



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

Alfred Berry Jr
 (404) 330-6313
aberryjr@atlantaga.gov

Tuesday, May 13, 2014

9:30 AM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **City Utilities Committee** was held on **Tuesday, May 13, 2014, at 9:38 AM.** in **Committee Room 2.** The following members were present:

Attendee Name	Title	Status	Arrived
Natalyn Mosby Archibong	Chair	Present	9:31 AM
Ivory Lee Young Jr.	Vice Chair	Present	9:43 AM
Yolanda Adrean	Councilmember, District 8	Present	9:33 AM
Andre Dickens	Councilmember Post 3 At-Large	Present	9:36 AM
Joyce Sheperd	Councilmember, District 12	Present	9:50 AM
Howard Shook	Councilmember, District 7	Present	9:37 AM
Alex Wan	Councilmember, District 6	Present	9:36 AM

Others in Attendance:

Council President Ceasar Mitchell, Councilmembers Felicia A. Moore, C. T. Martin and Mary Norwood; City Attorney, Cathy Hampton; Stefaine Grant, Marc Goncher, Roger Bhandari, Jeffery Norman, Martin Clark and Renee Sheperd; Law Department; Commissioner Richard Mendoza, Valerie Bell-Smith, Rita Braswell, Santana Kempson-Wright, Cotena Alexander and Rodney Givens; Department of Public Works, Commissioner JoAnn Macrina, Reginald Wells, Margaret Tanner, Maisha Land-Wood, Muhammed Balla, Ben KuKu, Frank Stephens; Department Watershed Management; Keith Brooks; Office of Procurement; Kristin Wilson and Katrina Taylor, Office of the Mayor; members of the public, press and Council Staff.

B. ADOPTION OF AGENDA - ADOPTED

C. APPROVAL OF MINUTES - APPROVED

D. PRESENTATION

1. Google Fiber - Kristin Wilson, Deputy COO - Martin Clark, Councilmember C. T. Martin
2. Quarterly Review
 Department of Public Works, Commissioner Richard Mendoza
 Department of Watershed Management, Commissioner JoAnn Macrina, Muhammad Balla, Maisha Land-Wood

PRESENTATIONS (CONT'D)

3. Status Report on the Department of Watershed allegations. –
City Attorney Cathy Hampton; Law Department; Councilmember Felicia A. Moore
Kristin Wilson, Deputy Chief Operating Officer
Martin Clark, Law Department
Councilmember C. T. Martin

E. ORDINANCES FOR FIRST READING

- 14-O-1240 (1) 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. **(TO BE ADVERTISED FOR A PUBLIC HEARING 5/27/14 @ 9:30 A. M.)**

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 14-O-1241 (2) 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. **(TO BE ADVERTISED FOR A PUBLIC HEARING 5/27/14 @ 9:30 A. M.)**

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 14-O-1242 (3) 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. **(TO BE ADVERTISED FOR A PUBLIC HEARING 5/27/14 @ 9:30 A. M.)**

TO BE REFERRED TO CITY UTILITIES COMMITTEE

ORDINANCES FOR FIRST READING (CONT'D)

14-O-1243 (4) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2014 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF SIX HUNDRED SEVENTY-SEVEN THOUSAND, EIGHT HUNDRED EIGHTY DOLLARS AND ZERO CENTS (\$677,880.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE DESIGN & SUPPORT SERVICES PROJECT; AND FOR OTHER PURPOSES.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

14-O-1244 (5) AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2014 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FORTY MILLION DOLLARS AND ZERO CENTS (\$40,000,000.00) TO TRANSFER FUNDS FROM THE GENERAL RESERVES AND ADD FUNDS TO APPROPRIATIONS FOR THE COMBINED SEWER FACILITIES COMPLIANCE IMPROVEMENTS PROJECT; AND FOR OTHER PURPOSES.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

F. ORDINANCES FOR SECOND READING

14-O-1175 (1) AN AMENDED ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING THE 2014 (INTERGOVERNMENTAL GRANT FUND) BUDGET, IN THE DEPARTMENT OF PUBLIC WORKS, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS THE AMOUNT OF TWO MILLION NINE HUNDRED SIXTY-THREE THOUSAND ONE HUNDRED NINE DOLLARS AND TWENTY-FIVE CENTS (\$2,963,109.25) TO INCREASE THE BUDGET AMOUNT AUTHORIZED BY THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE 2014 LOCAL MAINTENANCE IMPROVEMENT GRANT; AND FOR OTHER PURPOSES. (Referred back from Council 5/5/14)

RESULT: APPROVED AS AMENDED
COMMISSIONER RICHARD MENDOZA, DPW

14-O-1223 (2) AN ORDINANCE BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2014 BUDGET TO TRANSFER FUNDS FROM THE FY 2014 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET TO THE TRUST FUND (7701) FOR THE CARE AND CONSERVE PROGRAM IN THE AMOUNT OF THREE HUNDRED FORTY-THREE THOUSAND, SIX HUNDRED EIGHTY DOLLARS AND SIXTY-EIGHT CENTS (\$343,680.68); AND FOR OTHER PURPOSES.

RESULT: FAVORABLE
MUHAMMAD BALLA, DWM

G. RESOLUTIONS

14-R-3507 (3) A RESOLUTION BY COUNCIL MEMBERS NATALYN MOSBY ARCHIBONG AND HOWARD SHOOK AS SUBSTITUTED BY CITY UTILITIES COMMITTEE AUTHORIZING 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 EIGHT THOUSAND, FIVE HUNDRED DOLLARS AND NO CENTS (\$8,500.00) AS STIPULATED PENALTIES FOR A FECAL COLIFORM EXCEEDANCE AT THE TANYARD CREEK CSO FACILITY ON APRIL 7, 2014 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: FAVORABLE ON SUBSTITUTE

MARGARET TANNER, DWM
COMMISSIONER MACRAINA, DWM

14-R-3578 (4) A SUBSTITUTE RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING RENEWAL NO. 1 WITH ADVANCED DISPOSAL SERVICES ATLANTA, LLC FOR FC-5035C, ANNUAL CONTRACT FOR THE DISPOSAL OF MUNICIPAL SOLID WASTE, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED THREE MILLION, SIXTY-SEVEN THOUSAND, EIGHT HUNDRED DOLLARS AND ZERO CENTS (\$3,067,800.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS:FY2014: \$400,000.00 – 5051 (WATER & WASTEWATER REVENUE) 170204 (DWM TREATMENT PLANT – RMC) 5222003 (REPAIR & MAINTENANCE - OTHER) 4335000 (SEWAGE TREATMENT PLANTS), \$337,000.00 – 5051 (WATER & WASTEWATER REVENUE) 170206 (DWM TREATMENT PLANT – SOUTH RIVER) 5222003 (5222003 (REPAIR & MAINTENANCE - OTHER) 4335000 (SEWAGE TREATMENT PLANTS) FY2015: \$225,000.00-5051 (WATER & WASTEWATER REVENUE) 171003 (DWM WATER LINEAR MAINTNENACE/REPAIR) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4440000(DISTRIBUTION); AND \$1,100,000.00-5051 (WATER & WASTEWATER REVENUE) 170204 (DWM TREATMENT PLANT-RMC) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4335000 (SEWAGE TREATMENT PLANTS); AND \$532,800-5051 (WATER & WASTEWATER REVENUE) 170206 (DWM TREATMENT PLANT-SOUTH RIVER) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4335000 (SEWAGE TREATMENT PLANTS); AND \$271,000.00-5051 (WATER & WASTEWATER REVENUE) 170241 (DWM WATER TREATMENT COMPLEX-CHATTAHOOCHEE) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 4430000 (TREATMENT); AND \$200,000.00-5051 (WATER & WASTEWATER REVENUE) 170242 (DWM WATER TREATMENT COMPLEX-HEMPHILL) 5212001 CONSULTING/PROFESSIONAL SERVICES) 4430000 (TREATMENT); AND FOR OTHER PURPOSES.

RESULT: FAVORABLE ON SUBSTITUTE

FRANK STEPHENS, DWM

RESOLUTIONS (CONT'D)

14-R-3579 (5) A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING RENEWAL NO. 1 WITH THOMAS CLEANING SERVICE, INC. D/B/A TURF CARE SERVICE FOR FC-5825, ANNUAL GROUNDS MAINTENANCE CONTRACT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED TWENTY-ONE THOUSAND, FIVE HUNDRED FORTY-SIX DOLLARS AND ZERO CENTS (\$421,546.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER AND WASTEWATER REVENUE) 170515 (DWM FACILITIES MANAGEMENT) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1511000 (GENERAL SUPERVISION); AND FOR OTHER PURPOSES.

RESULT: FAVORABLE
MUHAMMED BALLA, DWM

H. PAPERS HELD IN COMMITTEE

14-O-1025 (6) AN ORDINANCE BY COUNCILMEMBERS JOYCE SHEPERD, HOWARD SHOOK, C. T. MARTIN AND FELICIA A. MOORE 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 MOVE THE POSITION OF EXECUTIVE DIRECTOR FOR 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. **(HELD 1/14/14 TO PRESENT TO THE NPUS)**

14-O-1168 (7) AN ORDINANCE BY COUNCILMEMBERS NATALYN M. ARCHIBONG AND IVORY L. YOUNG, JR. AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY, TO WAIVE THE PROVISIONS CONTAINED IN CHAPTER 138, ARTICLE II, DIVISION 6, SECTION 138-60 ENTITLED "FLAGS, BANNERS, SIGNS, DISPLAYS" OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO ALLOW THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO WAIVE THE BANNER DEPOSIT FEE OF ONE THOUSAND DOLLARS (\$1,000.00) PURSUANT TO CITY CODE SECTION 138-60(A)(7), TO WAIVE THE BANNER PERMIT FEE OF ONE HUNDRED DOLLARS (\$100.00) PURSUANT TO CITY CODE SECTION 138-60(A)(8), TO WAIVE ALL PER BANNER AND PER DAY FEES PURSUANT TO CITY CODE SECTIONS 138-60(A)(8)B.1. AND 138-60(A)(8)B.2. AND TO GRANT TO THE CIVIL WAR SESQUICENTENNIAL COMMISSION A PERMIT TO DISPLAY BANNERS IN THE PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES. **(REFERRED BACK BY FULL COUNCIL 4/21/14) (HELD 4/29/14 FOR FURTHER REVIEW)**

PAPERS HELD IN COMMITTEE (CONT'D)

14-R-3404 (8) A RESOLUTION BY COUNCILMEMBERS C. T. MARTIN AND IVORY L. YOUNG, JR. AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO ATLANTA SERVICES GROUP, A JOINT VENTURE, FOR FC-4906B, ANNUAL CONTRACT FOR ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, FOR THE CONCEPTUAL DESIGN OF THE MARTIN LUTHER KING, JR. DRIVE CORRIDOR IMPROVEMENT PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED SEVENTY-TWO THOUSAND DOLLARS AND NO CENTS (\$472,000.00); WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES. **(HELD 4/29/14 FOR FURTHER REVIEW)**

RESULT: FILE
COMMISSIONER RICHARD MENDOZA, DPW

14-R-3406 (9) A RESOLUTION BY COUNCIL MEMBERS KWANZA HALL, CARLA SMITH, NATALYN ARCHIBONG, ALEX WAN AND ANDRE DICKENS AS SUBSTITUTED AND AMENDED BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AN EQUIPMENT HOUSING LICENSING AGREEMENT WITH GOOGLE FIBER, AUTHORIZING THE CITY TO CONSIDER ALLOWING GOOGLE FIBER TO OCCUPY AND USE VARLOUS SITES THAT MAY BE OWNED BY THE CITY OF ATLANTA FOR THE PURPOSE OF ERECTING STRUCTURES THAT WILL HOUSE NETWORK EQUIPMENT AND FIBER THAT ARE PART OF LICENSEE'S FIBER OPTIC NETWORK ("NETWORK HUT"); AND FOR OTHER PURPOSES.

FAVORABLE ON SUBSTITUTE AS AMENDED (1 NAY) YOUNG
(1 ABSTENTION) WAN
Kristin Wilson
Councilmember C. T. Martin

I. REQUESTED ITEMS

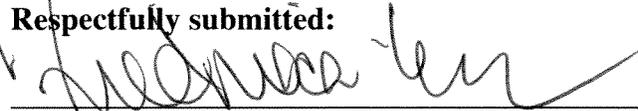
1. The Commissioner of Watershed Management will brief the Chair every two weeks on the Department's Implementation of Measures required by the Department of Homeland Security per Full Council Amendment to Ordinance 14-O-1064 on 2/3/14.
2. The Department of Public Works 101 Work Session May 22, 2014 from 10:30 a.m. to Noon.

J. COMMENTS FROM THE PUBLIC

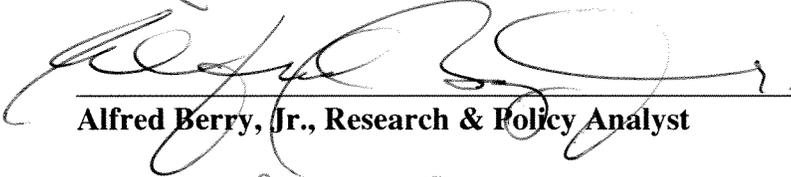
Ron Shakir, Public Speaker

There being no further business to come before the City Utilities Committee the meeting was adjourned at 12:43 PM

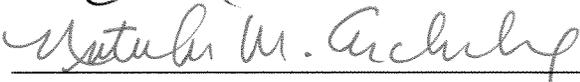
Respectfully submitted:



Fredrieca Cooper, Legislative Assistant



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Natalyn Mosby Archibong, Chair