



**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](mailto:skempson@atlantaga.gov)

**Tuesday, December 9, 2014**

**9:30 AM**

**Committee Room 2**

**A. CALL TO ORDER**

The regularly scheduled meeting of the **City Utilities Committee** was held on **Tuesday, December 9, 2014**, at **9:33 AM** in **Committee Room 2**. The following members were present:

**B. INTRODUCTION OF MEMBERS**

| <b>Attendee Name</b>    | <b>Title</b>                  | <b>Status</b> | <b>Arrived</b> |
|-------------------------|-------------------------------|---------------|----------------|
| Natalyn Mosby Archibong | Chair                         | Present       | 9:33 AM        |
| Ivory Lee Young Jr.     | Vice Chair                    | Present       | 9:52 AM        |
| Yolanda Adrean          | Councilmember, District 8     | Present       | 9:31 AM        |
| Andre Dickens           | Councilmember Post 3 At-Large | Present       | 9:38 AM        |
| Joyce Sheperd           | Councilmember, District 12    | Absent        |                |
| Howard Shook            | Councilmember, District 7     | Present       | 9:31 AM        |
| Alex Wan                | Councilmember, District 6     | Present       | 9:27 AM        |

**Others in Attendance:**

Stefanie Grant, Marc Goncher and Patrick McShane, **Law Department**; Commissioner Richard Mendoza, **Department of Public Works**; Nina Gentry, **Department of Planning**; Commissioner JoAnn Macrina, Deputy Commissioners Mohamed Balla and Frank Stephens, Richard Parker, Maisha Land Wood, **Department of Watershed Management**; 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)**

PHYLLIS ALMOND, PUBLIC SPEAKER

**CONSENT**

**F. ORDINANCES FOR FIRST READING**

14-O-1623 (1) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE DOCUMENTS GRANTING EASEMENT RIGHTS TO THE GEORGIA POWER COMPANY ACROSS CITY OF ATLANTA OWNED MADDOX PARK LOCATED IN LAND LOTS 113, 114, AND 143 OF THE 14TH DISTRICT OF FULTON COUNTY; AND FOR OTHER PURPOSES.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

14-O-1624 (2) 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 FIFTY-FOUR THOUSAND, FIVE HUNDRED THIRTY FIVE DOLLARS AND ZERO CENTS (\$154,535.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LISTED DESIGN & SUPPORT SERVICES PROJECTS; AND FOR OTHER PURPOSES.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

14-O-1625 (3) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 DWM 2004 BOND (5058) BUDGET IN THE AMOUNT OF FIVE MILLION, FOUR HUNDRED EIGHTEEN THOUSAND, EIGHTY-TWO DOLLARS AND SEVENTY-TWO CENTS (\$5,418,082.72) TO TRANSFER FUNDS FROM REALIGNED, POSTPONED OR DISCONTINUED PROJECTS TO THE CAPITAL PROJECTS RESERVE AND OTHER PROJECTS FOR APPROPRIATIONS; AND FOR OTHER PURPOSES.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

14-O-1626 (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 MILLION, FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$1,500,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE SOUTH RIVER FILTER REPAIR AND REPLACEMENT PROJECT; AND FOR OTHER PURPOSES.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

14-O-1627 (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 FOUR MILLION, NINETY-ONE THOUSAND, FIVE HUNDRED FIFTY-FOUR DOLLARS AND ZERO CENTS (\$4,091,554.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE WATERSHED IMPROVEMENT PROGRAM PLANNING AND DESIGN SUPPORT PROJECT; AND FOR OTHER PURPOSES.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**REGULAR**

**G. ORDINANCES FOR SECOND READING**

14-O-1610 (6) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2015 WATER AND WASTEWATER REVENUE FUND (5051) BUDGET IN THE AMOUNT OF FOURTEEN MILLION, TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$14,200,000.00) TO TRANSFER FUNDS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT GENERAL RESERVES AND ADD FUNDS TO APPROPRIATIONS FOR VARIOUS OFFICES TO ADDRESS CRITICAL NEEDS; AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE ON CONDITION**

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

**ABSENT:** Sheperd

FRANK STEPHENS, DWM

14-O-1611 (7) 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 SIX MILLION DOLLARS AND ZERO CENTS (\$6,000,000.00) TO TRANSFER FUNDS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT GENERAL RESERVES AND ADD FUNDS TO APPROPRIATIONS FOR VARIOUS OFFICES TO ADDRESS CRITICAL NEEDS; AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE ON CONDITION**

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

**ABSENT:** Sheperd

FRANK STEPHENS, DWM

14-O-1616 (8) AN ORDINANCE BY COUNCILMEMBER CARLA SMITH WAIVING THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR SUBDIVISION APPLICATION SD-14-011 (1015 EDEN AVENUE, SE) TO PROVIDE THAT IN LIEU OF THE REQUIRED SIDEWALKS AT THE SUBDIVISION SITE, THE DEVELOPER OF THE SUBDIVISION SHALL CONSTRUCT SIDEWALKS OF EQUAL OR GREATER LENGTH ALONG THE EAST SIDE OF HEMLOCK CIRCLE, S.E. BEGINNING AT THE SOUTHEAST CORNER OF GLENWOOD AVENUE, SE (1105 GLENWOOD AVENUE, SE); AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE**

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

**ABSENT:** Sheperd

14-O-1617 (9) AN ORDINANCE BY COUNCILMEMBER C. T. MARTIN TO AMEND VARIOUS ARTICLES OF CHAPTER 2 OF PART 8 OF THE LAND DEVELOPMENT CODE, PART III OF THE ATLANTA CITY CODE AND TO AMEND CHAPTER 154, ARTICLE III, DIVISION 3, SECTION 154-115 OF THE ATLANTA CITY CODE FOR THE PURPOSE OF INCREASING THE EFFICIENT USE OF ENERGY WITHIN THE COMMERCIAL SECTOR THROUGH THE REQUIREMENT OF ENERGY BENCHMARKING, BENCHMARKING DISCLOSURE, FACILITY RETRO COMMISSIONING, FACILITY AUDITS, AND SUBMETERING OF ALL ENERGY UTILITIES IN NEW BUILDINGS IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

**RESULT: REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

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

**ABSENT:** Sheperd

#### **H. RESOLUTIONS**

14-R-4504 (10) A RESOLUTION BY COUNCILMEMBER NATALYN MOSBY 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**

14-R-4505 (11) A SUBSTITUTE RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 3 WITH TERRA RENEWAL, LLC FOR FC-5641, ANNUAL CONTRACT FOR DEWATERING, HAULING AND DISPOSAL SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, TO ADD ADDITIONAL IN AN AMOUNT NOT TO EXCEED THREE MILLION, NINE HUNDRED NINETY-EIGHT THOUSAND, TWO HUNDRED THIRTY-SEVEN DOLLARS AND NO CENTS (\$3,998,237.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AN PAID FROM LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$1,774,095.00 - 5051 (WATER & WASTEWATER REVENUE) 170204 (DWM TREATMENT PLANT – R M CLAYTON) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4335000 (SEWAGE TREATMENT); \$314,000.00 – 5051 (WATER & WASTEWATER REVENUE) 170205 (DWM TREATMENT PLANT-UTOY CREEK) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4335000 (SEWAGE TREATMENT); \$500,000.00 – 5051 (WATER & WASTEWATER REVENUE) 170206 (DWM TREATMENT PLANT – SOUTH RIVER) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4335000 (SEWAGE TREATMENT); \$574,257.00 - 5051 (WATER AND WASTEWATER REVENUE) 170241 (DWM WATER- WATER TREATMENT-COMPLEX CHATTAHOOCHEE) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4430000 (TREATMENT); \$835,885.00 - 5051 (WATER AND WASTEWATER REVENUE) 170242 (DWM WATER TREATMENT PLANT – HEMPHILL) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4430000 (TREATMENT); AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE ON SUBSTITUTE**

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

**ABSENT:** Sheperd

RICHARD PARKER, DWM

- 14-R-4508 (12) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO ARCADIS/BRINDLEY, PIETERS & ASSOCIATES, INC., A JOINT VENTURE FOR FC-4906A, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR CONSTRUCTION ADMINISTRATION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE DOWNTOWN WATER STORAGE TANKS AND PUMP STATIONS PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIX THOUSAND, THREE HUNDRED FIFTY-ONE DOLLARS AND ZERO CENTS (\$106,351.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5052 (WATER & WASTEWATER RNE FUND) 170243 (DWM DRINKING WATER PUMPING MAINT/REPAIR) 5212001 (CONSULTING) 4430000 (TREATMENT) AND PROJECT TASK AWARD EXPENDITURE AND ORGANIZATION NUMBER 17111815 (D'TOWN H2O STORAGE TANKS & PS) 103 (DWM RNE FUND) 505221391 (DWM RNE FUND) 5212001 (CONSULTING) COA; AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE**

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

**ABSENT:** Sheperd

FRANK STEPHENS, DWM

**I. PAPERS HELD IN COMMITTEE**

- 14-O-1240 (13) 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 (14) 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 (15) 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 NPU)**

**RESULT: HELD IN COMMITTEE**

14-O-1361 (16) 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-1460 (17) 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-O-1537 (18) A SUBSTITUTE 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-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. **(Referred back from Council 11/17/14) (Held 11/24/14 for further review)**

**RESULT: HELD IN COMMITTEE**

14-O-1538 (19) 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. (Referred back from Council 11/17/14) (Held 11/24/14 for further review)

**RESULT: HELD IN COMMITTEE**

14-C-5124 (20) - 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**

## **J. 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.

**6/24/14**

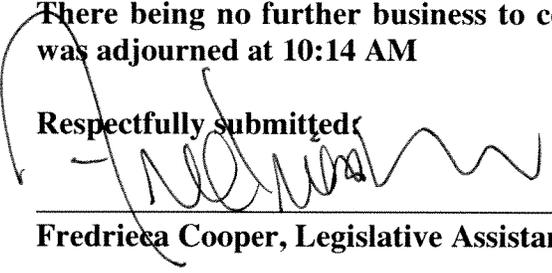
3. Councilmember Natalyn Archibong made a request to receive updates on the Proctor Creek Program.
4. Councilmember Archibong requested an update on The Sidewalk Pilot Program using other material (recycled rubber) for sidewalks in Candler Park and Lake Claire.
5. Councilmember Shook requested a report 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?
6. 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

**10/14/14**

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

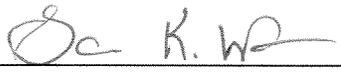
There being no further business to come before the City Utilities Committee the meeting was adjourned at 10:14 AM

Respectfully submitted,



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Fredricea Cooper, Legislative Assistant



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Santana Kempson Wright, Research & Policy Analyst



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The Honorable Natalyn Mosby Archibong, Chair