

A SUBSTITUTE RESOLUTION BY

CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR OR HER DESIGNEE TO BEGIN THE PROCESS OF ESTABLISHING A STORMWATER MANAGEMENT UTILITY IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, the Department of Public Works conducted a preliminary study in 1990 that indicated a substantial need for stormwater drainage system capital improvements; and

WHEREAS, studies and comments received from the public indicate that the public views stormwater drainage as a concern affecting their property values, individual safety and the general quality of life; and

WHEREAS, the Federal Clean Water Act as amended by the Water Quality Act of 1987 (33 U.S.C.A. § 1251 et seq.) and rules promulgated by the United States Environmental Protection Agency pursuant to the Act place increased emphasis on the role of local governments in developing, implementing, conducting and funding stormwater management programs; and

WHEREAS, the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20 et seq., requires the City to eliminate, treat and/or control combined sewer overflows; and

WHEREAS, in recent years, the City has been forced to pay fines imposed, at least in part, as a result of the inability of the City's combined sewer overflow system to handle large amounts of stormwater runoff during significant rainfall events; and

WHEREAS, it was contemplated in the announcement of the Clean Water Atlanta program in October 2002 that a stormwater utility would be enacted in 2003; and

WHEREAS, the Clean Water Atlanta program has identified a need to address stormwater flows in the City of Atlanta; and

WHEREAS, the capital needs as well as the staffing needs for a stormwater management program are not currently available within the Department of Watershed Management to develop a stormwater management program; and

WHEREAS, an effective and defensible stormwater management program should be the result of sound professional engineering and financial analysis to determine the needs, goals, program priorities and funding opportunities connected with the establishment of the stormwater management utility and the stormwater management program.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA; that the Mayor or her designee is authorized to immediately begin the process of

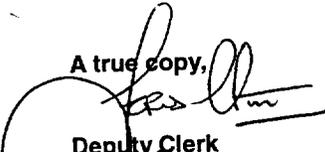


establishing a legally sound and defensible stormwater management utility within the City of Atlanta; and

BE IT FURTHER RESOLVED, that the Mayor or her designee is authorized to solicit funds from the business community to acquire the consultants necessary to develop a legally sound and defensible stormwater utility management program with responsibilities for regulation and enforcement, planning and engineering, operation, maintenance and administration; and

BE IT FURTHER RESOLVED, that the Mayor or her designee report to the City Utilities Committee on a quarterly basis, beginning February 2004, as to the progress being made to enact a stormwater utility by December 2004;

AND FINALLY, BE IT FURTHER RESOLVED that all resolutions in conflict herewith are hereby waived.

A true copy,

Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JAN 20, 2004

JAN 29, 2004

RCS# 5345
1/20/04
1:36 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-7 EXCEPT: 03-O-1954
03-O-2109
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	B Boazman	NV Woolard

CONSENT I

1-20-4 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
<ol style="list-style-type: none"> 1. 04-O-0050 2. 04-O-0042 3. 03-O-2170 4. 03-O-1185 5. 03-O-2179 6. 03-O-0318 7. 04-R-0046 8. 04-R-0054 9. 04-R-0063 10. 04-R-0064 11. 04-R-0065 12. 03-R-0034 13. 03-R-2216 14. 04-R-0036 15. 04-R-0038 16. 04-R-0001 17. 04-R-0002 18. 04-R-0003 19. 04-R-0004 20. 04-R-0005 21. 04-R-0006 	<ol style="list-style-type: none"> 22. 04-R-0007 23. 04-R-0008 24. 04-R-0009 25. 04-R-0010 26. 04-R-0011 27. 04-R-0012 28. 04-R-0013 29. 04-R-0014 30. 04-R-0015 31. 04-R-0016 32. 04-R-0017 33. 04-R-0018 34. 04-R-0019 35. 04-R-0020 36. 04-R-0021 37. 04-R-0022 38. 04-R-0023 39. 04-R-0024 40. 04-R-0025 41. 04-R-0026 42. 04-R-0027 43. 04-R-0028 44. 04-R-0029

(Do Not Write Above This Line)

04-R-0054

A RESOLUTION BY

COUNCIL MEMBERS
DERRICK BOAZMAN,
JIM MADDOX, C.T.
MARTIN, MARY
NORWOOD, AND IVORY
LEE YOUNG, JR.

AUTHORIZING THE
MAYOR OR HER
DESIGNEE TO BEGIN
THE PROCESS OF
ESTABLISHING A
STORMWATER
MANAGEMENT UTILITY
IN THE CITY OF
ATLANTA; AND FOR
OTHER PURPOSES.

SUBSTITUTE

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 1/5/04

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

City Utilities

JAN 13, 2004

Howard Chaffin

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Handwritten signatures]

[Handwritten signatures]

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

ADOPTED BY

JAN 20 2004

COUNCIL

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED

JAN 20 2004

CERTIFIED

JAN 20 2004

Rick Burdette
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 29 2004

WITHOUT SIGNATURE
BY OPERATION OF LAW