



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 Alex Wan

Santana K. Wright
(404) 330-6030
skempson@atlantaga.gov

Tuesday, September 12, 2017

9:30 AM

Committee Room 1

- 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)**

CONSENT

F. **ORDINANCES FOR FIRST READING**

- 17-O-1565 (1) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PERMANENTLY CLOSE THE PORTION OF TYLER STREET N.W. BETWEEN VINE STREET N.W. AND THE SOUTHWEST CORNER OF 593 TYLER STREET N.W.; TO TRANSFER THE PORTION OF TYLER STREET N.W. RIGHT-OF-WAY BETWEEN VINE STREET N.W. AND THE SOUTHWEST CORNER OF 593 TYLER STREET N.W., ATLANTA, GEORGIA FROM THE PURVIEW OF THE DEPARTMENT OF PUBLIC WORKS TO THE PURVIEW OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN CONNECTION WITH CONSTRUCTION OF RODNEY COOK, SR. PARK AT HISTORIC VINE CITY; AND FOR OTHER PURPOSES.

REGULAR

G. **ORDINANCES FOR SECOND READING**

- 17-O-1427 (2) - AN ORDINANCE BY COUNCILMEMBER ALEX WAN AS SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO EXECUTE A LEASE AGREEMENT(S) WITH GEORGIA POWER COMPANY FOR THE POWER LINE URBAN AGRICULTURE PROJECT AT THE VARIOUS SITES LISTED HEREIN FOR ONE DOLLAR AND ZERO CENTS (\$1.00) PER YEAR FOR AN INITIAL TERM OF FIVE (5) YEARS; WAIVING ARTICLE X, SECTION 2-1546 OF THE PROCUREMENT CODE OF THE CITY CODE OF ORDINANCES; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LICENSE AGREEMENT(S) WITH GROUNDWORK ATLANTA, INC. FOR THE USE OF SUCH SITES FOR ONE DOLLAR AND ZERO CENTS (\$1.00) PER YEAR FOR AN INITIAL TERM OF FIVE (5) YEARS; AND FOR OTHER PURPOSES.

(Favorable on Condition by City Utilities Committee 7/11/17) (Favorable on Substitute on Condition by Finance/Executive Committee 7/12/17) (Referred back to City Utilities Committee by Council 9/5/17)

- 17-O-1557 (3) - AN ORDINANCE BY COUNCILMEMBER CARLA SMITH AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2018 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$2,400,000.00) TO TRANSFER FUNDS FROM THE MUNICIPAL OPTIONS SALES TAX (MOST) STORMWATER PROGRAM PROJECT RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO APPROPRIATIONS FOR THE GREEN INFRASTRUCTURE DESIGN CHALLENGE PROJECT; AND FOR OTHER PURPOSES.

H. RESOLUTIONS

- 17-R-4275 (4) - A RESOLUTION BY COUNCILMEMBER IVORY LEE YOUNG JR., AUTHORIZING ADDITIONAL FUNDING FOR FC-9445, CONSTRUCTION MANAGER AT RISK FOR THE UPPER PROCTOR CREEK CAPACITY RELIEF PROJECT-RODNEY COOK SENIOR PARK AT HISTORIC VINE CITY WITH ASTRA/ROHADFOX UPC, JOINT VENTURE ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED EIGHT MILLION, SIX HUNDRED FIVE THOUSAND, ONE HUNDRED SEVENTY DOLLARS AND ZERO CENTS (\$8,605,170.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM THE FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER LISTED; AND FOR OTHER PURPOSES.

I. PAPERS HELD IN COMMITTEE

- 14-O-1241 (5) - 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 (6) - 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-1369 (7) - 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 (8) - 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)
- 16-O-1183 (9) - AN ORDINANCE BY COUNCILMEMBER IVORY LEE YOUNG JR., AUTHORIZING THE RENAMING OF MOREHOUSE DRIVE, N. W. FROM MORRIS BROWN AVENUE TO SPELLMAN STREET TO REVEREND R.B. SUTTON PLACE BY AND THROUGH ACTIONS OF THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS OR HIS DESIGNEE; AND FOR OTHER PURPOSES.
(Held 4/26/16) (Held for a Public Hearing)
- 16-O-1417 (10) - AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 138 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE III "CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY," SECTION 138-72, "BUILDING ADJOINING VIADUCT, BRIDGE OR TUNNEL." OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO INCREASE THE MINIMUM SPACE TO BE LEFT OPEN BETWEEN A SIDEWALK AND BRIDGES, VIADUCTS, AND OTHER STRUCTURES FROM ONE (1) INCH TO TWENTY (20) FEET FOR MAINTENANCE ACTIVITIES, DEMOLITION AND CONSTRUCTION OF NEW OR REPLACEMENT STRUCTURES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS; AND FOR OTHER PURPOSES.
(Held 8/23/16 at the request of the Department)
- 16-O-1599 (11) - AN ORDINANCE BY COUNCILMEMBERS HOWARD SHOOK AND NATALYN ARCHIBONG AS SUBSTITUTED BY THE CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT BETWEEN THE CITY OF ATLANTA AND COMCAST OF GEORGIA, LLC, FOR THE PURPOSE OF RENEWING THE CABLE FRANCHISE GRANTED FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, AND MAINTENANCE OF A CABLE COMMUNICATIONS SYSTEM WITHIN THE CITY; AND FOR OTHER PURPOSES.
(Held 10/25/16 at the request of the Department) (Substituted and Held 11/15/16)
- 17-O-1387 (12) - AN ORDINANCE BY COUNCILMEMBER IVORY LEE YOUNG JR., AUTHORIZING THE MAYOR TO ENTER INTO SS-XXXX, A SOLE SOURCE AGREEMENT AND OTHER RELATED AGREEMENT WITH OSTARA USA, LLC, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, TO INSTALL A NUTRIENT RECOVERY SYSTEM AT R.M. CLAYTON WATER RECLAMATION CENTER, IN AN AMOUNT NOT TO EXCEED ELEVEN MILLION DOLLARS AND ZERO CENTS (\$11,000,000.00); TO ENTER INTO AN OPERATIONS AND MAINTENANCE AGREEMENT IN AN AMOUNT NOT TO EXCEED THREE MILLION, TWO HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$3,250,000.00); TO SELL THE FERTILIZER BY-PRODUCT PRODUCED BY THE NUTRIENT RECOVERY SYSTEM; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ENGAGE THE

APPROPRIATE ADVISORS TO REVIEW THE PLAN TO FINANCE THE PROJECT, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THIRTY THOUSAND DOLLARS AND ZERO CENTS (\$330,000.00); ALL REVENUE COLLECTED WILL BE DEPOSITED INTO THE FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER LISTED; ALL EXPENSES WILL BE PAID FROM THE FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER LISTED; AND FOR OTHER PURPOSES. **(Held on 6/28/17 by Finance/Executive Committee) (Referred to the City Utilities Committee 7/12/17) (Held 7/25/17 at the request of the Department)**

17-O-1391 (13) - AN ORDINANCE BY COUNCILMEMBERS MICHAEL JULIAN BOND AND C. T. MARTIN AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO ABANDON A PORTION OF MULLINS STREET S.W., BETWEEN TEE ROAD AND THE DEAD-END OF MULLINS STREET, CONSISTING OF APPROXIMATELY_ ACRE OF LAND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT_ OF THE_ DISTRICT OF FULTON COUNTY, GEORGIA TO ; AND FOR OTHER PURPOSES. **(Held 6/27/17 at the request of the Department)**

15-R-3614 (14) - 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-4262 (15) - A RESOLUTION BY COUNCILMEMBERS HOWARD SHOOK AND NATALYN ARCHIBONG TO AUTHORIZE PAYMENT OF STIPULATED PENALTIES IMPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY ("EPA") AND THE ENVIRONMENTAL PROTECTION DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF GEORGIA ("EPD") IN THE AMOUNT OF \$ AS STIPULATED PENALTIES FOR THE VIOLATION OF CSO FECAL COLIFORM OPERATIONAL STANDARDS _____ PURSUANT TO THE CSO CONSENT DECREE, CIVIL ACTION FILE NO. 1:95-CV-2550-TWT; TO IDENTIFY THE SOURCE OF FUNDING; AND FOR OTHER PURPOSES. **(Held 9/13/16 at the request of the Department)**

17-R-3788 (16) - A RESOLUTION BY COUNCILMEMBER IVORY LEE YOUNG JR., AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SCHNEIDER ELECTRIC/ME CUBED ENGINEERING, JV FOR FC-8047A-2, ENERGY SERVICE PERFORMANCE INITIATIVES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED _____; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM _____; AND FOR OTHER PURPOSES. **(Held 6/13/17 at the request of the Department)**

17-R-3790 (17) - A RESOLUTION BY COUNCILMEMBER IVORY LEE YOUNG JR., AUTHORIZING

THE MAYOR TO ENTER INTO AN AGREEMENT WITH NORESKO-SG, LLC, FOR FC-8047-A-1, ENERGY SERVICE PERFORMANCE INITIATIVES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED _____(\$#####.##); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM _____; AND FOR OTHER PURPOSES.

(Held 6/13/17 at the request of the Department)

17-R-3929 (18) - A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A COOPERATIVE AGREEMENT WITH RUSSELL LANDSCAPE . GROUP LLC., TO BE DESIGNATED AS FC-:XXXX-AP, ET. SEQ., PURSUANT TO ATLANTA CODE OF ORDINANCES SECTION 2-1601, UTILIZING COBB COUNTY CONTRACT NUMBER XX-XXXXX, FOR RIGHT OF WAY MAINTENANCE, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED XXXXX (\$XXXX.XX); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM VARIOUS FUND DEPARTMENT ORGANIZATION AND I ACCOUNT NUMBERS HEREIN; AND FOR OTHER PURPOSES.

(Held 7/11/17 at the request of the Department)

17-R-4009 (19) - A RESOLUTION BY COUNCILMEMBERS CARLA SMITH, KWANZA HALL, ALEX WAN, MICHAEL JULIAN BOND, NATALYN ARCHIBONG AND IVORY LEE YOUNG JR., AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO APPLY FOR AND ACCEPT A GRANT FROM THE DOW CHEMICAL COMPANY THROUGH A PARTNERSHIP WITH KEEP ATLANTA BEAUTIFUL IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) FOR THE PURPOSE OF CREATING A PROGRAM MARKETING PROGRAM TO IDENTIFY SUSTAINABLE PRACTICES AND SOLUTIONS FOR ALL COMMUNITIES THROUGHOUT THE CITY; AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO ANY REQUIRED AGREEMENTS FOR PROGRAM PARTICIPATION AND GRANT IMPLEMENTATION; AND FOR OTHER PURPOSES.

(Held 7/25/17 at the request of the Department)

J. REQUESTED ITEMS

10/27/15

1. Councilmember Young requested a briefing on waste and energy facilities from the Department of Public Works. **The Department stated they would provide this update prior to the October 25, 2016 meeting.**

9/13/16

2. Councilmember Sheperd requested the Renew Atlanta Infrastructure Bond Program provide an update on the overall Master Plan efforts for Art. **Councilmember Sheperd requested Renew Atlanta provide this update in July.**

5/23/17

3. Councilmember Adrean requested the Department of Public Works provide an update to the Committee and to Sally Flocks, President & CEO of PEDS on the below:
 - a. The most current State of the City Transportation Infrastructure Report. The most recent information available is from the 2010 report. It was suggested if a current report is not available, the Department of Public Works should prepare an updated report on the state of the City's sidewalk and curb ramp infrastructure using current construction costs (would include the amount to address backlog of missing curb ramps and broken sidewalks).

- b. The amount City has invested for the installation of curb ramps and repairing and/or replacing broken sidewalks per Ordinance 14-O-1513 which created the Public Infrastructure Maintenance and Improvement Account.
- c. Per Ordinance 14-O-1361, provide the most recent update of *‘all sidewalk repairs conducted by location, responsible party, and dollar amount of each repair’*
- d. Number of households that received written notification from the City in 2014, 2015 and 2016 that requested them to repair sidewalks or pay the City to perform the services.
- e. Number of households that were contacted by citywide sidewalk contractors to repair sidewalks and/or paid to make repairs in 2014, 2015 and 2016.
- f. Amount the City collected for sidewalk repairs and/or installations in 2014, 2015 and 2016.
- g. Steps the Department of Public Works took for property owners who were unwilling to pay for sidewalk repairs.
- h. Status update on City’s compliance with 2009 U.S. Department of Justice settlement agreement which required *‘within three years of the effective date, the City will provide curb ramps or other sloped areas complying with the Standards or Uniform Federal Accessibility Standards at all places where a street level pedestrian walkway identified intersects with a street, road or highway’*.

K. COMMENTS FROM THE PUBLIC (2 MINUTES)

L. ADJOURNMENT