



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

Monday, November 10, 2014

9:30 AM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **City Utilities Committee** was held on **Monday, November 10, 2014**, at **9:34 AM** in **Committee Room 2**. The following members were present:

B. INTRODUCTION OF MEMBERS

| Attendee Name | Title | Status | Arrived |
|-------------------------|-------------------------------|---------------|----------------|
| Natalyn Mosby Archibong | Chair | Present | 9:33 AM |
| Ivory Lee Young Jr. | Vice Chair | Present | 9:39 AM |
| Yolanda Adrean | Councilmember, District 8 | Present | 9:34 AM |
| Andre Dickens | Councilmember Post 3 At-Large | Present | 9:34 AM |
| Joyce Sheperd | Councilmember, District 12 | Present | 9:47 AM |
| Howard Shook | Councilmember, District 7 | Present | 9:38 AM |
| Alex Wan | Councilmember, District 6 | Present | 9:29 AM |

Others in Attendance:

Councilmember C. T. Martin; Stefanie Grant, Marc Goncher and Patrick McShane, **Law Department**; Commissioner Richard Mendoza, Rita Braswell and Rodney Givens, **Department of Public Works**; Deputy Commissioners Mohamed Balla, Margaret Tanner and Frank Stephens, Maisha Land Wood, **Department of Watershed Management**; Katrina Taylor Parks, **Office of the Mayor**; members of the public, press and Council Staff.

C. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD ONE RESOLUTION

D. APPROVAL OF MINUTES – APPROVED

E. STATUS REPORT

MLK CORRIDOR UPDATE - DEPARTMENT OF PUBLIC WORKS, COMMISSIONER RICHARD MENDOZA

F. COMMUNICATION

14-C-5124 (1) A COMMUNICATION BY COUNCILMEMBERS MARY NORWOOD, POST 2 AT-LARGE, NATALYN M. ARCHIBONG, DISTRICT 5, ALEX WAN, DISTRICT 6, HOWARD SHOOK, DISTRICT 7 AND YOLANDA ADREAN, DISTRICT 8 SUBMITTING THE APPOINTMENT OF MATT ALTMAN FOR CONSIDERATION TO SERVE AS A MEMBER OF THE PEOPLE TV BOARD OF DIRECTORS. THIS APPOINTMENT IS FOR A TERM OF TWO (2) YEARS SCHEDULED TO BEGIN ON THE DATE OF COUNCIL CONFIRMATION. **(Held 11/10/14 waiting for the Appointee to appear before the committee)**
RESULT: HELD IN COMMITTEE

G. ORDINANCES FOR SECOND READING

14-O-1537 (2) A SUBSTITUTE ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 BUDGET 2009A WATER AND WASTEWATER BOND (5066) BUDGET, IN THE AMOUNT OF TWENTY-NINE MILLION, ONE HUNDRED FIFTY-THREE THOUSAND, FIVE HUNDRED TWENTY-TWO DOLLARS AND EIGHTY-FIVE CENTS (\$29,153,522.85) TO TRANSFER FUNDS FROM REALIGNED, POSTPONED OR DISCONTINUED PROJECTS TO THE CAPITAL PROJECTS RESERVE FOR APPROPRIATIONS; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE ON CONDITION

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

MOHAMED BALLA, DWM

14-O-1538 (3) A SUBSTITUTE ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 BUDGET DWM 2001 BOND (5057) BUDGET, IN THE AMOUNT OF TEN MILLION, NINE HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED ONE DOLLARS AND FIFTY-THREE CENTS (\$10,995,101.53) TO TRANSFER FUNDS FROM REALIGNED, POSTPONED OR DISCONTINUED PROJECTS TO THE CAPITAL PROJECTS RESERVE FOR APPROPRIATIONS; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE ON CONDITION

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

MOHAMED BALLA, DWM

14-O-1539 (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 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.

RESULT: FAVORABLE

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

FRANK STEPHENS, DWM

14-O-1540 (5) 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.

RESULT: FAVORABLE

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

MARGARET TANNER, DWM

H. RESOLUTIONS

14-R-4380 (6) A RESOLUTION BY COUNCILMEMBERS C. T. MARTIN AND KEISHA LANCE BOTTOMS AS SUBSTITUTED BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NUMBER 2 FOR FC-5683A, CITYWIDE DEMOLITION CONTRACT FOR DEMOLITION SERVICES WITH KISSBERG CONSTRUCTION, INC. TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS A USER, IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND EIGHT HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$20,850.00); 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, Shook, Wan

ABSENT: Sheperd

COMMISSIONER RICHARD MENDOZA, DPW

14-R-4389 (7) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A POLE ATTACHMENT AGREEMENT WITH CROWN CASTLE NG EAST, LLC, TO PROVIDE TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHTS-OF-WAY INCLUDING APPROVED CITY OWNED STREETLIGHTS AND STREET POLES; SPECIFYING THE COMPENSATION DUE THE CITY OF ATLANTA BY THE AGREEMENT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

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

ABSENT: Sheperd

COMMISSIONER RICHARD MENDOZA, DPW

14-R-4390 (8) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR A RIGHT-OF-WAY ENCROACHMENT ("ENCROACHMENT AGREEMENT") WITH WATERS EDGE GROUP, INC., OWNERS OF REAL PROPERTY LOCATED AT 680 DREWRY STREET, NE LOCATED IN LAND LOT 17 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, FOR THE PURPOSE OF CONSTRUCTING A TEMPORARY RETAINING WALL SYSTEM IN THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

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

ABSENT: Sheperd

COMMISSIONER RICHARD MENDOZA, DPW

14-R-4391 (9) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BGR, A JOINT VENTURE FOR FC-4906C, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR ARCHITECTURAL AND DESIGN SERVICES FOR THE RM CLAYTON COMPLIANCE UPGRADES III DESIGN SERVICES PROJECTS IN AN AMOUNT NOT TO EXCEED EIGHT MILLION, FOUR HUNDRED TWENTY-SIX THOUSAND, ONE HUNDRED THIRTY-SIX DOLLARS AND ZERO CENTS (\$8,426,136.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER R&E FUND) 170204 (DWM TREATMENT PLANT—RM CLAYTON) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4335000 (SEWAGE TREATMENT PLANTS) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111674 (RM CLAYTON COMPLIANCE UPGRADES III PROJECTS) 102 (DESIGN SERVICES) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

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

FRANK STEPHENS, DWM

I. PAPERS HELD IN COMMITTEE

14-O-1240 (10) - 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 (11) 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 (12) 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 (13) AN ORDINANCE BY COUNCILMEMBERS MARY NORWOOD, YOLANDA ADREAN, HOWARD SHOOK, CARLA SMITH, NATALYN ARCHIBONG, KEISHA LANCE BOTTOMS, MICHAEL 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

14-O-1392 (14) A SUBSTITUTE 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-SIX THOUSAND, ONE HUNDRED THIRTY-SIX DOLLARS AND ZERO CENTS (\$8,426,136.00) 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.

RESULT: FAVORABLE ON SUBSTITUTE

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

FRANK STEPHENS, DWM

14-O-1460 (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 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 (16) 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

J. LEGISLATION ITEM NOT ON THE AGENDA

14-R-4452 (1) A RESOLUTION 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, ANNUAL CONTRACT ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, TO PROVIDE STRAY CURRENT CONSULTING SERVICES FOR THE ATLANTA STREETCAR SYSTEM, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND FORTY DOLLARS AND NO CENTS (\$25,040.00); 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

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

AWAY: Adrean, Wan

COMMISSIONER RICHARD MENDOZA, DPW

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

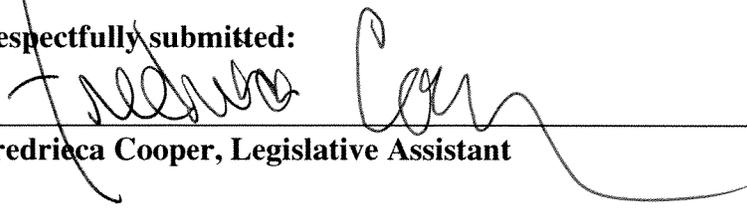
8. Councilmember Adrean requested the Department of Watershed Management provide a finance plan from the September 4, 2014 Work Session and a copy of the framework that will pay for the Capital Improvement Projects.
9. Councilmember Sheperd requested the Department of Public Works provide a Comprehensive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

10/14/14

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

There being no further business to come before the City Utilities Committee the meeting was adjourned at 10:29 AM

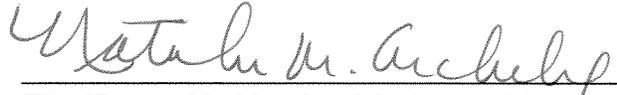
Respectfully submitted:



Fredrieca Cooper, Legislative Assistant



Santana Kempson Wright, Research & Policy Analyst



The Honorable Natalyn Mosby Archibong, Chair