



CITY UTILITIES COMMITTEE
REGULAR COMMITTEE MEETING
 ~Minutes~

Atlanta City Hall
 55 Trinity Ave.
 Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
 The Honorable Natalyn Mosby Archibong

Santana Kempson Wright
 (404) 330-6579
skempson@atlantaga.gov

Tuesday, October 28, 2014

9:30 AM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **City Utilities Committee** was held on **Tuesday, October 28, 2014**, at **9:38 AM** in **Committee Room 2**. The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Natalyn Mosby Archibong	Chair	Present	10:38 AM
Ivory Lee Young Jr.	Vice Chair	Present	10:38 AM
Yolanda Adrean	Councilmember, District 8	Present	10:38 AM
Andre Dickens	Councilmember Post 3 At-Large	Present	10:38 AM
Joyce Sheperd	Councilmember, District 12	Present	10:38 AM
Howard Shook	Councilmember, District 7	Present	10:38 AM
Alex Wan	Councilmember, District 6	Present	10:38 AM

Others in Attendance:

Councilmembers C. T. Martin and Mary Norwood; Karen Thomas, Stefanie Grant, Marc Goncher, Renee Shepherd and Patrick McShane, **Law Department**; Commissioner Richard Mendoza, Rita Braswell and Rodney Givens, **Department of Public Works**; Commissioner JoAnn Marcina, Deputy Commissioners Mohammed Balla and Frank Stephens, Maisha Land Wood and Oz Hill, **Department of Watershed Management**; Cheryl Glenn-Snooks, **Office of Enterprise Assets Management**; Katrina Taylor Parks, **Office of the Mayor**; members of the public, press and Council Staff.

C. ADOPTION OF AGENDA – ADOPTED

D. APPROVAL OF MINUTES – APPROVED

E. PUBLIC COMMENTS PERTAINING TO ITEMS ON THE AGENDA (3 MINUTES)

BROTHER ANTHONY MUHAMMAD, PUBLIC SPEAKER

F. PRESENTATIONS

1. Quarterly Reviews
 - a. Department of Watershed Management – Commissioner JoAnn Macrina
 - b. Department of Public Works - Commissioner Richard Mendoza

CONSENT

G. ORDINANCES FOR FIRST READING

14-O-1537 (1) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 (2009A WATER AND WASTEWATER BOND (5066)) BUDGET IN THE AMOUNT OF TWENTY-EIGHT MILLION, SEVEN HUNDRED THIRTY-FIVE THOUSAND, SIX HUNDRED FORTY DOLLARS AND SEVENTY-TWO CENTS (\$28,735,640.72); TO TRANSFER FUNDS FROM REALIGNED, POSTPONED OR DISCONTINUED PROJECTS TO THE CAPITAL PROJECTS RESERVE FOR APPROPRIATIONS; AND FOR OTHER PURPOSES.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

14-O-1538 (2) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 DWM 2001 BOND (5057) BUDGET IN THE AMOUNT OF TEN MILLION, NINE HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED DOLLARS AND NINETY-EIGHT CENTS (\$10,995,100.98) TO TRANSFER FUNDS FROM REALIGNED, POSTPONED OR DISCONTINUED PROJECTS TO THE CAPITAL PROJECTS RESERVE FOR APPROPRIATIONS; AND FOR OTHER PURPOSES.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

14-O-1539 (3) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIFTEEN MILLION DOLLARS AND ZERO CENTS (\$15,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR SEWER CAPACITY RELIEF - VARIOUS PROJECTS; AND FOR OTHER PURPOSES.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

14-O-1540 (4) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE HUNDRED SEVENTY-THREE THOUSAND, FOUR HUNDRED THIRTY-TWO DOLLARS AND ZERO CENTS (\$173,432.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE BELLWOOD WATER STORAGE FACILITY PROJECT; AND FOR OTHER PURPOSES.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

H. ORDINANCES FOR SECOND READING

14-O-1492 (5) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE DOCUMENTS THAT WOULD GRANT A UTILITY EASEMENT TO ZAYO GROUP, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND CBeyond COMMUNICATIONS, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR A FEE OF THREE THOUSAND DOLLARS (\$3,000.00) ON AND ACROSS A PORTION OF PROPERTY OWNED BY THE CITY OF ATLANTA, LOCATED IN LAND LOT 85 OF THE 14TH LAND DISTRICT OF FULTON COUNTY, GEORGIA WITH AN ADDRESS OF 477 WINDSOR STREET, SW, ATLANTA, GEORGIA, TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND REPLACE NEEDED CONDUITS AND ANY OTHER NEEDED FACILITIES TO PROVIDE COMMUNICATION SERVICES; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

CHERYL GLENN-SNOOKS, OEAM

14-O-1493 (6) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWELVE MILLION DOLLARS AND ZERO CENTS (\$12,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE RM CLAYTON WRC NUTRIENT HARVESTING PROJECT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

Frank Stephens, DWM

I. RESOLUTIONS

14-R-4307 (7) A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN AS SUBSTITUTED AND AMENDED BY CITY UTILITIES COMMITTEE REQUESTING THAT THE CITY AUDITOR ENGAGE AN INDEPENDENT FIRM TO PERFORM A 100% COUNT OF ALL DEPARTMENT OF WATERSHED INVENTORY; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE AS AMENDED

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

14-R-4308 (8) A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN AS SUBSTITUTED BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO ATLANTA SERVICES GROUP, A JOINT VENTURE FOR FC-4906B DESIGN AND ENGINEERING SERVICES FOR SIDEWALKS ON THE EAST SIDE OF HOWELL MILL ROAD, NW FROM WOODLEY DRIVE TO NORFLEET ROAD ON THE BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED SEVENTY-SEVEN THOUSAND, FIVE-HUNDRED EIGHTY DOLLARS AND NO CENTS (\$77,580.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

14-R-4329 (9) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING RENEWAL NO. 2 WITH A & D PAINTING, INC. FOR FC-5213, ANNUAL CONTRACT FOR PAINTING AND PRESSURE WASHING SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT FOR TIME ONLY; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON CONDITION

AYES: Archibong, Young, Jr., Adrean, Dickens, Sheperd, Shook, Wan

J. PAPERS HELD IN COMMITTEE

14-O-1025 (10) AN ORDINANCE BY COUNCILMEMBERS JOYCE SHEPERD, HOWARD SHOOK, C. T. MARTIN AND FELICIA A. MOORE AS SUBSTITUTED (#2) AND AMENDED BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 2 (“ADMINISTRATION”), ARTICLE XVI (“BOARDS, COUNCILS, COMMISSIONS AND AUTHORITIES”), DIVISION 2 (“CLEAN CITY COMMISSION”) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO RENAME DIVISION 2 FROM THE CLEAN CITY COMMISSION TO THE KEEP ATLANTA BEAUTIFUL COMMISSION; TO PLACE KEEP ATLANTA BEAUTIFUL UNDER THE PURVIEW OF THE DEPARTMENT OF PUBLIC WORKS; TO DIRECT KEEP ATLANTA BEAUTIFUL TO PROVIDE THE CITY COUNCIL ON A BI-ANNUAL BASIS A PERFORMANCE AUDIT OF ALL ACTIVITIES; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE (#2) ON CONDITION

AYES: Young Jr., Adrean, Dickens, Sheperd, Shook, Wan

ABSTAIN: Archibong

14-O-1240 (11) AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 138, ARTICLE IV, SECTIONS 138-76 AND 138-96, AND APPENDIX B, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO INCREASE RESIDENTIAL SIDEWALK INSTALLATION FEES WHEN THE CITY OF ATLANTA DIRECTLY PROVIDES THE INSTALLATION SERVICES; AND FOR OTHER PURPOSES. **(Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)**

RESULT: HELD IN COMMITTEE

14-O-1241 (12) AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 130, (“SOLID WASTE MANAGEMENT”), ARTICLE II, (“MUNICIPAL COLLECTION AND DISPOSAL SYSTEM”), DIVISION 1, (“GENERALLY”) AT SECTION 130-44 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH A PERMITTING SYSTEM FOR COMMERCIAL SOLID WASTE COLLECTION AND HAULING SERVICES BY PRIVATE SERVICE PROVIDERS WITHIN THE CITY OF ATLANTA; TO IMPOSE APPLICATION FEES, PERMIT FEES AND INFRASTRUCTURE MAINTENANCE FEES; TO ESTABLISH WASTE STREAM REPORTING REQUIREMENTS; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES. **(Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)**

RESULT: HELD IN COMMITTEE

14-O-1242 (13) AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 138, “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES”, ARTICLE III, “CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY”, AT SECTION 138-69 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH A PAVEMENT DEGRADATION RECOVERY FEE TO BE CHARGED TO THE APPLICANT FOR CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY PERMITS; AND FOR OTHER PURPOSES. **(Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)**

RESULT: HELD IN COMMITTEE

14-O-1361 (14) AN ORDINANCE BY COUNCILMEMBERS MARY NORWOOD, YOLANDA ADREAN, HOWARD SHOOK, CARLA SMITH, NATALYN ARCHIBONG, KEISHA LANCE BOTTOMS, MICHAEL J. BOND, IVORY L. YOUNG, JR. AND ANDRE DICKENS AS SUBSTITUTED (#2) BY CITY UTILITIES COMMITTEE AMENDING PART 2, CHAPTER 138, ARTICLE 1, SECTION 138-14(B) AND PART 2, CHAPTER 138, ARTICLE 1, SECTION 138-14(D) TITLED “MAINTENANCE OF SIDEWALK AREA”; TO AMEND PART 2, CHAPTER 138, ARTICLE 4, SECTION 138-103 TITLED “INSPECTION AND REPAIR OF SIDEWALKS”; TO EXEMPT SINGLE FAMILY RESIDENCES (R-1 THROUGH R-5); AND FOR OTHER PURPOSES. **(Substituted and held 7/15/14) (Work session held 9/17/14) (Substituted (#2) and held 10/28/14)**

RESULT: HELD IN COMMITTEE

COUNCILMEMBER MARY NORWOOD, POST 1 AT LARGE
COUNCILMEMBER C. T. MARTIN, DISTRICT 9
COMMISSIONER RICHARD MENDOZA, DPW
KATRINA TAYLOR PARKS, MAYOR'S OFFICE
STEFANIE GRANT, LAW DEPARTMENT
BROTHER ANTHONY MUHAMMAD, PUBLIC SPEAKER

14-O-1392 (15) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF EIGHT MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND THREE HUNDRED NINETY-SIX DOLLARS AND ZERO CENTS (\$8,425,396.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE R. M. CLAYTON COMPLIANCE UPGRADES III DESIGN SERVICES PROJECT; AND FOR OTHER PURPOSES. **(Held 8/26/14 at the request of the Department)**

RESULT: HELD IN COMMITTEE

14-O-1460 (16) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FOUR HUNDRED EIGHTY-THREE THOUSAND, FIVE HUNDRED EIGHTY-TWO DOLLARS AND ZERO CENTS (\$483,582.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE HEMPHILL RESERVOIR NO. 1 EMBANKMENT REPAIR PROJECT; AND FOR OTHER PURPOSES. **(Held 9/23/14 at the request of the Department)**

RESULT: HELD IN COMMITTEE

14-R-4237 (17) A RESOLUTION BY COUNCILMEMBER NATALYN ARCHIBONG TO AUTHORIZE PAYMENT OF STIPULATED PENALTIES IMPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY ("EPA") AND THE ENVIRONMENTAL PROTECTION DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF GEORGIA ("EPD") IN THE AMOUNT OF \$_____ AS STIPULATED PENALTIES FOR THE VIOLATION OF CSO FECAL COLIFORM OPERATIONAL STANDARDS _____ PURSUANT TO THE CSO CONSENT DECREE, CIVIL ACTION FILE NO. 1:95-CV-2550-TWT; TO IDENTIFY THE SOURCE OF FUNDING; AND FOR OTHER PURPOSES.

RESULT: HELD IN COMMITTEE

K. REQUESTED ITEMS

2/28/14

1. The Commissioner of Watershed Management will brief the Chair every two weeks on the Department's Implementation of Measures required by the Department of Homeland Security per Full Council Amendment to Ordinance 14-O-1064 on 2/3/14.

5/13/14

2. The Department of Watershed Management is to review the Tiered structure of the water usage chart to see if it is equitable to all rate payers.

5/27/14

3. Councilmember Wan requested a summary report from the NPUs on Legislation Items 14-O-1240, 14-O-1241 and 14-O-1242.

6/24/14

4. Councilmember Natalyn Archibong made a request to receive updates on the Proctor Creek Program.
5. Councilmember Archibong requested an update on The Sidewalk Pilot Program using other material (recycled rubber) for sidewalks in Candler Park and Lake Claire.
6. Councilmember Shook requested a report on the steps that are being made to recoup funds from the BeltLine to the Department of Watershed Management.
 - a. How much money does the Beltline owe the Department of Watershed Management as it relates to the Bellwood Quarry?
7. The members of the City Utilities Committee made the following request:
 - a. Get with Mrs. Berg of the Sidewalk Task Force and provide a breakdown of the \$6,000.00 average sidewalk repair cost mentioned in her presentation. - DPW
 - b. How much has the city spent on bike lanes in the City of Atlanta? DPW

9/9/14

8. Councilmember Adrean requested the Department of Watershed Management provide a finance plan from the September 4, 2014 Work Session and a copy of the framework that will pay for the Capital Improvement Projects.
9. Councilmember Sheperd requested the Department of Public Works provide a Comprehensive Communication Plan for the Bond Referendum.

10/14/14

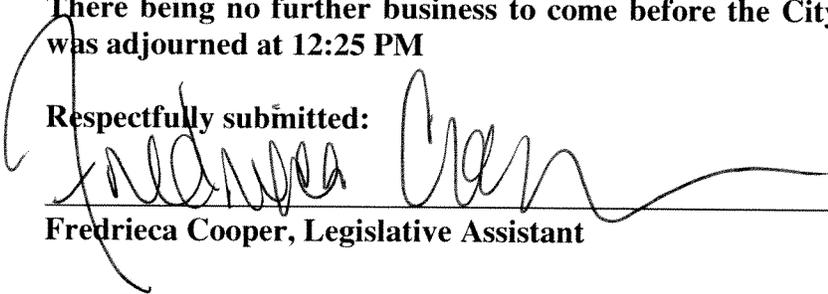
10. Councilmember Sheperd requested Staff to schedule a tour of the People TV Studio.

L. COMMENTS FROM THE PUBLIC (2 MINUTES)

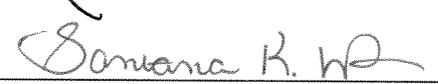
BROTHER ANTHONY MUHAMMAD, PUBLIC SPEAKER
RON SHAKIR, PUBLIC SPEAKER

There being no further business to come before the City Utilities Committee the meeting was adjourned at 12:25 PM

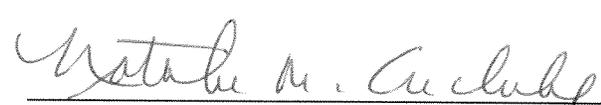
Respectfully submitted:



Fredrieca Cooper, Legislative Assistant



Santana Kempson Wright, Research & Policy Analyst



The Honorable Natalyn Mosby Archibong, Chair