



**CITY UTILITIES COMMITTEE  
REGULAR COMMITTEE MEETING**

**~Agenda~**

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

**CITY OF ATLANTA**

**Chairperson**  
The Honorable Natalyn Mosby Archibong

Santana K. Wright  
(404) 330-6579  
[skempson@atlantaga.gov](mailto:skempson@atlantaga.gov)

**Tuesday, March 15, 2016**

**9:30 AM**

**Committee Room 1**

**\*\*Please note that this is a regularly scheduled meeting of the City Utilities Committee.**

**During this meeting we will not discuss or act upon any items currently before the Finance Executive Committee.**

**A. CALL TO ORDER**

**B. INTRODUCTION OF MEMBERS**

**C. ADOPTION OF AGENDA**

**D. APPROVAL OF MINUTES**

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

**F. PRESENTATIONS**

1. Department of Watershed Management Quarterly Review, Commissioner JoAnn Macrina

**CONSENT**

**G. ORDINANCES FOR FIRST READING**

16-O-1122 (1) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED SMALL BUSINESS DEVELOPMENT PROGRAM (SBDP); AND FOR OTHER PURPOSES.

16-O-1123 (2) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT; AND FOR OTHER PURPOSES.

**REGULAR**

**H. COMMUNICATION(S)**

16-C-5026 (3) - A COMMUNICATION FROM COUNCILMEMBERS FELICIA A. MOORE, DISTRICT 9, CLARENCE "C.T." MARTIN, DISTRICT 10 AND ANDRE DICKENS, POST 3 AT-LARGE APPOINTING MS. EUNICE GLOVER AS A MEMBER OF THE WATER AND SEWER APPEALS BOARD IN THE LAYPERSON CATEGORY. THIS APPOINTMENT IS FOR A TERM OF THREE (3) YEARS, SCHEDULED TO BEGIN ON THE DATE OF COUNCIL CONFIRMATION.

**I. RESOLUTIONS**

16-R-3255 (4) - A RESOLUTION BY COUNCILMEMBER HOWARD SHOOK AUTHORIZING THE CITY OF ATLANTA, AS A JOINT VENTURE MEMBER OF THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION AND CO-OWNER OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT, TO AUTHORIZE AND APPROVE A NAME CHANGE OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT TO THE "TOM LOWE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT," PURSUANT TO SECTION 2-2 OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

16-R-3258 (5) - A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF WATERSHED MANAGEMENT PREPARE A REPORT THAT ADDRESSES ALL DISCHARGES, COMBINED SEWER OVERFLOWS AND SANITARY SEWER OVERFLOWS FROM THE CITY OF ATLANTA'S WASTEWATER TREATMENT SYSTEM AND THAT ADDRESSES THE EFFECTS OF ALL DISCHARGES, COMBINED SEWER OVERFLOWS AND SANITARY SEWER OVERFLOWS ON ATLANTA'S NEIGHBORHOODS, CREEKS AND PARKS; REQUESTING SUCH REPORT BE PROVIDED TO THE CITY UTILITIES COMMITTEE WITHIN 90 CALENDAR DAYS OF ADOPTION OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

16-R-3260 (6) - A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH TALON PROPERTIES SERVICES, LLC., FOR FC-7079B CITYWIDE PLUMBING SERVICES, TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL AUTHORIZED USER FOR SERVICES, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO

BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

- 16-R-3261 (7) - A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH MWI ELECTRICAL CONTRACTORS, FOR FC-7154, CITYWIDE ELECTRICAL SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.
- 16-R-3262 (8) - A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO EXECUTE RENEWAL AGREEMENT NUMBER 2 FOR FC-6945, ANNUAL CONTRACT FOR STREET RESURFACING ACTIVITIES, WITH STEWART BROTHERS, INC; AND FOR OTHER PURPOSES.
- 16-R-3264 (9) - A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH SOCO-TEM, JV, FOR FC-8250, CONTRACT FOR THE MAINTENANCE AND REPAIR OF SIDEWALKS, CURBS, DRIVEWAY APRONS & ASSOCIATED INFRASTRUCTURE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED FOUR MILLION EIGHT HUNDRED FORTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$4,841,250.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.
- 16-R-3273 (10) - A RESOLUTION BY COUNCILMEMBER IVORY L. YOUNG, JR. AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ISSUE A TASK ORDER TO ARCADIS/BPA, A JOINT VENTURE, TO TAP FOR FC-7383, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE MAYOR'S OFFICE OF SUSTAINABILITY, TO ASSESS THE TECHNICAL AND ENVIRONMENTAL FEASIBILITY OF TWO OF THE CITY'S LANDFILLS FOR SOLAR OPERATIONS IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE

THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER XXXX (NEED NAME OF DPW FUND) AND ACCOUNT NUMBER 7701.040301 (THE SUSTAINABILITY REVOLVING LOAN FUND); AND FOR OTHER PURPOSES.

**J. PAPERS 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)**

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)**

15-O-1148 (13) - AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 “ENVIRONMENT”, ARTICLE VI “FLOOD AREA REGULATIONS”, AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.

**(Held 4/28/15 for a work session)**

- 15-O-1369 (14) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.  
**(Held 9/15/15) (Held at the request of the Department)**
- 15-O-1431 (15) - AN ORDINANCE BY COUNCILMEMBER MARY NORWOOD AS SUBSTITUTED BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 130 “SOLID WASTE MANAGEMENT,” ARTICLE III “MUNICIPAL COLLECTION AND DISPOSAL SYSTEMS,” DIVISION 1 “GENERALLY,” SECTION 130-84 “RATES AND CHARGES” IN ORDER TO DELETE SUBSECTION 8 “VACANT PARCELS”; AND FOR OTHER PURPOSES.  
**(Substituted and Held 9/29/15) (Held at the request of the Department for additional review)**
- 15-O-1528 (16) - AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 154, ARTICLE III, DIVISION I, SECTION 154-68, AND APPENDIX B, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO AMEND WATER CONNECTION FEES BASED ON THE COSTS OF INSTALLATION AND CONNECTION TO THE WATER SYSTEM; AND FOR OTHER PURPOSES.  
**(Held 12/1/15) (A Public Hearing was held on 2/23/16)**
- 15-O-1548 (17) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LINEAR MAINTENANCE CONTRACTS-A/E SERVICES PROJECTS; AND FOR OTHER PURPOSES.  
**(Held 12/15/15)**

15-O-1562 (18) - AN ORDINANCE BY COUNCILMEMBERS IVORY LEE YOUNG, JR. AND NATALYN ARCHIBONG AS AMENDED BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE ATLANTA BICYCLE COALITION FOR THE PURPOSE OF INSTALLING A BICYCLE CORRAL NEAR 1984 HOSEA L. WILLIAMS DRIVE, N.E., ATLANTA, GEORGIA; TO WAIVE THE \$1,300.00 PERMIT FEE REQUIRED IN SECTION 138-20(A) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES .  
**(Held 12/1/15)**

15-R-3294 (19) - A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4906D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111688 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.  
**(Held 3/16/15 at the request of the Department)**

15-R-3614 (20) - A RESOLUTION BY COUNCILMEMBERS MICHAEL JULIAN BOND AND CLETA WINSLOW AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE IN THE AMOUNT OF FIFTY THOUSAND (\$50,000.00) DOLLARS FROM THE 2015 MARTIN LUTHER KING DAY OF SERVICE GRANTS PROGRAM TO BE MATCHED WITH SEVENTY-ONE THOUSAND FOUR HUNDRED TWENTY-EIGHT (\$71,428.00) DOLLARS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT TO ENCOURAGE COMMUNITY SERVICE IN CONJUNCTION WITH THE GRAYMONT DRIVE SEWER INFRASTRUCTURE THREAT AND FOR ENCOURAGING LONG TERM COMMUNITY SERVICE; AND FOR OTHER PURPOSES.  
**(Held 5/26/15 for further review)**

- 16-R-3139 (21) - A RESOLUTION BY COUNCILMEMBER NATALYN M. 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.  
(Held 2/9/16)

**K. REQUESTED ITEMS**

**6/24/15**

1. 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?

**10/27/15**

2. Councilmember Young requested a briefing on waste and energy facilities from the Department of Public Works.

**2/9/16**

3. Requested items from the Department of Watershed Management Liddell Equalization Facility Update:
  - a. Councilmember Adrean requested the Department confirm how many spills have occurred since 2014. Also to define what constitutes a manhole spill? How are they tracked?
  - b. Councilmembers Adrean and Shook requested the Department provide engineering specifications.
  - c. Councilmember Shook requested the Department commit to addressing expectations discussed prior to next Quarter. Deputy Chief of Staff Katrina Taylor Parks stated the Department will provide a list of short term and long term solutions for Memorial Park at the February 23, 2016 meeting.

**At the February 23, 2016 meeting, Deputy Chief of Staff Katrina Taylor Parks requested the Department provide this information at a Work Session along with their quarterly report. The Work Session will be scheduled for March 2, 2016.**

**2/23/16**

4. Requested items to the Department of Watershed Management for 15-O-1528 (Water Connection Fees)
  - a. Councilmember Shook requested the Department provide a time and motion study to justify what the costs would be if the services were performed in-house.
  - b. Councilmembers Shook and Wan requested a summary of any/all NPU comments/data received and what outreach efforts were made.
  - c. Councilmember Shook requested the current backlog for large water meters and wants a flowchart explain the installation timeline.
  - d. Councilmember Shook requested a comparison to other municipalities.
  - e. Councilmember Dickens requested a draft outline of the proposed codification.
  - f. Councilmember Adrean requested the Department provide the difference between private and public installation as labor was stated as the driving financial force? Would the City codify the approach for self-installation?
  
5. Councilmember Wan requested a summary of all financial support the City provides for the Atlanta Jazz Festival. Councilmember Sheperd also requested the budget. Deputy Chief of Staff Katrina Taylor Parks stated this would be provided at the February 24, 2016 Finance/Executive Committee meeting.
  
6. Councilmember Martin requested the Department of Public Works provide an update on the *Metal Plates In the Right-of-Way* report per Resolution 15-R-3535 adopted on May 18, 2015.
  
7. Councilmember Sheperd requested Matt Malament provide the performance data for any 311 incoming calls for Code Enforcement.

**L. COMMENTS FROM THE PUBLIC (2 MINUTES)**

**M. ADJOURNMENT**

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED SMALL BUSINESS DEVELOPMENT PROGRAM (SBDP); AND FOR OTHER PURPOSES.**

**Workflow List:**

Jo Ann Macrina	Completed	03/02/2016 4:19 PM
Finance	Completed	03/03/2016 8:34 AM
Patrick McShane	Completed	03/03/2016 1:25 PM
Mayor's Office	Completed	03/03/2016 1:27 PM
Office of Research and Policy Analysis	Completed	03/08/2016 2:01 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Atlanta City Council	Pending	03/21/2016 1:00 PM
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED SMALL BUSINESS DEVELOPMENT PROGRAM (SBDP); AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta owns and operates a water and wastewater system; and

WHEREAS, the City of Atlanta, Department of Watershed Management (“Department”) has identified, in connection with the Capital Improvement Program, the need to fund certain costs from the Watershed Reserves; and

WHEREAS, Small Business Development Programs, will provide an intensive program for small, minority and/or female contractors and consultants in sewer rehabilitation and construction management. Upon completion the participants shall be afforded subcontracting opportunities and prime contracting with the City of Atlanta; and

WHEREAS, these funds should be transferred from the Watershed Reserves for Appropriations to facilitate the use of the funds for the Small Business Development Program.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS *as follows*:

Section 1: That the Chief Financial Officer is authorized to amend the FY 2016 Water and Wastewater Renewal and Extension Fund (5052) Budget as follows:

TRANSFER FROM APPROPRIATIONS

<b>The amount of:</b>	<b>\$200,000.00</b>			
<b>FDOA:</b>				
<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>NDP Reservation of Fund Appropriations</u>	<u>Reserve Conversion Account</u>	<u>Accounting</u>	
5052	200101	5999901	1512000	

ADD TO APPROPRIATIONS

<b>The amount of:</b>	<b>\$200,000.00</b>			
<b>PTAEO:</b>				
<u>SMDP</u>	<u>Consulting</u>	<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>Consulting</u>	<u>City of Atlanta</u>
17212270	101	505221391	5212001	COA
<b>FDOA:</b>				
<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>DWM Communications &amp; Community Affairs</u>	<u>Projects and Grants Budget</u>	<u>General Supervision</u>	
5052	170114	5999999	1511000	
<u>SBDP</u>	<u>Water &amp; Wastewater R&amp;E Fund</u>			
212270	21391			

Section 2: That appropriations in the Water & Wastewater Renewal & Extension Fund (5052) Budget be transferred as follows:

ADD TO AWARD INSTALLMENT

<b>The amount of:</b>	<b>\$200,000.00</b>	<u>R&amp;E Water &amp; Wastewater Fund</u>		
		505221391		

Section 3: That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Cristi Walker

Contact Number: 404-546-3622

Originating Department: Watershed Management

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: February 19, 2016

Anticipated Committee Meeting Date(s) March 15, 2016

Anticipated Full Council Date: March 21, 2016

Legislative Counsel's Signature: *[Signature]*

Commissioner's Signature: *[Signature]*

Chief Financial Officer: *[Signature]*

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED SMALL BUSINESS DEVELOPMENT PROGRAM (SBDP); AND FOR OTHER PURPOSES.**

**FINANCIAL IMPACT: (if any) \$200,000.00**  
**Mayor's Staff Only**

Received by CPO: \_\_\_\_\_

Received by LC from CPO: \_\_\_\_\_

(date) *[Signature]*  
Received by Mayor's Office: \_\_\_\_\_  
(date)

(date) *[Signature]*  
Reviewed by: \_\_\_\_\_  
(date)

Submitted to Council: \_\_\_\_\_ (date)

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** City Utilities Committee

**Caption:** AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED SMALL BUSINESS DEVELOPMENT PROGRAM (SBDP); AND FOR OTHER PURPOSES.

**Council Meeting Date:** March 21, 2016

**Requesting Dept.:** Department of Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

**Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.**

The purpose of this legislation is to authorize the CFO to amend the FY 2016 Budget Water and Wastewater Renewal and Extension Fund (5052) in the amount of \$200,000.00 to transfer funds from Watershed Reserve for Appropriation and add to Appropriation funds for:

Small Business Development Programs will provide an intensive program for small, minority and/or female contractors and consultants in sewer rehabilitation and construction management. Upon completion the participants shall be afforded subcontracting opportunities and prime contracting with the City of Atlanta.

**2. Please provide background information regarding this legislation.**

**Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.**

The City of Allanta Department of Watershed Management has identified, in connection with the Capital Improvement Program (CIP), the need to fund certain costs from the Water and Wastewater Renewal and Extension Fund (5052) to facilitate projects.

**3. If Applicable/Known:**

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/A
- (b) **Source Selection:** N/A
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

**4. Fund Account Center (Ex. Name and number):** Various

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

**5. Source of Funds: Example: Local Assistance Grant**

**FDOA: \$200,000; 5052 (DWM Water & Wastewater RNE Fund) 200101 (NDP Reservation of Funds Appropriations) 5999901 (Reserve Conversion Account) 1512000 (Accounting)**

**6. Fiscal Impact:** N/A

**Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.**

**7. Method of Cost Recovery:** N/A

**Examples:**

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.**
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.**

**This Legislative Request Form Was Prepared By:** Tamika Gray



Kasim Reed  
MAYOR

**CITY OF ATLANTA**  
DEPARTMENT OF WATERSHED MANAGEMENT  
72 MARIETTA STREET NW  
ATLANTA, GEORGIA 30303

Jo Ann J. Macrina, PE  
COMMISSIONER

**MEMORANDUM**

**TO:** Tamiko Gray, Watershed Manager, Sr.,  
DWM – Bureau of Financial Administration

**FROM:** Tracie A. Thomas, Special Projects Coordinator   
DWM, Office of Engineering Service

**DATE:** January 11, 2016

**SUBJECT: FUNDS REQUEST FOR SMALL BUSINESS DEVELOPMENT  
PROGRAM (SBDP): CIP Project No: 49**

This serves as a formal request to fund the SBDP project (CIP Project #49) totaling \$200,000.

PROJECT NAME	SMALL BUSINESS DEVELOPMENT PROGRAM (SBDP)
Funding Total	\$200,000.00
Start/Finish Time	April 2016 – December 2016
Project Details	SBDP is an intensive program for small, minority and/or female contractors and consultants in sewer rehabilitation techniques and construction management. Successful completion of this program prepares them for subcontracting and prime contracting opportunities with the City of Atlanta's \$1.2 billion program to rebuild our water and sewer infrastructure.

Should you need additional information to precede with this request, please contact me at 404-546-3332.

**APPROVALS**

  
Lyonel Francois, Director, OES

  
Robert A. Bocarro, P.E., DC, OES

Cc: Mohamed Balla, DC, Bureau of Financial Administration  
Demetris M. Johnson, DWM



**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT; AND FOR OTHER PURPOSES.**

**Workflow List:**

Jo Ann Macrina	Completed	03/02/2016 10:42 AM
Finance	Completed	03/02/2016 10:55 AM
Patrick McShane	Completed	03/02/2016 3:04 PM
Mayor's Office	Completed	03/02/2016 3:33 PM
Office of Research and Policy Analysis	Completed	03/08/2016 2:32 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Atlanta City Council	Pending	03/21/2016 1:00 PM
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta (“City”) applied for a Section 319(h) grant from the United States Environmental Protection Agency (“US EPA”) to fund the Proctor Creek Watershed Green Infrastructure demonstration project located at Joseph E. Boone Boulevard (“Boone Boulevard Green Infrastructure Project”), pursuant to Resolution No. 15-R-3007; and

WHEREAS, the US EPA has awarded Section 319(h) grant funds in the amount of Three Hundred Eighty-Seven Thousand, Seven Hundred Forty-Seven Dollars and Zero Cents (\$387,747.00) to implement the Boone Boulevard Green Infrastructure Project (“Grant Funds”), funding fifty-percent (50%) of the total cost of the project with a fifty-percent (50%) local match from the Water Sewer Enterprise Fund, pursuant to Resolution 15-R-3007; and

WHEREAS, the Grant Funds will be used by the City for the design and construction of the Boone Boulevard Green Infrastructure Project; and

WHEREAS, it is in the best interests of the City to anticipate and appropriate the Grant Funds.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS *as follows*:

Section 1: That the Chief Financial Officer is authorized to amend the FY 2016 Intergovernmental Grant Fund (2501) Budget as follows:

ADD TO ANTICIPATIONS

<b>The amount of:</b>	<b>\$387,747.00</b>			
<b>PTAEO:</b>				
<u>Intergovernmental Grant</u>	<u>DWM Watershed Planning &amp; Design</u>	<u>Federal-Direct (OC)</u>	<u>Data Processing/Management</u>	
2501	170302	3311101	1535000	
<u>Watershed Improvement</u>	<u>319(h) EPA Grant</u>			

<u>Planning &amp; Design</u>				
111688	32321			

FDOA:

<u>Watershed Improvement Planning &amp; Design</u>	<u>Task</u>	<u>319(h) EPA Grant</u>	<u>Consulting Professional Services</u>	<u>City of Atlanta</u>
17111688	103	250132321	5212001	COA

ADD TO APPROPRIATIONS

<b>The amount of:</b>	<b>\$387,747.00</b>			
<b>PTAEO:</b>				
<u>Intergovernmental Grant</u>	<u>DWM Watershed Planning &amp; Design</u>	<u>Projects &amp; Grants Summary</u>	<u>Data Processing/Management</u>	
2501	170302	5999999	1535000	
<u>Watershed Improvement Planning &amp; Design</u>	<u>319(h) EPA Grant</u>			
111688	32321			

FDOA:

<u>Watershed Improvement Planning &amp; Design</u>	<u>Task</u>	<u>319(h) EPA Grant</u>	<u>Consulting Professional Services</u>	<u>City of Atlanta</u>
17111688	103	250132321	5212001	COA

Section 2: That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Cristl Walker

Contact Number: 404-546-3622

Originating Department: Watershed Management

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: February 19, 2016

Anticipated Committee Meeting Date(s) March 16, 2016

Anticipated Full Council Date: March 21, 2016

Legislative Counsel's Signature: *[Signature]*

Commissioner's Signature: *[Signature]*

Chief Financial Officer: *[Signature]* GP

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT; AND FOR OTHER PURPOSES.**

**FINANCIAL IMPACT: (if any) \$387,747.00  
Mayor's Staff Only**

Received by CPO: \_\_\_\_\_ (date) Received by LC from CPO: \_\_\_\_\_ (date)  
Received by Mayor's Office: *[Signature]* (date) Reviewed by: *[Signature]* (date)  
Submitted to Council: \_\_\_\_\_ (date)

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/Executive Committee

**Caption:** AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT; AND FOR OTHER PURPOSES.

**Council Meeting Date:** 1<sup>st</sup> Read – March 21; 2<sup>nd</sup> Read – April 18

**Requesting Dept.:** Department of Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

***Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.***

The purpose of this legislation is to anticipate and appropriate funds from the Environmental Protection Agency (EPA), per resolution 15-R-3007 authorizing the Mayor to accept a Section 319(h) Grant from the EPA for the purpose of funding the Proctor Creek Watershed Green Infrastructure Demonstration Project aka Boone Boulevard Green Infrastructure Project.

**2. Please provide background information regarding this legislation.**

***Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.***

The Department of Watershed Management has been awarded a 319(h) Grant from EPA to implement green infrastructure along Boone Boulevard in the Proctor Creek Watershed (15-R-3007).

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**

**(b) Source Selection:**

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (Ex. Name and number):

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds:

Grant Funds

PTAEO: 2501 (Intergovernmental Grant) 170302 (DWM Watershed Planning & Design) 3311101 (Federal-Direct (OC)) 153500 (Data Processing/Management) 111688 (Watershed Improvement Planning & Design) 32321 (319(h) EPA Grant)

FDOA: 17111688 (Watershed Improvement Planning & Design) 103 (Task) 250132321 (319(h) EPA Grant) 5212001 (Consulting Professional Services)

6. Fiscal Impact:

*Example: This legislation will result in a reduction in the amount of \$150,000.00 to Fund Department*

\_\_\_\_\_.

7. Method of Cost Recovery: n/a

*Examples:*

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Julie Owens

CONTRACT  
WITH  
CITY OF ATLANTA  
FOR

PROCTOR CREEK GREEN INFRASTRUCTURE IMPLEMENTATION  
SECTION 319(h) FY13 GRANT - ELEMENT 11

STATE OF GEORGIA  
COUNTY OF FULTON

THIS CONTRACT is made and entered into as of this 1<sup>st</sup> day of June, 2015, by and between the Environmental Protection Division of the Department of Natural Resources, State of Georgia (hereinafter called the "Division") and the City of Atlanta (hereinafter called the "Contractor"), whose address is 72 Marietta Street, SW, Atlanta, Georgia 30303. The persons executing this Contract on behalf of the Contractor have authority to bind the Contractor to the terms of this Contract. The Director of the Division is authorized by law to execute this Contract.

WITNESSETH:

WHEREAS, the Division is acting pursuant to the Georgia Water Quality Control Act, O.C.G.A. §§12-2-4, 12-2-6, and 12-2-7, and;

WHEREAS, the Division desires to engage the Contractor to render certain technical services hereafter described in connection with an undertaking (hereinafter referred to as the "Project") which is expected to be partially financed under Section 319(h) of the Federal Water Pollution Control Act Amendments of 1987.

NOW, THEREFORE, for and in consideration of the valuable and mutual benefits

flowing to each party as hereinafter appear below, the parties mutually agree as follows:

1. Employment of Contractor. The Division hereby agrees to engage the Contractor and the Contractor hereby agrees to provide the services hereafter set forth in connection with the Project of the Division under the Environmental Protection Agency Grant.

2. Scope of Service. The Contractor shall perform in a satisfactory and proper manner, as determined by the Division, the scope of services identified in Appendix A, hereby made a part of this Contract by reference.

3. Data to be Furnished to the Contractor. All information, data, reports, records, and maps as are existing, available, and necessary for the carrying out of the work shall be furnished to the Contractor without charge by the Division, and the Division shall cooperate with the Contractor in every way possible in carrying out the work.

4. Personnel.

(a) The Contractor represents that it has, or will secure all personnel required in performing the services under this Contract. Such personnel shall not be employees of the Division or any State Agency.

(b) All the services required hereunder will be performed by the Contractor or under its supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized under State and local law to perform such services.

(c) None of the work or services covered by this Contract shall be subcontracted without the prior approval of the Contract Administrator.

5. Time of Performance. The services of the Contractor are to commence as soon as practicable after the effective date of this agreement and shall be undertaken and completed in such sequence as to assure their expeditious completion in light of the purposes of this Contract, but in any event all the services hereunder shall be completed by June 30, 2017.

6. Compensation. The Division agrees to pay the Contractor a sum not to exceed three hundred eighty-seven thousand, seven hundred forty-seven (\$387,747.00) dollars total.

7. In-kind Match. The Contractor will contribute a minimum of three hundred eighty-seven thousand, seven hundred forty-seven (\$387,747.00) dollars or the equivalent of 50% of the total project cost, whichever is less, in services or cash contributions toward the performance of services described in Appendix A to this contract.

8. Maintenance of Records and Quarterly Reports. The Contractor agrees to be responsible for directing and accounting for the participating parties contributions. The Contractor shall record costs incurred in performing the services described in Appendix A to this contract and shall record all in-kind services for submission to the Division. The Contractor shall submit at a minimum of quarterly a request for payment and an accounting of costs and matching funds to the Contract Administrator, which will consist of canceled checks, paid bills, payrolls, time and attendance records, contract and subcontract award documents, etc.

9. Method of Payment. The Division will pay to the Contractor the amount set forth in Paragraph 6, which shall constitute full and complete compensation for the Contractor's services herein. Such sum will be paid in the manner set forth in Appendix B, hereby made a part of this Contract by reference, subject to receipt of an invoice from the Contractor and a brief progress report specifying that it has performed the work under this Contract in conformance with the Contract and that it is entitled to receive the amount requisitioned under the terms of the Contract.

It is expressly understood and agreed that in no event will the total compensation and reimbursement, if any, to be paid hereunder exceed the maximum sum of \$387,747.00 dollars for all the services required herein.

10. Termination of Contract for Cause. If, through any cause, the Contractor shall fail to fulfill in timely and proper manner its obligations under this Contract, or if the Contractor shall violate any of the covenants, agreements, or stipulations of this Contract, the Division shall thereupon have

the right to terminate this Contract by giving written notice to the Contractor of such termination and specifying the effective date thereof, at least 15 days before the effective date of such termination. In that event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the Contractor under this Contract shall, at the option of the Division, become the property of the Division and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials. Notwithstanding the above, the Contractor shall not be relieved of liability to the Division for damages sustained by the Division by virtue of any breach of the Contract by the Contractor, and the Division may withhold any payments to the Contractor for the purpose of set off until such time as the exact amount of damages due the Division from the Contractor is determined.

11. Termination for Convenience of Either Party. Either party may terminate this Contract at any time for good reason by giving written notice to the other party of such termination and specifying the effective date thereof, at least 15 days before the effective date of such termination. In that event, all finished or unfinished documents, and other materials as described in Paragraph 10 above shall, at the option of the Division, become its property. If this Contract is terminated by either party as provided herein, the Contractor will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Contractor covered by this Contract, less payments of compensation previously made. Provided, however, that if less than 69 percent of the services covered by this Contract have been performed upon the effective date of such termination, the Contractor shall be reimbursed, in addition to the above payment for that portion of the actual out-of-pocket expenses, not otherwise reimbursed under this Contract, incurred by the Contractor during the Contract period which are directly attributable to the uncompleted portion of the services covered by this Contract. If this Contract is terminated due to the fault of the Contractor, Paragraph 10 hereof relative to termination shall apply.

12. Changes. The Division may, from time to time, require changes including any increases

or decreases in the amount of Contractor's compensation, which are mutually agreed upon by and between the Division and the Contractor, and shall be incorporated in written amendments to this Contract.

13. Assignability. The Contractor shall not assign any interest in this Contract, and shall not transfer any interest in the same, whether by assignment or novation, without the prior written consent of the Contract Administrator.

14. Interest of Contractor. The Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance required under the Contract. The Contractor further covenants that in the performance of this Contract no person having any such interest shall be employed or contracted with.

15. Identification of Documents and Projects. All construction or demonstration projects, reports, maps, and other documents completed as a part of this Contract, other than documents exclusively for internal use within the Division shall give the Contractor recognition and carry the following notation on a conspicuous sign or the front cover or a title page (or in the case of maps, in the same block) containing the name of the Division:

"The preparation of this report, map, document, project, etc., was financed in part through a grant from the U.S. Environmental Protection Agency under the Provisions of Section 319(h) of the Federal Water Pollution Control Act, as amended."

Together with the month and year, the document was prepared and credit being given to the Environmental Protection Division of the Department of Natural Resources, State of Georgia.

16. Copyright. No reports, maps, or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the Contractor.

17. General Conditions. All covenants, agreements and stipulations in Part 31 Appendix A of Subchapter B, Title 40, Code of Federal Regulations, are incorporated herein by reference. The

parties acknowledge those general grant conditions and intend that all those covenants, agreements, and stipulations between the U.S. Environmental Protection Agency and the Division are applicable to and enforceable against the Contractor. Allowable costs will be determined in accordance with the cost principles in OMB Circular A-87.

18. Applicable Law. The parties agree that this agreement and all rights, privileges and responsibilities shall be interpreted and construed according to the laws of the State of Georgia.

19. The failure of the Division at any time to require performance by the Contractor of any provision hereof, shall in no way affect the right of the Division thereafter to enforce that same provision or any part of the Contract, nor shall the failure of the Division to enforce any breach of any provision hereof be taken or held to be a waiver of such provision, or as a waiver, modification or rescission of the Contract itself.

20. Contractor warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for him, to solicit or secure this Contract and that he has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for him, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or the making of this Contract.

21. If the Contractor is a nonprofit contractor as defined in O.C.G.A. Section 50-20-2, then the Contractor agrees to comply with the provisions of O.C.G.A. Sections 50-20-1 through 50-20-8, and in particular, the requirements of O.C.G.A. Section 50-20-3, and with such further instructions as the State of Georgia may subsequently require in the implementation of said provisions.

22. In carrying out its obligations under this Contract, the Contractor is acting as an independent contractor and is responsible for full performance in accordance with the Contract terms and conditions.

23. The parties to this Agreement certify that the provisions of law prohibiting full and part-time appointive officials and employees of the State from engaging in certain transactions affecting

the State contained in O.C.G.A. Sections 45-10-20 through 45-10-28 have not and will not be violated in any respect in regard to this Agreement.

24. The Contract represents the sole and complete understanding of the terms of this agreement between the parties hereto and may be amended, changed or modified only by a written document signed by the parties hereto.

25. This contract is being funded with a grant from the U.S. Environmental Protection Agency (USEPA). It is the policy of the USEPA to ensure to the fullest extent possible that at least a negotiated "Fair Share" percentage of federal funds awarded to prime and subcontractors in support of USEPA programs be made available to Disadvantaged Business Enterprises (DBE).

The Contractor agrees to ensure to the fullest extent possible that at least 13.7% Minority Business Enterprise (MBE) and 7% Women Business Enterprises (WBE) of federal funds for contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black college and universities.

The Contractor agrees to include in its bid documents this 13.7% and 7% "Fair Share" percentage.

To evaluate compliance with the "Fair Share" policy, the Contractor agrees to comply with the following six affirmative steps as appropriate:

- 1) Including qualified minority and women's businesses on solicitation lists;
- 2) Assuring that minority and women's businesses are solicited whenever they are potential sources;
- 3) Dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of minority and women's businesses;
- 4) Establishing delivery schedules, where the requirements of the work permit, which will encourage the participation by minority and women's businesses;
- 5) Using the services and assistance of the U.S. Small Business Administration and the Office of Minority Business Enterprise of the U.S. Department of Commerce;

- 6) Requiring each party to a subagreement to take the affirmative steps outlined in paragraphs 1 through 6 of this section.

The documentation of the six steps must be detailed in order to allow for satisfactory review and should document the efforts of solicitation taken such as; the name and address of MBE's/WBE's solicited, if advertised in newspaper show proof and indicate name of paper.

The Contractor is required to submit reports of total contract expenditures to the Division, which includes a separate total for MBE/WBE utilization. This information should be mailed to the following address:

Mary Gazaway  
 Contract Administrator  
 NonPoint Source Program Grants Unit  
 Georgia Environmental Protection Division  
 2 Martin Luther King Jr. Drive  
 Suite 1462  
 Atlanta, Georgia 30334

26. Drug Free Workplace.

(a). If Contractor is an individual, he or she hereby certifies that he or she will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance, or marijuana during the performance of this contract.

(b). If the Contractor is an entity other than an individual, it hereby certifies that: 1. A drug-free workplace will be provided for the Contractor's employees during the performance of this; and 2. It will secure from any subcontractor hired to work in a drug-free workplace the following written certification: "As part of the subcontracting agreement with (contractor's name, subcontractor's name) certifies to the contractor that a drug-free workplace will be provided to the subcontractor's employees during the performance of this contract pursuant to paragraph 7 of subsection B of Code Section 50-24-3".

IN WITNESS WHEREOF, the parties have hereunto, and to a duplicate hereof of like tenor and effect, acting by and through their duly authorized officers or agents, set their hands the day and year first above written.

ENVIRONMENTAL PROTECTION DIVISION

THE CITY OF ATLANTA

BY: Judson H. Turner  
Judson H. Turner  
Director

BY: Kasim Reed  
Kasim Reed  
Mayor

Rhonda Daughin Johnson  
Notary Public/Clerk of Council

APPROVED

BY: Jo Ann Macrina  
Jo Ann Macrina, PE  
Commissioner, Department of  
Watershed Management:

APPROVED AS TO FORM

BY: Patricia A. ...  
City Attorney, Assist.

**First Reading**

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>

**Readings**

Consent  V Vote  RC Vo

**AN ORDINANCE  
 BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT, AND FOR OTHER PURPOSES.

- CONSENT REFER**
- REGULAR REPORT REFER**
- ADVERTISE & REFER**
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER**
- PERSONAL PAPER REFER**

Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

**Committee**

**Date**

**Chair**

**Action**

Fav, Adv, Hold (see rev. side)

**Other**

**Members**

**Refer To**

**Committee**

**Date**

**Chair**

**Action**

Fav, Adv, Hold (see rev. side)

**Other**

**Members**

**Refer To**

**Committee**

**Date**

**Chair**

**Action**

Fav, Adv, Hold (see rev. side)

**Other**

**Members**

**Refer To**

**Committee**

**Date**

**Chair**

**Action**

Fav, Adv, Hold (see rev. side)

**Other**

**Members**

**Refer To**

**MAYOR'S ACTION**

**CERTIFIED**

**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET IN THE AMOUNT OF THREE HUNDRED EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND ZERO CENTS (\$387,747.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE INTERGOVERNMENTAL GRANT FUND FOR THE PROCTOR CREEK WATERSHED GREEN INFRASTRUCTURE DEMONSTRATION PROJECT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“City”) applied for a Section 319(h) grant from the United States Environmental Protection Agency (“US EPA”) to fund the Proctor Creek Watershed Green Infrastructure demonstration project located at Joseph E. Boone Boulevard (“Boone Boulevard Green Infrastructure Project”), pursuant to Resolution No. 15-R-3007; and

**WHEREAS**, the US EPA has awarded Section 319(h) grant funds in the amount of Three Hundred Eighty-Seven Thousand, Seven Hundred Forty-Seven Dollars and Zero Cents (\$387,747.00) to implement the Boone Boulevard Green Infrastructure Project (“Grant Funds”), funding fifty-percent (50%) of the total cost of the project with a fifty-percent (50%) local match from the Water Sewer Enterprise Fund, pursuant to Resolution 15-R-3007; and

**WHEREAS**, the Grant Funds will be used by the City for the design and construction of the Boone Boulevard Green Infrastructure Project; and

**WHEREAS**, it is in the best interests of the City to anticipate and appropriate the Grant Funds.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS** *as follows*:

**Section 1:** That the Chief Financial Officer is authorized to amend the FY 2016 Intergovernmental Grant Fund (2501) Budget as follows:

|

**ADD TO ANTICIPATIONS**

**The amount of:** \$387,747.00

**PTAEO:**

	<u>DWM</u>		
	<u>Watershed</u>		
<u>Intergovernmental</u>	<u>Planning&amp;</u>	<u>Federal-Direct</u>	<u>Data</u>
<u>Grant</u>	<u>Design</u>	<u>(OC)</u>	<u>Processing/Management</u>
2501	170302	3311101	1535000

<u>Watershed</u>	
<u>Improvement</u>	
<u>Planning &amp;</u>	<u>319(h) EPA</u>
<u>Design</u>	<u>Grant</u>
111688	32321

**FDOA:**

<u>Watershed</u>			<u>Consulting</u>	
<u>Improvement</u>			<u>Professional</u>	
<u>Planning &amp;</u>			<u>Services</u>	<u>City of</u>
<u>Design</u>	<u>Task</u>	<u>319(h) EPA Grant</u>		<u>Atlanta</u>
17111688	103	250132321	5212001	COA

**ADD TO APPROPRIATIONS**

**The amount of:** \$387,747.00

**PTAEO:**

	<u>DWM</u>		
	<u>Watershed</u>		
<u>Intergovernmental</u>	<u>Planning&amp;</u>	<u>Projects &amp; Grants</u>	<u>Data</u>
<u>Grant</u>	<u>Design</u>	<u>Summary</u>	<u>Processing/Management</u>
2501	170302	5999999	1535000

<u>Watershed</u>	
<u>Improvement</u>	
<u>Planning &amp;</u>	<u>319(h) EPA</u>
<u>Design</u>	<u>Grant</u>
111688	32321

**FDOA:**

<u>Watershed</u>			<u>Consulting</u>	
<u>Improvement</u>			<u>Professional</u>	<u>City of</u>
<u>Planning &amp;</u>			<u>Services</u>	<u>Atlanta</u>
<u>Design</u>	<u>Task</u>	<u>319(h) EPA Grant</u>		<u>COA</u>
17111688	103	250132321	5212001	

Attachment: Ordinance - Budget Amendment EPA Grant Boone Blvd (16-O-1123 : Budget Amendment USEPA 319 Grant Boone Blvd)

**Section 2:** That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.



**A COMMUNICATION FROM COUNCILMEMBERS FELICIA A. MOORE, DISTRICT 9, CLARENCE “C.T.” MARTIN, DISTRICT 10 AND ANDRE DICKENS, POST 3 AT-LARGE APPOINTING MS. EUNICE GLOVER AS A MEMBER OF THE WATER AND SEWER APPEALS BOARD IN THE LAYPERSON CATEGORY. THIS APPOINTMENT IS FOR A TERM OF THREE (3) YEARS, SCHEDULED TO BEGIN ON THE DATE OF COUNCIL CONFIRMATION.**

February 17, 2016

Council President Ceasar Mitchell

City of Atlanta

55 Trinity Avenue, SW  
Atlanta, GA 30303

Dear Council President Mitchell:

Please accept Ms. Eunice Glover as our appointment to the City of Atlanta Water and Sewer Appeals Board. Ms. Glover is a resident of Atlanta who has served her community and neighborhood in various capacities over the years. She has worked for many years in higher education, government and industry and has a broad-range of experience in leadership, management, program development, and organizational development.

Her credentials are attached for your review. Please feel free to follow up with us should you require additional information.

Felicia Moore, District 9

Clarence “C.T.” Martin, District 10

Andre Dickens, Post 3 At-Large

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK

2016 FEB 18 PM 4: 22

February 17, 2016

Councilmember Ceasar Mitchell  
City of Atlanta  
55 Trinity Avenue, SW  
Atlanta, GA. 30303

Dear Council President Mitchell:

Please accept Ms. Eunice Glover as our appointment to the City of Atlanta Water and Sewer Appeals Board. Ms. Glover is a resident of Atlanta who has served her community and neighborhood in various capacities over the years. She has worked for many years in higher education, government and industry and has a broad-range of experience in leadership, management, program development, and organizational development.

Her credentials are attached for your review. Please feel free to follow up with us should you require additional information.

  
Councilmember Felicia Moore  
District 9

  
Councilmember C.T. Martin  
District 10

  
Councilmember Andre Dickens  
Post 3 -At Large



Center for Enhancing Organizational Learning and Development, LLC  
"Workforce Learning and Performance ... Teaching Organizations to Succeed!"

#### Biographical Sketch

Eunice M. Glover, President

Center for Enhancing Organizational  
Learning and Development, LLC

Eunice Glover is the president of the Center for Enhancing Organizational Learning and Development, LLC (CEOLdevelopment), an OD, career development, executive and business coaching, training and organization that helps businesses gain success through organizational and people development.

She has worked for many years in higher education, government and industry. She recently served as a Visiting Professor at DeVry University/ Keller Graduate School of Management; Adjunct Professor at Howard Communication College's Entrepreneurial Programs, and Instructor in the School of Technology, Clayton State University (CSU) with teaching responsibility in the Bachelors of Applied Science and Marketing /Merchandising Programs.

Ms. Glover also served as the Logistics Manager for the Georgia Hydrogen Education Outreach Program, where she developed concepts for an outreach program to sponsor energy education and deliver training and career development opportunities to teachers and students in K-12. She served as Assistant Vice President for Operations, Planning and Budgeting at Clayton State University and Director for Human Resources. She also served as Manager of the Personnel Support Team at the Georgia Tech Research Institute. Ms. Glover has a broad-range of experience in leadership, management, program development, and organizational development.

She is best known for her many contributions to organizational development, human resources, executive coaching, and employee development through the implementation of system-wide programs and career development and training opportunities:

- Served as member of the President's Cabinet at Clayton State University. Provided coaching for top executives, assisted in problem solving, and organizational restructuring and realignment.
- Served as a member of the GTRI Senior Staff; coached senior management of Georgia Tech Research Institute (GTRI) in employee relations matters. Managed and directed the activities of a professional staff of twelve in support of a \$100 million sponsored research organization with nine laboratories and six field offices located throughout the southeast.
- Responsible for start-up operations to establish human resources operations at the GTRI, Georgia Tech and Clayton State University by developing and

implementing new programs: staffing, employee relations, benefits, payroll, compensation, HRIS, records, and Affirmative Action.

- Implemented the first compensation program within the first nine months of employment at Clayton State University, and directed the rollout and implementation of “PeopleSoft HRMS and PeopleSoft Financials” within Human Resources and Business Services.
- Directed the development of a web-based recruitment program, which reduced the administrative processes in Human Resources by 40 percent and provided hiring officials with a management-friendly tool to facilitate recruitment and hiring.
- Launched the PeopleSoft Data Collaboration Team (PDCT -- a High Performance Technical Work Team). The PDCT was launched to enhance and build the core technical skills needed to maximize the capability of PeopleSoft through collaboration, research, and projects designed to solve critical business problems.
- Launched the Women's Forum (CSWF) to promote career development, foster leadership, promote mentoring, and collaboration and education throughout the campus.
- Launched the Southern Crescent Society for Human Resources Management (SCSHRM) chapter to provide management-related development and training for faculty, staff and students, and community leaders. SCSHRM launched the Southern Crescent Toastmasters program at CSU.

She is active in a number of Professional/Business/Academic and Community Organizations, including:

- SHRM Georgia State Council/College Relations Director
- Advisory Committee for DeVry University/ Keller Graduate School of Management
- Public Safety/NPU-I
- Audubon Forest/Community Safety Chair

Previous Professional/Business/Academic and Community Organizations activity:

- State Workforce Investment Board, the Georgia Work Ready Regional Industry Network Board as the Treasurer
- President of the Audubon Forest Neighborhood Association
- Chairperson of the Personnel Committee for First Congregational Church, Volunteer Leader for the Caregiver Community Action Network (CCAN), National Family Caregivers Association (NFCA)
- The North Clayton High School Business, Information and Technology Program
- Advisory Committee for the Clayton State University, School of Technology, Marketing and Merchandising Program
- SHRM Organizational Development Expertise Panel
- President, SHRM Georgia State Council
- Past Membership Chair, Association for Conflict Resolution, Organizational Conflict Management Section.

- Past President for the Southern Crescent SHRM Chapter
- Past President for the University System Human Resources Group
- Acting District Director for the Central Georgia SHRM Chapters
- Past Board of Directors of the Clayton State University Women's Forum
- Past Board of Directors, Clayton Country United Way Board

**She received a MA in Organizational Management from the University of Phoenix** and a BS in sociology with a minor in management from Georgia State.

#### **CERTIFICATIONS and AFFILIATIONS:**

Certified Emotional+Social Intelligence Coach  
 Certified Executive Sherpa Coach  
 Authorized Partner, Everything DiSC/Wiley Brand  
 Authorized Partner, Five Behaviors of a Cohesive Team/Wiley Brand  
 Napoleon Hill Trainer  
 Association of Conflict Resolution/Education-Training Section  
 Steven R. Covey Affiliate  
 Society for Human Resources Management  
 SHRM-Atlanta/Member

#### **TRAINING PRESENTATIONS:**

“Social+Emotional Intelligence” is the Organization’s ROI Tool for  
 Today, Tomorrow and Beyond!”  
 Sexual Harassment in the Workplace  
 The Legal Aspects of Hiring  
 How to Conduct the Performance Appraisal Process  
 How to Negotiate  
 Leadership Practices  
 Workplace Supervision  
 How to Gain the Best from Top Performers  
 The Communication Series: How to Build a Better Team  
 Ethics in the Workplace  
 Leadership Coaching  
 Leadership Throughout the Organization  
 Workplace Communication  
 Leading Change in the Workplace  
 Utilizing Best Practice Techniques to Direct your Efforts for Future Success  
 DiSC Certification Program  
 AIA Classic Workshop  
 Team Effectiveness Series: Building Stronger Communication  
 Team Effectiveness Series: Improving Team Motivation  
 Leadership Series: Adapting to Different Styles

#### **SPEAKING ENGAGEMENTS:**

- 2016 – Middle Georgia SHRM Professional Chapter:

- 2015 – 2015 GHCA SOURCE Case Manager Fall Conference: “Powerful Teams Are Driven By: Five Behaviors” {Trust; Commitment; Conflict; Accountability & Results}
- 2015 - State Personnel Administration: “Social+Emotional Intelligence” is the Organization’s ROI Tool for Today, Tomorrow and Beyond!”
- 2015 – Fifth Annual S.E. Financial & Legal Conference: “*People* Are a Major Asset or Challenge for Community Banks”  
<http://www.siolaw.com/legal/2015/10/01/meet-the-experts-2015-conference/>
- 2015 – Council for State Personnel Administration 2015 Annual Conference/ Georgia/ Navigation HR – The Road to Success: “Social+Emotional Intelligence”
- 2014: Clayton State Women’s Program: “Women in Leadership: My Journey”
- 2014: Community Council of Metropolitan Atlanta: “The Power of Teamwork: Utilizing DiSC to Discover Strengths!”

A RESOLUTION BY COUNCILMEMBER HOWARD SHOOK AUTHORIZING THE CITY OF ATLANTA, AS A JOINT VENTURE MEMBER OF THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION AND CO-OWNER OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT, TO AUTHORIZE AND APPROVE A NAME CHANGE OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT TO THE "TOM LOWE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT," PURSUANT TO SECTION 2-2 OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

**Workflow List:**

Clerk of Council	Completed	03/08/2016 9:43 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**A RESOLUTION BY COUNCILMEMBER HOWARD SHOOK AUTHORIZING THE CITY OF ATLANTA, AS A JOINT VENTURE MEMBER OF THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION AND CO-OWNER OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT, TO AUTHORIZE AND APPROVE A NAME CHANGE OF THE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT TO THE “TOM LOWE ATLANTA-FULTON COUNTY WATER TREATMENT PLANT,” PURSUANT TO SECTION 2-2 OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta (“Atlanta”) and Fulton County (“Fulton”) are joint venture partners in the joint venture known as the “Atlanta-Fulton County Water Resources Commission” (“AFCWRC”) for the purpose of owning and operating a water treatment plant to serve the respective water supply needs of Atlanta and Fulton; and

WHEREAS, the water treatment plant and related facilities is known as the “Atlanta-Fulton County Water Treatment Plant” and is located in Johns Creek, Georgia; and

WHEREAS, Atlanta and Fulton manage the AFCWRC through a board of commissioners, which is comprised of six government officials of Atlanta and Fulton and one independent member; and

WHEREAS, Thomas “Tom” Marvel Lowe, Jr. honorably served for 40 years as a member of the Fulton Board of Commissioners and is the longest serving member; and

WHEREAS, Tom Lowe was a member of the original AFCWRC Board of Commissioners in 1986 and served alongside former Mayor Andrew Young, former Atlanta City Council President Marvin Arrington, former Atlanta City Council Member Myrtle Davis, former Fulton County Chairman Michael Lomax, the late Fulton County Commissioner Reginal Eaves and former independent member, Dr. Johnnie Clark of Spellman College; and

WHEREAS, Tom Lowe worked to foster cooperation between the City of Atlanta and Fulton County to create a regional water treatment plant owned and operated through a joint venture of the two governments; and

WHEREAS, as a Civil Engineer and founder of Lowe Engineering, Tom Lowe was instrumental in negotiating with the Georgia Environmental Protection Division to secure the water withdrawal and operational permits for the plant and was an essential to the success of the planning, design and construction of the plant; and

WHEREAS, Tom Lowe’s tireless efforts and commitment to the AFCWRC helped realize the vision of a regional water treatment facility, which become operational in 1991 and ensured adequate water

supply for the growing population needs of North Atlanta and North Fulton for the past two decades and well into the future; and

WHEREAS, Atlanta and Fulton, as the joint venture members of the AFCWRC, desire to honor Tom Lowe by renaming the Atlanta-Fulton County Water Treatment Plant to the “Tom Lowe Atlanta-Fulton County Water Treatment Plant;” and

WHEREAS, the honoree, Tom Low, meets the requirements of Section 2-2 of the City of Atlanta Code of Ordinances; and

WHEREAS, Atlanta members of the AFCWRC recommend changing the name of the Atlanta-Fulton County Water Treatment Plant to the “Tom Lowe Atlanta-Fulton County Water Treatment Plant” in honor of the late Tom Lowe.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that, pursuant to Section 2-2 of the City of Atlanta Code of Ordinances, the Mayor, or his authorized designee, by and through the ACFWRC and/or the General Manager of the AFCWRC, is authorized to change the name of the Atlanta-Fulton County Water Treatment Plant to the “Tom Lowe Atlanta-Fulton County Water Treatment Plant” in honor of Tom Lowe, which shall be implemented on all signage, operational documentation and applicable State and federally-required permits (according to appropriate processes and procedures for such permits); and

BE IT FURTHER RESOLVED that information regarding this name change shall be delivered to all neighborhood planning units (“NPU”) for informational purposes only but shall not be placed on any NPU agenda, since the Atlanta-Fulton County Water Treatment Plant is located wholly within the City of Johns Creek, Georgia and does not directly affect any NPU within the City of Atlanta; and

BE IT FINALLY RESOLVED, that any Resolutions in conflict with this Resolution shall be waived to the extent of such conflict.

**A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF WATERSHED MANAGEMENT PREPARE A REPORT THAT ADDRESSES ALL DISCHARGES, COMBINED SEWER OVERFLOWS AND SANITARY SEWER OVERFLOWS FROM THE CITY OF ATLANTA'S WASTEWATER TREATMENT SYSTEM AND THAT ADDRESSES THE EFFECTS OF ALL DISCHARGES, COMBINED SEWER OVERFLOWS AND SANITARY SEWER OVERFLOWS ON ATLANTA'S NEIGHBORHOODS, CREEKS AND PARKS; REQUESTING SUCH REPORT BE PROVIDED TO THE CITY UTILITIES COMMITTEE WITHIN 90 CALENDAR DAYS OF ADOPTION OF THIS RESOLUTION; AND FOR OTHER PURPOSES.**

**Workflow List:**

Clerk of Council	Completed	03/08/2016 9:51 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

**CITY COUNCIL  
ATLANTA, GEORGIA**

16-R-3258

**SPONSOR SIGNATURES**

  
Yolanda Adrean, Councilmember, District 8

**A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF WATERSHED MANAGEMENT PREPARE A REPORT THAT ADDRESSES ALL DISCHARGES, COMBINED SEWER OVERFLOWS AND SANITARY SEWER OVERFLOWS FROM THE CITY OF ATLANTA'S WASTEWATER TREATMENT SYSTEM AND THAT ADDRESSES THE EFFECTS OF ALL DISCHARGES, COMBINED SEWER OVERFLOWS AND SANITARY SEWER OVERFLOWS ON ATLANTA'S NEIGHBORHOODS, CREEKS AND PARKS; REQUESTING SUCH REPORT BE PROVIDED TO THE CITY UTILITIES COMMITTEE WITHIN 90 CALENDAR DAYS OF ADOPTION OF THIS RESOLUTION; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") owns and operates a wastewater treatment system comprised of treatment facilities, pipes that are designed to carry sanitary and storm water flows, and pipes designed to carry only sanitary water flows; and

WHEREAS, the City currently operates both its separated sanitary sewer system and its combined sewer system ("CSS") in accordance with two federal Consent Decrees and federal National Pollutant Discharge Elimination System ("NPDES") permits; and

WHEREAS, since the Consent Decrees were signed in the late 1990s, the City has improved its infrastructure and improved water quality in the City's streams through the implementation of various projects, programs and monitoring required by the two federal Consent Decrees and/or NPDES permits; and

WHEREAS, the City's First Amended Consent Decree includes as an objective eliminating all sanitary sewer overflows from the City's separated sanitary sewer system; and

WHEREAS, the Georgia Environmental Protection Division ("EPD") recently reissued the City's NPDES permits for the City's CSS Control Facilities; and

WHEREAS, the City's NPDES permits for its CSS Control Facilities allow discharges of effluent that has been treated in accordance with the mandatory CSO Control Policy issued by the U.S. Environmental Protection Agency ("EPA"); and

WHEREAS, the City's NPDES permits for its CSS Control Facilities also allow the City to have up to four combined sewer overflows per year, on a rolling three year average, in accordance with the EPA's mandatory CSO Control Policy; and

WHEREAS, the Atlanta City Council would like to receive a report from the Department of Watershed Management regarding all discharges, combined sewer overflows and sanitary sewer overflows from the City's wastewater treatment system and plans to continue addressing the same; and

WHEREAS, the Atlanta City Council would like to receive a report from the Department of Watershed Management regarding the potential impacts of all discharges, combined sewer overflows and sanitary sewer overflows from the City's wastewater treatment system on the City's neighborhoods, creeks and parks and a plan to mitigate these potential impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Atlanta City Council hereby urges the Commissioner of the Department of Watershed Management to take whatever steps necessary to continue addressing the public health impacts from all discharges, combined sewer overflows and sanitary sewer overflows from the City's wastewater treatment system to our creeks, parks and neighborhoods; and

BE IT FINALLY RESOLVED, that the Atlanta City Council hereby requests that within 90 calendar days of the adoption of this Resolution the Commissioner of the Department of Watershed Management, or an authorized designee, present to the City Utilities Committee a report that addresses all discharges, combined sewer overflows and sanitary sewer overflows that are occurring from the City's wastewater treatment system, the potential impacts of all discharges, combined sewer overflows and sanitary sewer overflows on the City's neighborhoods, creeks and parks, and plans to mitigate those potential impacts, with a copy to be distributed to all members of the Atlanta City Council.

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH TALON PROPERTIES SERVICES, LLC., FOR FC-7079B CITYWIDE PLUMBING SERVICES, TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL AUTHORIZED USER FOR SERVICES, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**Workflow List:**

Clerk of Council	Completed	03/08/2016 12:37 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL  
ATLANTA, GEORGIA

16-R-3260

SPONSOR SIGNATURES

*Clarence T Martin Jr*  
Clarence "C. T." Martin, Councilmember, District 10

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH TALON PROPERTIES SERVICES, LLC., FOR FC-7079B CITYWIDE PLUMBING SERVICES, TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL AUTHORIZED USER FOR SERVICES, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") authorized FC-7079B, Citywide Plumbing Services with Talon Property Services, LLC ("Agreement"), on behalf of the Executive Offices - Office of Enterprise Assets Management ("OEAM"), pursuant to Resolution 14-R-3796 adopted by the Atlanta City Council adopted on July 7, 2014, and approved as per City Charter Section 2-403 on July 16, 2014; and

WHEREAS, the initial term of the Contract is for a period of three (3) years, with two (2) one (1) year renewal options to be exercised at the sole discretion of the City; and

WHEREAS, the City entered into Amendment Agreement Number 1 with Talon Property Services, LLC., for FC-7079B, Citywide Plumbing Services, pursuant to Resolution 15-R-3118 adopted by the Atlanta City Council on February 2, 2015, and approved as per City Charter Section 2-403 on February 11, 2015, in an amount not to exceed Two Hundred Sixty Thousand Dollars and No Cents (\$260,000.00); and

WHEREAS, the Department of Public Works has identified a need for plumbing services; and

>

WHEREAS, the Commissioner of the Department of Public Works desires to enter into Amendment Agreement Number 2 with Talon Property Services, LLC., for FC-7079B Citywide Plumbing Services, in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); and

WHEREAS, the Commissioner of the Department of Public Works recommends Amendment Agreement Number 2 for FC-7079B Citywide Plumbing Services, with Talon Property Services, LLC.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY, RESOLVES, that the Mayor, or his designee, is authorized to enter into Amendment Agreement Number 2 with Talon Property Services, for FC-7079B, Citywide Plumbing Services in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from FDOA: Solid Waste Services 5401 (Solid Waste Services Revenue), 130501 (DPA Solid Waste Admin) 5222001 (Repair and Maintenance) 4510000 (Solid Waste Admin)- \$100,000.00 Office of Transportation 1001 (General Fund) 130303 (DPW Traffic Signs & Markings) 5220001 (Repairs & Maintenance Buildings) 4220000 (Roadways & Walkways)- \$100,000.00 Office of Fleet Services 6001 (Fleet Service Fund) 130401 (Office of Fleet Service Administration) 5222001 (repairs & Maintenance Buildings) 1590000 (Fleets Services Administration) - \$100,000.00

BE IT FURTHER RESOLVED, that the Chief Procurement Officer in consultation with the City Attorney is directed to prepare an appropriate amendment for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Amendment Agreement will not become binding upon the City, and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to Talon Property Services.

**A RESOLUTION  
BY COUNCILMEMBER**



**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH TALON PROPERTIES SERVICES, LLC., FOR FC-7079B CITYWIDE PLUMBING SERVICES, TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL AUTHORIZED USER FOR SERVICES, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“City”) authorized FC-7079B, Citywide Plumbing Services with Talon Property Services, LLC (“Agreement”), on behalf of the Executive Offices – Office of Enterprise Assets Management (“OEAM”), pursuant to Resolution 14-R-3796 adopted by the Atlanta City Council adopted on July 7, 2014, and approved as per City Charter Section 2-403 on July 16, 2014; and

**WHEREAS**, the initial term of the Contract is for a period of three (3) years, with two (2) one (1) year renewal options to be exercised at the sole discretion of the City; and

**WHEREAS**, the City entered into Amendment Agreement Number 1 with Talon Property Services, LLC., for FC-7079B, Citywide Plumbing Services, pursuant to Resolution 15-R-3118 adopted by the Atlanta City Council on February 2, 2015, and approved as per City Charter Section 2-403 on February 11, 2015, in an amount not to exceed Two Hundred Sixty Thousand Dollars and No Cents (\$260,000.00); and

**WHEREAS**, the Department of Public Works has identified a need for plumbing services; and

**WHEREAS**, the Commissioner of the Department of Public Works desires to enter into Amendment Agreement Number 2 with Talon Property Services, LLC., for FC-7079B Citywide Plumbing Services, in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); and

**WHEREAS**, the Commissioner of the Department of Public Works recommends Amendment Agreement Number 2 for FC-7079B Citywide Plumbing Services, with Talon Property Services, LLC.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY, RESOLVES**, that the Mayor, or his designee, is authorized to enter into Amendment Agreement Number 2 with Talon Property Services, for FC-7079B, Citywide Plumbing Services in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

**BE IT FURTHER RESOLVED**, that all contracted work shall be charged to and paid from FDOA: Solid Waste Services 5401 (Solid Waste Services Revenue), 130501 (DPA Solid Waste Admin) 5222001 (Repair and Maintenance) 4510000 (Solid Waste Admin) - \$100,000.00 Office of Transportation 1001 (General Fund) 130303 (DPW Traffic Signs & Markings) 5220001 (Repairs & Maintenance Buildings) 4220000 (Roadways & Walkways) - \$100,000.00 Office of Fleet Services 6001 (Fleet Service Fund) 130401 (Office of Fleet Service Administration) 5222001 (repairs & Maintenance Buildings) 1590000 (Fleets Services Administration) - \$100,000.00

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer in consultation with the City Attorney is directed to prepare an appropriate amendment for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Amendment Agreement will not become binding upon the City, and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to Talon Property Services.

15-R

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH TALON PROPERTIES SERVICES, LLC, FOR FC-7079B CITYWIDE PLUMBING SERVICES, TO INCLUDE THE DEPARTMENT OF PUBLIC WORKS AS AN ADDITIONAL AUTHORIZED USER FOR SERVICES, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: 3/7/16  
 Referred To: City Utilities  
 Date Referred:  
 Referred To:  
 Date Referred:  
 Referred To:

<p style="text-align: center;"><b>First Reading</b></p> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Referred To _____</p>	<p style="text-align: center;"><b>FINAL COUNCIL ACTION</b></p> <p><input type="checkbox"/> 2<sup>nd</sup>    <input type="checkbox"/> 1<sup>st</sup> &amp; 2<sup>nd</sup>    <input type="checkbox"/> 3<sup>rd</sup></p> <p style="text-align: center;"><b>Readings</b></p> <p><input type="checkbox"/> Consent    <input type="checkbox"/> V Vote    <input type="checkbox"/> RC Vote</p>
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<p style="text-align: center;"><b>Committee</b></p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p style="text-align: center;"><b>Committee</b></p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p><b>CERTIFIED</b></p> <p><b>MAYOR'S ACTION</b></p>
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**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH MWI ELECTRICAL CONTRACTORS, FOR FC-7154, CITYWIDE ELECTRICAL SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**Workflow List:**

Clerk of Council	Completed	03/08/2016 12:43 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

CITY COUNCIL  
ATLANTA, GEORGIA

16-R-3261

SPONSOR SIGNATURES

*Clarence T Martin Jr*  
Clarence "C. T." Martin, Councilmember, District 10

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH MWI ELECTRICAL CONTRACTORS, FOR FC-7154, CITYWIDE ELECTRICAL SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") entered into Agreement with MWI Electrical Contractors, Inc., for FC-7154 Citywide Electrical Services, pursuant to Resolution 14-R-3798 adopted by the Atlanta City Council on July 7, 2014, and approved as per City Charter Section 2-

403 on July 16, 2014; and

WHEREAS, the initial term of the Contracts is for a period of three (3) years, with two (2) one (1) year renewals options to be exercised at the sole discretion of the City; and

WHEREAS, the City entered into Amendment Agreement Number 1 with MWI Electrical Contractors, Inc., for FC-7154 Citywide Electrical Services, pursuant to Resolution 15-R-3734 adopted by the Atlanta City Council on July 6, 2015, and approved as per City Charter Section 2-

403 on July 15, 2015, in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00); and

WHEREAS, MWI Electrical Contractors, Inc., has performed contracted services satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works desires to enter into Amendment Agreement Number 2 with MWI Electrical Contractors, for FC-7154 Citywide Electrical Services, in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); and

WHEREAS, the Commissioner of the Department of Public Works recommends Amendment Agreement Number 2 for FC-7154 Citywide Electrical Services, with MWI Electrical Contractors.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY, RESOLVES, that the Mayor, or his designee, is authorized to enter into Amendment Agreement Number 2 with MWI Electrical Contractors, for FC-7154, Citywide Electrical Services in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from FDOA: Solid Waste Services 5401 (Solid Waste Services Revenue), 130501 (DPA Solid Waste Admin) 5222001 (Repair and Maintenance) 4510000 (Solid Waste Admin) - \$150,000.00 Office of Transportation 1001 (General Fund) 130303 (DPW Traffic Signs & Markings) 5220001 (Repairs & Maintenance Buildings) 4270000 (Traffic Engineering) - \$50,000.00 1001 (General Fund) 130306 (DPW Roadways & Walkways -North Ave.) 5222001 (Repairs & Maintenance Buildings) 4222000 (Roadways & Walkways) \$50,000.00 Office of Fleet Services 6001 (Fleet Service Fund) 130401 (Office of Fleet Service Administration) 5222001 (repairs & Maintenance Buildings) 1590000 (Fleets Services Administration)- \$100,000.00

BE IT FURTHER RESOLVED, that the Chief Procurement Officer in consultation with the City Attorney is directed to prepare an appropriate amendment for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Amendment Agreement will not become binding upon the City, and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to MWI Electrical Contractors, Inc.

**A RESOLUTION  
BY COUNCILMEMBER**

  
**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH MWI ELECTRICAL CONTRACTORS, FOR FC-7154, CITYWIDE ELECTRICAL SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") entered into Agreement with MWI Electrical Contractors, Inc., for FC-7154 Citywide Electrical Services, pursuant to Resolution 14-R-3798 adopted by the Atlanta City Council on July 7, 2014, and approved as per City Charter Section 2-403 on July 16, 2014; and

**WHEREAS**, the initial term of the Contracts is for a period of three (3) years, with two (2) one (1) year renewals options to be exercised at the sole discretion of the City; and

**WHEREAS**, the City entered into Amendment Agreement Number 1 with MWI Electrical Contractors, Inc., for FC-7154 Citywide Electrical Services, pursuant to Resolution 15-R-3734 adopted by the Atlanta City Council on July 6, 2015, and approved as per City Charter Section 2-403 on July 15, 2015, in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00); and

**WHEREAS**, MWI Electrical Contractors, Inc., has performed contracted services satisfactorily; and

**WHEREAS**, the Commissioner of the Department of Public Works desires to enter into Amendment Agreement Number 2 with MWI Electrical Contractors, for FC-7154 Citywide Electrical Services, in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); and

**WHEREAS**, the Commissioner of the Department of Public Works recommends Amendment Agreement Number 2 for FC-7154 Citywide Electrical Services, with MWI Electrical Contractors.

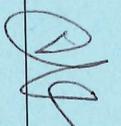
**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY, RESOLVES**, that the Mayor, or his designee, is authorized to enter into Amendment Agreement Number 2 with MWI Electrical Contractors, for FC-7154, Citywide Electrical Services in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

**BE IT FURTHER RESOLVED**, that all contracted work shall be charged to and paid from FDOA: **Solid Waste Services** 5401 (Solid Waste Services Revenue), 130501 (DPA Solid Waste Admin) 5222001 (Repair and Maintenance) 4510000 (Solid Waste Admin) - \$150,000.00 **Office of Transportation** 1001 (General Fund) 130303 (DPW Traffic Signs & Markings) 5220001 (Repairs & Maintenance Buildings) 4270000 (Traffic Engineering) - \$50,000.00 1001 (General Fund) 130306 (DPW Roadways & Walkways – North Ave.) 5222001 (Repairs & Maintenance Buildings) 4222000 (Roadways & Walkways) \$50,000.00 **Office of Fleet Services** 6001 (Fleet Service Fund) 130401 (Office of Fleet Service Administration) 5222001 (repairs & Maintenance Buildings) 1590000 (Fleets Services Administration) - \$100,000.00

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer in consultation with the City Attorney is directed to prepare an appropriate amendment for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Amendment Agreement will not become binding upon the City, and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to MWI Electrical Contractors, Inc.

15-R



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AMENDMENT AGREEMENT NUMBER 2 WITH MWI ELECTRICAL CONTRACTORS, FOR FC-7154, CITYWIDE ELECTRICAL SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: 3/7/16

Referred To: City Utilities

Date Referred:

Referred To:

Date Referred:

Referred To:

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

First Reading

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

- FINAL COUNCIL ACTION
- 2<sup>nd</sup>
  - 1<sup>st</sup> & 2<sup>nd</sup>
  - 3<sup>rd</sup>
- Readings
- Consent
  - V Vote
  - RC Vote

CERTIFIED

MAYOR'S ACTION

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO EXECUTE RENEWAL AGREEMENT NUMBER 2 FOR FC-6945, ANNUAL CONTRACT FOR STREET RESURFACING ACTIVITIES, WITH STEWART BROTHERS, INC; AND FOR OTHER PURPOSES.**

**Workflow List:**

Clerk of Council	Completed	03/08/2016 12:51 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL  
ATLANTA, GEORGIA

16-R-3262

SPONSOR SIGNATURES

*Clarence T Martin Jr*  
Clarence "C. T." Martin, Councilmember, District 10

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO EXECUTE RENEWAL AGREEMENT NUMBER 2 FOR FC-6945, ANNUAL CONTRACT FOR STREET RESURFACING ACTIVITIES, WITH STEWART BROTHERS, INC; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") did solicit Bids for Contract Number FC-6945, Annual Contract for Street Resurfacing Activities ("Contract"); and

WHEREAS, the Atlanta City Council adopted Resolution 13-R-3672 on October 21, 2013, and the same was approved per City Charter Code Section 2-403 on October 30, 2013, which authorized the Contract for FC-6945 with Stewart Brothers, Inc.; and

WHEREAS, the base term of the Contract is for a period of one (1) year, with two (2) one (1) year renewal options to be exercised at the sole discretion of the City; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 1 of the Contract as authorized via Resolution 14-R-3831 adopted by the City Council on July 21, 2014 and approved per City Charter Code Section 2-403 on July 30, 2014; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 2 of the Contract, as authorized via Resolution 14-R-4228 adopted by the City Council on October 6, 2014, and approved per City Charter Code Section 2-403 on October 15, 2014; and

WHEREAS, the Chief Procurement Officer authorized a 90-day extension of the Contract on December 23, 2014, giving a new expiration date of April 2, 2015; and

WHEREAS, the Department of Public Works entered into Renewal Agreement Number 1 with Stewart Brothers, Inc., for the Contract for street resurfacing activities, with a new expiration date of April 2, 2016 as authorized- via Resolution 15-R-3342 adopted by the City Council on March 16, 2015, and approved per City Charter Code Section 2-403 on March 25, 2015; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 3 of the Contract, as authorized via Resolution 15-R-3731 adopted by the City Council on July 6, 2015, and approved per City Charter Code Section 2-403 on July 15, 2015; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 4 the

Contract, as authorized via Resolution 15-R-3342 adopted by the City Council  
March 16,

on

2015, and approved as per City Charter Section 2-403 on March 25, 2015, in an amount not to exceed One Million Eighty Thousand Dollars and No Cents (\$1,080,000.00); and

WHEREAS, the Department of Public Works desires to enter into Renewal Agreement Number 2 with Stewart Brothers, Inc., for FC-6945, for street resurfacing projects giving a new expiration date of April 2, 2017; and

WHEREAS, Stewart Brothers Inc., has performed the contracted services satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works recommends approval of Renewal Agreement Number 2 with Stewart Brothers, Inc., for FC-6945, for street resurfacing projects.

"

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, or his designee, is authorized to enter into Renewal Agreement Number 2 with Stewart Brothers, Inc., for FC-6945, for street resurfacing projects on behalf of the Department of Public Works, for time only giving a new expiration date of April 2, 2017

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is hereby directed to prepare the appropriate Agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Agreement will not become binding upon the City, and the City will incur no obligation or liability under it until the Agreement has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, delivered to Stewart Brothers, Inc. and countersigned by that party.





**A RESOLUTION  
BY COUNCILMEMBER**

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE RENEWAL AGREEMENT NUMBER 2 FOR FC-6945, ANNUAL CONTRACT FOR STREET RESURFACING ACTIVITIES, WITH STEWART BROTHERS, INC; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") did solicit Bids for Contract Number FC-6945, Annual Contract for Street Resurfacing Activities ("Contract"); and

**WHEREAS**, the Atlanta City Council adopted Resolution 13-R-3672 on October 21, 2013, and the same was approved per City Charter Code Section 2-403 on October 30, 2013, which authorized the Contract for FC-6945 with Stewart Brothers, Inc.; and

**WHEREAS**, the base term of the Contract is for a period of one (1) year, with two (2) one (1)-year renewal options to be exercised at the sole discretion of the City; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 1 of the Contract as authorized via Resolution 14-R-3831 adopted by the City Council on July 21, 2014 and approved per City Charter Code Section 2-403 on July 30, 2014; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 2 of the Contract, as authorized via Resolution 14-R-4228 adopted by the City Council on October 6, 2014, and approved per City Charter Code Section 2-403 on October 15, 2014; and

**WHEREAS**, the Chief Procurement Officer authorized a 90-day extension of the Contract on December 23, 2014, giving a new expiration date of April 2, 2015; and

**WHEREAS**, the Department of Public Works entered into Renewal Agreement Number 1 with Stewart Brothers, Inc., for the Contract for street resurfacing activities, with a new expiration date of April 2, 2016 as authorized- via Resolution 15-R-3342 adopted by the City Council on March 16, 2015, and approved per City Charter Code Section 2-403 on March 25, 2015; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 3 of the Contract, as authorized via Resolution 15-R-3731 adopted by the City Council on July 6, 2015, and approved per City Charter Code Section 2-403 on July 15, 2015; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 4 the Contract, as authorized via Resolution 15-R-3342 adopted by the City Council on March 16, 2015, and approved as per City Charter Section 2-403 on March 25, 2015, in an amount not to exceed One Million Eighty Thousand Dollars and No Cents (\$1,080,000.00); and

**WHEREAS**, the Department of Public Works desires to enter into Renewal Agreement Number 2 with Stewart Brothers, Inc., for FC-6945, for street resurfacing projects giving a new expiration date of April 2, 2017; and

**WHEREAS**, Stewart Brothers Inc., has performed the contracted services satisfactorily; and

**WHEREAS**, the Commissioner of the Department of Public Works recommends approval of Renewal Agreement Number 2 with Stewart Brothers, Inc., for FC-6945, for street resurfacing projects.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor, or his designee, is authorized to enter into Renewal Agreement Number 2 with Stewart Brothers, Inc., for FC-6945, for street resurfacing projects on behalf of the Department of Public Works, for time only giving a new expiration date of April 2, 2017

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is hereby directed to prepare the appropriate Agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding upon the City, and the City will incur no obligation or liability under it until the Agreement has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, delivered to Stewart Brothers, Inc. and countersigned by that party.

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH SOCO-TEM, JV, FOR FC-8250, CONTRACT FOR THE MAINTENANCE AND REPAIR OF SIDEWALKS, CURBS, DRIVEWAY APRONS & ASSOCIATED INFRASTRUCTURE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED FOUR MILLION EIGHT HUNDRED FORTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$4,841,250.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**Workflow List:**

Clerk of Council	Completed	03/08/2016 12:58 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL  
ATLANTA, GEORGIA

16-R-3264

SPONSOR SIGNATURES

*Clarence T Martin Jr*  
Clarence "C. T." Martin, Councilmember, District 10

**A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH SOCO-TEM, JV, FOR FC-8250, CONTRACT FOR THE MAINTENANCE AND REPAIR OF SIDEWALKS, CURBS, DRIVEWAY APRONS & ASSOCIATED INFRASTRUCTURE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED FOUR MILLION EIGHT HUNDRED FORTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$4,841,250.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") solicited an Invitation to Bid from qualified firms for Project Number FC-8250, Contract for Maintenance and Repair of Sidewalks, Curbs, Driveway Aprons & Associated Infrastructure on behalf of the Department of Public Works; and

WHEREAS, after reviewing and evaluating the proposals, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend the award of the contract for FC-8250, Maintenance and Repair of Sidewalks, Curbs, Driveway Aprons & Associated Infrastructure (the "Agreement") to SoCo-TEM, JV in an amount not to exceed Four Million Eight Hundred Forty-One Thousand Two Hundred Fifty Dollars and No Cents (\$4,841,250.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, or his designee, is authorized to enter into an agreement with SoCo-TEM, JV for FC-8250, Maintenance and Repair of Sidewalks, Curbs, Driveway Aprons & Associated Infrastructure in an amount not to exceed Four Million Eight Hundred Forty-One Thousand Two Hundred Fifty Dollars and No Cents (\$4,841,250.00).

BE IT FURTHER RESOLVED, the initial term of the Agreement shall be for two (2) years with the option to renew for three (3) additional one (1) year periods.

BE IT FURTHER RESOLVED, that the funding of the agreement shall be subject to and expressly contingent upon the City's adoption and approval of the FY 2017 budget and the appropriation of sufficient funds to the associated funding sources.

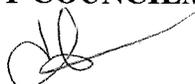
BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from various Fund Department Organization and Account numbers as listed: 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget Summary) 4270000 (Traffic Engineering) 110262 (ADA Ramps & ADA Sidewalk Imp, Citywide) 91795 (Dev Impact Fees- Trans) - \$218,506.91, 3147 (2015 Infrastructure Bond Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget Summary) 4270000 (Traffic Engineering) 112184 (Transportation Infrastructure) 22280 (Infrastructure Bond-DPW) -\$1,065,250.00 3147 (2015 Infrastructure Bond Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget Summary) 4270000 (Traffic Engineering) 112203 (District 1), 112204 (District 2), 11205 (District 3), 112206 (District 4), 112207 (District 5), 112208 (District 6), 112209 (District 7), 112210 (District 8), 112211 (District 9), 112212 (District 10), 112213 (District 11), 112214 (District 12) 22280 (2015

Infrastructure Bond Fund) - \$800,000.00

BE IT FURTHER RESOLVED, that the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare all appropriate documents for execution by the Mayor or his designee.

BE IT FINALLY RESOLVED, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk, and delivered to SoCo-TEM, JV.

**A RESOLUTION  
BY COUNCILMEMBER**

  
**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH SOCO-TEM, JV, FOR FC-8250, CONTRACT FOR THE MAINTENANCE AND REPAIR OF SIDEWALKS, CURBS, DRIVEWAY APRONS & ASSOCIATED INFRASTRUCTURE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED FOUR MILLION EIGHT HUNDRED FORTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$4,841,250.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“City”) solicited an Invitation to Bid from qualified firms for Project Number FC-8250, Contract for Maintenance and Repair of Sidewalks, Curbs, Driveway Aprons & Associated Infrastructure on behalf of the Department of Public Works; and

**WHEREAS**, after reviewing and evaluating the proposals, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend the award of the contract for FC-8250, Maintenance and Repair of Sidewalks, Curbs, Driveway Aprons & Associated Infrastructure (the “Agreement”) to SoCo-TEM, JV in an amount not to exceed Four Million Eight Hundred Forty-One Thousand Two Hundred Fifty Dollars and No Cents (\$4,841,250.00).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor, or his designee, is authorized to enter into an agreement with SoCo-TEM, JV for FC-8250, Maintenance and Repair of Sidewalks, Curbs, Driveway Aprons & Associated Infrastructure in an amount not to exceed Four Million Eight Hundred Forty-One Thousand Two Hundred Fifty Dollars and No Cents (\$4,841,250.00).

**BE IT FURTHER RESOLVED**, the initial term of the Agreement shall be for two (2) years with the option to renew for three (3) additional one (1) year periods.

**BE IT FURTHER RESOLVED**, that the funding of the agreement shall be subject to and expressly contingent upon the City’s adoption and approval of the FY 2017 budget and the appropriation of sufficient funds to the associated funding sources.

**BE IT FURTHER RESOLVED**, that all contracted work shall be charged to and paid from various Fund Department Organization and Account numbers as listed: 3502 (General

Government Capital Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget Summary) 4270000 (Traffic Engineering) 110262 (ADA Ramps & ADA Sidewalk Imp, Citywide) 91795 (Dev Impact Fees – Trans) – **\$218,506.91**, 3147 (2015 Infrastructure Bond Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget Summary) 4270000 (Traffic Engineering) 112184 (Transportation Infrastructure) 22280 (Infrastructure Bond-DPW) - **\$1,065,250.00** 3147 (2015 Infrastructure Bond Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget Summary) 4270000 (Traffic Engineering) 112203 (District 1), 112204 (District 2), 11205 (District 3), 112206 (District 4), 112207 (District 5), 112208 (District 6) , 112209 (District 7), 112210 (District 8), 112211 (District 9), 112212 (District 10), 112213 (District 11), 112214 (District 12) 22280 (2015 Infrastructure Bond Fund) - **\$800,000.00**

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare all appropriate documents for execution by the Mayor or his designee.

**BE IT FINALLY RESOLVED**, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk, and delivered to SoCo-TEM, JV.



**A RESOLUTION BY COUNCILMEMBER IVORY L. YOUNG, JR. AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ISSUE A TASK ORDER TO ARCADIS/BPA, A JOINT VENTURE, TO TAP FOR FC-7383, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE MAYOR'S OFFICE OF SUSTAINABILITY, TO ASSESS THE TECHNICAL AND ENVIRONMENTAL FEASIBILITY OF TWO OF THE CITY'S LANDFILLS FOR SOLAR OPERATIONS IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER XXXX (NEED NAME OF DPW FUND) AND ACCOUNT NUMBER 7701.040301 (THE SUSTAINABILITY REVOLVING LOAN FUND); AND FOR OTHER PURPOSES.**

**Workflow List:**

Clerk of Council	Completed	03/08/2016 5:12 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/07/16	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL  
ATLANTA, GEORGIA

16-R-3273

SPONSOR SIGNATURES



Ivory Lee Young Jr., Councilmember District 3

**A RESOLUTION BY COUNCILMEMBER IVORY L. YOUNG, JR. AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ISSUE A TASK ORDER TO ARCADIS/BPA, A JOINT VENTURE, TO TAP FOR FC-7383, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE MAYOR'S OFFICE OF SUSTAINABILITY, TO ASSESS THE TECHNICAL AND ENVIRONMENTAL FEASIBILITY OF TWO OF THE CITY'S LANDFILLS FOR SOLAR OPERATIONS IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER XXXX (NEED NAME OF DPW FUND) AND ACCOUNT NUMBER 7701.040301 (THE SUSTAINABILITY REVOLVING LOAN FUND); AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") authorized FC-7383, Architectural, Engineering and Design Services ("Agreement") with Arcadis/BPA, a joint venture, on behalf of the Departments of Public Works and the Mayor's Office of Sustainability, pursuant to Resolution 15-R-4035; and

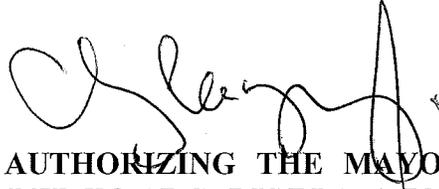
WHEREAS, the Department of Public Works the Mayor's Office of Sustainability require consulting services to assess the environmental and technical feasibility of Gun Club Landfill and Key Road Landfill for development as solar arrays; and

WHEREAS, the Commissioner of the Department of Public Works and the Director of the Mayor's Office of Sustainability recommend issuing a Task Order for Architectural, Engineering and Design services to Arcadis/BPA, a joint venture, in an amount not to exceed Fifty-Five Thousand Dollars and Zero Cents (\$55,000.00) for two landfill-to-solar feasibility analyses and implementation plans.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, or his authorized designee, is authorized to issue a Task Order to Arcadis/BPA, a joint venture, for FC-7383, Architectural, Engineering and Design Services in an amount not to exceed Fifty-Five Thousand Dollars and Zero Cents (\$55,000.00) to assess Gun Club Landfill and Key Road Landfill for development as solar arrays; and

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from Fund Department Organization and Account Number XXXX (Need Name of DPW Fund) and Account Number 7701.040310 (The Sustainability Revolving Loan Fund).

**A RESOLUTION  
BY**



**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO ARCADIS/BPA, A JOINT VENTURE, TO TAP FOR FC-7383, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE MAYOR'S OFFICE OF SUSTAINABILITY, TO ASSESS THE TECHNICAL AND ENVIRONMENTAL FEASIBILITY OF TWO OF THE CITY'S LANDFILLS FOR SOLAR OPERATIONS AT IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER XXXX (NEED NAME OF DPW FUND) AND ACCOUNT NUMBER 7701.040301 (THE SUSTAINABILITY REVOLVING LOAN FUND); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") authorized FC-7383, Architectural, Engineering and Design Services ("Agreement") with Arcadis/BPA, a joint venture, on behalf of the Departments of Public Works and the Mayor's Office of Sustainability, pursuant to Resolution 15-R-4035; and

**WHEREAS**, the Department of Public Works the Mayor's Office of Sustainability require consulting services to assess the environmental and technical feasibility of Gun Club Landfill and Key Road Landfill for development as solar arrays; and

**WHEREAS**, the Commissioner of the Department of Public Works and the Director of the Mayor's Office of Sustainability recommend issuing a Task Order for Architectural, Engineering and Design services to Arcadis/BPA, a joint venture, in an amount not to exceed Fifty-Five Thousand Dollars and Zero Cents (\$55,000.00) for two landfill-to-solar feasibility analyses and implementation plans.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor, or his authorized designee, is authorized to issue a Task Order to Arcadis/BPA, a joint venture, for FC-7383, Architectural, Engineering and Design Services in an amount not to exceed Fifty-Five Thousand Dollars and Zero Cents (\$55,000.00) to assess Gun Club Landfill and Key Road Landfill for development as solar arrays; and

**BE IT FINALLY RESOLVED**, that all contracted work will be charged to and paid from Fund Department Organization and Account Number XXXX (Need Name of DPW Fund) and Account Number 7701.040310 (The Sustainability Revolving Loan Fund).

(Do Not Write Above This Line)

**RESOLUTION**  
**Y**  
 RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO ISSUE A TASK ORDER TO RCADIS/BPA, A JOINT VENTURE, TO TAP FOR C-7383, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE MAYOR'S OFFICE OF SUSTAINABILITY, TO ASSESS THE TECHNICAL AND ENVIRONMENTAL FEASIBILITY OF TWO OF THE CITY'S LANDFILLS FOR SOLAR OPERATIONS IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER XXXX (NEED NAME OF DPW FUND) AND ACCOUNT NUMBER 7701.040301 (THE SUSTAINABILITY EVOLVING LOAN FUND); AND FOR OTHER PURPOSES.

**First Reading**  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

**FINAL COUNCIL ACTION**  
 2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>  
**Readings**  
 Consent  V Vote  RC Vote

**Committee**  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action (see rev. side)  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

**Committee**  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action (see rev. side)  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

**CERTIFIED**  
**MAYOR'S ACTION**

**CONSENT REFER**  
**REGULAR REPORT REFER**  
**ADVERTISE & REFER**  
~~1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER~~  
**PERSONAL PAPER REFER**

**Committee**  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action (see rev. side)  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

**Committee**  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action (see rev. side)  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

**MAYOR'S ACTION**

Date Referred \_\_\_\_\_  
 Referred To: *2/7/16 City Delinities*  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

**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)**

**Workflow List:**

Santana K. Wright	Completed	04/30/2014 4:35 PM
Rita Braswell	Completed	04/30/2014 5:10 PM
Richard Mendoza	Completed	05/01/2014 2:46 PM
Stefanie Grant	Completed	05/01/2014 3:31 PM
Mayor's Office	Completed	05/01/2014 4:12 PM
Office of Research and Policy Analysis	Completed	05/01/2014 4:38 PM
City Utilities Committee	Completed	05/13/2014 9:30 AM
Atlanta City Council	Completed	05/19/2014 1:00 PM
City Utilities Committee	Completed	05/27/2014 9:30 AM
Atlanta City Council	Completed	06/02/2014 1:00 PM
City Utilities Committee	Completed	06/10/2014 9:30 AM
Atlanta City Council	Completed	06/16/2014 1:00 PM
City Utilities Committee	Completed	06/24/2014 9:30 AM
Atlanta City Council	Completed	07/07/2014 1:00 PM
City Utilities Committee	Completed	07/15/2014 9:30 AM
Atlanta City Council	Completed	07/21/2014 1:00 PM
City Utilities Committee	Completed	07/29/2014 9:30 AM
Atlanta City Council	Completed	08/18/2014 1:00 PM
City Utilities Committee	Completed	08/26/2014 9:30 AM
Atlanta City Council	Completed	09/02/2014 1:00 PM
City Utilities Committee	Completed	09/09/2014 9:30 AM
Atlanta City Council	Completed	09/15/2014 1:00 PM
City Utilities Committee	Completed	09/23/2014 9:30 AM
Atlanta City Council	Completed	10/06/2014 1:00 PM
City Utilities Committee	Completed	10/14/2014 9:30 AM
Atlanta City Council	Completed	10/20/2014 1:00 PM
City Utilities Committee	Completed	10/28/2014 9:30 AM
Atlanta City Council	Completed	11/03/2014 1:00 PM
City Utilities Committee	Completed	11/10/2014 9:30 AM
Atlanta City Council	Completed	11/17/2014 1:00 PM
City Utilities Committee	Completed	11/24/2014 9:30 AM
Atlanta City Council	Completed	12/01/2014 1:00 PM

City Utilities Committee	Completed	12/09/2014 9:30 AM
Atlanta City Council	Completed	01/05/2015 1:00 PM
City Utilities Committee	Completed	01/13/2015 9:30 AM
Atlanta City Council	Completed	01/20/2015 1:00 PM
City Utilities Committee	Completed	01/27/2015 9:30 AM
Atlanta City Council	Completed	02/02/2015 1:00 PM
City Utilities Committee	Completed	02/10/2015 9:30 AM
Atlanta City Council	Completed	02/17/2015 1:00 PM
City Utilities Committee	Completed	02/24/2015 9:30 AM
Atlanta City Council	Completed	03/02/2015 1:00 PM
City Utilities Committee	Completed	03/16/2015 10:15 AM
Atlanta City Council	Completed	03/16/2015 1:00 PM
City Utilities Committee	Completed	03/24/2015 9:30 AM
Atlanta City Council	Completed	04/20/2015 1:00 PM
City Utilities Committee	Completed	04/28/2015 9:30 AM
Atlanta City Council	Completed	05/04/2015 1:00 PM
City Utilities Committee	Completed	05/12/2015 9:30 AM
Atlanta City Council	Completed	05/18/2015 1:00 PM
City Utilities Committee	Completed	05/26/2015 9:30 AM
Atlanta City Council	Completed	06/01/2015 1:00 PM
City Utilities Committee	Completed	06/09/2015 9:30 AM
Atlanta City Council	Completed	06/15/2015 1:00 PM
City Utilities Committee	Completed	06/23/2015 9:30 AM
Atlanta City Council	Completed	07/06/2015 1:00 PM
City Utilities Committee	Completed	07/14/2015 9:30 AM
Atlanta City Council	Completed	07/20/2015 1:00 PM
City Utilities Committee	Completed	07/28/2015 9:30 AM
Atlanta City Council	Completed	08/17/2015 1:00 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM
Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

05/13/14 City Utilities Committee  
 05/19/14 Atlanta City Council REFERRED TO COMMITTEE

**RESULT:** REFERRED TO COMMITTEE [UNANIMOUS] Next: 5/27/2014 9:30 AM  
**AYES:** Norwood, Dickens, Smith, Hall, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd  
**ABSENT:** Michael Julian Bond, Ivory Lee Young Jr., Clela Winslow, Alex Wan

05/27/14 City Utilities Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 6/2/2014 1:00 PM

06/02/14 Atlanta City Council REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 6/10/2014 9:30 AM

06/10/14 City Utilities Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 6/16/2014 1:00 PM

06/16/14 Atlanta City Council REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 6/24/2014 9:30 AM

06/24/14 City Utilities Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 7/7/2014 1:00 PM

07/07/14 Atlanta City Council REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 7/15/2014 9:30 AM

07/15/14 City Utilities Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 7/21/2014 1:00 PM

07/21/14 Atlanta City Council REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 7/29/2014 9:30 AM

07/29/14 City Utilities Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 8/18/2014 1:00 PM

08/18/14 Atlanta City Council REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 8/26/2014 9:30 AM

08/26/14 City Utilities Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 9/2/2014 1:00 PM

09/02/14 Atlanta City Council REFERRED AS HELD

<b>RESULT:</b>	<b>REFERRED AS HELD</b>	<b>Next: 9/9/2014 9:30 AM</b>
09/09/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/15/2014 1:00 PM</b>
09/15/14	Atlanta City Council	REFERRED AS HELD
<b>RESULT:</b>	<b>REFERRED AS HELD</b>	<b>Next: 9/23/2014 9:30 AM</b>
09/23/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/6/2014 1:00 PM</b>
10/06/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/14/2014 9:30 AM</b>
10/14/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/20/2014 1:00 PM</b>
10/20/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/28/2014 9:30 AM</b>
10/28/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/3/2014 1:00 PM</b>
11/03/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/10/2014 9:30 AM</b>
11/10/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/17/2014 1:00 PM</b>
11/17/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/24/2014 9:30 AM</b>
11/24/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/1/2014 1:00 PM</b>
12/01/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/9/2014 9:30 AM</b>
12/09/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/5/2015 1:00 PM</b>
01/05/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/13/2015 9:30 AM</b>
01/13/15	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/20/2015 1:00 PM</b>
01/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/27/2015 9:30 AM</b>
01/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/2/2015 1:00 PM</b>
02/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/10/2015 9:30 AM</b>
02/10/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/17/2015 1:00 PM</b>
02/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/24/2015 9:30 AM</b>
02/24/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/2/2015 1:00 PM</b>
03/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/16/2015 10:15 AM</b>
03/16/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
03/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/24/2015 9:30 AM</b>
03/24/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 4/20/2015 1:00 PM</b>
04/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 4/28/2015 9:30 AM</b>
04/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/4/2015 1:00 PM</b>
05/04/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/12/2015 9:30 AM</b>
05/12/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/18/2015 1:00 PM</b>
05/18/15	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/26/2015 9:30 AM</b>
05/26/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/1/2015 1:00 PM</b>
06/01/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/9/2015 9:30 AM</b>
06/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
06/15/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/23/2015 9:30 AM</b>
06/23/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
07/06/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/14/2015 9:30 AM</b>
07/14/15	City Utilities Committee	
07/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/28/2015 9:30 AM</b>
07/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/17/2015 1:00 PM</b>
08/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/25/2015 9:30 AM</b>
08/25/15	City Utilities Committee	
09/08/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/15/2015 9:30 AM</b>
09/15/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/21/2015 1:00 PM</b>
09/21/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
09/29/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
10/05/15	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
10/13/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**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)**

WHEREAS, it is the policy and responsibility of the City of Atlanta (“City”) to protect the health, safety, and welfare of the City’s residents and visitors; and

WHEREAS, proper solid waste management is essential to protecting the health, safety, and welfare of said residents and visitors; and

WHEREAS, ensuring the proper collection, removal and disposal of all commercial solid waste from within the corporate limits of the City is a major component of the City’s responsibilities to its residents and visitors; and

WHEREAS, commercial waste generated within the City is currently collected by private solid waste haulers; and

WHEREAS, the City seeks to provide standards of operation, regulation, and oversight in the providing of commercial solid waste services within the City limits; and

WHEREAS, the City seeks a fair and reasonable fee for the management and maintenance of its streets and rights-of-way to provide a proper level of oversight and regulation over commercial waste haulers within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1: That Section 130-44 of the Atlanta City Code shall be replaced in its entirety so that the new Section 130-44 shall be re-titled and revised as follows:

Sec. 130-44. - Collection and transportation of commercial and non-residential solid waste.

Sec. 130-44.1. Part designation.

This section shall be known and may hereafter be referred to as the “City of Atlanta Commercial Solid Waste Collection and Transportation Ordinance.”

Sec. 130-44.2. Declaration of Policy.

It is the policy and responsibility of the City of Atlanta to protect the health, safety, and welfare of the City’s residents and visitors. As part of that responsibility, proper solid waste management is essential to protecting the health, safety, and welfare of the City’s residents and visitors and ensuring the proper collection, removal and disposal of all commercial non-residential solid waste from within the corporate limits of the City is a major component of the City’s responsibilities to its residents and visitors.

Included in this policy is the implementation of an infrastructure maintenance fee to be imposed on commercial solid waste hauling services. This fee is designed to support the cost of repair of City infrastructure damaged as a result of the use of City streets by the vehicles used in waste collection activities by commercial haulers.

Accordingly, the implementation of this City of Atlanta Commercial Solid Waste Collection and Transportation Ordinance is designed to make certain that all commercial haulers involved in the collection, transportation, and disposal of such waste will manage such activities efficiently and responsibly. This Ordinance will further ensure that the public's investment in the City's public streets is further protected through the collection of infrastructure maintenance fees from commercial haulers that will be used to maintain and improve the City's public right-of-way.

Sec. 130-44.3. Definitions.

The definitions in Section 130-1 of this Chapter apply to this Section unless otherwise indicated. Additionally, the following terms and phrases, where used in this Section, shall have the meanings ascribed to them in this section, unless different meanings are clearly indicated by context. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural include the singular, words in the singular include the plural and the use of any gender shall be applicable to all genders whenever the sense requires. Words not defined in this Section or otherwise in this ordinance shall be given their common and ordinary meaning.

*Commercial establishments* means all places located in the City not classified as residential premises, which produce or accumulate solid waste, including adjacent unimproved property.

*Commercial hauler* means any entity that provides commercial solid waste collection and transportation services and is granted a permit by the City authorizing said entity to provide such services to customers located in the City.

*Customers* mean Commercial Establishments, Industrial Establishments, and Institutional Establishments that operate in the City.

*Department* means the Department of Public Works.

*EPD* means the Environmental Protection Division of the Georgia Department of Natural Resources.

*Permit* means a non-exclusive right of a commercial hauler, granted pursuant to this Section, to operate within the City, to collect, transport and dispose of commercial solid waste.

*Permittee* means a commercial hauler that has obtained a permit from the City.

*Gross Receipts* means the entire amount of the fees collected by a permittee, for commercial waste collection, transportation and disposal under the authority of this Section.

*Industrial establishments* means businesses located in the City whose primary activity includes manufacturing, processing, or assembly of products.

*Institutional establishments* means establishments located in the City operated by governmental entities, non-profit organizations, hospitals, schools, colleges, universities, religious organizations, and public and charitable organizations.

Sec. 130-44.4. Permit Required

No commercial hauler shall collect or transport commercial waste within the City without having a currently valid commercial collection permit issued by the City.

- a. *Permit application required:* All commercial haulers desiring to provide solid waste collection services within the City must submit an application to the commissioner on forms provided by the City.
- b. *Permit application fee:* The City shall collect a non-refundable permit application fee of \$500.00.
- c. *Permit renewal fee:* All annual permits shall be subject to annual renewal and assessed a renewal fee of \$250.00.

Sec. 130-44.5. Term.

The term of any permit issued pursuant Section 130.44.4 shall be for a period of not more than one year. Each permit issued within a calendar year shall expire on December 31 and be subject to renewal on or before December 31 of each year thereafter.

Sec. 130-44.6. Minimum Requirements.

All commercial haulers utilizing the public streets, alleys, roads and thoroughfares within the City for the purpose of operating and engaging in the business of collecting and disposing of commercial waste shall comply with the following minimum requirements:

- a. All commercial haulers must furnish sufficient personnel and equipment to provide the services described herein and as contracted with its customers in an efficient and businesslike manner.
- b. All commercial haulers must obtain a solid waste handling permit from the director of the EPD pursuant to O.C.G.A. §12-8-24.

- c. All commercial haulers must use only vehicles and containers which comply with rules of the environmental protection division of the state department of natural resources. All solid waste containers must comply with the requirements of City Code Section 130-43 (d).
- d. Waste collection vehicles must be compactor-type trucks, covered or enclosed vehicles, constructed of substantially leakproof durable metal, easily cleanable and designed to prevent litter from escaping during transport. Vehicles must also meet all safety, size and weight requirements of the State of Georgia Department of Transportation.

Sec. 130-44.7. Establishment of an Infrastructure Maintenance Fee.

The streets, rights-of-way, and public easements to be used by commercial haulers in the operation of its business within the boundaries of the City are valuable public properties acquired and maintained by the City at great expense to its taxpayers for which the City incurs substantial costs to regulate and maintain. It is the purpose of this section to establish a fair and reasonable fee to be paid to the City by commercial haulers for their use of the City's rights-of-way and to administer this Section.

- a. *Infrastructure Maintenance fee:* an infrastructure maintenance fee shall be assigned to all commercial haulers collecting and disposing of commercial waste, recyclables, bulky trash, yard trimmings, bio-medical and hazardous waste, scrap tires, and/or other forms of waste.
- b. *Quarterly fee submission:* On a quarterly basis throughout the term of the permit, the permitted commercial hauler shall pay and the City shall collect an infrastructure maintenance fee equal to five percent (5%) of the permittee's billable service to customers within the City (exclusive of Sales Tax).
  - 1. The Infrastructure Maintenance Fee shall be payable quarterly to the City and delivered to the City together with a statement indicating the derivation and calculation of such payment. Each such quarterly payment shall be due on the 15th day of the second month following the end of the quarterly period for which said payment is due. The quarterly payments shall be due on February 15, May 15, August 15, and November 15 of each year during the term of the permit.
  - 2. For purposes of verifying the amount of such fee, the books and records of the permittee shall at all reasonable times be subject to inspection by the duly authorized representatives of the City.
  - 3. In the event the permittee fails to pay the full infrastructure maintenance fee as set forth in this Section on or before the dates set out in subsection (b)(1) immediately above, the City may suspend the permit until payment is made in full. The commissioner has the authority to revoke the permit upon the permittee's failure to comply with the provisions of this Ordinance.

Sec. 130-44.8 Reporting Requirements

All commercial haulers shall report on a quarterly basis to the Commissioner or his designee all solid waste and recyclable materials collected within the City.

- a. *Reporting data:* Quarterly reports shall include but not be limited to the total number of commercial customer accounts and the total monthly gross revenue receipts.
- b. *Reporting dates:* Quarterly reports shall be submitted to the Commissioner each quarter on or before February 15, May 15, August 15, and November 15 of each year during the term of the permit.

Sec. 130-44.9 Insurance and Bonding.

In addition to a valid City business license, all permitted commercial haulers conducting activities within the public rights-of-way shall be required to maintain surety, security fund, insurance, and bonding requirements that have been determined by the City's risk manager to be sufficient to protect the city from occurrences and omissions which may occur during the activities conducted by the permittee in the City rights-of-way.

Sec. 130-44.10. Indemnification.

All commercial haulers conducting activities within the City rights-of-way pursuant to a permit shall agree to indemnify, defend and save harmless the City, its agents, officers and employees, against and from any and all claims by or on behalf of any person, firm, corporation or other entity arising from any negligent act or omission or willful misconduct of the permittee or any of its agents, contractors, servants, employees or contractors, and from and against all costs, counsel fees, expenses and liabilities incurred in or about any such claim or proceeding brought thereon.

Sec. 130-44.11. Suspension, Revocation and Termination of Permit.

The City may suspend or revoke any commercial hauler permit if the permittee fails to comply with any of the requirements of its permit or this Ordinance. The City may suspend the permit for a stated period of time, or place other conditions on the permit as the City finds necessary. The City shall give the permittee notice and an opportunity to be heard before the City suspends or revokes a permit. Permittee shall be responsible for paying all costs, expenses, attorneys' fees and damages the City incurs as a result of permittee's failure to comply with the requirements of its permit or this Ordinance.

SECTION 2: That the Infrastructure Maintenance Fee collected by the City under this Ordinance shall be dedicated to (i) the maintenance of the City's streets, corridors, thoroughfares, and transportation routes; (ii) a Pavement Condition Study; and (iii) a Microsurfacing Preventative Maintenance Program.

SECTION 3: That the Chief Financial Officer shall be authorized to create such reserve accounts as may be necessary to receive the Infrastructure Maintenance Fee collected by the City under this Ordinance and to create such accounts as may be necessary to expend such funds in accord with this Ordinance.

SECTION 4: That this Ordinance will become effective on July 1, 2014.

SECTION 5: That current Section 130-44 entitled “Same - outdoor events”, be renumbered and re-titled “Sec. 130-45 Removal of Solid Waste - outdoor events”.

SECTION 6: That current Section 130-45 entitled “Same - Construction and demolition wastes” be renumbered and re-titled “Sec. 130-46 Removal of Solid Waste - construction and demolition wastes”.

SECTION 7: That current Section 130-46 entitled “Same - Household hazardous materials” be renumbered and re-titled “Sec. 130-47 Removal of Solid Waste - Household hazardous materials”.

SECTION 8: That remaining Sections 130-48 through 130-50 of Article I of Chapter 130, entitled “Generally” continue to be reserved.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Santana Kempson Wright

Contact Number: (404) 330-6579

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: April 25, 2014

Anticipated Committee Meeting Date(s): TBD - FY 2015 Budget

Anticipated Full Council Date: TBD - FY 2015 Budget

Legislative Counsel's Signature: Stefanie Grant *Stefanie Grant*

Commissioner's Signature: *[Signature]*

Chief Financial Officer: N/A

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

**CAPTION**

AN ORDINANCE TO AMEND 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 OFFICE TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES.

**FINANCIAL IMPACT:**

Mayor's Staff Only

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Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: Prince Osei 4/25/14  
(date)

Reviewed by: *[Signature]*  
(date)

Submitted to Council: \_\_\_\_\_ (date)

Attachment: Infrastructure Mtc Fee (14-O-1241 : Infrastructure Maintenance Fee)

**AN ORDINANCE  
BY CITY UTILITIES COMMITTEE**

**AN ORDINANCE TO AMEND 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 OFFICE TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES.**

**WHEREAS**, it is the policy and responsibility of the City of Atlanta (“City”) to protect the health, safety, and welfare of the City’s residents and visitors; and

**WHEREAS**, proper solid waste management is essential to protecting the health, safety, and welfare of said residents and visitors; and

**WHEREAS**, ensuring the proper collection, removal and disposal of all commercial solid waste from within the corporate limits of the City is a major component of the City’s responsibilities to its residents and visitors; and

**WHEREAS**, commercial waste generated within the City is currently collected by private solid waste haulers; and

**WHEREAS**, the City seeks to provide standards of operation, regulation, and oversight in the providing of commercial solid waste services within the City limits; and

**WHEREAS**, the City seeks a fair and reasonable fee for the management and maintenance of its streets and rights-of-way to provide a proper level of oversight and regulation over commercial waste haulers within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, as follows:**

**SECTION 1:** That Section 130-44 of the Atlanta City Code shall be replaced in its entirety so that the new Section 130-44 shall be re-titled and revised as follows:

**Sec. 130-44. - Collection and transportation of commercial and non-residential solid waste.**

**Sec. 130-44.1. Part designation.**

This section shall be known and may hereafter be referred to as the “City of Atlanta Commercial Solid Waste Collection and Transportation Ordinance.”

**Sec. 130-44.2. Declaration of Policy.**

It is the policy and responsibility of the City of Atlanta to protect the health, safety, and welfare of the City's residents and visitors. As part of that responsibility, proper solid waste management is essential to protecting the health, safety, and welfare of the City's residents and visitors and ensuring the proper collection, removal and disposal of all commercial non-residential solid waste from within the corporate limits of the City is a major component of the City's responsibilities to its residents and visitors.

Included in this policy is the implementation of an infrastructure maintenance fee to be imposed on commercial solid waste hauling services. This fee is designed to support the cost of repair of City infrastructure damaged as a result of the use of City streets by the vehicles used in waste collection activities by commercial haulers.

Accordingly, the implementation of this City of Atlanta Commercial Solid Waste Collection and Transportation Ordinance is designed to make certain that all commercial haulers involved in the collection, transportation, and disposal of such waste will manage such activities efficiently and responsibly. This Ordinance will further ensure that the public's investment in the City's public streets is further protected through the collection of infrastructure maintenance fees from commercial haulers that will be used to maintain and improve the City's public right-of-way.

**Sec. 130-44.3. Definitions.**

The definitions in Section 130-1 of this Chapter apply to this Section unless otherwise indicated. Additionally, the following terms and phrases, where used in this Section, shall have the meanings ascribed to them in this section, unless different meanings are clearly indicated by context. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural include the singular, words in the singular include the plural and the use of any gender shall be applicable to all genders whenever the sense requires. Words not defined in this Section or otherwise in this ordinance shall be given their common and ordinary meaning.

*Commercial establishments* means all places located in the City not classified as residential premises, which produce or accumulate solid waste, including adjacent unimproved property.

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*Customers* mean Commercial Establishments, Industrial Establishments, and Institutional Establishments that operate in the City.

*Department* means the Department of Public Works.

*EPD* means the Environmental Protection Division of the Georgia Department of Natural Resources.

*Permit* means a non-exclusive right of a commercial hauler, granted pursuant to this Section, to operate within the City, to collect, transport and dispose of commercial solid waste.

*Permittee* means a commercial hauler that has obtained a permit from the City.

*Gross Receipts* means the entire amount of the fees collected by a permittee, for commercial waste collection, transportation and disposal under the authority of this Section.

*Industrial establishments* means businesses located in the City whose primary activity includes manufacturing, processing, or assembly of products.

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#### **Sec. 130-44.4. Permit Required**

No commercial hauler shall collect or transport commercial waste within the City without having a currently valid commercial collection permit issued by the City.

- a. *Permit application required:* All commercial haulers desiring to provide solid waste collection services within the City must submit an application to the commissioner on forms provided by the City.
- b. *Permit application fee:* The City shall collect a non-refundable permit application fee of \$500.
- c. *Permit renewal fee:* All annual permits shall be subject to annual renewal and assessed a renewal fee of \$250.

#### **Sec. 130-44.5. Term.**

The term of any permit issued pursuant Section 130.44.4 shall be for a period of not more than one year. Each permit issued within a calendar year shall expire on December 31 and be subject to renewal on or before December 31 of each year thereafter.

#### **Sec. 130-44.6. Minimum Requirements.**

All commercial haulers utilizing the public streets, alleys, roads and thoroughfares within the City for the purpose of operating and engaging in the business of collecting and disposing of commercial waste shall comply with the following minimum requirements:

- a. All commercial haulers must furnish sufficient personnel and equipment to provide the services described herein and as contracted with its customers in an efficient and businesslike manner.
- b. All commercial haulers must obtain a solid waste handling permit from the director of the EPD pursuant to O.C.G.A. §12-8-24.
- c. All commercial haulers must use only vehicles and containers which comply with rules of the environmental protection division of the state department of natural resources. All solid waste containers must comply with the requirements of City Code Section 130-43 (d).
- d. Waste collection vehicles must be compactor-type trucks, covered or enclosed vehicles, constructed of substantially leakproof durable metal, easily cleanable and designed to prevent litter from escaping during transport. Vehicles must also meet all safety, size and weight requirements of the State of Georgia Department of Transportation.

**Sec. 130-44.7. Establishment of an Infrastructure Maintenance Fee.**

The streets, rights-of-way, and public easements to be used by commercial haulers in the operation of its business within the boundaries of the City are valuable public properties acquired and maintained by the City at great expense to its taxpayers for which the City incurs substantial costs to regulate and maintain. It is the purpose of this section to establish a fair and reasonable fee to be paid to the City by commercial haulers for their use of the City's rights-of-way and to administer this Section.

- a. *Infrastructure Maintenance fee:* an infrastructure maintenance fee shall be assigned to all commercial haulers collecting and disposing of commercial waste, recyclables, bulky trash, yard trimmings, bio-medical and hazardous waste, scrap tires, and/or other forms of waste.
- b. *Quarterly fee submission:* On a quarterly basis throughout the term of the permit, the permitted commercial hauler shall pay and the City shall collect an infrastructure maintenance fee equal to five percent (5%) of the permittee's billable service to customers within the City (exclusive of Sales Tax).
  1. The Infrastructure Maintenance Fee shall be payable quarterly to the City and delivered to the City together with a statement indicating the derivation and calculation of such payment. Each such quarterly payment shall be due on the 15th day of the second month following the end of the quarterly period for which said payment is due. The quarterly payments shall be due on February 15, May 15, August 15, and November 15 of each year during the term of the permit.

2. For purposes of verifying the amount of such fee, the books and records of the permittee shall at all reasonable times be subject to inspection by the duly authorized representatives of the City.
3. In the event the permittee fails to pay the full infrastructure maintenance fee as set forth in this Section on or before the dates set out in subsection (b)(1) immediately above, the City may suspend the permit until payment is made in full. The commissioner has the authority to revoke the permit upon the permittee's failure to comply with the provisions of this Ordinance.

#### **Sec. 130-44.8 Reporting Requirements**

All commercial haulers shall report on a quarterly basis to the Commissioner or his designee all solid waste and recyclable materials collected within the City.

- a. *Reporting data:* Quarterly reports shall include but not be limited to the total number of commercial customer accounts and the total monthly gross revenue receipts.
- b. *Reporting dates:* Quarterly reports shall be submitted to the Commissioner each quarter on or before February 15, May 15, August 15, and November 15 of each year during the term of the permit.

#### **Sec. 130-44.9 Insurance and Bonding.**

In addition to a valid City business license, all permitted commercial haulers conducting activities within the public rights-of-way shall be required to maintain surety, security fund, insurance, and bonding requirements that have been determined by the City's risk manager to be sufficient to protect the city from occurrences and omissions which may occur during the activities conducted by the permittee in the City rights-of-way.

#### **Sec. 130-44.10. Indemnification.**

All commercial haulers conducting activities within the City rights-of-way pursuant to a permit shall agree to indemnify, defend and save harmless the City, its agents, officers and employees, against and from any and all claims by or on behalf of any person, firm, corporation or other entity arising from any negligent act or omission or willful misconduct of the permittee or any of its agents, contractors, servants, employees or contractors, and from and against all costs, counsel fees, expenses and liabilities incurred in or about any such claim or proceeding brought thereon.

#### **Sec. 130-44.11. Suspension, Revocation and Termination of Permit.**

The City may suspend or revoke any commercial hauler permit if the permittee fails to comply with any of the requirements of its permit or this Ordinance. The City may

suspend the permit for a stated period of time, or place other conditions on the permit as the City finds necessary. The City shall give the permittee notice and an opportunity to be heard before the City suspends or revokes a permit. Permittee shall be responsible for paying all costs, expenses, attorneys' fees and damages the City incurs as a result of permittee's failure to comply with the requirements of its permit or this Ordinance.

**SECTION 2:** That the Infrastructure Maintenance Fee collected by the City under this Ordinance shall be dedicated to (i) the maintenance of the City's streets, corridors, thoroughfares, and transportation routes; (ii) a Pavement Condition Study; and (iii) a Microsurfacing Preventative Maintenance Program.

**SECTION 3:** That the Chief Financial Officer shall be authorized to create such reserve accounts as may be necessary to receive the Infrastructure Maintenance Fee collected by the City under this Ordinance and to create such accounts as may be necessary to expend such funds in accord with this Ordinance.

**SECTION 4:** That this Ordinance will become effective on July 1, 2014.

**SECTION 5:** That current Section 130-44 entitled "Same – outdoor events", be renumbered and re-titled "Sec. 130-45 Removal of Solid Waste – outdoor events".

**SECTION 6:** That current Section 130-45 entitled "Same – Construction and demolition wastes" be renumbered and re-titled "Sec. 130-46 Removal of Solid Waste – construction and demolition wastes".

**SECTION 7:** That current Section 130-46 entitled "Same – Household hazardous materials" be renumbered and re-titled "Sec. 130-47 Removal of Solid Waste – Household hazardous materials".

**SECTION 8:** That remaining sections 130-48 through 130-50 of Article I of Chapter 130, entitled "Generally" continue to be reserved.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Caption:**

**AN ORDINANCE TO AMEND 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 OFFICE TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES.**

**Committee of Purview: City Utilities Committee**

**Committee Meeting Date: TBD – FY 2015 Budget**

**Council Meeting Date: TBD – FY 2015 Budget**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

This legislation is to institute a fee for infrastructure usage by solid waste haulers.

**2. Please provide background information regarding this legislation.**

The streets, rights-of-way, and public easements used by the Solid Waste Haulers in the operation of its business within the boundaries of the city, are valuable public properties acquired and maintained by the city at great expense to its taxpayers. The city incurs costs to maintain the infrastructure used by these Haulers without recompense. Additionally, many of the haulers have no address inside of the city of Atlanta and do not pay business taxes to the city. In support of the City of Atlanta’s sustainability goal and becoming a top 10 city, monitoring waste streams is vital. The levy of an Infrastructure Maintenance Fee will allow for the data collection and oversight.

In consideration of such, the City of Atlanta should collect an infrastructure maintenance fee equal to five percent of the company's gross receipts to customers within the city, exclusive of sales tax. All commercial and multi-family solid waste collectors and haulers will be required to be permitted on an annual basis by the city and quality of operations regulated.

Attachment: Infrastructure Mtc Fee (14-O-1241 : Infrastructure Maintenance Fee)

**3. If Applicable/Known:**

- (a) **Contract Type:** N/A
- (b) **Source Selection:** N/A
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

**4. Fund Department Organization/Account Function/Activity:**

5401.130501.3442707.4510000

**5. Source of Funds:**

Payments received from solid waste haulers

**6. Fiscal Impact:**

Approximately \$500,000 per year.

**7. Method of Cost Recovery:**

Fee for payment

**This Legislative Request Form Was Prepared By: Rita Braswell**

Attachment: Infrastructure Mtc Fee (14-O-1241 : Infrastructure Maintenance Fee)

(Do Not Write Above This Line)

**AN ORDINANCE  
BY CITY UTILITIES COMMITTEE**

AN ORDINANCE TO AMEND 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 OFFICE TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

**First Reading**

Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____
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Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____
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- FINAL COUNCIL ACTION
- 2nd
  - Consent
  - 1<sup>st</sup> & 2<sup>nd</sup> Readings
  - Vote
  - RC Vote

CERTIFIED

MAYOR'S ACTION

**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)**

**Workflow List:**

Santana K. Wright	Completed	04/30/2014 4:39 PM
Rita Braswell	Completed	04/30/2014 5:10 PM
Richard Mendoza	Completed	05/01/2014 2:47 PM
Stefanie Grant	Completed	05/01/2014 3:33 PM
Mayor's Office	Completed	05/01/2014 4:13 PM
Office of Research and Policy Analysis	Completed	05/01/2014 4:42 PM
City Utilities Committee	Completed	05/13/2014 9:30 AM
Atlanta City Council	Completed	05/19/2014 1:00 PM
City Utilities Committee	Completed	05/27/2014 9:30 AM
Atlanta City Council	Completed	06/02/2014 1:00 PM
City Utilities Committee	Completed	06/10/2014 9:30 AM
Atlanta City Council	Completed	06/16/2014 1:00 PM
City Utilities Committee	Completed	06/24/2014 9:30 AM
Atlanta City Council	Completed	07/07/2014 1:00 PM
City Utilities Committee	Completed	07/15/2014 9:30 AM
Atlanta City Council	Completed	07/21/2014 1:00 PM
City Utilities Committee	Completed	07/29/2014 9:30 AM
Atlanta City Council	Completed	08/18/2014 1:00 PM
City Utilities Committee	Completed	08/26/2014 9:30 AM
Atlanta City Council	Completed	09/02/2014 1:00 PM
City Utilities Committee	Completed	09/09/2014 9:30 AM
Atlanta City Council	Completed	09/15/2014 1:00 PM
City Utilities Committee	Completed	09/23/2014 9:30 AM
Atlanta City Council	Completed	10/06/2014 1:00 PM
City Utilities Committee	Completed	10/14/2014 9:30 AM
Atlanta City Council	Completed	10/20/2014 1:00 PM
City Utilities Committee	Completed	10/28/2014 9:30 AM
Atlanta City Council	Completed	11/03/2014 1:00 PM
City Utilities Committee	Completed	11/10/2014 9:30 AM
Atlanta City Council	Completed	11/17/2014 1:00 PM
City Utilities Committee	Completed	11/24/2014 9:30 AM
Atlanta City Council	Completed	12/01/2014 1:00 PM
City Utilities Committee	Completed	12/09/2014 9:30 AM
Atlanta City Council	Completed	01/05/2015 1:00 PM
City Utilities Committee	Completed	01/13/2015 9:30 AM
Atlanta City Council	Completed	01/20/2015 1:00 PM

City Utilities Committee	Completed	01/27/2015 9:30 AM
Atlanta City Council	Completed	02/02/2015 1:00 PM
City Utilities Committee	Completed	02/10/2015 9:30 AM
Atlanta City Council	Completed	02/17/2015 1:00 PM
City Utilities Committee	Completed	02/24/2015 9:30 AM
Atlanta City Council	Completed	03/02/2015 1:00 PM
City Utilities Committee	Completed	03/16/2015 10:15 AM
Atlanta City Council	Completed	03/16/2015 1:00 PM
City Utilities Committee	Completed	03/24/2015 9:30 AM
Atlanta City Council	Completed	04/20/2015 1:00 PM
City Utilities Committee	Completed	04/28/2015 9:30 AM
Atlanta City Council	Completed	05/04/2015 1:00 PM
City Utilities Committee	Completed	05/12/2015 9:30 AM
Atlanta City Council	Completed	05/18/2015 1:00 PM
City Utilities Committee	Completed	05/26/2015 9:30 AM
Atlanta City Council	Completed	06/01/2015 1:00 PM
City Utilities Committee	Completed	06/09/2015 9:30 AM
Atlanta City Council	Completed	06/15/2015 1:00 PM
City Utilities Committee	Completed	06/23/2015 9:30 AM
Atlanta City Council	Completed	07/06/2015 1:00 PM
City Utilities Committee	Completed	07/14/2015 9:30 AM
Atlanta City Council	Completed	07/20/2015 1:00 PM
City Utilities Committee	Completed	07/28/2015 9:30 AM
Atlanta City Council	Completed	08/17/2015 1:00 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM
Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

05/13/14

City Utilities Committee

05/19/14

Atlanta City Council

REFERRED TO COMMITTEE

**RESULT:** REFERRED TO COMMITTEE [UNANIMOUS] Next: 5/27/2014 9:30 AM  
**AYES:** Norwood, Dickens, Smith, Hall, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd  
**ABSENT:** Michael Julian Bond, Ivory Lee Young Jr., Clela Winslow, Alex Wan

05/27/14

City Utilities Committee

HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 6/2/2014 1:00 PM

06/02/14

Atlanta City Council

REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 6/10/2014 9:30 AM

06/10/14

City Utilities Committee

HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 6/16/2014 1:00 PM

06/16/14

Atlanta City Council

REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 6/24/2014 9:30 AM

06/24/14

City Utilities Committee

HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 7/7/2014 1:00 PM

07/07/14

Atlanta City Council

REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 7/15/2014 9:30 AM

07/15/14

City Utilities Committee

HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 7/21/2014 1:00 PM

07/21/14

Atlanta City Council

REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 7/29/2014 9:30 AM

07/29/14

City Utilities Committee

HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 8/18/2014 1:00 PM

08/18/14

Atlanta City Council

REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 8/26/2014 9:30 AM

08/26/14

City Utilities Committee

HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE Next: 9/2/2014 1:00 PM

09/02/14

Atlanta City Council

REFERRED AS HELD

**RESULT:** REFERRED AS HELD Next: 9/9/2014 9:30 AM

09/09/14

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/15/2014 1:00 PM</b>
09/15/14	Atlanta City Council	REFERRED AS HELD
<b>RESULT:</b>	<b>REFERRED AS HELD</b>	<b>Next: 9/23/2014 9:30 AM</b>
09/23/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/6/2014 1:00 PM</b>
10/06/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/14/2014 9:30 AM</b>
10/14/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/20/2014 1:00 PM</b>
10/20/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/28/2014 9:30 AM</b>
10/28/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/3/2014 1:00 PM</b>
11/03/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/10/2014 9:30 AM</b>
11/10/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/17/2014 1:00 PM</b>
11/17/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/24/2014 9:30 AM</b>
11/24/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/1/2014 1:00 PM</b>
12/01/14	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/9/2014 9:30 AM</b>
12/09/14	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/5/2015 1:00 PM</b>
01/05/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/13/2015 9:30 AM</b>
01/13/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/20/2015 1:00 PM</b>
01/20/15	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/27/2015 9:30 AM</b>
01/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/2/2015 1:00 PM</b>
02/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/10/2015 9:30 AM</b>
02/10/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/17/2015 1:00 PM</b>
02/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/24/2015 9:30 AM</b>
02/24/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/2/2015 1:00 PM</b>
03/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/16/2015 10:15 AM</b>
03/16/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
03/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/24/2015 9:30 AM</b>
03/24/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 4/20/2015 1:00 PM</b>
04/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 4/28/2015 9:30 AM</b>
04/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/4/2015 1:00 PM</b>
05/04/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/12/2015 9:30 AM</b>
05/12/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/18/2015 1:00 PM</b>
05/18/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/26/2015 9:30 AM</b>
05/26/15	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/1/2015 1:00 PM</b>
06/01/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/9/2015 9:30 AM</b>
06/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
06/15/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/23/2015 9:30 AM</b>
06/23/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
07/06/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/14/2015 9:30 AM</b>
07/14/15	City Utilities Committee	
07/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/28/2015 9:30 AM</b>
07/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/17/2015 1:00 PM</b>
08/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/25/2015 9:30 AM</b>
08/25/15	City Utilities Committee	
09/08/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/15/2015 9:30 AM</b>
09/15/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/21/2015 1:00 PM</b>
09/21/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
09/29/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
10/05/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
10/13/15	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**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)**

WHEREAS, the City of Atlanta (“City”) is charged with maintaining control of and access to the Right of Way in order to protect the health, safety, and welfare of the City’s residents and visitors; and

WHEREAS, construction and excavation in the City streets significantly interferes with public use and results in a negative impact on air quality, a loss of parking, and in a loss of business to merchants; and

WHEREAS, construction in and the excavation of paved streets significantly degrades and shortens the service life of such streets; and

WHEREAS, substantial public funds have been invested to build, maintain and repair city streets;

WHEREAS, pavement cuts lead to the reduced structural life of paved streets due to intrusion into the road base, and also increases the frequency and cost to the public of necessary resurfacing, maintenance and repair, regardless of the quality of restoration; and

WHEREAS, the American Public Works Association (“APWA”) has concluded, through *APWA’s Mid-Atlantic Regional Council’s “Public Right-of-Way” Cost Recovery Plan* (May 1998), that cutting a street decreases the lifecycle of the street;

WHEREAS, the Office of Transportation is responsible for permitting and inspecting all work in the right-of-way, and ensuring that all repairs are constructed according to specific standards; and

WHEREAS, each year, the Department of Public Works permits over 1,500 street cuts with the typical size being approximately three (3) square yards; and

WHEREAS, mitigation of the long-term damage associated with pavement cuts has frequently resulted in a significant budgetary impact to the Department of Public Works for which the City has not established a cost recovery mechanism; and

WHEREAS, the cost incurred due to degradation should be recaptured through a recommended cost recovery method that includes various street construction costs, type of material used to repair, and age components; and

WHEREAS, APWA’s Mid-Atlantic Regional Council’s “Public Right-of-Way Cost Recovery Plan (May 1998) recommends that repair costs due to intrusions into the public right-of-way should be the responsibility of the intruding party; and

WHEREAS, the Department of Public Works wishes to institute and impose a cost recovery mechanism on applicants requesting to perform street cuts, based on the age of the street; and

WHEREAS, The Department of Public Works proposes to charge all applicants for permits which involve pavement cutting a degradation fee based upon type and size of the cut, current milling and resurfacing costs; and

WHEREAS, the Commissioner of the Department of Public Works recommends the creation of a Pavement Degradation Recovery Fee (“PDR Fee”) as an appropriate cost recovery mechanism to reimburse the city for the damage associated with pavement cuts to be used for City Street Maintenance and Resurfacing Programs.

NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That Section 138-69 of the Atlanta City Code is hereby amended by deleting Section 138-69 in its entirety and replacing said section so that it reads as follows:

Sec. 138-69. Rehabilitation and restoration of the pavement

- (a) Whenever any person or contractor desires to cut or make an opening in any street, such person shall repair and restore the street, including milling and resurfacing, to the specifications of the Department of Public Works.
- (b) Fees for rehabilitation and restoration of pavement
  - 1. Any person or contractor making a cut on any street shall be responsible for a Pavement Degradation Recovery Fee based on the below formula:

**PDR Fee = Cost of resurfacing/Repair \* Area of Influence \* Depreciation Rate**

Average cost of contractor resurfacing asphalt	\$44.22/sq yd
Average cost of contractor street repair concrete	\$675.00/sq yd
Average street cut size	\$2.78/sq yd
Area of influence equals street cut size plus 3 feet on each side of cut	\$6.11/sq yd
Life Cycle of Asphalt Street - 20 years	Life Cycle of Concrete Street - 40

years

2. The Pavement Degradation Recovery Fees for both Asphalt Surfaced Streets and Concrete Surfaced Streets shall be established pursuant to the schedules below:

Degradation Fees Schedule for Asphalt Surfaced Streets (Per Square Yard)

<b>Age of Street (Years)</b>	<b>Depreciation Rate (%)</b>	<b>Fee (per SY)</b>
0	100	270.18
1	99	267.48
2	98	264.80
3	97	262.09
4	96	259.39
5	95	256.69
6	90	243.18
7	84	226.97
8	79	213.46
9	74	199.95
10	68	183.74
11	63	170.23
12	58	156.72
13	52	140.50
14	47	126.99
15	42	113.48
16	36	97.27
17	31	83.76
18	26	70.25
19	20	54.04
20	15	40.53

Degradation Fees Schedule for Concrete Surfaced Streets (Per Square Yard)

<b>Age of Street (Years)</b>	<b>Depreciation Rate (%)</b>	<b>Fee (per SY)</b>
0	100	675.00
1	99	668.25
2	98	661.50
3	97	654.75
4	96	648.00
5	95	641.25
6	93	627.75

7	90	607.50
8	88	594.00
9	86	580.50
10	84	567.00
11	81	546.75
12	79	533.25
13	77	519.75
14	74	499.50
15	72	486.00
16	70	472.50
17	68	459.00
18	65	438.75
19	63	425.25
20	61	411.75
21	58	391.50
22	56	378.00
23	54	364.50
24	52	351.00
25	49	330.75
26	47	317.25
27	45	303.75
28	42	283.50
29	40	270.00
30	38	256.50
31	36	243.00
32	33	222.75
33	31	209.25
34	29	195.75
35	26	175.50
36	24	162.00
37	22	148.50
38	20	135.00
39	17	114.75
40	15	101.25

Section 2: That this Ordinance will become effective July 1, 2014.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Santana Kempson Wright

Contact Number: (404) 330-6579

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: April 25, 2014

Anticipated Committee Meeting Date(s): TBD - FY 2015 Budget

Anticipated Full Council Date: TBD - FY 2015 Budget

Legislative Counsel's Signature: Stefanie Grant *Stefanie Grant*

Commissioner's Signature: *[Signature]*

Chief Financial Officer: N/A

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

CAPTION

AN ORDINANCE TO AMEND 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.

FINANCIAL IMPACT:

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ (date)

Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: Jamice Osei 4/25/14 (date)

Reviewed by: *[Signature]* (date)

Submitted to Council: \_\_\_\_\_ (date)

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

**AN ORDINANCE  
BY CITY UTILITIES COMMITTEE**

**AN ORDINANCE TO AMEND 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.**

**WHEREAS**, the City of Atlanta (“City”) is charged with maintaining control of and access to the Right of Way in order to protect the health, safety, and welfare of the City’s residents and visitors; and

**WHEREAS**, construction and excavation in the City streets significantly interferes with public use and results in a negative impact on air quality, a loss of parking, and in a loss of business to merchants; and

**WHEREAS**, construction in and the excavation of paved streets significantly degrades and shortens the service life of such streets; and

**WHEREAS**, substantial public funds have been invested to build, maintain and repair city streets;

**WHEREAS**, pavement cuts lead to the reduced structural life of paved streets due to intrusion into the road base, and also increases the frequency and cost to the public of necessary resurfacing, maintenance and repair, regardless of the quality of restoration; and

**WHEREAS**, the American Public Works Association (“APWA”) has concluded, through *APWA’s Mid-Atlantic Regional Council’s “Public Right-of-Way” Cost Recovery Plan* (May 1998), that cutting a street decreases the lifecycle of the street;

**WHEREAS**, the Office of Transportation is responsible for permitting and inspecting all work in the right-of-way, and ensuring that all repairs are constructed according to specific standards; and

**WHEREAS**, each year, the Department of Public Works permits over 1,500 street cuts with the typical size being approximately three (3) square yards; and

**WHEREAS**, mitigation of the long-term damage associated with pavement cuts has frequently resulted in a significant budgetary impact to the Department of Public Works for which the City has not established a cost recovery mechanism; and

**WHEREAS**, the cost incurred due to degradation should be recaptured through a recommended cost recovery method that includes various street construction costs, type of material used to repair, and age components; and

WHEREAS, APWA's Mid-Atlantic Regional Council's "Public Right-of-Way Cost Recovery Plan (May 1998) recommends that repair costs due to intrusions into the public right-of-way should be the responsibility of the intruding party; and

WHEREAS, the Department of Public Works wishes to institute and impose a cost recovery mechanism on applicants requesting to perform street cuts, based on the age of the street; and

WHEREAS, The Department of Public Works proposes to charge all applicants for permits which involve pavement cutting a degradation fee based upon type and size of the cut, current milling and resurfacing costs; and

WHEREAS, the Commissioner of the Department of Public Works recommends the creation of a Pavement Degradation Recovery Fee ("PDR Fee") as an appropriate cost recovery mechanism to reimburse the city for the damage associated with pavement cuts to be used for City Street Maintenance and Resurfacing Programs.

NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

**Section 1:** That Section 138-69 of the Atlanta City Code is hereby amended by deleting Section 138-69 in its entirety and replacing said section so that it reads as follows:

**Sec. 138-69. Rehabilitation and restoration of the pavement**

- (a) Whenever any person or contractor desires to cut or make an opening in any street, such person shall repair and restore the street, including milling and resurfacing, to the specifications of the Department of Public Works.
- (b) Fees for rehabilitation and restoration of pavement
  - 1. Any person or contractor making a cut on any street shall be responsible for a Pavement Degradation Recovery Fee based on the below formula:

**PDR Fee = Cost of resurfacing/Repair \* Area of Influence \* Depreciation Rate**

Average cost of contractor resurfacing asphalt	\$44.22/sq yd
Average cost of contractor street repair concrete	\$675.00/sq yd
Average street cut size	\$2.78/sq yd
Area of influence equals street cut size plus 3 feet on each side of cut	\$6.11/sq yd
Life Cycle of Asphalt Street – 20 years	
Life Cycle of Concrete Street – 40 years	

- 2. The Pavement Degradation Recovery Fees for both Asphalt Surfaced Streets and Concrete Surfaced Streets shall be established pursuant to the schedules below:

**Degradation Fees Schedule for Asphalt Surfaced Streets (Per Square Yard)**

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

Age of Street (Years)	Depreciation Rate (%)	Fee (per SY)
0	100	270.18
1	99	267.48
2	98	264.80
3	97	262.09
4	96	259.39
5	95	256.69
6	90	243.18
7	84	226.97
8	79	213.46
9	74	199.95
10	68	183.74
11	63	170.23
12	58	156.72
13	52	140.50
14	47	126.99
15	42	113.48
16	36	97.27
17	31	83.76
18	26	70.25
19	20	54.04
20	15	40.53

**Degradation Fees Schedule for Concrete Surfaced Streets (Per Square Yard)**

Age of Street (Years)	Depreciation Rate (%)	Fee (per SY)
0	100	675.00
1	99	668.25
2	98	661.50
3	97	654.75
4	96	648.00
5	95	641.25
6	93	627.75
7	90	607.50
8	88	594.00
9	86	580.50

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

10	84	567.00
11	81	546.75
12	79	533.25
13	77	519.75
14	74	499.50
15	72	486.00
16	70	472.50
17	68	459.00
18	65	438.75
19	63	425.25
20	61	411.75
21	58	391.50
22	56	378.00
23	54	364.50
24	52	351.00
25	49	330.75
26	47	317.25
27	45	303.75
28	42	283.50
29	40	270.00
30	38	256.50
31	36	243.00
32	33	222.75
33	31	209.25
34	29	195.75
35	26	175.50
36	24	162.00
37	22	148.50
38	20	135.00
39	17	114.75
40	15	101.25

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

**Section 2:** That this Ordinance will become effective July 1, 2014.

**Section 3:** That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

**A. To be completed by Legislative Counsel:**

**Caption:**

**AN ORDINANCE TO AMEND 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 STREET CUT DEGRADATION RECOVERY FEE TO BE CHARGED TO THE APPLICANT FOR CONSTRUCTION OR EXCAVATION IN THE RIGHT OF WAY PERMITS; AND FOR OTHER PURPOSES.**

**Committee of Purview: City Utilities Committee**

**Committee Meeting Date: TBD- FY 2015 Budget**

**Council Meeting Date: TBD – FY 2015 Budget**

**Requesting Dept.: Department of Public Works**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

To institute a cost recovery mechanism to companies for street cuts based on the age of the street.

**2. Please provide background information regarding this legislation.**

DPW is responsible for the management of the Right-of-Way. The Office of Transportation is responsible for permitting & inspecting all work in the right-of-way and ensuring all repairs are constructed according to our standards.

Each year, DPW permits over 1500 street cuts. The typical size of each cut is approximately 3 square yards.

The American Public Works Association (APWA) has concluded through various studies that cutting a street decreases the lifecycle of the street. The cost incurred due to degradation (loss of road life due to intrusion into the road surface) should be recaptured through a recommended cost recovery method that includes various street construction cost and age components. *APWA's Mid-Atlantic Regional Council's "Public Right-of-Way" Cost Recovery Plan* (May 1998) recommends that repair costs due to intrusions into the public right-of-way should be the responsibility of the intruding party.

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

**3. If Applicable/Known:**

- (a) **Contract Type:** N/A
- (b) **Source Selection:** N/A
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

**4. Fund Department Organization/Account Function/Activity:**

1001.130301.3442707.4210000

**5. Source of Funds:**

Payments received from companies that cut into city streets.

**6. Fiscal Impact:**

Approximately \$100,000 per year.

**7. Method of Cost Recovery:**

Fee for payment

**This Legislative Request Form Was Prepared By:** *Rita Braswell*

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

DEPARTMENTAL AUTHORIZATION

Handwritten signature of Stephanie Hand in cursive script.

Attachment: Pavement Degradation Recovery Fee (14-O-1242 : Pavement Degradation Recovery Fee)

**AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 “ENVIRONMENT”, ARTICLE VI “FLOOD AREA REGULATIONS”, AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.(HELD 4/28/15 FOR A WORK SESSION)**

**Workflow List:**

Clerk of Council	Completed	04/21/2015 4:37 PM
Atlanta City Council	Completed	04/20/2015 1:00 PM
City Utilities Committee	Completed	04/28/2015 9:30 AM
Atlanta City Council	Completed	05/04/2015 1:00 PM
City Utilities Committee	Completed	05/12/2015 9:30 AM
Atlanta City Council	Completed	05/18/2015 1:00 PM
City Utilities Committee	Completed	05/26/2015 9:30 AM
Atlanta City Council	Completed	06/01/2015 1:00 PM
City Utilities Committee	Completed	06/09/2015 9:30 AM
Atlanta City Council	Completed	06/15/2015 1:00 PM
City Utilities Committee	Completed	06/23/2015 9:30 AM
Atlanta City Council	Completed	07/06/2015 1:00 PM
City Utilities Committee	Completed	07/14/2015 9:30 AM
Atlanta City Council	Completed	07/20/2015 1:00 PM
City Utilities Committee	Completed	07/28/2015 9:30 AM
Atlanta City Council	Completed	08/17/2015 1:00 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM
Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM

Mayor's Office

Pending

**HISTORY:**

04/20/15 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	
04/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/4/2015 1:00 PM</b>
05/04/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/12/2015 9:30 AM</b>
05/12/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/18/2015 1:00 PM</b>
05/18/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/26/2015 9:30 AM</b>
05/26/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/1/2015 1:00 PM</b>
06/01/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/9/2015 9:30 AM</b>
06/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
06/15/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/23/2015 9:30 AM</b>
06/23/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
07/06/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/14/2015 9:30 AM</b>
07/14/15	City Utilities Committee	
07/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/28/2015 9:30 AM</b>
07/28/15	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/17/2015 1:00 PM</b>
08/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/25/2015 9:30 AM</b>
08/25/15	City Utilities Committee	
09/08/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/15/2015 9:30 AM</b>
09/15/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/21/2015 1:00 PM</b>
09/21/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
09/29/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
10/05/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
10/13/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**CITY COUNCIL  
ATLANTA, GEORGIA**

15-O-1148

**SPONSOR SIGNATURES**



Natalyn Mosby Archibong, Councilmember, District 5

**AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 “ENVIRONMENT”, ARTICLE VI “FLOOD AREA REGULATIONS”, AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.(HELD 4/28/15 FOR A WORK SESSION)**

WHEREAS, the City of Atlanta was required to adopt and administer Metropolitan North Georgia Water Planning District’s *Model Floodplain Management/Flood Damage Prevention Ordinance* or an equally floodplain management ordinance; and

WHEREAS, various sections of Chapter 74 “Environment”, Article VI “Flood Area Regulations” were amended in the Code of Ordinances to comply with conditions necessary to participate in the National Flood Insurance Program as required by the Federal Emergency Management Agency per the Atlanta City Council adopting Ordinance 13-O-1021 on May 20, 2013; and

WHEREAS, Sections 74-206.1, 74-206.2, and 74-206.3 were created to permit construction and land development in historically modified floodplains in a manner that minimized the risk to life and property from flooding of homes and businesses by placing reasonable restrictions and limitations on such development; and

WHEREAS, Section 74-203 defines a historically modified floodplain as an area, in a combined sewershed, in which significant portions of the historic “natural” stream have been enclosed in a pipe; and

WHEREAS, the City’s requirement for placing fill in historically modified floodplain areas is more restrictive than those outlined in the Metropolitan North Georgia Water Planning District’s *Model Floodplain Management/Flood Damage Prevention Ordinance* and places hardship on many property owners.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That Chapter 74, Article VI, Section 74-206.1(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 74-206.1 - Single-family structures in a historically modified floodplain area.

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

SECTION 2: That Chapter 74, Article VI, Section 74-206.2(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 74-206.2 - Multifamily structures in a historically modified floodplain area.

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

SECTION 3: That Chapter 74, Article VI, Section 74-206.3(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 74-206.3 - Non-residential structures in a historically modified floodplain area.

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

SECTION 4: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed only to the extent of conflict.

AN ORDINANCE BY  
COUNCILMEMBER NATALYN M. ARCHIBONG



**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 “ENVIRONMENT”, ARTICLE VI “FLOOD AREA REGULATIONS”, AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta was required to adopt and administer Metropolitan North Georgia Water Planning District’s *Model Floodplain Management/Flood Damage Prevention Ordinance* or an equally floodplain management ordinance; and

**WHEREAS**, various sections of Chapter 74 “Environment”, Article VI “Flood Area Regulations” were amended in the Code of Ordinances to comply with conditions necessary to participate in the National Flood Insurance Program as required by the Federal Emergency Management Agency per the Atlanta City Council adopting Ordinance 13-O-1021 on May 20, 2013; and

**WHEREAS**, Sections 74-206.1, 74-206.2, and 74-206.3 were created to permit construction and land development in historically modified floodplains in a manner that minimized the risk to life and property from flooding of homes and businesses by placing reasonable restrictions and limitations on such development; and

**WHEREAS**, Section 74-203 defines a historically modified floodplain as an area, in a combined sewershed, in which significant portions of the historic “natural” stream have been enclosed in a pipe; and

**WHEREAS**, the City’s requirement for placing fill in historically modified floodplain areas is more restrictive than those outlined in the Metropolitan North Georgia Water Planning District’s *Model Floodplain Management/Flood Damage Prevention Ordinance* and places hardship on many property owners.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1:** That Chapter 74, Article VI, Section 74-206.1(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

**Sec. 74-206.1 – Single-family structures in a historically modified floodplain area.**

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

**SECTION 2:** That Chapter 74, Article VI, Section 74-206.2(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

**Sec. 74-206.2 – Multifamily structures in a historically modified floodplain area.**

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

**SECTION 3:** That Chapter 74, Article VI, Section 74-206.3(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

**Sec. 74-206.3 – Non-residential structures in a historically modified floodplain area.**

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

**SECTION 4:** That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed only to the extent of conflict.

J.13.a

Packet Pg. 136

<p>(Do Not Write Above This Line)</p>	First Reading		FINAL COUNCIL ACTION
	Committee	Committee	
<p>AN ORDINANCE BY <i>Natalyn M. Archibong</i> COUNCILMEMBER NATALYN M. ARCHIBONG</p> <p>AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 "ENVIRONMENT", ARTICLE VI "FLOOD AREA REGULATIONS", AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.</p>	<p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p><input type="checkbox"/> 2<sup>nd</sup>    <input type="checkbox"/> 1<sup>st</sup> &amp; 2<sup>nd</sup>    <input type="checkbox"/> 3<sup>rd</sup></p> <p>Readings</p> <p><input type="checkbox"/> Consent    <input type="checkbox"/> V Vote    <input type="checkbox"/> RC Vote</p> <p><b>CERTIFIED</b></p>
<p><input type="checkbox"/> CONSENT REFER</p> <p><input type="checkbox"/> REGULAR REPORT REFER</p> <p><input type="checkbox"/> ADVERTISE &amp; REFER</p> <p><input type="checkbox"/> 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ &amp; REFER</p> <p><input checked="" type="checkbox"/> PERSONAL PAPER REFER</p> <p>Date Referred <i>4/20/15</i></p> <p>Referred To: <i>City Utilities</i></p> <p>Date Referred _____</p> <p>Referred To: _____</p> <p>Date Referred: _____</p> <p>Referred To: _____</p>	<p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action _____</p> <p>Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p><b>MAYOR'S ACTION</b></p>

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.**

**(Held 9/15/15) (Held at the request of the Department)**

**Workflow List:**

Jo Ann Macrina	Completed	08/13/2015 2:42 PM
Finance	Completed	08/13/2015 4:49 PM
Patrick McShane	Completed	08/13/2015 5:34 PM
Mayor's Office	Completed	08/13/2015 5:45 PM
Office of Research and Policy Analysis	Completed	08/18/2015 12:04 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM
Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

08/25/15 City Utilities Committee

09/08/15

Atlanta City Council

REFERRED TO COMMITTEE

<b>RESULT:</b>	<b>REFERRED TO COMMITTEE [13 TO 0]</b>	<b>Next: 9/15/2015 9:30 AM</b>
<b>AYES:</b>	Bond, Norwood, Dickens, Hall, Young Jr., Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd	
<b>ABSENT:</b>	Howard Shook	
<b>AWAY:</b>	Carla Smith	

09/15/15

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/21/2015 1:00 PM</b>
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09/21/15

Atlanta City Council

RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
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09/29/15

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
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10/05/15

Atlanta City Council

RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
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10/13/15

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
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10/19/15

Atlanta City Council

RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
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10/27/15

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
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11/02/15

Atlanta City Council

RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
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11/09/15

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
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11/16/15

Atlanta City Council

RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
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12/01/15

City Utilities Committee

HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
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12/07/15

Atlanta City Council

RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
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12/15/15

City Utilities Committee

01/04/16 Atlanta City Council RETURNED AS HELD

**RESULT: RETURNED AS HELD Next: 1/12/2016 9:30 AM**

01/12/16 City Utilities Committee HELD IN COMMITTEE

**RESULT: HELD IN COMMITTEE Next: 1/19/2016 1:00 PM**

01/19/16 Atlanta City Council RETURNED AS HELD

**RESULT: RETURNED AS HELD Next: 1/26/2016 9:30 AM**

01/26/16 City Utilities Committee HELD IN COMMITTEE

**RESULT: HELD IN COMMITTEE Next: 2/1/2016 1:00 PM**

02/01/16 Atlanta City Council RETURNED AS HELD

**RESULT: RETURNED AS HELD Next: 2/9/2016 9:30 AM**

02/09/16 City Utilities Committee HELD IN COMMITTEE

**RESULT: HELD IN COMMITTEE Next: 2/15/2016 1:00 PM**

02/15/16 Atlanta City Council RETURNED AS HELD

**RESULT: RETURNED AS HELD Next: 2/23/2016 9:30 AM**

02/23/16 City Utilities Committee HELD IN COMMITTEE

**RESULT: HELD IN COMMITTEE Next: 3/7/2016 1:00 PM**

03/07/16 Atlanta City Council RETURNED AS HELD

**RESULT: RETURNED AS HELD Next: 3/15/2016 9:30 AM**

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.**

**(HELD 9/15/15) (HELD AT THE REQUEST OF THE DEPARTMENT)**

WHEREAS, the City of Atlanta owns and operates a water and wastewater system; and

WHEREAS, the City of Atlanta, Department of Watershed Management (“Department”) has identified, in connection with the Capital Improvement Program, the need to fund certain costs from the Watershed Reserves; and

WHEREAS, the Custer Avenue CSO Control Facility project will provide preliminary screening and additional screening facilities to remove floatable materials whenever excess flows are discharged via the overflow channel; and

WHEREAS, these funds should be transferred from the Watershed Reserves for Appropriations to facilitate the use of the funds for the Custer Avenue CSO Control Facility project.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS *as follows*:

Section 1: That the Chief Financial Officer is authorized to amend the FY 2016 Water and Wastewater Renewal and Extension Fund (5052) Budget as follows:

TRANSFER FROM APPROPRIATIONS

<b>The amount of:</b>	<b>\$1,468,731.00</b>			
<b>FDOA:</b>				
<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>NDP Reservation of Fund Appropriations</u>	<u>Reserve Conversion Account</u>	<u>Accounting</u>	
5052	200101	5999901	1512000	

ADD TO APPROPRIATIONS

<b>The amount of:</b>	<b>\$1,468,731.00</b>			
<b>PTAEO:</b>				
<u>Custer Avenue CSO Control Facility project</u>	<u>Screens</u>	<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>Consulting</u>	<u>City of Atlanta</u>
17112252	101	505221391	5212001	COA
<b>FDOA:</b>				
<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>DWM Sewer Linear Maint/Repair</u>	<u>Projects and Grants Budget</u>	<u>Sewage Collection &amp; Disposal</u>	
5052	171002	5999999	4330000	
<u>Custer Avenue CSO Control Facility project</u>	<u>Water &amp; Wastewater R&amp;E Fund</u>			
112252	21391			

Section 2: That appropriations in the Water & Wastewater Renewal & Extension Fund (5052) Budget be transferred as follows:

ADD TO AWARD INSTALLMENT

<b>The amount of:</b>	<b>\$1,468,731.00</b>	<u>R&amp;E Water &amp; Wastewater Fund</u>		
		505221391		

Section 3: That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Maisha Land

Contact Number: 404-546-3625

Originating Department: Watershed Management

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: August 7, 2015

Anticipated Committee Meeting Date(s): August 25, 2015

Anticipated Full Council Date: September 8, 2015

Legislative Counsel's Signature: [Signature]

Commissioner's Signature: [Signature]

Chief Financial Officer: [Signature] PN

Chief Information Officer Signature (for IT Procurements): N/A

Chief Procurement Officer Signature: N/A

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any) (\$1,468,731.00)  
Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: UMD 8/7/15  
(date)

Reviewed by: \_\_\_\_\_  
(date)

Submitted to Council: \_\_\_\_\_  
(date)

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

Committee of Purview: City Utilities Committee

**Caption: AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.**

Council Meeting Date: September 8, 2015

Requesting Dept.: Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

**Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.**

The purpose of this legislation is to authorize the CFO to amend the FY 2016 Budget Water and Wastewater Renewal and Extension Fund (5052) in the amount of \$1,468,731.00 to transfer funds from Watershed Reserve for Appropriation and add to Appropriation funds for the Custer Avenue CSO Control Facility project which will provide preliminary screening prior to the Department of Watershed Management discharges of excess flows. Additional screening facilities are required to remove floatable materials whenever excess flows are discharged via the overflow channel.

**2. Please provide background information regarding this legislation.**

**Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.**

The City of Atlanta Department of Watershed Management has identified, in connection with the Capital Improvement Program (CIP), the need to fund certain costs from the Water and Wastewater Renewal and Extension Fund (5052) to facilitate projects.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc): N/A
- (b) Source Selection: N/A
- (c) Bids/Proposals Due: N/A
- (d) Invitations Issued: N/A
- (e) Number of Bids: N/A
- (f) Proposals Received: N/A
- (g) Bidders/Proponents: N/A
- (h) Term of Contract: N/A

4. Fund Account Center (Ex. Name and number): Various

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds: *Example: Local Assistance Grant*

FDOA: \$1,468,731; 5052 (DWM Water & Wastewater RNE Fund) 200101 (NDP Reservation of Funds Appropriations) 5999901 (Reserve Conversion Account) 1512000 (Accounting)

6. Fiscal Impact: N/A

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

7. Method of Cost Recovery: N/A

*Examples:*

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Tamika Gray



Kasim Reed  
MAYOR

**CITY OF ATLANTA**  
DEPARTMENT OF WATERSHED MANAGEMENT  
72 MARIETTA STREET NW  
ATLANTA, GEORGIA 30303

Jo Ann J. Macrina, PE  
COMMISSIONER

**MEMORANDUM**

**TO:** Tamika Gray, Watershed Manager, Sr.,  
DWM – Bureau of Financial Administration

**FROM:** Demetris Johnson, Financial Manager  
DWM, Office of Engineering Service 

**DATE:** June 22, 2015

**SUBJECT:** FUNDS REQUEST FOR ADDITIONAL Screens for the Custer Avenue CSO Control Facility  
Project-Design/Build Package

This serves as a formal request to fund Additional Screens for the Custer Avenue CSO Control Facility Design/Build Package project. The deemed amount is \$1,468,731.

<b>PROJECT NAME</b>	<b>ADDITIONAL SCREENS FOR THE CUSTER AVENUE CSO CONTROL FACILITY PROJECT</b>
Funding Total	\$1,468,731 – Design
Start/Finish Time	September 2015 – September 2017
Project Details	The Custer Avenue CSO Control Facility is located at 780 Custer Avenue, SE. It receives wet weather flow from the Boulevard CSO Regulator weather, flows where it receives coarse screening and fine screening followed by dechlorination. Additional screening facilities are required to remove floatable materials whenever excess flows are discharged via the overflow channel.

Should you need additional information to precede with this request, please contact me at 404-546-1249.

**APPROVALS**



Rob Bocarro, Director, OES



Raymond Wilke, DC, OES

Cc: Mohamed Balla, DC, Bureau of Financial Administration  
Uche Chioke, Project Manager



## OES- CAPITAL PROJECTS MANAGEMENT DIVISION

## PROJECT INFORMATION OVERVIEW

**PROJECT NAME:** Additional Screens for the Custer Avenue CSO Control Facility

**WBS #:** W.01.02.0100

**PROJECT MANAGER NAME:** Uche Chioke

**PROJECT JUSTIFICATION:** The Custer Avenue CSO Control Facility is located at 780 Custer Avenue, SE. It receives wet weather flow from the Boulevard CSO Regulator. Flows up to 500 million gallons per day (mgd) enter the Custer CSO facility where it receives coarse screening and fine screening followed by dechlorination. The screened flow is then routed to Intrenchment Creek. Whenever the screening capacity of the Custer CSO Facility or the storage capacity in the connecting tunnel to the East Area Treatment Plant is exceeded, excess flows are diverted around the Custer CSO facility to Intrenchment Creek via tipping weirs and a concrete overflow basin.

The City wants to provide preliminary screening prior to watershed discharges of these excess flows. In order to accomplish this, mechanical screens will be required within the concrete overflow basin to remove floatables that are discharged over the tipping weirs. Screens will also be required to remove floatables in the adjacent Stockade Creek channel, which carries stormwater flows only.

The City anticipates that a Design-Build type procurement will be used to expedite the design and construction process.

**PROJECT SCOPE:** This project will comprise two phases:

**Phase 1 Feasibility Study:** In the first phase, a study will be performed by an A/E to determine the feasibility of additional screening facilities at the Custer Avenue CSO Control Facility. The A/E will collect record information about the CSO facility, conduct site visits and interview OWTR staff responsible for operation and maintenance of the facility. The A/E will perform an evaluation of screening options, including a method for collection and disposal of screenings. A hydrologic and hydraulic model will be prepared to evaluate the peak water stages before and after a 25-year design storm. The A/E will conclude the feasibility study by preparing a technical memorandum describing the viable screening options and list the project requirements and constraints. The technical memorandum will include conceptual drawings for each viable option.

**Phase 2 Development of Design/Build Package:** In the second phase, the A/E will be responsible for the development of a preliminary design of the screening option selected by the City from the Phase 1 Feasibility Study. The preliminary design will be used to prepare a Design-Build procurement for the following facilities at Custer Avenue CSO Facility: 1) Screens for the excess flows over the tipping weirs; 2) Screens for the stormwater flow in the Stockade Creek channel; 3) Screening conveyance and handling system for both sets of screens; 4) Building or building extensions to house screens and conveyance facilities. The A/E will be responsible for Design-Build procurement support, office engineering services during construction and construction management.

**DESIGN ANALYSIS/CONCERNS:** During the feasibility study, the evaluation of the screening options needs to consider potential odor and noise impacts on the community and potential mitigation measures. The hydrologic and hydraulic analysis needs to consider the potential impacts on the upstream catchment as a consequence of the design storm. The A/E will need to develop options which do not result in upstream or downstream flooding.



OES- CAPITAL PROJECTS MANAGEMENT DIVISION

**CONSTRUCTION ANALYSIS/CONCERNS:** N/A.

**COMMUNICATION HIGHLIGHTS:** This project will impact the neighborhood in the vicinity of the Custer Avenue CSO Facility, located within the Council District of Carla Smith.  
A Public Information Officer (PIO) will be assigned to the project by the Office of Customer and Business Services. Upon assignment, the PIO will implement and execute a project specific communications plan.

**PROJECT STATUS:** Under Phase 1, the feasibility study will commence in June 2015. Phase 2, which involves the Development of Design/Build package will not commence until after completion of the feasibility study and preferred screening option has been selected by the City.

**PROJECT SCHEDULE:** The anticipated schedule for Phase 1 and 2 is given below:

Feasibility Study Task Order NTP:	June 25, 2015
Feasibility Study Completion:	October 30, 2015
Date of Notice of Intent Letter for DB Phase:	September 22, 2015
Completion of DB Design:	May 27, 2016
Construction NTP:	October 1, 2016
Substantial Completion:	September 30, 2017

**PROJECT COSTS:**

Feasibility study	\$ 153,356
Development of DB Package: Design and CM services	\$ 1,468,731
Construction	\$20,000,000

**First Reading**

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

**FINAL COUNCIL ACTION**  
 2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>  
**Readings**  
 Consent  V Vote  RC Vote

**AN ORDINANCE  
 BY CITY UTILITIES COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.

Committee \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Fav, Adv, Hold (see rev. side)

Other \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Members \_\_\_\_\_

- CONSENT REFER**
- REGULAR REPORT REFER**
- ADVERTISE & REFER**
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER**
- PERSONAL PAPER REFER**

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

**CERTIFIED**

**MAYOR'S ACTION**



<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

CITY COUNCIL  
ATLANTA, GEORGIA

15-O-1431

SPONSOR SIGNATURES

*Mary Norwood*

Mary Norwood, Councilmember, Post 2 At-Large

**AN ORDINANCE BY COUNCILMEMBER MARY NORWOOD AS SUBSTITUTED BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 130 "SOLID WASTE MANAGEMENT," ARTICLE III "MUNICIPAL COLLECTION AND DISPOSAL SYSTEMS," DIVISION 1 "GENERALLY," SECTION 130-84 "RATES AND CHARGES" IN ORDER TO DELETE SUBSECTION 8 "VACANT PARCELS"; AND FOR OTHER PURPOSES.(SUBSTITUTED AND HELD 9/29/15) (HELD AT THE REQUEST OF THE DEPARTMENT FOR ADDITIONAL REVIEW)**

WHEREAS, The City of Atlanta (the "City") currently collects a solid waste fee on vacant properties under Chapter 130-84 that is based upon the zoning designation of the property; and

WHEREAS, unfortunately, vacant properties that do not generate solid waste are also charged set fees for solid waste; and

WHEREAS, it is the desire of the Atlanta City Council to only impose a solid waste fee on occupied properties in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That Chapter 130 "Solid Waste Management", Article III "Municipal Collection and Disposal Systems", Division 1 "Generally", Section 130-84 "Rates and Charges" of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 130-84 - Rates and charges.

The following rates and charges are hereby established for solid waste collection and shall become effective July 1, 2003:

- (1) *Residential rate:* \$307.19 per year plus 0.94 cents per foot of paved street frontage and, to cover rubbish collection costs for unpaved frontage, 0.67 cents per foot of unpaved street frontage, up to maximum of 200 feet. In calculating the charge, paved frontage is calculated first and then unpaved frontage.
- (2) *Duplex or triplex rate:* As above for each residence, plus \$307.19 per year for each separate living unit in excess of one.
- (3) *Apartments, condominiums, townhouse, public housing or any other multi-family dwelling rates:* \$1.63 per foot of paved street frontage, and to cover rubbish collection costs for unpaved frontage, \$0.67 per foot of unpaved street frontage plus one of the following charges, as appropriate.
  - a. \$307.19 per year, for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from individual containers, garbage cans or bags;
  - b. \$183.37 per year for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from industrial containers;
  - c. Where the multi-family dwelling units or apartments are located in building structures with incinerator[s], duly installed and operating therein in accordance with all laws and regulations applicable to

incinerators, depositing only incinerator refuse, and if the collection is from industrial containers grouped together, as hereinafter defined, the amount shall be \$53.82 per year for each dwelling unit; if such containers are not grouped together, then the amount shall be \$122.79 per year for each dwelling unit; for the purpose of this section, industrial containers are grouped together when such containers are located physically adjacent with only sufficient space between such containers to permit access and pickup by the city collection equipment without the movement or shifting of any of said containers in order to gain access to any other of said containers;

d. \$54.87 per year for each dwelling unit to which collection and removal services are made available to collect garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwelling units.

(4) *Residential backyard removal*: \$962.21 per year.

(5) *Mobile home parks*:

a. Individual garbage cans: \$193.35 per year.

b. Installed industrial containers: \$479.42 per year. See subsection (7).

(6) *Commercial and industrial rates*:

a. \$7.60 per foot of street frontage property located in all areas receiving street cleaning at a frequency of three to six times per week;

b. \$3.70 per foot of street frontage for property located in all areas receiving special thoroughfare street cleaning (at least once a week) in addition to street cleaning at the same frequency as residential service (once per three weeks);

c. \$2.89 per foot of street frontage for all other commercial and industrial property receiving street cleaning at the same frequency as residential (once per three weeks);

d. \$0.67 per foot of unpaved street frontage for commercial and industrial property abutting unpaved streets to cover rubbish collection cost.

(7) *Public property charge for services that have been contracted*: A flat charge of \$479.42 per year for each parcel in lieu of the frontage charge. For public housing charges, see subsection (3)a.-d. For government buildings garbage collection, see surcharges, subsection (6).

~~(8) *Vacant parcels*: A charge based upon street frontage to cover street cleaning and rubbish collection based on the zoning class of the property; residential to be charged as in subsection (1), apartments and other multi-family dwellings to be charged as in subsection (3)d., and commercial/industrial to be charged as in subsection (6).~~

(8) *Building of public worship rate*: \$1.26 per square foot of paved street frontage to cover street cleaning and rubbish collection costs; \$0.52 per foot of unpaved street frontage for rubbish collection costs. In addition to the front footage levy listed above, there shall be a charge of \$208.59 per year for solid waste collection from individual containers, garbage cans or bags, or a charge of \$183.37 per year if the solid waste collection is from industrial containers.

(9) *Minimum; private landfill site and transfer station operations*: A minimum of \$1.10 per ton payable to the city by all private landfill site operations and transfer station operations and transfer station operation located within the city for refuse disposed, collected, handled, processed or reclaimed within the jurisdiction of the city. Fees must correspond with tonnage handled and will be payable quarterly and prior to issuance of annual permits.

As required by O.C.G.A § 12-8-39, all user fees collected in accordance with this subsection shall be deposited in a local restricted account and used solely for solid waste management purposes.

- (10) *Corner lots:* Properties located on corner lots with two or more street frontages will be charged based on the footage of the street frontage which is the legal address of the property.
- (11) *Special collections:* Any property otherwise addressed in subsections (1) through (9) of this section, either requesting or requiring special collection equipment or methods where normal curbside collection or backyard collection of solid waste or recyclables is not feasible, shall be subject to an additional fee of \$200.00 annually.

(Do Not Write Above This Line)

AN ORDINANCE BY  
COUNCIL MEMBER MARY NORWOOD

AN ORDINANCE TO AMEND  
CHAPTER 130 "SOLID WASTE  
MANAGEMENT," ARTICLE III  
"MUNICIPAL COLLECTION AND  
DISPOSAL SYSTEMS," DIVISION 1  
"GENERALLY," SECTION 130-84  
"RATES AND CHARGES" IN ORDER  
TO DELETE SUBSECTION 8  
"VACANT PARCELS"; AND FOR  
OTHER PURPOSES.

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>  
Readings  
 Consent  V Vote  RC Vote

CERTIFIED

MAYOR'S ACTION

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

*9/21/15  
City Utilities*

Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred:  
Referred To:

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

**AN ORDINANCE BY  
COUNCIL MEMBER MARY NORWOOD**

**AN ORDINANCE TO AMEND CHAPTER 130 “SOLID WASTE MANAGEMENT,”  
ARTICLE III “MUNICIPAL COLLECTION AND DISPOSAL SYSTEMS,” DIVISION 1  
“GENERALLY,” SECTION 130-84 “RATES AND CHARGES” IN ORDER TO  
DELETE SUBSECTION 8 “VACANT PARCELS”; AND FOR OTHER PURPOSES.**

**WHEREAS,** The City of Atlanta (the “City”) currently collects a fee for solid waste fee on vacant properties under Chapter 130-84 that is based upon the zoning designation of the property; and

**WHEREAS,** unfortunately, vacant properties that do not generate solid waste are also charged set fees for solid waste; and

**WHEREAS,** it is the desire of the Atlanta City Council to only impose a solid waste fee on occupied properties in the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,** as follows:

**Section 1.** That Chapter 130 “Solid Waste Management”, Article III Municipal Collection and Disposal Systems”, Division 1 “Generally”, Section 130-84 “Rates and Charges” *currently reads:*

(8) Vacant parcels: A charge based upon street frontage to cover street cleaning and rubbish collection based on the zoning class of the property; residential to be charged as in subsection (1), apartments and other multi-family dwellings to be charged as in subsection (3)d., and commercial/industrial to be charged as in subsection (6).

**Shall now read:**

(1) Residential rate: \$307.19 per year plus 0.94 cents per foot of paved street frontage and, to cover rubbish collection costs for unpaved frontage, 0.67 cents per foot of unpaved street frontage, up to maximum of 200 feet. In calculating the charge, paved frontage is calculated first and then unpaved frontage.

(2) Duplex or triplex rate: As above for each residence, plus \$307.19 per year for each separate living unit in excess of one.

(3) Apartments, condominiums, townhouse, public housing or any other multi-family dwelling rates: \$1.63 per foot of paved street frontage, and to cover rubbish collection costs for unpaved frontage, \$0.67 per foot of unpaved street frontage plus one of the following charges, as appropriate.

A. \$307.19 per year, for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from individual containers, garbage cans or bags;

B. \$183.37 per year for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from industrial containers;

(11) Special collections: Any property otherwise addressed in subsections (1) through (9) of this section, either requesting or requiring special collection equipment or methods where normal curbside collection or backyard collection of solid waste or recyclables is not feasible, shall be subject to an additional fee of \$200.00 annually.

**Section 2.** That all ordinances and part of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

**AN ORDINANCE BY  
COUNCILMEMBER MARY NORWOOD**

**AS SUBSTITUTED BY CITY UTILITIES COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 130 “SOLID WASTE MANAGEMENT,” ARTICLE III “MUNICIPAL COLLECTION AND DISPOSAL SYSTEMS,” DIVISION 1 “GENERALLY,” SECTION 130-84 “RATES AND CHARGES” IN ORDER TO DELETE SUBSECTION 8 “VACANT PARCELS”; AND FOR OTHER PURPOSES.**

**WHEREAS,** The City of Atlanta (the “City”) currently collects a solid waste fee on vacant properties under Chapter 130-84 that is based upon the zoning designation of the property; and

**WHEREAS,** unfortunately, vacant properties that do not generate solid waste are also charged set fees for solid waste; and

**WHEREAS,** it is the desire of the Atlanta City Council to only impose a solid waste fee on occupied properties in the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,** as follows:

**Section 1.** That Chapter 130 “Solid Waste Management”, Article III “Municipal Collection and Disposal Systems”, Division 1 “Generally”, Section 130-84 “Rates and Charges” of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

**Sec. 130-84 - Rates and charges.**

The following rates and charges are hereby established for solid waste collection and shall become effective July 1, 2003:

- (1) *Residential rate:* \$307.19 per year plus 0.94 cents per foot of paved street frontage and, to cover rubbish collection costs for unpaved frontage, 0.67 cents per foot of unpaved street frontage, up to maximum of 200 feet. In calculating the charge, paved frontage is calculated first and then unpaved frontage.
- (2) *Duplex or triplex rate:* As above for each residence, plus \$307.19 per year for each separate living unit in excess of one.
- (3) *Apartments, condominiums, townhouse, public housing or any other multi-family dwelling rates:* \$1.63 per foot of paved street frontage, and to cover rubbish collection costs for unpaved frontage, \$0.67 per foot of unpaved street frontage plus one of the following charges, as appropriate.
  - a. \$307.19 per year, for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from individual containers, garbage cans or bags;

- b. \$183.37 per year for each dwelling unit where the garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwellings is collected from industrial containers;
  - c. Where the multi-family dwelling units or apartments are located in building structures with incinerator[s], duly installed and operating therein in accordance with all laws and regulations applicable to incinerators, depositing only incinerator refuse, and if the collection is from industrial containers grouped together, as hereinafter defined, the amount shall be \$53.82 per year for each dwelling unit; if such containers are not grouped together, then the amount shall be \$122.79 per year for each dwelling unit; for the purpose of this section, industrial containers are grouped together when such containers are located physically adjacent with only sufficient space between such containers to permit access and pickup by the city collection equipment without the movement or shifting of any of said containers in order to gain access to any other of said containers;
  - d. \$54.87 per year for each dwelling unit to which collection and removal services are made available to collect garbage from apartments, condominiums, townhomes, public housing or any other multi-family dwelling units.
- (4) *Residential backyard removal*: \$962.21 per year.
- (5) *Mobile home parks*:
- a. Individual garbage cans: \$193.35 per year.
  - b. Installed industrial containers: \$479.42 per year. See subsection (7).
- (6) *Commercial and industrial rates*:
- a. \$7.60 per foot of street frontage property located in all areas receiving street cleaning at a frequency of three to six times per week;
  - b. \$3.70 per foot of street frontage for property located in all areas receiving special thoroughfare street cleaning (at least once a week) in addition to street cleaning at the same frequency as residential service (once per three weeks);
  - c. \$2.89 per foot of street frontage for all other commercial and industrial property receiving street cleaning at the same frequency as residential (once per three weeks);
  - d. \$0.67 per foot of unpaved street frontage for commercial and industrial property abutting unpaved streets to cover rubbish collection cost.
- (7) *Public property charge for services that have been contracted*: A flat charge of \$479.42 per year for each parcel in lieu of the frontage charge. For public housing charges, see subsection (3)a.—d. For government buildings garbage collection, see surcharges, subsection (6).
- ~~(8) *Vacant parcels*: A charge based upon street frontage to cover street cleaning and rubbish collection based on the zoning class of the property; residential to be charged as in subsection (1), apartments and other multi family dwellings to be charged as in subsection (3)d., and commercial/industrial to be charged as in subsection (6).~~
- (8) *Building of public worship rate*: \$1.26 per square foot of paved street frontage to cover street cleaning and rubbish collection costs; \$0.52 per foot of unpaved street frontage for rubbish collection costs. In addition to the front footage levy listed above, there shall be a charge of \$208.59 per year for solid waste collection from individual containers, garbage

cans or bags, or a charge of \$183.37 per year if the solid waste collection is from industrial containers.

- (9) *Minimum; private landfill site and transfer station operations:* A minimum of \$1.10 per ton payable to the city by all private landfill site operations and transfer station operations and transfer station operation located within the city for refuse disposed, collected, handled, processed or reclaimed within the jurisdiction of the city. Fees must correspond with tonnage handled and will be payable quarterly and prior to issuance of annual permits.

As required by O.C.G.A § 12-8-39, all user fees collected in accordance with this subsection shall be deposited in a local restricted account and used solely for solid waste management purposes.

- (10) *Corner lots:* Properties located on corner lots with two or more street frontages will be charged based on the footage of the street frontage which is the legal address of the property.
- (11) *Special collections:* Any property otherwise addressed in subsections (1) through (9) of this section, either requesting or requiring special collection equipment or methods where normal curbside collection or backyard collection of solid waste or recyclables is not feasible, shall be subject to an additional fee of \$200.00 annually.



<b>RESULT:</b>	<b>REFERRED TO COMMITTEE [12 TO 0]</b>	<b>Next: 12/1/2015 9:30 AM</b>
<b>AYES:</b>	Bond, Dickens, Hall, Young Jr., Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd	
<b>ABSENT:</b>	Cleta Winslow	
<b>AWAY:</b>	Mary Norwood, Carla Smith	
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 154, ARTICLE III, DIVISION I, SECTION 154-68, AND APPENDIX B, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO AMEND WATER CONNECTION FEES BASED ON THE COSTS OF INSTALLATION AND CONNECTION TO THE WATER SYSTEM; AND FOR OTHER PURPOSES. (HELD 12/1/15) (A PUBLIC HEARING WAS HELD ON 2/23/16)**

WHEREAS, pursuant to Chapter 154, Article III, Division I, Section 154-68 of the City of Atlanta Code of Ordinances, City Council is authorized to set the schedule of water meter installation fees; and

WHEREAS, the current schedule of water meter installation fees was established by Ordinance No. 04-O-1873, adopted by City Council on January 3, 2005 and approved by the Mayor on January 10, 2005; and

WHEREAS, the Department of Watershed Management has reviewed the schedule of water meter installation fees established by Ordinance No. 04-O-1873 and determined that it no longer fully recovers the costs incurred in connecting new development to the existing water infrastructure; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends amending the schedule of water meter installation fees to fully recover the costs incurred in connecting new development to the existing water infrastructure; and

WHEREAS, it is in the best interest of the City of Atlanta to update the schedule of water meter installation fees to reflect the full costs incurred in connecting new development to the existing water infrastructure.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS *as follows*:

Section 1: That the Department of Watershed Management has reviewed the existing schedule of water meter installation fees and determined it must be amended to fully recover the costs incurred in connecting new development to the existing water infrastructure.

Section 2: That the schedule of water meter installation fees listed on Exhibit A, attached hereto, fully recovers the costs incurred in connecting new development to the existing water infrastructure.

Section 3: That pursuant to Chapter 154, Article III, Division I, Section 154-68 of the City of Atlanta Code of Ordinances, City Council is authorized to set the schedule of water meter installation fees.

Section 4: That Appendix B: Fees shall be revised, as necessary, to reflect the imposition of fees in accordance with Section 2 above and Exhibit A.

Section 5: That the fees listed on Exhibit A shall become effective immediately upon the approval by the Mayor.

Section 6: That all ordinances or parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Cristi C. Walker

Contact Number: 404-546-3622

Originating Department: Watershed Management

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: October 23, 2015

Anticipated Committee Meeting Date(s): November 9, 2015

Anticipated Full Council Date: November 16, 2015

Legislative Counsel's Signature: [Signature]

Commissioner's Signature: [Signature]

Chief Financial Officer's Signature: [Signature]

Chief Information Officer Signature (for IT Procurement): N/A

Chief Procurement Officer Signature: N/A

**CAPTION**

AN ORDINANCE TO AMEND CHAPTER 154, ARTICLE III, DIVISION 1, SECTION 154-68, AND APPENDIX B, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO AMEND WATER CONNECTION FEES BASED ON THE COSTS OF INSTALLATION AND CONNECTION TO THE WATER SYSTEM; AND FOR OTHER PURPOSES.

**FINANCIAL IMPACT: (if any)**

**Mayor's Staff Only**

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 10/23/15 [Signature]  
(date)

Reviewed by: \_\_\_\_\_  
(date)

Submitted to Council: \_\_\_\_\_ (date)

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** City Utilities Committee

**Caption:** An Ordinance to Amend Chapter 154, Article III, Division I, Section 154-68, and Appendix B, of the City of Atlanta Code of Ordinances to Amend Water Connection Fees Based on the Costs of Installation and Connection to the Water System; and for Other Purposes.

**Council Meeting Date:** Nov. 16, 2015-first read; Dec. 7, 2015-second read.

**Requesting Dept.:** Department of Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

***Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.***

The purpose of this legislation is to authorize the Department to update meter installation fees for both small and large meters. The City's current meter installation fees are not in line with actual costs incurred. These fees will assure fairness and equity to rate payers and other customers.

**2. Please provide background information regarding this legislation.**

***Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.***

The City of Atlanta Department of Watershed Management has determined that the cost of small and large water meter installations are not fully recouped under the current fee schedule. This ordinance reflects the Department's desire to charge rates in line with actual costs incurred by users.

**3. If Applicable/Known:**

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc): N/A
- (b) Source Selection: N/A
- (c) Bids/Proposals Due: N/A
- (d) Invitations Issued: N/A
- (e) Number of Bids: N/A
- 
- (f) Proposals Received: N/A
- (g) Bidders/Proponents: N/A
- (h) Term of Contract: N/A

4. Fund Account Center (Ex. Name and number): Various

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: N/A

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

7. Method of Cost Recovery: N/A

*Examples:*

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Tamika Gray

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**EXHIBIT A**

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1<sup>st</sup> Reading  
 2<sup>nd</sup> Reading  
 1<sup>st</sup> & 2<sup>nd</sup> Reading  
 3<sup>rd</sup> Reading  
 Consent  
 V Vote  
 RC Vote

**CERTIFIED**

**AN ORDINANCE  
BYCITY UTILITIES COMMITTEE**

AN ORDINANCE TO AMEND CHAPTER 154, ARTICLE III, DIVISION I, SECTION 154-68, AND APPENDIX B, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO AMEND WATER CONNECTION FEES BASED ON THE COSTS OF INSTALLATION AND CONNECTION TO THE WATER SYSTEM; AND FOR OTHER PURPOSES.

CONSENT REFER  
 REGULAR REPORT REFER  
 ADVERTISE & REFER  
 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER  
 PERSONAL PAPER REFER  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee	Date	Chair	Action Fav, Adv, Hold (see rev. side) Other	Members	Committee	Date	Chair	Action Fav, Adv, Hold (see rev. side) Other	Members
Refer To					Refer To				
Committee					Committee				
Date					Date				
Chair					Chair				
Action Fav, Adv, Hold (see rev. side) Other					Action Fav, Adv, Hold (see rev. side) Other				
Members					Members				

**MAYOR'S ACTION**

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LINEAR MAINTENANCE CONTRACTS-A/E SERVICES PROJECTS; AND FOR OTHER PURPOSES.**

**(Held 12/15/15)**

**Workflow List:**

Cristi Walker	Completed	11/12/2015 5:21 PM
Jo Ann Macrina	Completed	11/13/2015 9:20 AM
Finance	Completed	11/13/2015 10:25 AM
Patrick McShane	Completed	11/13/2015 11:36 AM
Mayor's Office	Completed	11/13/2015 12:08 PM
Office of Research and Policy Analysis	Completed	11/17/2015 5:05 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

12/01/15 City Utilities Committee ACCEPTED

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>	<b>Next: 12/7/2015 1:00 PM</b>
<b>AYES:</b>	Archibong, Adrean, Dickens, Shook, Wan	
<b>ABSENT:</b>	Ivory Lee Young Jr., Joyce Sheperd	

12/07/15 Atlanta City Council REFERRED TO COMMITTEE

<b>RESULT:</b>	<b>REFERRED TO COMMITTEE [UNANIMOUS]</b>	<b>Next: 12/15/2015 9:30 AM</b>
<b>AYES:</b>	Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd	
<b>EXCUSED:</b>	Michael Julian Bond	

12/15/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE [UNANIMOUS]</b>	<b>Next: 1/4/2016 1:00 PM</b>
<b>AYES:</b>	Archibong, Adrean, Sheperd, Shook, Wan	
<b>ABSENT:</b>	Ivory Lee Young Jr., Andre Dickens	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LINEAR MAINTENANCE CONTRACTS-A/E SERVICES PROJECTS; AND FOR OTHER PURPOSES.  
(HELD 12/15/15)**

WHEREAS, the City of Atlanta owns and operates a water and wastewater system; and

WHEREAS, the City of Atlanta, Department of Watershed Management (“Department”) has identified, in connection with the Capital Improvement Program, the need to fund certain costs from the Watershed Reserves for Appropriations; and

WHEREAS, the Linear Maintenance Contracts-A/E Services Project will provide assistance to the Department for administrative and inspection services during the course of construction associated with various linear maintenance contracts; and

WHEREAS, these funds should be transferred from the Watershed Reserves for Appropriations to facilitate the use of the funds for the Linear Maintenance Contracts-A/E Services Project.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS *as follows:*

Section 1: That the Chief Financial Officer is authorized to amend the FY 2016 Water and Wastewater Renewal and Extension Fund (5052) Budget as follows:

TRANSFER FROM APPROPRIATIONS

<b>The amount of:</b>	<b>\$5,000,000.00</b>			
<b>FDOA:</b>				
<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>NDP Reservation of Fund Appropriations</u>	<u>Reserve Conversion Account</u>	<u>Accounting</u>	
5052	200101	5999901	1512000	

ADD TO APPROPRIATIONS

<b>The amount of:</b>	<b>\$5,000,000.00</b>			
<b>PTAEO:</b>				
<u>OLIO Linear Maint.</u>	<u>CMS</u>	<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>Consulting</u>	<u>City of Atlanta</u>
17112310	101	505221391	5212001	COA
<b>FDOA:</b>				
<u>Water &amp; Wastewater R&amp;E Fund</u>	<u>DWM Buried Infrastructure Administration</u>	<u>Projects and Grants Budget</u>	<u>Water Administration</u>	
5052	171001	5999999	4410000	
<u>OLIO Linear Maint.</u>	<u>Water &amp; Wastewater R&amp;E Fund</u>			
17112310	21391			

Section 2: That appropriations in the Water & Wastewater Renewal & Extension Fund (5052) Budget be transferred as follows:

ADD TO AWARD INSTALLMENT

<b>The amount of:</b>	<b>\$5,000,000.00</b>	<u>R&amp;E Water &amp; Wastewater Fund</u>		
		505221391		

Section 3: That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Cristi C. Walker

Contact Number: 404-546-3622

Originating Department: Watershed Management

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: November 6, 2015

Anticipated Committee Meeting Date(s): December 15, 2015

Anticipated Full Council Date: January 4, 2016

Legislative Counsel's Signature: [Signature]

Commissioner's Signature: [Signature]

Chief Financial Officer's Signature: [Signature]

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LINEAR MAINTENANCE CONTRACTS-A/E SERVICES PROJECTS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 11/6/15 [Signature]  
(date)

Reviewed by: \_\_\_\_\_  
(date)

Submitted to Council: \_\_\_\_\_ (date)

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** City Utilities Committee

**Caption:** AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LINEAR MAINTENANCE CONTRACTS-A/E SERVICES PROJECTS; AND FOR OTHER PURPOSES.

**Council Meeting Date:** December 1, 2015 – 1<sup>st</sup> Read; January 4, 2016 – 2<sup>nd</sup> Read

**Requesting Dept.:** Department of Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

***Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.***

The purpose of this legislation is to authorize the CFO to amend the FY 2016 Budget Water and Wastewater Renewal and Extension Fund (5052) in the amount of **\$5,000,000.00** to transfer funds from Watershed Reserves for Appropriations and add to Appropriations funds for:

Linear Maintenance Contracts-A/E Services Project to provide assistance to the Department of Watershed Management for administrative and inspection services during the course of construction associated with various linear maintenance contracts.

**2. Please provide background information regarding this legislation.**

***Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.***

The City of Atlanta, Department of Watershed Management has identified, in connection with the Capital Improvement Program (CIP), the need to fund certain costs from the Water and Wastewater Renewal and Extension Fund (5052) to facilitate projects.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc): N/A
- (b) Source Selection: N/A
- (c) Bids/Proposals Due: N/A
- (d) Invitations Issued: N/A
- (e) Number of Bids: N/A
- (f) Proposals Received: N/A
- (g) Bidders/Proponents: N/A
- (h) Term of Contract: N/A

4. Fund Account Center (*Ex. Name and number*): Various

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds: *Example: Local Assistance Grant*

FDOA: \$5,000,000; 5052 (DWM Water & Wastewater RNE Fund) 200101 (NDP Reservation of Funds Appropriations) 5999901 (Reserve Conversion Account) 1512000 (Accounting)

6. Fiscal Impact: N/A

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

7. Method of Cost Recovery: N/A

**Examples:**

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Tamika Gray



Kasim Reed  
MAYOR

**CITY OF ATLANTA**  
DEPARTMENT OF WATERSHED MANAGEMENT  
72 MARIETTA STREET NW  
ATLANTA, GEORGIA 30303

Jo Ann J. Macrina, PE  
COMMISSIONER

**MEMORANDUM**

**TO:** Tamika Gray, Watershed Manager, Sr.,  
DWM – Bureau of Financial Administration

**FROM:** Demetris Johnson, Financial Manager  
DWM, Office of Engineering Services 

**DATE:** October 9, 2015

**SUBJECT: FUNDS REQUEST FOR LINEAR MAINTENANCE CONTRACT - A/E SERVICES**

This serves as a special funding request to fund professional services to assist Department of Watershed Management.

<b>PROJECT NAME</b>	<b>LINEAR MAINTENANCE CONTRACTS – A/E SERVICES</b>
Funding Total	\$5,000,000.00 – CM Services
Start/Finish Time	December 2015 – December 2016
Project Details	This request is for professional services from an A/E Joint Venture to provide assistance to the Department of Watershed Management (DWM) for administrative management and inspection services throughout construction associated with various linear maintenance contracts. The scope of services include, but is not limited to review and monitoring of construction methods and schedules, construction testing, review of contractor’s shop drawings and submittals, conducting inspections of all construction based on approved specifications, as-built development and monitoring, pay application review and approval, inspection and verification of stored materials, change orders review, management of punch list items and observation of construction to ensure design compliance.

Should you need additional information to precede with this request, please contact me at 404-546-1249.

**APPROVALS**

  
Lyonel François, Director, OES

 10/9/15  
Robert A. Bocarro, Interim DC, OES

Cc: Mohamed Balla, DC, Bureau of Financial Administration



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Cristi C. Walker

Contact Number: 404-546-3622

Originating Department: Watershed Management

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: November 6, 2015

Anticipated Committee Meeting Date(s): December 15, 2015

Anticipated Full Council Date: January 4, 2016

Legislative Counsel's Signature: *Patricia A. [Signature]*

Commissioner's Signature: *[Signature]*

Chief Financial Officer's Signature: *[Signature]*

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

**CAPTION**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF FIVE MILLION DOLLARS AND ZERO CENTS (\$5,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVES FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE LINEAR MAINTENANCE CONTRACTS-A/E SERVICES PROJECTS; AND FOR OTHER PURPOSES.**

**FINANCIAL IMPACT: (if any)**

**Mayor's Staff Only**

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 11/6/15 *[Signature]*  
(date)

Reviewed by: *[Signature]*  
(date)

Submitted to Council: \_\_\_\_\_ (date)



<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**CITY COUNCIL  
ATLANTA, GEORGIA**

15-O-1562

**SPONSOR SIGNATURES**



Natalyn Mosby Archibong, Councilmember, District 5

**AN ORDINANCE BY COUNCILMEMBERS IVORY LEE YOUNG, JR. AND NATALYN ARCHIBONG AS AMENDED BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE ATLANTA BICYCLE COALITION FOR THE PURPOSE OF INSTALLING A BICYCLE CORRAL NEAR 1984 HOSEA L. WILLIAMS DRIVE, N.E., ATLANTA, GEORGIA; TO WAIVE THE \$1,300.00 PERMIT FEE REQUIRED IN SECTION 138-20(A) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES .(HELD 12/1/15)**

WHEREAS, it is the stated goal of the City of Atlanta to expand pedestrian and bicycle facilities as a transportation alternative to the single occupancy vehicle mode of travel and to increase the pedestrian and bicycle linkages that support mass transit; and

WHEREAS, the Atlanta Bicycle Coalition (“Encroaching Party”) desire to install a bicycle corral near 1984 Hosea L. Williams Drive, N.E., Atlanta, Georgia to be located in the public right-of-way; and

WHEREAS, the City of Atlanta’s (“City”) Code of Ordinances at Sections 138-20, 138-22, and 138-24, require that an Encroachment Agreement be entered into between the City and the Encroaching Party for authorization to allow the Encroaching Party to install the bicycle corral in the public right-of-way and for authorization for the Encroaching Party to continue to maintain the bicycle corral in the public right-of-way; and

WHEREAS, the Commissioner of the Department of Public Works will review the plans for the encroachment agreement and will determine that the bicycle corral will not adversely impact the ability of the affected right-of-way to handle vehicular or pedestrian traffic or otherwise to perform its intended public function; and

WHEREAS, the Encroaching Party desires to install and maintain the bicycle corral; and

WHEREAS, the Encroaching Party has agreed to conform to conditions set out in the City’s Code of Ordinances at Sections 138-20, 138-24, and 138-24.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the Mayor or his designee is authorized, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Nonconforming Uses (the “Encroachment Agreement”), as outlined in Section 138, Article II, of the City's Code of Ordinances with the Encroaching Party for the purpose of granting to the Encroaching Party the right to install and to thereafter maintain a bicycle corral in the public right-of-way near 1984 Hosea L. Williams Drive, N.E., Atlanta, Georgia as depicted in Exhibit “A” hereto attached, in a form and pursuant to the conditions determined by the Commissioner of the Department of Public Works and the City Attorney, to be

desirable, appropriate and in the best interest of the City of Atlanta for this transaction.

SECTION 2: That the requirement of Section 138-20(a) of the City of Atlanta Code of Ordinances, which requires an initial \$1,300.00 permit fee be waived for purposes of this ordinance only.

SECTION 3: That the Encroaching Party shall indemnify the City for any damages to persons or properties resulting from the erection and maintenance of said bicycle corral and such indemnification shall be set forth in the Encroachment Agreement.

SECTION 4: That the Encroaching Party shall comply with the conditions set out at Sections 138-20, 138-22, and 138-24 of the City's Code of Ordinances.

SECTION 5: That the City Attorney is directed to prepare an Encroachment Agreement, acceptable as to form, for execution by the Mayor and the Encroaching Party.

SECTION 6: That the Encroachment Agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder until the agreement has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the Encroaching Party.

AN ORDINANCE BY *Natalyn Archibong*  
COUNCILMEMBER NATALYN ARCHIBONG

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE ATLANTA BICYCLE COALITION FOR THE PURPOSE OF INSTALLING A BICYCLE CORRAL NEAR 1984 HOSEA L. WILLIAMS DRIVE, N.E., ATLANTA, GEORGIA; TO WAIVE THE \$1,300.00 PERMIT FEE REQUIRED IN SECTION 138-20(A) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, it is the stated goal of the City of Atlanta to expand pedestrian and bicycle facilities as a transportation alternative to the single occupancy vehicle mode of travel and to increase the pedestrian and bicycle linkages that support mass transit; and

WHEREAS, the Atlanta Bicycle Coalition ("Encroaching Party") desire to install a bicycle corral near 1984 Hosea L. Williams Drive, N.E., Atlanta, Georgia to be located in the public right-of-way; and

WHEREAS, the City of Atlanta's ("City") Code of Ordinances at Sections 138-20, 138-22, and 138-24, require that an Encroachment Agreement be entered into between the City and the Encroaching Party for authorization to allow the Encroaching Party to install the bicycle corral in the public right-of-way and for authorization for the Encroaching Party to continue to maintain the bicycle corral in the public right-of-way; and

WHEREAS, the Commissioner of the Department of Public Works will review the plans for the encroachment agreement and will determine that the bicycle corral will not adversely impact the ability of the affected right-of-way to handle vehicular or pedestrian traffic or otherwise to perform its intended public function; and

WHEREAS, the Encroaching Party desires to install and maintain the bicycle corral; and

WHEREAS, the Encroaching Party desires to install and maintain the Sign; and

WHEREAS, the Encroaching Party has agreed to conform to conditions set out in the City's Code of Ordinances at Sections 138-20, 138-24, and 138-24.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

**SECTION 1:** That the Mayor or his designee is authorized, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Nonconforming Uses (the "Encroachment Agreement"), as outlined in Section 138, Article II, of the City's Code of Ordinances with the Encroaching Party for the purpose of granting to the Encroaching Party the right to install and to thereafter maintain a bicycle corral in the public right-of-way near 1984 Hosea L. Williams Drive, N.E., Atlanta, Georgia as depicted in Exhibit "A" hereto attached, in a form and pursuant to the conditions determined by the Commissioner of the Department of Public

Attachment: 30 1984 HOSEA WILLIAM DRIVE (15-O-1562 : 1984 HOSEA L WILLIAMS DRIVE NE)

Works and the City Attorney, to be desirable, appropriate and in the best interest of the City of Atlanta for this transaction.

**SECTION 2:** That the requirement of Section 138-20(a) of the City of Atlanta Code of Ordinances, which requires an initial \$1,300.00 permit fee be waived for purposes of this ordinance only.

**SECTION 3:** That the Encroaching Party shall indemnify the City for any damages to persons or properties resulting from the erection and maintenance of said bicycle corral and such indemnification shall be set forth in the Encroachment Agreement.

**SECTION 4:** That the Encroaching Party shall comply with the conditions set out at Sections 138-20, 138-22, and 138-24 of the City's Code of Ordinances.

**SECTION 5:** That the City Attorney is directed to prepare an Encroachment Agreement, acceptable as to form, for execution by the Mayor and the Encroaching Party.

**SECTION 6:** That the Encroachment Agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder until the agreement has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the Encroaching Party.

Attachment: 30 1984 HOSEA WILLIAM DRIVE (15-O-1562 : 1984 HOSEAL L WILLIAMS DRIVE NE)

#30

(Do Not Write Above This Line)	First Reading		FINAL COUNCIL ACTION
	Committee	Committee	<input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 1 <sup>st</sup> & 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> Readings <input checked="" type="checkbox"/> Consent <input type="checkbox"/> VVote <input type="checkbox"/> RCVote
AN ORDINANCE BY COUNCILMEMBER NATALYN ARCIDBONG  A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE ATLANTA BICYCLE COALITION FOR THE PURPOSE OF INSTALLING A BICYCLE CORRAL NEAR 1984 HOSEA L. WILLIAMS DRIVE, N.E., ATLANTA, GEORGIA; TO WAIVE THE \$1,300.00 PERMIT FEE REQUIRED IN SECTION 138-20(A) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES.	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	CERTIFIED
f CONSENT REFER REGULAR REPORT REFER ADVERTISE & REFER 1ST ADOPT 2ND READ & REFER PERSONAL PAPER REFER Date Referred Referred To:  Date Referred Referred To:  Date Referred: Referred To:	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	MAYOR'S ACTION

Attachment: 30 1984 HOSEA WILLIAM DRIVE (15-O-1562 : 1984 HOSEA L WILLIAMS DRIVE NE)

# COMMITTEE AMENDMENT FORM

DATE: Tuesday, December 1, 2015

Committee: City Utilities PAGE #'S: \_\_\_\_\_

Ordinance # 15-O-1562 SECTION(S): \_\_\_\_\_

Resolution # \_\_\_\_\_ PARAGRAPH \_\_\_\_\_

Amends the legislation to add Exhibit A and the Encroachment Agreement Checklist.

Attachment: 15-R-1562 (Amendment Form) (15-O-1562 : 1984 HOSEAL L WILLIAMS DRIVE NE)

**15-O-1562**

**AN ORDINANCE BY  
COUNCILMEMBERS IVORY LEE YOUNG, JR. AND NATALYN ARCHIBONG  
AS AMENDED BY CITY UTILITIES COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE ATLANTA BICYCLE COALITION FOR THE PURPOSE OF INSTALLING A BICYCLE CORRAL NEAR 1984 HOSEA L. WILLIAMS DRIVE, N.E., ATLANTA, GEORGIA; TO WAIVE THE \$1,300.00 PERMIT FEE REQUIRED IN SECTION 138-20(A) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES .**

**WHEREAS**, it is the stated goal of the City of Atlanta to expand pedestrian and bicycle facilities as a transportation alternative to the single occupancy vehicle mode of travel and to increase the pedestrian and bicycle linkages that support mass transit; and

**WHEREAS**, the Atlanta Bicycle Coalition (“Encroaching Party”) desire to install a bicycle corral near 1984 Hosea L. Williams Drive, N.E., Atlanta, Georgia to be located in the public right-of-way; and

**WHEREAS**, the City of Atlanta’s (“City”) Code of Ordinances at Sections 138-20, 138-22, and 138-24, require that an Encroachment Agreement be entered into between the City and the Encroaching Party for authorization to allow the Encroaching Party to install the bicycle corral in the public right-of-way and for authorization for the Encroaching Party to continue to maintain the bicycle corral in the public right-of-way; and

**WHEREAS**, the Commissioner of the Department of Public Works will review the plans for the encroachment agreement and will determine that the bicycle corral will not adversely impact the ability of the affected right-of-way to handle vehicular or pedestrian traffic or otherwise to perform its intended public function; and

**WHEREAS**, the Encroaching Party desires to install and maintain the bicycle corral; and

**WHEREAS**, the Encroaching Party has agreed to conform to conditions set out in the City’s Code of Ordinances at Sections 138-20, 138-24, and 138-24.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1:** That the Mayor or his designee is authorized, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Nonconforming Uses (the “Encroachment Agreement”), as outlined in Section 138, Article II, of the City's Code of Ordinances with the Encroaching Party for the purpose of granting to the Encroaching Party the right to install and to thereafter maintain a bicycle corral in the public right-of-way near 1984 Hosea L. Williams Drive, N.E., Atlanta, Georgia as depicted in Exhibit “A” hereto attached, in a form and pursuant to the conditions determined by the Commissioner of the Department of Public Works and the City Attorney, to be desirable, appropriate and in the best interest of the City of

Atlanta for this transaction.

**SECTION 2:** That the requirement of Section 138-20(a) of the City of Atlanta Code of Ordinances, which requires an initial \$1,300.00 permit fee be waived for purposes of this ordinance only.

**SECTION 3:** That the Encroaching Party shall indemnify the City for any damages to persons or properties resulting from the erection and maintenance of said bicycle corral and such indemnification shall be set forth in the Encroachment Agreement.

**SECTION 4:** That the Encroaching Party shall comply with the conditions set out at Sections 138-20, 138-22, and 138-24 of the City's Code of Ordinances.

**SECTION 5:** That the City Attorney is directed to prepare an Encroachment Agreement, acceptable as to form, for execution by the Mayor and the Encroaching Party.

**SECTION 6:** That the Encroachment Agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder until the agreement has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the Encroaching Party.





Attachment: 15-O-1562 (Bicycle Corral Exhibit A) (15-O-1562 : 1984 HOSEAL L WILLIAMS DRIVE NE)

A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4906D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111688 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

**(Held 3/16/15 at the request of the Department)**

**Workflow List:**

Jo Ann Macrina	Completed	02/13/2015 11:40 AM
Patrick McShane	Completed	02/13/2015 12:17 PM
Finance	Completed	02/13/2015 2:52 PM
Procurement	Completed	02/20/2015 5:11 PM
Adam Smith	Completed	02/20/2015 5:15 PM
Mayor's Office	Completed	02/26/2015 11:48 AM
Office of Research and Policy Analysis	Completed	02/27/2015 4:48 PM
City Utilities Committee	Completed	03/16/2015 10:15 AM
Atlanta City Council	Completed	03/16/2015 1:00 PM
City Utilities Committee	Completed	03/24/2015 9:30 AM
Atlanta City Council	Completed	04/20/2015 1:00 PM
City Utilities Committee	Completed	04/28/2015 9:30 AM
Atlanta City Council	Completed	05/04/2015 1:00 PM
City Utilities Committee	Completed	05/12/2015 9:30 AM
Atlanta City Council	Completed	05/18/2015 1:00 PM
City Utilities Committee	Completed	05/26/2015 9:30 AM
Atlanta City Council	Completed	06/01/2015 1:00 PM
City Utilities Committee	Completed	06/09/2015 9:30 AM
Atlanta City Council	Completed	06/15/2015 1:00 PM
City Utilities Committee	Completed	06/23/2015 9:30 AM
Atlanta City Council	Completed	07/06/2015 1:00 PM
City Utilities Committee	Completed	07/14/2015 9:30 AM
Atlanta City Council	Completed	07/20/2015 1:00 PM
City Utilities Committee	Completed	07/28/2015 9:30 AM
Atlanta City Council	Completed	08/17/2015 1:00 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM

Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

03/16/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>
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03/16/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/24/2015 9:30 AM</b>
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03/24/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 4/20/2015 1:00 PM</b>
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04/20/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 4/28/2015 9:30 AM</b>
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04/28/15 City Utilities Committee FAVORABLE

<b>RESULT:</b>	<b>FAVORABLE [UNANIMOUS]</b>	<b>Next: 5/4/2015 1:00 PM</b>
<b>AYES:</b>	Archibong, Young Jr., Adrean, Dickens, Sheperd, Shook, Wan	

05/04/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/12/2015 9:30 AM</b>
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05/12/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/18/2015 1:00 PM</b>
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05/18/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/26/2015 9:30 AM</b>
05/26/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/1/2015 1:00 PM</b>
06/01/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/9/2015 9:30 AM</b>
06/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
06/15/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/23/2015 9:30 AM</b>
06/23/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
07/06/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/14/2015 9:30 AM</b>
07/14/15	City Utilities Committee	
07/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/28/2015 9:30 AM</b>
07/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/17/2015 1:00 PM</b>
08/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/25/2015 9:30 AM</b>
08/25/15	City Utilities Committee	
09/08/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/15/2015 9:30 AM</b>
09/15/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/21/2015 1:00 PM</b>
09/21/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
09/29/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
10/05/15	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
10/13/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4906D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111688 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.  
(HELD 3/16/15 AT THE REQUEST OF THE DEPARTMENT)**

WHEREAS, the City of Atlanta (“City”) authorized FC-4906D, Architectural, Engineering and Design Services (“Agreement”) with Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture, on behalf of the Departments of Planning and Community Development, Public Works, Watershed Management, Parks, Recreation and Cultural Affairs, and the Office of Enterprise Asset Management, pursuant to Resolution No. 09-R-1635; and

WHEREAS, the term of the Agreement is for two (2) years with three (3) one (1) year renewal options to be exercised at the City’s sole discretion, effective December 21, 2009 through December 20, 2011; and

WHEREAS, the City authorized Amendment No. 1 to include the site and funding for the Atlanta Police Department for the issuance of a Task Order to provide professional architectural, engineering and design services for the construction of the Atlanta Police Department Crime Lab in an amount not to exceed Two Hundred Twenty Thousand, Seven Hundred Sixty Eight Dollars and Zero Cents (\$220,768.00), pursuant to Resolution No. 11-R-0648; and

WHEREAS, the City authorized Renewal No. 1 of the Agreement with a term of December 21, 2011 through December 20, 2012, pursuant to Resolution No. 11-R-1726; and

WHEREAS, the City authorized Renewal No. 2 of the Agreement with a term of December 21, 2012 through December 20, 2013, pursuant to Resolution No. 12-R-1649; and

WHEREAS, the City authorized Renewal No. 3 of the Agreement with a term of December 21, 2013 through December 20, 2014, pursuant to Resolution No. 13-R-3772; and

WHEREAS, the City executed a ninety (90) day extension that extended the term of the Agreement to March 20, 2015; and

WHEREAS, the City authorized a six month extension of Renewal No. 3 commencing March 21, 2015, pursuant to Ordinance No. 15-O-1070 adopted by the Atlanta City Council on February 17, 2015 and approved on February 26, 2015 pursuant City Charter Section 2-403 of the City of Atlanta's Code of Ordinances; and

WHEREAS, the Department of Watershed Management requires engineering services to develop Watershed Improvement Plans for the Utoy, Sugar, Sandy, Intrenchment, and Proctor Creek watersheds that will assess water quality and watershed conditions, identify improvement projects and activities to improve watershed conditions, and develop recommended action plans; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends issuing a Task Order for Architectural, Engineering and Design services to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture in an amount not to exceed Nine Hundred Eighty-Eight Thousand, Two Hundred Fifty Dollars and Zero Cents (\$988,250.00) for the Watershed Improvement Plans Project for the Utoy, Sugar, Sandy, Intrenchment, and Proctor Creek Watersheds.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, or his authorized designee, is authorized to issue a Task Order to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture for FC-4906D, Architectural, Engineering and Design Services in an amount not to exceed Nine Hundred Eighty-Eight Thousand, Two Hundred Fifty Dollars and Zero Cents (\$988,250.00) for the Watershed Improvement Plans Project for the Utoy, Sugar, Sandy, Intrenchment, and Proctor Creek Watersheds; and

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater R&E Fund) 170302 (Watershed Planning and Design 5212001 (Consulting/Professional Services) 1535000 (Data Processing Management) and Project Award Task Expenditure and Organization Number 17111688 (Watershed Impr. Planning & Design Services) 102 (Characterization Projects) 505221391 (Water & Wastewater R&E Fund) 5212001 (Consulting/Professional Services) COA.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Maisha L. Wood

Contact Number: 404-330-6887

Originating Department: Watershed Management

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: January 9, 2015

Anticipated Committee Meeting Date(s): January 27, 2015

Anticipated Full Council Date: February 2, 2015

Legislative Counsel's Signature: [Signature]

Commissioner's Signature: [Signature]

Chief Financial Officer's Signature: [Signature]

Chief Information Officer Signature (for IT procurements) n/a

*KN* Chief Procurement Officer Signature: [Signature]

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4906D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111688 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any) \$988,250.00

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ (date)

Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: MM Davis 2/5/15 (date)

Reviewed by: [Signature] (date)

Submitted to Council: \_\_\_\_\_ (date)

**B. To be completed by the department:****1. Please provide a summary of the purpose of this legislation (Justification Statement).****A. To be completed by Legislative Counsel:****Committee of Purview:** City Utilities

**Caption:** A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4906D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111688 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

**Council Meeting Date:** February 2, 2015**Requesting Dept.:** Watershed Management

The purpose of this legislation is to request authorization to issue a Task Order to Brown and Caldwell, Inc. and Delor Hampton & Associates, a Joint Venture for FC-4906-D, Architectural, Engineering and Design Services for the purpose of providing engineering services in developing Watershed Improvement Plans for four identified Creek Basins, on behalf of the Department of Watershed Management, in an amount not to exceed \$988,250.00.

As a requirement to the City's wastewater reclamation centers (WRCs) NPDES permits and as a requirement of the Metropolitan North Georgia Water Planning District (Metro District), the City is required to implement watershed improvement as related to water quality needs. Watershed Improvement Plans assess water quality and watershed conditions, identify improvement projects and activities to improve watershed conditions, and develop recommended action plans for the Utoy, Sugar, Sandy, Intrenchment, and Proctor Creek Watersheds within the city limits.

**2. Please provide background information regarding this legislation.**

The purpose of the Watershed Improvement Plans are to identify water quality impacts and sources of environmental stressors (urban runoff, construction, point sources, etc.) and recommend projects to address these conditions as required by the City's Wastewater discharge permits under the National Pollutant Discharge Elimination System (NPDES) Program of the Federal Clean Water Act enforced by the Georgia Environmental Protection Division (EPD) and in compliance with the Metropolitan North Georgia Water Planning District requirements. These projects involve the assessment of the environmental conditions of four prioritized Watersheds in order to manage and improve the water quality and to protect the environment and public health for residents and businesses in the immediate area and downstream.

**3. If Applicable/Known:**

- (a) **Contract Type:** Professional Services
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:**

**4. Fund Account Center (Ex. Name and number):** A Funding Ordinance (1st Read) is pending for Cycle 1 and Cycle 2 (2<sup>nd</sup> Read) January 20, 2015.

**FDOA:** 5052 (Water & Wastewater R&E Fund) 170302 (Watershed Planning and Design 5212001 (Consulting/Professional Services) 1535000 (Data Processing Management), 111688 (Watershed Impr. Planning & Design Services), 21391 (Water & Wastewater R&E Fund)

**PATEO:** 17111688 (Watershed Impr. Planning & Design Services) 102 (Characterization Projects) 505221391 (Water & Wastewater R&E Fund) 5212001 (Consulting/Professional Services) COA

**5. Source of Funds:** 5052 (Water & Wastewater R&E Fund)

**6. Fiscal Impact:** Legislation will result in a reduction of an amount not to exceed \$988,250.00 from:

**FDOA:** 5052 (Water & Wastewater R&E Fund), 170302 (Watershed Planning and Design, 5999999 (Projects and Grants Budget), 1535000 (Data Processing Management), 111688 (Watershed Impr. Planning & Design Services), 21391 (Water & Wastewater R&E Fund)

**PATEO:** 17111688 (Watershed Impr. Planning & Design Services), 102 (Characterization Projects), 505221391 (Water & Wastewater R&E Fund), 5212001 (Consulting/Professional Services), COA

**7. Method of Cost Recovery:** N/A

**Examples:**

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*



Kasim Reed  
MAYOR

**CITY OF ATLANTA**  
DEPARTMENT OF WATERSHED MANAGEMENT  
72 Marietta Street, N.W.  
ATLANTA, GEORGIA 30303

Jo Ann J. Macrina, PE  
COMMISSIONER

**MEMORANDUM**

**To:** Adam L. Smith, Chief Procurement Officer  
Department of Procurement

**From:** Jo Ann J. Macrina, PE, Commissioner  
Department of Watershed Management

**Cc:** Ray Wilke, Interim Deputy Commissioner  
Jay Ash, Interim Deputy Commissioner  
Lyonel Francois, Interim Director  
Keith Brooks, Deputy Chief Procurement Officer  
Delmarie Griffin, Contract Administrator, Sr.  
Cristi Walker, Contracting Officer  
Maisha Land-Wood, Legislative Manager  
Cynthia L. Lunn, Watershed Procurement Manager

**Date:** January 8, 2015

**Re:** Legislative Request for FC-4906D, Citywide Architectural Engineering and Design Services, Task Order No. 30 for Watershed Improvement Plans Development

**Contractor:** Brown Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture

Please prepare the appropriate Legislative Summary for Cycle 3 (February 3, 2015) to approve the above referenced services, in an amount not to exceed Nine Hundred Eight-Eight Thousand Two Hundred Fifty Dollars and No Cents (\$988,250.00).

A Funding Ordinance (1st Read) is pending for Cycle 1 and Cycle 2 (2<sup>nd</sup> Read) January 20, 2015. These services shall be charged to and paid from:

**FDOA:** 5052 (Water & Wastewater R&E Fund), 170302 (Watershed Planning and Design, 5999999 (Projects and Grants Budget), 1535000 (Data Processing Management), 111688 (Watershed Impr. Planning & Design Services), 21391 (Water & Wastewater R&E Fund)

**PATEO:** 17111688 (Watershed Inpr. Planning & Design Services), 102 (Characterization Projects), 505221391 (Water & Wastewater R&E Fund), 5212001 (Consulting/Professional Services), COA

If you have any additional questions, please contact Cynthia Lunn, Watershed Procurement Manager, at (404) 546-3626.



## Task Order: Watershed Improvement Plans Development

Agreement Number: FC-4906D Architectural Engineering and Design Services ("Agreement")

Task Order Number: 30

Task Order Maximum Payment Amount: \$988,250

The above referenced Task Order is made and entered into by and between the City of Atlanta ("CITY"), pursuant to the Agreement;

AND

Brown and Caldwell / Delon Hampton and Associates, Chartered, a Joint Venture hereinafter referred to as the ("CONSULTANT").

This Task Order is made a part of the Agreement between the City and the Consultant, together with all attached exhibits made a part of this Task Order.

The period of performance/delivery date for this Task Order begins as of the Notice to Proceed Date, and shall be completed no later than 18 months from the issuance of the Notice to Proceed Date, unless a written modification to this Task Order is made by the City.

Consultant shall perform all work related to this task order in accordance with the scope of services, specifications and the Consultant's proposal attached and incorporated as Exhibit "A".

Task Order Milestones are described in Exhibit A.

Key Task Order Personnel: Services Coordinator - Craig Ferguson, Project Manager - Aylin Lewallen, Other Key Personnel - Lori Visone, Corey Babb, Arvind Narayanan

### City Project Contact Information:

Margaret Tanner, Deputy Commissioner  
Office of Watershed Protection  
Department of Watershed Management  
72 Marietta Street, 5th Floor  
Atlanta, GA 30303  
Phone: 404-546-1227

E-Mail: [mtanner@atlantaga.gov](mailto:mtanner@atlantaga.gov)

### Consultant Project Contact Information:

Craig Ferguson  
BC/DHA JV  
Client Services Manager  
990 Hammond Drive, Suite 400  
Atlanta, GA 30328  
Phone: 770-673-3655  
Fax: 770-396-9495  
E-Mail: [caferguson@brwncald.com](mailto:caferguson@brwncald.com)

Agreement Number: FC-4906D Architectural Engineering and Design Services  
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Estimated Labor Hours and Associated Fee for Task by Labor Category: See Attached Table

Task Order Terms for Expenses: Reimbursable at cost.

Estimated MBE/WBE Summary:

MBE/WBE Firms Utilized in Task Order: Delon Hampton and Associates

Estimated MBE Percentage: 28.5%	Amount: \$281,231
Estimated WBE Percentage: 0 %	Amount: \$0
Total Estimated MBE/WBE Percentage: 28.5%	Amount: \$281,231

City Invoicing Contact Information:  
 Lyonel Francois  
 Department of Watershed Management  
 72 Marietta Street, 5th Floor  
 Atlanta, GA 30303  
 Phone: 404-546-3343

E-Mail: [lfrancois@atlantaga.gov](mailto:lfrancois@atlantaga.gov)

Consultant Invoicing Contact Information:  
 Craig Ferguson, PE  
 BC/DHA JV  
 990 Hammond Drive, Suite 400  
 Atlanta, GA 30328  
 Phone: 770-673-3655  
 Fax: 770-396-9495  
 E-Mail: [caferguson@brwncald.com](mailto:caferguson@brwncald.com)

Attachments:

J.19.b

Attachment: 4906D WIP - 4 Creek Supporting Docs (15-R-3294 : Watershed Improvement Plans - 4

Packet Pg. 208

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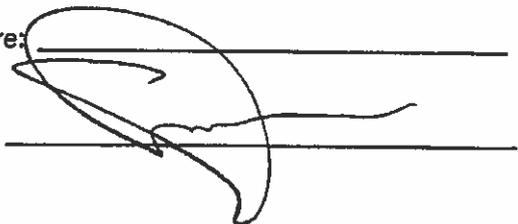
Estimated Labor Hours and Associated Fee for Task by Labor Category:

Activity	Labor Category	Home Office Rate	Estimated Home Office Hours per Category	Field Office Rate	Estimated Field Office Hours per Category	Total Estimated Fee per Category
1 - Data Analysis and Inventory	Engineer 9	\$192.00	48	\$167.00		\$9,216
	Engineer 5	\$120.00	1,150	\$100.00		\$138,000
	Engineer 3	\$90.00	180	\$75.00		\$16,200
	Scientist 8	\$192.00	426	\$169.00		\$81,792
	Scientist 5	\$118.00	730	\$104.00		\$86,140
	Administrative Assistant, Sr.	\$80.00	26	\$68.00		\$2,080
2 - Public Outreach	Engineer 9	\$192.00	2	\$167.00		\$384
	Engineer 5	\$120.00	0	\$100.00		\$0
	Engineer 3	\$90.00	40	\$75.00		\$3,600
	Scientist 8	\$192.00	44	\$169.00		\$8,448
	Scientist 5	\$118.00	80	\$104.00		\$9,440
	Administrative Assistant, Sr.	\$80.00	16	\$68.00		\$1,280
3 - Project Development and Modeling	Engineer 9	\$192.00	74	\$167.00		\$14,208
	Engineer 5	\$120.00	1,072	\$100.00		\$128,640
	Engineer 3	\$90.00	272	\$75.00		\$24,480
	Scientist 8	\$192.00	724	\$169.00		\$139,008
	Scientist 5	\$118.00	160	\$104.00		\$18,880
	Administrative Assistant, Sr.	\$80.00	32	\$68.00		\$2,560
4 - Preparation of the Watershed Improvement Plans	Engineer 9	\$192.00	72	\$167.00		\$13,824
	Engineer 5	\$120.00	640	\$100.00		\$76,800
	Engineer 3	\$90.00	104	\$75.00		\$9,360
	Scientist 8	\$192.00	440	\$169.00		\$84,480
	Scientist 5	\$118.00	600	\$104.00		\$70,800
	Administrative Assistant, Sr.	\$80.00	120	\$68.00		\$9,600
5 - Finalize the Proctor Watershed Improvement Plan	Engineer 9	\$192.00	12	\$167.00		\$2,304
	Engineer 5	\$120.00	0	\$100.00		\$0
	Engineer 3	\$90.00	60	\$75.00		\$5,400
	Scientist 8	\$192.00	88	\$169.00		\$16,896
	Scientist 5	\$118.00	60	\$104.00		\$7,080
	Administrative Assistant, Sr.	\$80.00	20	\$68.00		\$1,600
<b>Task Order Labor Totals</b>			<b>7,292</b>			<b>\$982,500</b>
<b>Expense</b>						<b>\$5,750</b>
<b>Task Order Total</b>						<b>\$988,250</b>

Authorized Representatives and Signatures:

City of Atlanta Representative: Margaret Tanner Signature: \_\_\_\_\_

Consultant Representative: Craig Ferguson Signature: \_\_\_\_\_



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## EXHIBIT A

Suite 400, 890 Hammond Dr.  
Atlanta, Georgia 30328

Tel: (770) 394-2997  
Fax: (770) 398-9485



August 26, 2014

Margaret Tanner, PE  
City of Atlanta  
Department of Watershed Management  
72 Marietta Street  
Atlanta, Georgia 30303

Subject: FC-4906D: Architectural, Engineering and Design Services  
Proposal for Preparation of Four Watershed Improvement Plans – Intrenchment,  
Sugar, Utoy, and Sandy Creeks

Dear Ms. Tanner:

The CONSULTANT will provide inventory, planning, and modeling services to prepare watershed improvement plans (WIPs) for four watersheds – Intrenchment, Sugar, Utoy, and Sandy Creeks watersheds, totaling approximately 43 square miles. Work will include a desktop analysis of the existing data for the watersheds, public outreach activities, project development and evaluation, modeling of the watersheds for water quality and quantity, and preparation of four WIPs.

### Project Tasks

The Scope of Work will be executed in tasks under the following four activities:

- Activity 1 – Data Analysis and Inventory
- Activity 2 – Public Outreach
- Activity 3 – Project Development and Modeling
- Activity 4 – Preparation of Watershed Improvement Plans
- Activity 5 – Finalize Proctor Watershed Improvement Plan

### Project Schedule

The project schedule will be 18 months from Notice to Proceed (NTP) issued from CITY, and specific schedule milestones will be determined with the CITY during each Project task and as shown in the table below.

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Schedule	Month																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Project Management	#1																	
Activity 1					#2													
Activity 2						#3-6								#9-12				
Activity 3										#7			#8					
Activity 4																	#13	
Activity 5			#14															

Numbers refer to meeting numbers - #1 through #14.

### SCOPE OF BASIC SERVICES

The CONSULTANT is submitting this proposal to provide services for preparation of four Watershed Improvement Plans (WIPs) for Intrenchment, Sugar, Utoy, and Sandy Creeks watersheds, totaling approximately 43 square miles to satisfy requirements of the Metropolitan North Georgia Water Planning District (MNGWPD) and the City's MS4 Phase I permit. This plan will identify the watershed health and water quality priorities for the four watersheds as well as develop a list of potential projects that can be implemented to help mitigate stormwater impacts and improve watershed health. The plan will also include a stakeholder involvement plan for the communities in the watershed and incorporate Environmental Protection Agency's (EPA's) Clean Water Act section 319 Nonpoint Source Program nine key elements of a watershed plan.

### Project Management and Meetings

Routine project management activities, such as progress reports, invoicing, and regular communications between the project manager and City team will be conducted throughout the project. In addition, the following proposed meetings will be conducted with City staff during the project and are shown in the schedule provided in this proposal:

- Meeting #1 - Kickoff Meeting at the beginning of the project to review the scope and schedule, communications protocol, data request, field inventory logistics, and future meetings;
- Meeting #2 - Discuss data analysis, base model setup, problem area identification, and gather feedback on potential projects for limited detailed field inventory or windshield survey (whichever selected - see Activity 1.4);
- Meetings #3 - 6 - First public meetings for each of the four watersheds;
- Meeting #7 - Gather input on project evaluation criteria and weighting factors;
- Meeting #8 - Review draft model results and preliminary project recommendations; and
- Meetings #9 - 12 - Second public meetings for each of the four watersheds;
- Meeting #13 - Review the draft WIPs (each watershed will have a separate plan developed)
- Meeting #14 - Review the draft Proctor Creek WIP

Meeting minutes for each of these meetings will be submitted to the City within five (5) business days after the meeting and will include who attended, a summary of the discussion, and action items for the CONSULTANT and City.

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The budget for project management and meetings is distributed throughout the activities as they relate to each Activity and work progress for the project.

### Activity 1 – Data Analysis and Field Inventory

This task will involve collecting the existing data available from the City, setting up a base model for the project, identifying potential problem areas for focus in the field inventory, and conducting a limited field inventory to support project development and field inventory needs. This task will cover the following activities:

1. Review and assess City provided data and other readily available data
2. Desktop analysis and base model setup
3. Problem area identification
4. Windshield field reconnaissance OR limited field inventory (see discussion below).

#### Activity 1.1 – Data Collection and Evaluation

The CONSULTANT will collect the following data and review for relevance to the WIPs as well as use in the base model setup. The following data will be provided by the City and the JV will review and incorporate the information, where appropriate, into the WIPs:

1. Information JV already has (just need to confirm most current version of information) and will use during preparation of the work:
  - o City of Atlanta Watershed Assessment (2009)
  - o Watershed Management Master Plan (2014)
  - o 2005, 2007, 2009 and 2011, and 2013 Biological Monitoring Reports
  - o Stream monitoring data from the watershed monitoring program and the USGS gages located in the watershed through 2013
2. Information JV will need from the City:
  - o Stream walk data – streams within the Intrenchment, Sugar, Utoy and Sandy Creeks Watershed have been walked and assessed up to the 25-acre catchment (2013-2014). The data will include adequate information on stream condition, riparian condition, and in stream erosion. If Sugar and Sandy Creeks have not been walked by date data needed, the JV will walk up to 8 miles of streams as part of this scope of work.
  - o Most current land use projections (current and future) for the four watersheds, including impervious area in the City's jurisdiction in GIS shapefile format
  - o List of Substantially Damaged Houses from the 2009 flood event and the revised FEMA Floodplain maps
  - o Readily available plans and data previously developed for water quality and infrastructure improvements in the four watersheds
  - o Drainage Studies completed in the four watersheds
  - o Land ownership and parcels data in GIS shapefile format
  - o Drainage complaint data for the four watersheds from 2013 to present

In addition, the CONSULTANT will incorporate the data collected during the development of the Atlanta Watershed Management Plan relevant to each watershed in this study and develop a project directory for this project. The CONSULTANT will review the data for use in the WIPs.

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### **Activity 1.2 – Desktop Analysis and Base Model Setup**

The CONSULTANT will collect the data from Activity 1.1 and develop an understanding of the watershed conditions from a water quality, biological and habitat condition. The CONSULTANT will overlay the information in a spatial database, as the data allows, show the connectivity between water quality, flooding, biological and aquatic habitat, and other watershed related parameters for use in Activity 1.3. These data will be used to develop a base model setup for each WIP. This model will be used to identify potential problem areas for water quality and quantity, model project scenarios, and to support the recommendations in the four WIPs. In addition, the CONSULTANT will identify the potential stormwater control measures (SCMs) in the watersheds by reviewing the City's hydrography, known detention facility locations, and reviewing aerial photography to identify the location and footprint of each facility within the watersheds. The CONSULTANT will calculate based on the City's digital elevation model (DEM), the cumulative drainage area and impervious area, the required water quality volume (WQv or runoff from first 1.2 inches of rainfall for detention facilities), channel protection volume (CPv or 1-year storm), and flood protection volume (25-year storm) for each SCM identified. The information will aid the CONSULTANT in working with the City to determine the locations to field inventory in Activity 1.4 and will be used during the field inventory to assess retrofit potential.

### **Activity 1.3 – Problem Area Identification**

The CONSULTANT will work with the City to determine both the water quality and quantity improvement goals for the four watersheds. These goals will be compared to the baseline conditions watershed model to identify the areas under baseline conditions that presently exceed the City's goals for watershed improvement.

Based on results of the base model, the CONSULTANT will determine the priority problems within the four watersheds to determine the locations for additional, limited field inventory data collection as well as project development. The parameters for determining priority areas will be jointly identified by the City and the CONSULTANT. These areas will be used to focus the location of limited field inventory in Activity 1.4.

### **Activity 1.4 – Field Inventory**

Per the request of the City, the CONSULTANT will provide up to 5 days of windshield field reconnaissance only for stream restoration. For the stormwater control measures (SCMs) and green infrastructure (GI) opportunities, the CONSULTANT will conduct a desktop analysis to identify the existing and potential new SCMs and potential GI locations within each watershed. Up to 500 SCM and GI locations will be field inventoried across all four watersheds.

### **Deliverables**

1. One geodatabases of existing data for each of the four watersheds
2. One Technical Memorandum (TM) outlining the watershed improvement goals for water quality and quantity within the four watersheds and field inventory methods
3. TM presenting the model results for baseline pollutant loadings and calculations for field inventory evaluation on volume estimates for SCMs and GI project locations inventoried
4. Field inventory database of upland SCM and GI locations and reconnaissance for stream restoration projects

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### Assumptions

1. The data provided by the City, as listed above, as well as readily available data from state and federal agencies will be the only data used to support the desktop analysis and evaluation.
2. The field inventory will be done as part of one combined effort for all four watersheds. CONSULTANT will inventory up to 500 SCM and GI projects.
3. The data under Activity 1.1 will be provided by the City within 20 days of the NTP.

### Activity 2 – Public Outreach

The City understands that a commitment to public involvement is essential to implementing successful and publicly supported projects. The CONSULTANT will develop materials for two public meetings per watershed (8 total) and attend each meeting to answer questions and give an update presentation to the stakeholders. At the initial meeting, the CONSULTANT will review the purpose of the project, the project team, previously identified watershed issues, data from previous studies and current City initiatives underway or planned for execution in the watershed, and gain input on evaluation methods and prioritization metrics as well as potential projects to consider. The initial meeting will also be used to develop a contacts list for future communication, seek input from stakeholders regarding potential sources of water quality impairment and gauge community expectations and capacity for supporting the project and future endeavors. This meeting will occur after the CONSULTANT has reviewed data and reports collected from the City and distilled into a format suitable for presentation at a public meeting. The initial meeting will occur after the second meeting with City staff but before the additional activities start. The final meeting will review draft project findings, prioritized list of projects, any solutions or repairs that occurred during the course of the project and review of the implementation schedule for identified projects. Additional stakeholder comments will be collected to gauge support for selected projects.

### Deliverables

1. One (1) hardcopy and electronic copy of meeting minutes from Initial Public Stakeholder Meetings – one meeting in each watershed (4 total)
2. One (1) hardcopy and electronic copy of agendas from Final Public Stakeholder Meetings – one meeting in each watershed (4 total)
3. One (1) hardcopy of presentation and an electronically submitted copy from Initial and Final Stakeholder Meetings – one meeting in each watershed (8 total)
4. One (1) hardcopy of meeting sign-in sheets from Initial and Final Public Stakeholder Meetings – one meeting in each watershed (8 total)
5. One (1) hardcopy and electronic copy of any advertisements, mailers, flyers, graphics, visual aids, or fact sheets developed per the approved Public Involvement Plan – one meeting in each watershed (8 total)
6. One (1) hardcopy of all collected Stakeholder comment forms – one meeting in each watershed (8 total)

### Assumptions

1. Public meetings will not exceed two (2) hours in duration.
2. The CONSULTANT will not identify the public meeting invitees nor will they set up the meetings or communicate directly with the stakeholders to set up the meetings.
3. Representative(s) from City staff will attend all public meetings to assist with Q&A sessions.
4. Advertisement of meetings will be done by City staff for each of the watersheds.
5. City staff will support posting of announcements and outreach materials on DWM website.
6. City will arrange for all meeting locations and any associated logistics.

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### Activity 3 – Project Development and Modeling

#### Activity 3.1 – Data Review and Project Development

Following the data review, field inventory, baseline modeling, and stakeholder meetings, the CONSULTANT will analyze and evaluate the data for project development. Projects will be developed in the desktop analysis and field inventories. The project development will include SCMs, GI projects and Stream Restoration Projects. The CONSULTANT will develop project fact sheets/proposals with a sufficient level of detail to prepare planning level cost estimates. The project unit cost estimate Technical Memorandum developed as part of the Watershed Management Plan (under separate task order) will be used to develop planning level costs for each project. No additional cost data will be developed or used as part of this task order.

#### Activity 3.2 – Develop Project Evaluation Methods

The CONSULTANT will work with the City to develop project evaluation criteria for prioritizing identified projects. The prioritization criteria will cover a range of considerations that are important in the evaluation of potential watershed improvement projects. The criteria used to rank watershed projects could include the current condition of existing SCMs, stream bank and habitat conditions, the potential water quality and environmental benefits, land ownership, permitting issues, as well as public acceptance of the project as gained from public involvement meetings and communication, among other factors. The criteria developed will be defined such that they are geared towards meeting the City's goals of customer service, safety, compliance, and efficiency.

#### Activity 3.3 – Modeling

The Metropolitan North Georgia Water Planning District guidelines do not require the use of modeling for WIP development. However, modeling can be beneficial in understanding current conditions of the watershed and aid in analyzing the benefits of potential watershed improvement projects. The JV will work with the City to identify the preferred model for preparation of these WIPs. The JV assumes the model selected will be from the following list – WIPTools, SUSTAIN, WinSLAMM, or readily available spreadsheet tool.

The CONSULTANT proposes to model up to 43 total square miles in the four watersheds and will model the parameters of fecal coliform and total suspended solids (TSS). If applicable, the subwatersheds for the study area will be delineated at an approximately one square mile resolution. Some downstream areas may be added to account for confluences of tributaries that occur just outside the City limits. If added the downstream areas may be modeled at a coarser resolution than the watershed area within the City limits. The CONSULTANT will model both an existing conditions scenario using the current land use and then a future conditions scenario using future land use projections. Using available in-stream water quality data from the USGS, CONSULTANT will calibrate the existing conditions model results to the extent practical. The results of the calibration will then be incorporated into the future conditions model.

The CONSULTANT will run up to three scenarios, which may include:

- Implementation of all identified watershed improvement projects
- Implementation of projects located on city-owned land
- Redevelopment of specified portions of the watershed
- Develop "typical" projects and determine the number of "typical" projects needed to reach water quality goals. "Typical" projects will be sized based on a unit area (for example – to treat 1 acre of parking lot) and will be projects that are feasible in the majority of the watershed.

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The three scenarios ultimately analyzed will be determined collectively by the City and CONSULTANT.

#### Deliverables

1. Prioritization matrix containing selected evaluation criteria
2. Project fact sheets for each project- assume no more than 40, 160, and 40 projects total for stream restoration, SCM and GI projects for Intrenchment, Sugar, Utoy, and Sandy Creek watersheds, respectively, for a total not to exceed 240 projects
3. Modelling results - draft results and final results in handout and presentation format as well as the electronic version of the model

#### Assumptions

1. The City will furnish CONSULTANT identified that is not already received under previous task orders and will verify already obtained data as still current, all of which may be relied on without independent verification in performing the Scope of Work. It is also assumed that the above information will be provided at no cost to the project. Data files will be provided digitally to CONSULTANT if available or in paper copy format if digital is not available. If, during review, data appears to be inadequate, CONSULTANT will contact the City with the data gaps. CONSULTANT rectification of data gaps is not included in the scope. Data will be provided to CONSULTANT within 20 days from the NTP.
2. Data needed for the downstream watershed will be readily available (CONSULTANT will not need to create any data sets).
3. The City will provide floodplain hydraulic models to use for channel data. If no channel or conduit data is available then the channel routing will not be included in the model.
4. Sufficient water quality data is available for model calibration. If sufficient water quality data is not available, default values will be verified against the National Stormwater Quality Database and only revised if appropriate.
5. Stream Restoration Projects may not be analyzed in the model, depending on the model software selected; therefore stream restoration may not be included as a proposed project in the modeling. Rather, based on the stream inventory, the CONSULTANT will hand calculate sediment load reduction only for each stream restoration project.
6. A detailed node and link model will not be developed. If a node/link type of model is selected then aggregate projects or other similar simplification methods will be used to represent watershed improvement projects.

### Activity 4 – Preparation of Watershed Improvement Plans

#### Activity 4.1 – Project Recommendations

Using evaluation criteria jointly developed with the City under Task 3.2, the CONSULTANT will prioritize the list of developed projects for submission to the City by watershed. The prioritized list will include project fact sheets prepared in Activity 3 along with a matrix detailing the project priority ranking, project location, estimated water quality improvements (quantified based on the model selected) and planning level cost estimates for construction and operation and maintenance for the recommended projects.

#### Activity 4.2 – Incorporate EPA Nine Elements

The CONSULTANT will incorporate the EPA's 9-key elements of watershed planning into the development of the four WIPs. The elements will include:

- Identification of Potential Sources
- Estimate of Load Reductions
- Description of NPS Management Measures

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- Estimate of Sources of Funding Needed to Implement the Plan
- Information/Education Component
- Implementation Schedule
- Interim Measurable Milestones
- Criteria for Determining Substantial Progress
- Monitoring Component

The recommended measures and projects outlined in the Plans will be used to show how the City will meet these 9 key elements as well as additional recommendations the City can consider to enhance other activities within the watershed improvement program to further meet these elements.

#### Activity 4.3 – WIP Preparation

The CONSULTANT will prepare four WIPs for Intrenchment, Sugar, Utoy, and Sandy Creeks watersheds. Each WIP will include the following sections:

- Watershed characterization based on the desktop analysis, field inventories, and modeling
- Project development and evaluation for identified projects with priority ranking and estimated costs.
- Recommended projects using the evaluation criteria to show the recommendations that are the most beneficial for the incremental cost (cost/benefit). Costs will be developed based on the unit costs developed in the watershed management plan finalized in June 2014.
- Summary project sheets, conceptual capital costs and annual O&M costs will be provided by the CONSULTANT for each specific project.
- Additional programmatic recommendations related to stormwater activities and requirements and options for program funding.

A single, comprehensive methods document will be prepared for all four WIPs and referenced in each document.

#### Deliverables

1. New GIS layers developed for maps created as part of report and not originally supplied by the City
2. Five (5) hard copies and one (1) electronic copy (in both MS Word and .pdf) of the four draft WIP reports
3. Five (5) hard copies and one (1) electronic copy (in both MS Word and .pdf) of the four final WIP reports

#### Assumptions

1. The City will provide one single set of consolidated comments on the draft report. These comments will be received within 15 days of submittal of the draft WIPs.

### Activity 5 – Finalization of the Proctor Watershed Improvement Plan

#### Activity 5.1 – Develop Draft and Final Plan

The CONSULTANT will prepare the Proctor Creek WIP, which will include the following sections:

- Watershed characterization based on the desktop analysis, field inventories, and modeling.
- Project development and evaluation for identified projects with priority ranking and estimated costs.
- Recommended projects using the evaluation criteria to show the recommendations that are the most beneficial for the incremental cost (cost/benefit). Costs will be developed based on the unit costs developed in the watershed management plan finalized in June 2014.

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- Summary project sheets, conceptual capital costs and annual O&M costs will be provided by the CONSULTANT for each specific project.
- Additional programmatic recommendations related to stormwater activities and requirements and options for program funding.

The CONSULTANT will use the results and discussion from the Watershed Management Plan (WMP) finalized in 2014 to develop the Proctor Creek WIP. The results and recommendations from the WMP will not be modified or updated. This task will extract the Proctor Creek WQ CIP into a separate WIP. A watershed characterization section will be prepared in addition to the materials extracted from the WMP. The CONSULTANT will incorporate the EPA's 9 key elements of watershed planning into the development of the four WIPs. The elements will include:

- Identification of Potential Sources
- Estimate of Load Reductions
- Description of NPS Management Measures
- Estimate of Sources of Funding Needed to Implement the Plan
- Information/Education Component
- Implementation Schedule
- Interim Measurable Milestones
- Criteria for Determining Substantial Progress
- Monitoring Component

The recommended measures and projects outlined in the Plans will be used to show how the City will meet these 9 key elements, as well as additional recommendations the City can consider to enhance other activities within the watershed improvement program to further meet these elements.

#### Deliverables

1. Five (5) hard copies and one (1) electronic copy (in both MS Word and .pdf) of the draft WIP reports
2. Five (5) hard copies and one (1) electronic copy (in both MS Word and .pdf) of the final WIP reports

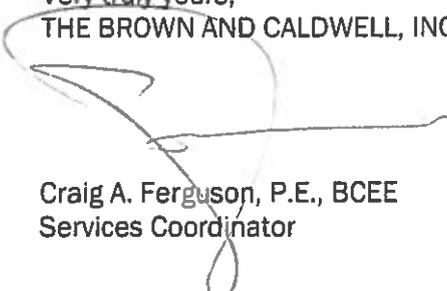
#### Assumptions

1. The City will provide one single set of consolidated comments on the draft report. These comments will be received within 15 days of submittal of the draft WIPs.

The CONSULTANT team looks forward to serving the City on this project. I can be reached at: 990 Hammond Drive, Suite 400, Atlanta, Georgia 30328, (770) 673-3655 or (770) 833-2408 (cell) with any questions. Please do not hesitate to call me.

Very truly yours,

THE BROWN AND CALDWELL, INC./DELON HAMPTON & ASSOCIATES, CHARTERED, JOINT VENTURE



Craig A. Ferguson, P.E., BCEE  
 Services Coordinator

**DEPARTMENT OF PROCUREMENT  
LEGISLATION SUMMARY**

**CAPTION**

A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4906D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); ALL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 17111688 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505221391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.

**COMMITTEE MEETING**

**DATE:** February 24, 2015

**COUNCIL MEETING**

**DATE:** March 2, 2015

**LEGISLATION TITLE:** FC-4906D, Watershed Improvement Plans Project

**REQUESTING DEPT.:** Watershed Management

**CONTRACT TYPE:** Professional Services

**AWARDEES:** Brown and Caldwell, Inc /Delon Hampton & Associates, JV

**SOURCE SELECTION:** Sealed RFP

**PROPOSALS DUE:** May 6, 2009

**INVITATIONS MAILED:** 150

**PROPOSALS  
RECEIVED:** 14

**PROPONENTS:** A E COM/ H. J. Russell, Joint Venture  
Arcadis /Brindley Pieters & Associates, Inc, Joint Venture  
Atlanta Services Group  
BGR Joint Venture Office  
Brown and Caldwell, Inc /Delon Hampton & Associates,  
Chartered, A Joint Venture  
Citywide Infrastructure Provider

JP2 (Jacobs, PRAD, PBS&J)  
 MA-HMM Gude, JV  
 Parsons-Cardozo Engineering, Joint Venture  
 Prime Engineering, Inc. and Chester Engineers, Joint Venture  
 Shaw-Benchmark, Joint Venture  
 Southern Right of Way  
 Strategic Team Concepts, LLC  
 Total Solution Partners

Contractor: Brown and Caldwell, Inc /Delon Hampton & Associates, JV

Estimated Value: \$988,250.00

Scope Summary: Brown and Caldwell, Inc /Delon Hampton & Associates, a Joint Venture, will provide will provide architectural, engineering and design services in addition to construction management and other services. The basic services include sanitary, civil, mechanical, electrical, process control and instrumentation, geotechnical investigations, design, structural engineering, easement, property acquisition services, and inspection services.

BACKGROUND: Original executed on December 21, 2009, expired on December 20, 2011.

Renewal Agreement No.1 extended the current Agreement one additional year for time only. Renewal Agreement No. 1 effective term December 20, 2011 to December 19, 2012.

Renewal Agreement No. 2 extended the current Agreement one additional year for time only. Renewal Agreement No. 2 effective term extends from December 20, 2012 to December 19, 2013.

Renewal Agreement No. 3 extended the current Agreement one additional year for time only. Renewal Agreement No. 3 effective term extends from December 20, 2013 to December 19, 2014.

Ninety-day extension exercised extending effective term from December 20, 2014 to March 20, 2015.

EVALUATION TEAM  
 COMPOSITION:

DWM, OCC, DPW, LAW, OEAM, DPRCA

TERM OF CONTRACT:

Two (2) years with an option to renew for three (3) one (1) year periods

FUND ACCOUNT

ALL WORK WILL BE CHARGED TO AND PAID  
 FROM FUND DEPARTMENT ORGANIZATION  
 AND ACCOUNT 5052 (WATER & WASTEWATER  
 R&E FUND) 170302 (WATERSHED PLANNING  
 AND DESIGN 5212001

(CONSULTING/PROFESSIONAL SERVICES)  
1535000 (DATA PROCESSING MANAGEMENT)  
AND PROJECT AWARD TASK EXPENDITURE  
AND ORGANIZATION NUMBER 17111688  
(WATERSHED IMPR. PLANNING & DESIGN  
SERVICES) 102 (CHARACTERIZATION PROJECTS)  
505221391 (WATER & WASTEWATER R&E FUND)  
5212001 (CONSULTING/PROFESSIONAL  
SERVICES) COA; AND FOR OTHER PURPOSES.

CENTERS:

PREPARED BY: Katherine Vernet, Esq.

CONTACT NUMBER: 404-330-6517



Home

### BROWN AND CALDWELL (INC.) Control Number: H851930

Main Reports Officers Filing History

#### Entity Info

Entity Id 566213

#### Key Indicators

Model Type Corporation  
 Locale Foreign  
 Qualifier For-Profit  
 Business Name BROWN AND CALDWELL (INC.)  
 Registration Date 2/01/1978  
 Entity Status Active/Compliance  
 Entity Status Date 2/20/2014  
 Foreign Name  
 Date of Organization  
 State California  
 Country

#### Principal Office Address

PRINCIPAL  
 Line1 201 North Civic Drive  
 Line2 Suite 115  
 City Walnut Creek State California Zip 94596

#### Agent

Is non-commercial Registered Agent? Yes  
 Name C T CORPORATION SYSTEM

#### Address

Line1 1201 Peachtree Street, NE  
 Line2  
 City Atlanta State Georgia Zip 30361

Email

Previous Names

Name Changed From	Name Changed To	Surviving Entity Id	Cancelled Entity Id	Effective Date	Due Date	File Number	Actions
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No Miscellaneous Filings were found.

15

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USER NAME

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## Entity Dashboard

**BROWN AND CALDWELL**

**DUNS: 120947130 CAGE Code: 3YZU5**

**Status: Active**

**Expiration Date: 07/29/2015**

**Purpose of Registration: All Award**

› [Entity Overview](#)

› [Entity Record](#)

› [Core Data](#)

› [Assertions](#)

› [Reps & Certs](#)

› [POCs](#)

› [Reports](#)

› [Service Contract Report](#)

› [BioPreferred Report](#)

› [Exclusions](#)

› [Active Exclusions](#)

› [Inactive Exclusions](#)

› [Excluded Family Members](#)

**RETURN TO SEARCH**

## Entity Overview

### Entity Information

**Name:** BROWN AND CALDWELL  
**Business Type:** Business or Organization  
**POC Name:** Thomas Rowe  
**Registration Status:** Active  
**Activation Date:** 07/29/2014  
**Expiration Date:** 07/29/2015

### Exclusions

**Active Exclusion Records?** No



[Home](#)

### DELON HAMPTON & ASSOCIATES, CHARTERED Control Number: H855094

[Main](#)   [Reports](#)   [Officers](#)   [Filing History](#)

#### Entity Info

**Entity Id**   569349

#### Key Indicators

**Model Type**   Corporation

**Locale**   Foreign

**Qualifier**   For-Profit

**Business Name**   DELON HAMPTON & ASSOCIATES, CHARTERED

**Registration Date**   4/28/1975

**Entity Status**   Active/Compliance

**Entity Status Date**   2/28/2014

**Foreign Name**

**Date of Organization**

**State**   District of Columbia

**Country**

#### Principal Office Address

PRINCIPAL

**Line1**   900 7th Street, N.W.

**Line2**   Suite 800

**City**   WASHINGTON   **State**   District of Columbia   **Zip**   20001-4189

#### Agent

**Is non-commercial Registered Agent?**   Yes

**Name**   William Douty

#### Address

**Line1**   229 Peachtree St., N.E.

**Line2**   Suite 1510

**City**   Atlanta   **State**   Georgia   **Zip**   30303

**Email**   wdoutg@delonhampton.com

https://cgov.sos.state.ga.us/Account.aspx/ViewEntityData?e

Previous Names

Name Changed From	Name Changed To	Surviving Entity Id	Cancelled Entity Id	Effective Date	Due Date	File Number	Actions
				4/28/1975		13229669	<a href="#">View</a>

1 to 1 of 1 rows 15

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## Entity Dashboard

**DELON HAMPTON & ASSOCIATES, CHARTERED INC.**

**DUNS: 020300745 CAGE Code: ONLS2**

**Status: Active**

**Expiration Date: 09/10/2015**

**Purpose of Registration: All Award**

- ▶ [Entity Overview](#)
- ▶ [Entity Record](#)
  - ▶ [Core Data](#)
  - ▶ [Assertions](#)
  - ▶ [Reps & Certs](#)
    - ▶ [POCs](#)
    - ▶ [Reports](#)
- ▶ [Service Contract Report](#)
- ▶ [BioPreferred Report](#)
  - ▶ [Exclusions](#)
  - ▶ [Active Exclusions](#)
  - ▶ [Inactive Exclusions](#)
- ▶ [Excluded Family Members](#)

**RETURN TO SEARCH**

### Entity Overview

#### Entity Information

**Name:** DELON HAMPTON & ASSOCIATES, CHARTERED INC.  
**Business Type:** Business or Organization  
**POC Name:** Vivian Watson  
**Registration Status:** Active  
**Activation Date:** 09/10/2014  
**Expiration Date:** 09/10/2015

#### Exclusions

**Active Exclusion Records? No**

		First Reading		FINAL COUNCIL ACTION	
		Committee _____ Date _____ Chair _____ Referred To _____	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	<input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 1 <sup>st</sup> & 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup>	Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote
A RESOLUTION BY CITY UTILITIES COMMITTEE  A RESOLUTION AUTHORIZING THE MAYOR TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DEON HAMPTON AND ASSOCIATES, CHARTERED, A JOINT VENTURE FOR FC-4996D, ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE WATERSHED IMPROVEMENT PLANS PROJECT FOR THE UTOY, SUGAR, SANDY, INTRENCHMENT, AND PROCTOR CREEK WATERSHEDS IN AN AMOUNT NOT TO EXCEED NINE HUNDRED EIGHTY-EIGHT THOUSAND, TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$988,250.00); AJL WORK WILL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT 5052 (WATER & WASTEWATER R&E FUND) 170302 (WATERSHED PLANNING AND DESIGN 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING MANAGEMENT) AND PROJECT AWARD TASK EXPENDITURE AND ORGANIZATION NUMBER 1711168 (WATERSHED IMPR. PLANNING & DESIGN SERVICES) 102 (CHARACTERIZATION PROJECTS) 505211391 (WATER & WASTEWATER R&E FUND) 5212001 (CONSULTING/PROFESSIONAL SERVICES) COA; AND FOR OTHER PURPOSES.		Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____	<b>CERTIFIED</b>  <b>MAYOR'S ACTION</b>	
<input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1 <sup>ST</sup> ADOPT 2 <sup>ND</sup> READ & REFER <input type="checkbox"/> PERSONAL PAPER REFER		Date Referred: _____ Referred To: _____	Date Referred: _____ Referred To: _____		
<input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1 <sup>ST</sup> ADOPT 2 <sup>ND</sup> READ & REFER <input type="checkbox"/> PERSONAL PAPER REFER		Date Referred: _____ Referred To: _____	Date Referred: _____ Referred To: _____		

**A RESOLUTION BY COUNCILMEMBERS MICHAEL JULIAN BOND AND CLETA WINSLOW AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE IN THE AMOUNT OF FIFTY THOUSAND (\$50,000.00) DOLLARS FROM THE 2015 MARTIN LUTHER KING DAY OF SERVICE GRANTS PROGRAM TO BE MATCHED WITH SEVENTY-ONE THOUSAND FOUR HUNDRED TWENTY-EIGHT (\$71,428.00) DOLLARS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT TO ENCOURAGE COMMUNITY SERVICE IN CONJUNCTION WITH THE GRAYMONT DRIVE SEWER INFRASTRUCTURE THREAT AND FOR ENCOURAGING LONG TERM COMMUNITY SERVICE; AND FOR OTHER PURPOSES.(HELD 5/26/15 FOR FURTHER REVIEW)**

**Workflow List:**

Clerk of Council	Completed	05/19/2015 9:52 AM
Atlanta City Council	Completed	05/18/2015 1:00 PM
City Utilities Committee	Completed	05/26/2015 9:30 AM
Atlanta City Council	Completed	06/01/2015 1:00 PM
City Utilities Committee	Completed	06/09/2015 9:30 AM
Atlanta City Council	Completed	06/15/2015 1:00 PM
City Utilities Committee	Completed	06/23/2015 9:30 AM
Atlanta City Council	Completed	07/06/2015 1:00 PM
City Utilities Committee	Completed	07/14/2015 9:30 AM
Atlanta City Council	Completed	07/20/2015 1:00 PM
City Utilities Committee	Completed	07/28/2015 9:30 AM
Atlanta City Council	Completed	08/17/2015 1:00 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM
Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM

Mayor's Office

Pending

**HISTORY:**

05/18/15 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 5/26/2015 9:30 AM</b>
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05/26/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/1/2015 1:00 PM</b>
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06/01/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/9/2015 9:30 AM</b>
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06/09/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
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06/15/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/23/2015 9:30 AM</b>
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06/23/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
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07/06/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/14/2015 9:30 AM</b>
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07/14/15 City Utilities Committee

07/20/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/28/2015 9:30 AM</b>
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07/28/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/17/2015 1:00 PM</b>
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08/17/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/25/2015 9:30 AM</b>
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08/25/15 City Utilities Committee

09/08/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/15/2015 9:30 AM</b>
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09/15/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
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09/21/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
09/29/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
10/05/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
10/13/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE

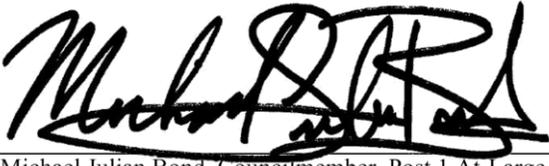
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

CITY COUNCIL  
ATLANTA, GEORGIA

15-R-3614

SPONSOR SIGNATURES

A handwritten signature in black ink, appearing to read "Michael Julian Bond". The signature is written in a cursive, somewhat stylized font. It is positioned above a horizontal line.

Michael Julian Bond, Councilmember, Post 1 At-Large

**A RESOLUTION BY COUNCILMEMBERS MICHAEL JULIAN BOND AND CLETA WINSLOW AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE IN THE AMOUNT OF FIFTY THOUSAND (\$50,000.00) DOLLARS FROM THE 2015 MARTIN LUTHER KING DAY OF SERVICE GRANTS PROGRAM TO BE MATCHED WITH SEVENTY-ONE THOUSAND FOUR HUNDRED TWENTY-EIGHT (\$71,428.00) DOLLARS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT TO ENCOURAGE COMMUNITY SERVICE IN CONJUNCTION WITH THE GRAYMONT DRIVE SEWER INFRASTRUCTURE THREAT AND FOR ENCOURAGING LONG TERM COMMUNITY SERVICE; AND FOR OTHER PURPOSES.(HELD 5/26/15 FOR FURTHER REVIEW)**

WHEREAS, The Corporation for National and Community Service presently has available funding to support efforts to encourage long term community service in relation to the Martin Luther King, Jr. Day of Service; and

WHEREAS, the City will benefit from a program to stimulate increased participation in long term community service in collaboration with City programs; and

WHEREAS, the Department of Watershed Management has identified a project to address erosion that threatens a sewer line along Graymont Drive as a good fit for a community service project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is hereby authorized to apply for and accept grant funding from the Corporation for National and Community Service for a 2015 Martin Luther King Day of Service Grant in the amount of Fifty Thousand (\$50,000.00) to be matched with Seventy-One Thousand Four Hundred Twenty-Eight (\$71,428.00) Dollars from the Department of Watershed Management to enhance engagement of community service for the program to address erosion that threatens the sewer line on Graymont Drive.

BE IT FURTHER RESOLVED, that the Agreement shall not become binding on the City and the City shall not incur any liability until such time as the Agreement has been signed by the Mayor and delivered to the Corporation for National and Community Service.



A RESOLUTION BY  
COUNCILMEMBERS MICHAEL J. BOND AND CLETA M. WINSLOW

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE IN THE AMOUNT OF FIFTY THOUSAND (\$50,000.00) DOLLARS FROM THE 2015 MARTIN LUTHER KING DAY OF SERVICE GRANTS PROGRAM TO BE MATCHED WITH SEVENTY-ONE THOUSAND FOUR HUNDRED TWENTY-EIGHT (\$71,428) DOLLARS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT TO ENCOURAGE COMMUNITY SERVICE IN CONJUNCTION WITH THE GRAYMONT DRIVE SEWER INFRASTRUCTURE THREAT AND FOR ENCOURAGING LONG TERM COMMUNITY SERVICE; AND FOR OTHER PURPOSES.

WHEREAS, The Corporation for National and Community Service presently has available funding to support efforts to encourage long term community service in relation to the Martin Luther King, Jr. Day of Service; and

WHEREAS, the City will benefit from a program to stimulate increased participation in long term community service in collaboration with City programs; and

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BE IT FURTHER RESOLVED, that the Agreement shall not become binding on the City and the City shall not incur any liability until such time as the Agreement has been signed by the Mayor and delivered to the Corporation for National and Community Service.

Attachment: 22 2015 MARTIN LUTHER KING DAY OF SERVICE (15-R-3614 : 2015 MARTIN LUTHER KING DAY OF SERVICE)



**A RESOLUTION BY COUNCILMEMBER NATALYN M. 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.(HELD 2/9/16)**

**Workflow List:**

Clerk of Council	Completed	02/02/2016 10:38 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM
City Utilities Committee	Pending	03/15/2016 9:30 AM
Mayor's Office	Pending	

**HISTORY:**

02/01/16 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 2/9/2016 9:30 AM</b>
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02/09/16 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
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02/15/16 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
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02/23/16 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
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03/07/16 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

**CITY COUNCIL  
ATLANTA, GEORGIA**

16-R-3139

**SPONSOR SIGNATURES**



Natalyn Mosby Archibong, Councilmember, District 5

**A RESOLUTION BY COUNCILMEMBER NATALYN M. 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.(HELD 2/9/16)**

WHEREAS, the City has experienced a violation of Monitoring and Sampling Program Standards as set out in Exhibit "A" hereto; and

WHEREAS, this violation is subject to stipulated penalties imposed at the discretion of the Environmental Protection Agency ("EPA") and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia ("EPD") pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; and

WHEREAS, the Department of Watershed Management of the City does not dispute the fact this violation of Fecal Coliform Standards did occur; and

WHEREAS, the payment to EPA and EPD of this assessment by the City does not constitute a finding or adjudication, is not be evidence of a violation of state or federal laws by the City, nor does the City by its consent agree to any violations of state or federal laws or admit any liability to any third party or parties; and

WHEREAS, funds for this purpose are available in Fund Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund) 170201 (DWM Wastewater Treatment & Collections) 5750002 (Property/Liquidations) 4310000 (Sanitary Administration); and

WHEREAS, the CSO Consent Decree, Section XI. 0. similarly provides for payment of interest on late payment of stipulated penalties; and

WHEREAS, it is deemed to be in the interest of the City to accept the proposed stipulated penalties and to pay the incident assessments to them.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, that the Chief Financial Officer of the City is authorized to issue checks in the amounts of \$ payable to the State of Georgia and \$ payable to the Treasurer, United States of America as stipulated penalties imposed pursuant to the CSO Consent Decree at the discretion of the Environmental Protection Agency and the Environmental Protection Division of the Department of Natural Resources

of the State of Georgia for said violations of Fecal Coliform Standards at the \_\_\_\_\_CSO  
Facility on

BE IT FINALLY RESOLVED, that the said payments be charged to and paid from Fund  
Department Organization and Account Number 5051 (Water & Wastewater Revenue) 170201 (DWM  
Wastewater Treatment & Collections) 5750002 (Property/Liquidation) 4310000 (Sanitary  
Administration).

A RESOLUTION BY   
COUNCILMEMBER NATALYN M. ARCHIBONG

**A RESOLUTION 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.**

**WHEREAS**, the City has experienced a violation of Monitoring and Sampling Program Standards as set out in Exhibit "A" hereto; and

**WHEREAS**, this violation is subject to stipulated penalties imposed at the discretion of the Environmental Protection Agency ("EPA") and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia ("EPD") pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; and

**WHEREAS**, the Department of Watershed Management of the City does not dispute the fact this violation of Fecal Coliform Standards did occur; and

**WHEREAS**, the payment to EPA and EPD of this assessment by the City does not constitute a finding or adjudication, is not be evidence of a violation of state or federal laws by the City, nor does the City by its consent agree to any violations of state or federal laws or admit any liability to any third party or parties; and

**WHEREAS**, funds for this purpose are available in Fund Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund) 170201 (DWM Wastewater Treatment & Collections) 5750002 (Property/Liquidations) 4310000 (Sanitary Administration); and

**WHEREAS**, the CSO Consent Decree, Section XI. O. similarly provides for payment of interest on late payment of stipulated penalties; and

**WHEREAS**, it is deemed to be in the interest of the City to accept the proposed stipulated penalties and to pay the incident assessments to them.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES**, that the Chief Financial Officer of the City is authorized to issue checks in the amounts of \$ \_\_\_\_\_ payable to the State of Georgia and \$ \_\_\_\_\_ payable to the Treasurer, United States of America as stipulated penalties imposed pursuant to the CSO Consent Decree at the discretion of the Environmental Protection Agency and the Environmental

Protection Division of the Department of Natural Resources of the State of Georgia for said violations of Fecal Coliform Standards at the \_\_\_\_\_ CSO Facility on \_\_\_\_\_.

**BE IT FINALLY RESOLVED**, that the said payments be charged to and paid from Fund Department Organization and Account Number 5051 (Water & Wastewater Revenue) 170201 (DWM Wastewater Treatment & Collections) 5750002 (Property/Liquidation) 4310000 (Sanitary Administration).

(Do Not Write Above This Line)

A RESOLUTION BY COUNCILMEMBER NATALYN M. ARCHIBONG *Natalyn Archibong*

A RESOLUTION 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.

First Reading  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

FINAL COUNCIL ACTION  
 1<sup>st</sup> & 2<sup>nd</sup> Readings  
 2<sup>nd</sup> Consent  V Vote  RC Vote  
 3<sup>rd</sup>

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_

Refer To \_\_\_\_\_  
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Refer To \_\_\_\_\_  
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Committee

Committee

MAYOR'S ACTION

REGULAR REPORT REFER  
 ADVERTISE & REFER

1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER

PERSONAL PAPER REFER

Date Referred 2/1/16  
 Referred To: City Ordinances

Date Referred  
 Referred To:

Date Referred:

Referred To:

Refer To

Refer To