in **Exhibit A, “Fees, Rates and Charges”**, and all other parts of said current resolution not expressly amended herein shall remain effective as of the date of its original passage.
- PART 4:** That this First Amendment to Resolution No. 08-25-22-8.4 shall become effective immediately after passage and approval.

**ADOPTED this 26<sup>th</sup> day of January, 2023.**

**ATTEST:**

\_\_\_\_\_  
**City Secretary**

**APPROVED:**

\_\_\_\_\_  
**City Attorney**

**APPROVED:**

\_\_\_\_\_  
**Mayor**

**EXHIBIT A**

**FEES, RATES AND CHARGES**

**CHAPTER 40: UTILITIES**

**1. Article I. In General**

**c. Sec. 40-11. Payment of bills.**

- i. All payments must be received by the Utility Customer Service Office on or before the due date to avoid late charges or penalties. Payments received after the due date are assessed a late charge or penalty equaling ten percent (10%) of the current monthly charges.

**3. Article III. Electric System**

**Division 2. Rate Schedules**

**a. Sec. 40-315. Electric Rate Schedule R (residential customers).**

- Rate:
  1. Service charge: **\$7.00** per month; plus
  2. Energy charge: **\$0.1187** per kWh for all kWh; plus
  3. Transmission Delivery Adjustment: **\$0.0166** per kWh.
- Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  1. 10% participation: **\$0.1192/kWh.**
  2. 50% participation: **\$0.1214/kWh.**
  3. 100% participation: **\$0.1242/kWh.**

**b. Sec. 40-316. Electric Rate Schedule R-1 (master metered residential units).**

- Rate:
  1. Service charge: **\$100** per month; plus
  2. Energy charge: **\$0.1187** per kWh for all kWh; plus
  3. Transmission Delivery Adjustment: **\$0.0166** per kWh.
- Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  1. 10% participation: **\$0.1192/kWh.**
  2. 50% participation: **\$0.1214/kWh.**
  3. 100% participation: **\$0.1242/kWh.**

**c. Sec. 40-317. Electric Rate Schedule SC (small commercial customers).**

- Rate:
  1. Service charge: **\$9.00** per month; plus
  2. Energy charge: First 1,000 kWh **\$0.1379** per kWh, **\$0.1032** per kWh for all kWh over 1000; plus
  3. Transmission Delivery Adjustment: **\$0.0166** per kWh.
- Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  1. 10% participation: First 1,000 kWh **\$0.1385**, **\$0.1037** all additional kWh.
  2. 50% participation: First 1,000 kWh **\$0.1407**, **\$0.1059** all additional kWh.
  3. 100% participation: First 1,000 kWh **\$0.1434**, **\$0.1087** all additional kWh.

**d. Sec. 40-318. Electric Rate Schedule LP-1 (medium commercial customers).**

- i. Rate:
  1. Service charge: **\$25.00** per month; plus
  2. Demand charge: **\$11.44** per kW of monthly billing demand; plus
  3. Energy charge: **\$0.0703** per kWh for all kWh; plus
  4. Transmission Delivery Adjustment: **\$0.0166** per kWh.
- ii. Minimum monthly charge. The minimum monthly charge under this rate schedule shall be the highest one of the following charges:
  1. **\$199.10** - per month, plus applicable transmission delivery adjustment on the kilowatt-hours used.
  2. The sum of service, demand and energy charges under the above rate, plus applicable transmission delivery adjustment on the kilowatt-hours used.
  3. The minimum monthly charge specified in the customer's service contract with the City, plus applicable transmission delivery adjustment on the kilowatt-hours used.
- iii. Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  1. 10% participation: **\$0.0708/kWh**.
  2. 50% participation: **\$0.0730/kWh**.
  3. 100% participation: **\$0.0758/kWh**.

**e. Sec. 40-319. Electric Rate Schedule LP-2 (large commercial).**

- i. Rate:
  1. Service charge: **\$75.00** per month; plus
  2. Demand charge: **\$11.44** per kW of monthly billing demand; plus
  3. Energy Charge: **\$0.0674** per kWh for all kWh; plus
  4. Transmission Delivery Adjustment: **\$0.0166** per kWh.
- ii. Minimum monthly charge. The minimum monthly charge under this rate schedule shall be the highest one of the following charges:
  1. **\$3,514.50** per month, plus applicable transmission delivery adjustment on the kilowatt-hours used.

2. The sum of service, demand and energy charges under the above rate, plus applicable transmission delivery adjustment on the kilowatt-hours used.
3. The minimum monthly charge specified in the customer's service contract with the City, plus applicable transmission delivery adjustment on the kilowatt-hours used.
- iii. The applicable rate schedule demand charges shall be replaced by the following on-peak/off-peak rates:
  1. On-peak demand charge: **\$7.32**; plus
  2. Off-peak demand charge: **\$4.13**.
- iv. Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  1. 10%: **\$0.0680/kWh**.
  2. 50%: **\$0.0702/kWh**.
  3. 100%: **\$0.0729/kWh**.

**f. Sec. 40-320. Electric rate Schedule LP-3 (industrial and institutional).**

- i. Rate:
  1. Service charge: **\$250.00** per month; plus
  2. Demand charge: **\$10.84** per kW of monthly billing demand; plus
  3. Energy charge: **\$0.0651** per kWh for all kWh; plus
  4. Transmission Delivery Adjustment: **\$0.0166** per kWh.
- ii. Minimum monthly charge. The minimum monthly charge under this rate schedule shall be the highest of the following charges:
  1. **\$16,538.34** per month, plus applicable transmission delivery adjustment on the kilowatt-hours used.
  2. The sum of service, demand and energy charges under the above rate, plus applicable transmission delivery adjustment on the kilowatt-hours used.
  3. The minimum monthly charge specified in the customer's service contract with the City, plus applicable transmission delivery adjustment on the kilowatt-hours used.
- iii. The applicable rate schedule demand charges shall be replaced by the on-peak/off-peak rates established in Section 2-117.
  1. On-Peak Demand Charge: **\$7.32**, plus
  2. Off-Peak Demand Charge: **\$4.13**
- iv. Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  1. 10% participation: **\$0.0657/kWh**.
  2. 50% participation: **\$0.0679/kWh**.
  3. 100% participation: **\$0.0706/kWh**.

**g. Sec. 40-321. Electric Rate Schedule SL (security lights).**

- i.** The rates per month per light are established in Section 2-117.
  - 1.** 100 Watt (or equivalent) **\$17.22.**
  - 2.** 200 Watt (or equivalent) **\$26.65.**
  - 3.** 400 Watt (or equivalent) **\$33.40.**

**h. Sec. 40-323. Electric Rate Schedule PQF.**

**i. Rate. The City will pay the QF producer for all power purchased at the following rates:**

- 1.** Capacity. No payment shall be made, except by separate firm power contract between the producer and the City.
- 2.** Energy. The metered output from the producer will be purchased at a rate equal to the average base wholesale kilowatt-hour energy cost for power paid by the City. This average base wholesale kilowatt-hour energy cost will be calculated based upon the past years average wholesale cost and will be updated once a year (in October) to update this value. In the event that the producer exercises the option to sell power to the City, there will be assessed, in addition to the minimum monthly bill requirements under the applicable service rate schedule, a customer service charge of **\$15.00** per month to cover costs realized for metering, billing, maintenance, administrative, and other expenses necessary to maintain service to the QF.

**i. Sec. 40-325. Electric Rate Schedule SRE.**

- i.** Rate. In a billing month after the retail customer receives approval to interconnect their on-site generating system to the City's electric distribution system, the customer will be billed:
  - 1.** Based upon their current electric service rate for the kilowatt-hours used from the City's electric distribution system. The excess kilowatt-hours that are passed back to the system from their on-site generation will be purchased at a rate equal to the average base wholesale kilowatt-hour energy cost for power paid by the City. This average base wholesale kilowatt-hour energy cost will be calculated based upon the past years average wholesale cost and will be updated once a year (in October) to update this value.
  - 2.** The calculated amount for the excess kilowatt-hours passed back to the system will be credited to the current balance of the retail customer's utility account. If a credit exists at any time on the account, the customer may request in writing a refund for the credit amount. If the customer closes the account with a credit remainder in their account, they will be refunded this amount.

**j. Sec. 40-326. Electric Rate Schedule EV (electric vehicle fast charger).**

**i. Rate:**

- 1. Service charge: \$75.00** per month; plus
- 2. Demand charge: \$11.44** per kW of monthly billing demand; plus
- 3. Energy Charge: \$0.0674** per kWh for all kWh; plus
- 4. Transmission Delivery Adjustment: \$0.0166** per kWh.

**ii. Minimum monthly charge.** The minimum monthly charge under this rate schedule shall be the highest one of the following charges:

- 1. \$3,514.50** per month, plus applicable transmission delivery adjustment on the kilowatt-hours used.
- 2. The sum of service, demand and energy charges under the above rate, plus applicable transmission delivery adjustment on the kilowatt-hours used.**
- 3. The minimum monthly charge specified in the customer's service contract with the City, plus applicable transmission delivery adjustment on the kilowatt-hours used.**

**iii. Wind Watts Wind Energy Rate:** This optional service is available to customers on a first come, first served basis subject to the available supply.

- 1. 10%: \$0.0680/kWh.**
- 2. 50%: \$0.0702/kWh.**
- 3. 100%: \$0.0729/kWh.**



**FIRST AMENDMENT TO RESOLUTION NO. 08-25-22-8.4**

**AFIRST AMENDMENT TO RESOLUTION NO. 08-25-22-8.4 OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS (CITY), ~~THAT ESTABLISHED~~ ~~THE~~ FEES, RATES AND CHARGES AS AUTHORIZED IN CHAPTER 2 “ADMINISTRATION”, ART. V. “FINANCE”, DIV. 2 “FEES, RATES AND CHARGES” OF THE CODE OF ORDINANCES; ~~AND REPEALING PRIOR FEES, RATES AND CHARGES FOUND RESOLUTIONS AND AMENDMENTS.~~**

**WHEREAS**, the Code of Ordinances, City of College Station, Texas contains substantially all ordinances compiled, adopted and approved by the College Station City Council; and

**WHEREAS**, Chapter 2 “Administration”, Art. V. “Finance”, Div. 2 “Fees, Rates and Charges” of the Code of Ordinances, City of College Station, Texas requires all fees, rates and charges be adopted by resolution; and

**WHEREAS**, on August 25, 2022, the City of College Station adopted Resolution No. 08-25-22-8.4 that established fees, rates and charges as authorized in Chapter 2 “Administration”, Art. V. “Finance”, Div. 2 “Fees, Rates and Charges” of the Code of Ordinances; and

**WHEREAS**, the City of College Station now wishes to amend certain sections of Resolution No. 08-25-22-8.4, as shown in this First Amendment to Resolution No. 08-25-22-8.4; now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:**

**PART 1:** That the City Council ~~has in Resolution No. 08-25-22-8.4~~ approved, authorized and established the fees, rates and charges as provided by Chapter 2 “Administration”, Art. V. “Finance”, Div. 2 “Fees, Rates and Charges” of the Code of Ordinances, City of College Station, Texas, and now needs to amend certain sections of Resolution No. 08-25-22-8.4, as shown in **Exhibit A, “Fees, Rates and Charges”**.

**PART 2:** That reference to a Chapter, Article, Division or Section in **Exhibit A, “Fees, Rates and Charges”** shall be considered a reference to the same Chapter, Article, Division or Section from the Code of Ordinances, City of College Station, Texas.

**PART 3:** That the City Council is only amending certain sections of Resolution No. 08-25-22-8.4, as shown in Exhibit A, “Fees, Rates and Charges”, and all other parts of said current resolution not expressly amended herein shall remain effective as of the date of its original passage.~~hereby repeals all prior resolutions and amendments establishing any fees, rates or charges as are established in Exhibit A, “Fees, Rates and Charges”.~~

**PART 4:** That this First Amendment to resolution Resolution No. 08-25-22-8.4 shall become effective immediately after passage and approval.

**ADOPTED** this 26<sup>th</sup> day of January, 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**City Secretary**

\_\_\_\_\_  
**Mayor**

**APPROVED:**

\_\_\_\_\_  
**City Attorney**

## **EXHIBIT A**

### **FEES, RATES AND CHARGES**

#### **CHAPTER 40: UTILITIES**

##### **1. Article I. In General**

###### **c. Sec. 40-11. Payment of bills.**

- ~~i. Payments must be received at the Utility Customer Service Office on or before the due date to avoid late charges. Payments received after the due date will be assessed a penalty equaling ten percent of the current monthly charges with a minimum charge of \$3.30.~~
- i. All payments must be received by the Utility Customer Service Office on or before the due date to avoid late charges or penalties. Payments received after the due date are assessed a late charge or penalty equaling ten percent (10%) of the current monthly charges.

##### **3. Article III. Electric System Division 2. Rate Schedules**

###### **a. Sec. 40-315. Electric Rate Schedule R (residential customers).**

- Rate:
  - 1. Service charge: \$7.00 per month; plus
  - 2. Energy charge: \$0.1187 per kWh for all kWh; ~~plus, except \$0.1136 per kWh for all kWh in the billing months of November through April;~~ plus
  - 3. Transmission Delivery Adjustment: \$0.0166 per kWh.
- Wind Watts Wind Energy Rate: This optional service is available to customers on a first come, first served basis subject to the available supply.
  - 1. 10% participation: ~~\$0.1192/-per kWh for all kWh, except \$0.1142 per kWh for all kWh in the billing months of November through April.~~
  - 2. 50% participation: ~~\$0.1214/-per kWh for all kWh, except \$0.1164 per kWh for all kWh in the billing months of November through April.~~
  - 3. 100% participation: ~~\$0.1242/-per kWh for all kWh, except \$0.1191 per kWh for all kWh in the billing months of November through April.~~

###### **b. Sec. 40-316. Electric Rate Schedule R-1 (master metered residential units).**

- Rate:
  - 1. Service charge: \$100 per month; plus
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3. Transmission Delivery Adjustment: **\$0.0166** per kWh.
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- d. **Sec. 40-318. Electric Rate Schedule LP-1 (medium commercial customers).**
- i. Rate:
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  - ii. Minimum monthly charge. The minimum monthly charge under this rate schedule shall be the highest one of the following charges:
    1. **\$199.10** - per month, plus applicable transmission delivery adjustment on the kilowatt-hours used.
    2. The sum of service, demand and energy charges under the above rate, plus applicable transmission delivery adjustment on the kilowatt-hours used.
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  1. **\$3,514.50** per month, plus applicable transmission delivery adjustment on the kilowatt-hours used.
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