



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 JP Matzigkeit

Santana K. Wright
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Tuesday, September 10, 2019

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)
- F. PRESENTATIONS/UPDATES/REPORTS

CONSENT

G. ORDINANCES FOR FIRST READING

19-O-1519 (1) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY2020 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET, IN THE AMOUNT OF SIX MILLION DOLLARS AND ZERO CENTS (\$6,000,000.00), TO TRANSFER FUNDS FROM THE WATERSHED RESERVE AND CAPITAL PROJECTS RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE WATERSHED VEHICLE & HEAVY EQUIPMENT REPLACEMENT PROGRAM; AND FOR OTHER PURPOSES.

19-O-1520 (2) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY2020 WATER AND WASTEWATER 2018 COMMERCIAL PAPER FUND (5077) BUDGET IN THE AMOUNT OF THREE MILLION DOLLARS AND ZERO CENTS (\$3,000,000.00) TO TRANSFER FUNDS FROM THE 2018 COMMERCIAL PAPER PROGRAM RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE SMALL WATER METER INSTALLATION PROJECT; AND FOR OTHER PURPOSES.

REGULAR

H. ORDINANCES FOR SECOND READING

19-O-1489 (3) - AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND VARIOUS SECTIONS OF CHAPTER 154 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF AMENDING THE FUNCTIONS AND DUTIES WITHIN THE OPERATING OFFICES OF THE DEPARTMENT OF WATERSHED MANAGEMENT; AND FOR OTHER PURPOSES.

19-O-1494 (4) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT A SECTION 319 (H) GRANT AND AMEND

THE FY2020 INTERGOVERNMENTAL GRANT FUND (2501) BUDGET, IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$400,000.00) TO ANTICIPATE AND APPROPRIATE GRANT FUNDS FROM THE GEORGIA ENVIRONMENTAL PROTECTION DIVISION TO THE INTERGOVERNMENTAL GRANT FUND AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE 319 (H) GRANT TO FUND THE UTOY CREEK WATERSHED PROJECT WHICH REQUIRES MATCHING FUNDS, IN AN AMOUNT OF ONE HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (\$160,000.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM THE FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED; AND FOR OTHER PURPOSES.

19-O-1496 (5) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY2020 COMMERCIAL PAPER PROCEEDS FUND (5077) BUDGET, IN THE AMOUNT OF TEN MILLION DOLLARS AND ZERO CENTS (\$10,000,000.00), TO TRANSFER FUNDS FROM WATERSHED COMMERCIAL PAPER RESERVES FOR APPROPRIATIONS AND ADD TO APPROPRIATIONS FUNDS FOR THE PROGRAM MANAGEMENT SERVICES TEAM PROJECT; AND FOR OTHER PURPOSES.

19-O-1505 (6) - AN ORDINANCE BY COUNCILMEMBERS J.P. MATZIGKEIT AND HOWARD SHOOK TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES PART II (GENERAL ORDINANCES), CHAPTER 74 (ENVIRONMENT), ARTICLE II (SOIL, EROSION, SEDIMENTATION, AND POLLUTION CONTROL), TO IMPOSE CONTROLS ON CUT AND FILL AND RETAINING WALLS IN THE R-1 THROUGH R-5 ZONING DISTRICTS, TO UPDATE REFERENCES AND DEFINITIONS; AND FOR OTHER PURPOSES.

19-O-1518 (7) - *****AN ORDINANCE BY COUNCILMEMBERS MICHAEL JULIAN BOND AND ANDRE DICKENS REQUESTING THE CITY OF ATLANTA'S LAW DEPARTMENT TO WITHDRAW ALL CONDEMNATION ACTIONS BY THE CITY OF ATLANTA AGAINST MS. TANYA WASHINGTON, MR. AND MRS. ROBERT DARDEN, AND MR. DWAYNE ADGAR; AND FOR OTHER PURPOSES. *(This legislation is a dual referred item and will be forwarded to Finance/Executive Committee pending a City Utilities Committee recommendation)*

I. RESOLUTION(S)

19-R-4489 (8) - A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR AND THE ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION TO ENTER INTO AN AGREEMENT WITH THE ATLANTA REGIONAL COMMISSION FOR RIVER/LAKE INFORMATION MANAGEMENT SERVICES, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$150,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

J. PAPERS HELD IN COMMITTEE

18-O-1713 (9) - AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 75, SUSTAINABLE DEVELOPMENT DESIGN STANDARDS, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PERMIT THIRD-PARTY CERTIFYING SYSTEMS FOR SUSTAINABLE DEVELOPMENT DESIGN OF BUILDINGS THAT ARE CONSIDERED EQUIVALENT TO LEED™ TO SATISFY THE CITY'S

EXISTING REQUIREMENTS FOR LEED™ CERTIFICATION IN CHAPTER 75; AND FOR OTHER PURPOSES.

► (Held 11/27/18 at the request of the Office of Resilience for further review.)

18-O-1736 (10) - AN ORDINANCE BY COUNCILMEMBER DUSTIN HILLIS TO AMEND CHAPTER 74 (ENVIRONMENT), ARTICLE VI (FLOOD AREA REGULATIONS) TO ADD A NEW SECTION 74-213 TITLED VARIANCE PROCEDURES; AND FOR OTHER PURPOSES.

► (Held 11/27/28 at the request of the author.)

18-O-1596 11) - AN ORDINANCE BY COUNCILMEMBER MICHAEL JULIAN BOND REQUESTING THE COMMISSIONER OF WATERSHED MANAGEMENT REVIEW AND MAKE THE NECESSARY BILLING ADJUSTMENTS TO THE WATER AND SEWER BILL OF MS. RUTH STARKS; AND FOR OTHER PURPOSES.

► (Held 9/25/18 at the request of the department for additional information.)

19-O-1246 (12) - AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH AND MATT WESTMORELAND AUTHORIZING THE MAYOR OR HER DESIGNEE TO ABANDON A PORTION OF MARTIN STREET, S.E. BETWEEN MCDONOUGH BOULEVARD, S.E. AND JONESBORO ROAD, S.E. LYING AND BEING IN LAND LOT 56 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; AUTHORIZING THE MAYOR OR HER DESIGNEE, TO EXECUTE A QUITCLAIM DEED(S) OF ALL OR ANY LESSER PORTION OF SUCH ABANDONMENTS TO THE ABUTTING OWNERS; AND FOR OTHER PURPOSES.

► (Held 5/14/19 for a Public Hearing)

19-O-1392 (13) - AN ORDINANCE BY COUNCILMEMBERS CLETA WINSLOW AND MICHAEL JULIAN BOND AUTHORIZING THE MAYOR OR HER DESIGNEE, TO ABANDON A PORTION OF PUBLIC RIGHT-OF-WAY BETWEEN BAKER STREET AND LUCKIE STREET, BEING MORE SPECIFICALLY DEPICTED AND DESCRIBED IN THE ATTACHED EXHIBIT "A" TO THE GEORGIA AQUARIUM, INC.; AUTHORIZING THE MAYOR OR HER DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO THE GEORGIA AQUARIUM FOR SUCH ABANDONED RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

► (Held 7/9/19 at the request of the department)

19-R-3873 (14) - A RESOLUTION BY COUNCILMEMBER J.P. MATZIGKEIT 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 7/9/19 at the request of the Department)

19-R-3949 (15) - A RESOLUTION BY COUNCILMEMBERS AMIR R. FAROKHI, CARLA SMITH, MICHAEL JULIAN BOND, JOYCE M. SHEPERD, MARCI COLLIER OVERSTREET, JENNIFER N. IDE, ANDREA L. BOONE, DUSTIN HILLIS, ANDRE DICKENS, MATT WESTMORELAND, ANTONIO BROWN, AND J.P. MATZIGKEIT AS AMENDED BY CITY UTILITIES COMMITTEE REQUESTING

THAT THE OFFICE OF RESILIENCE PURSUE PARTNERSHIPS WITH PRIVATE ENTITIES SUCH AS STADIUMS, GROCERY STORES, AND OTHER RETAILERS TO PHASE OUT THE USE AND DISTRIBUTION OF NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS; AND FOR OTHER PURPOSES.
(Amended and Held 8/13/19 for further review)

19-O-1418 (16) - ****AN ORDINANCE BY COUNCILMEMBERS AMIR R. FAROKHI, JOYCE M. SHEPERD, MICHAEL JULIAN BOND, MARCI COLLIER OVERSTREET, ANDREA L. BOONE, JENNIFER N. IDE, DUSTIN HILLIS, ANTONIO BROWN, MATT WESTMORELAND, CARLA SMITH, ANDRE DICKENS, AND J. P. MATZIGKEIT AS AMENDED BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 2, ARTICLE X, DIVISION 1 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO CREATE A NEW SECTION 2-1115 TO PROHIBIT THE BUYING, PURCHASING, OR OTHERWISE ACQUIRING OF ANY NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS FOR USE BY THE CITY OF ATLANTA IN ACCORDANCE WITH THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY; TO AMEND CHAPTER 22, ARTICLE III, DIVISION 3, SUBDIVISION II OF THE CITY OF ATLANTA CODE OF ORDINANCES TO CREATE A NEW SECTION 22-136 TO PROHIBIT THE UTILIZATION OF NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS BY COMMERCIAL OPERATIONS LOCATED IN ATLANTA HARTSFIELD-JACKSON INTERNATIONAL AIRPORT; TO AMEND CHAPTER 74, ARTICLE III, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PROHIBIT THE UTILIZATION OF NON-RECYCLABLE SINGLE-USE PLASTIC PRODUCTS BY COMMERCIAL OPERATIONS LOCATED IN PUBLIC BUILDINGS AND FACILITIES OWNED, OPERATED, OR LEASED BY THE CITY OF ATLANTA; TO AUTHORIZE THE DIRECTOR OF SUSTAINABILITY TO PROMULGATE ADMINISTRATIVE REGULATIONS TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE; AND FOR OTHER PURPOSES.
(This legislation is a dual referred item and will be forwarded to Transportation Committee pending a City Utilities Committee recommendation) **(Amended and Held 8/13/19 at the request of the Department)**

19-O-1354 (17) - AN ORDINANCE BY COUNCILMEMBER AMIR R. FAROKHI AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND CHAPTER 138 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO AMEND ARTICLE IV OF CHAPTER 138 TO BE ENTITLED “RIGHT OF WAY DINING”; TO ESTABLISH REGULATIONS RELATED TO AND PROCEDURES FOR THE AUTHORIZATION OF EATING AND DRINKING ESTABLISHMENTS THAT WISH TO OPERATE OUTDOOR DINING AREAS ON THE SIDEWALK IN THE PUBLIC RIGHT-OF-WAY; TO AMEND CHAPTER 10 OF THE CITY OF ATLANTA CODE OF ORDINANCES, (THE ALCOHOL CODE), SO AS TO PROVIDE FOR THE SALE AND SERVICE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES PURSUANT TO A RIGHT OF WAY DINING PERMIT ISSUED UNDER CHAPTER 138; AND FOR OTHER PURPOSES.
(Favorable as Amended by Public Safety and Legal Administration Committee 7/9/19) (To be referred to Zoning Committee after City Utilities Committee hold a Public Hearing) (Held 8/13/19 for a Public Hearing to be held on 8/27/19) (Public Hearing Held on 8/27/19)

19-O-1438 (18) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY2020 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF

THREE MILLION, SIX HUNDRED SEVENTY THOUSAND, SEVEN HUNDRED SEVENTY-SEVEN DOLLARS AND THIRTY-FIVE CENTS (\$3,670,777.35) TO TRANSFER FUNDS FROM THE CAPITAL PROJECT RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE UPPER PROCTOR CREEK SEWER CAPACITY RELIEF PROJECT; AND FOR OTHER PURPOSES.

(Held 8/27/19 at the request of the Department)

19-O-1440 (19) -

AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2020 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF TWENTY MILLION DOLLARS AND ZERO CENTS (\$20,000,000.00) TO TRANSFER FUNDS FROM THE WATERSHED CAPITAL PROJECT RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE CAPITAL IMPROVEMENT ARCHITECTURAL & ENGINEERING PROJECT; AND FOR OTHER PURPOSES.

(Held 8/27/19 at the request of the Department)

19-R-4341 (20) -

A RESOLUTION BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR FC-10552, NORTH FORK PEACHTREE CREEK STORAGE TANK AND PUMP STATION PROJECT WITH _____ FOR DESIGN AND CONSTRUCTION SERVICES FOR THE NORTH FORK PEACHTREE CREEK STORAGE TANK AND PUMP STATION, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED (\$ _____); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER LISTED; AND FOR OTHER PURPOSES.

(Held 8/27/19 at the request of the Department)

K. REQUESTED ITEMS

10/23/18

1. Requested items from the Department of Public Works Quarterly Update.
 - a. Councilmember Matzigkeit – Provide a list of capital projects (districts, amount, status) to ensure equity citywide.

3/26/19

2. Councilmember Bond requested the Deputy Chief Operating Officer provide an update on conversations with DeKalb County officials regarding disposal operations and services.

6/11/2019

3. Requested items from the Department of Watershed Management Quarterly Update.
 - a. Councilmember Bond – Can there be a small Revenue Bond to assist neighborhoods with connection to sewer system?
 - b. Councilmember Hillis – Provide information on the Hydrant Sensors/Smart Hydrants Pilot Program.

6/25/2019

4. Councilmember Shook requested the Department of Public Works provide Solid Waste Services rate study data (for rates adopted in 2018) by the Tuesday, July 9, 2019 meeting.

8/27/2019

5. Councilmember Hillis requested the Department of Public Works provide information on efforts to recover \$255k in fines on impounded scooters, prior to the release of the scooters back the custody of the scooter companies following impound.
6. Councilmember Hillis requested information on the Department of Public Works quarterly performance on Transportation SLA's missing from 8/27/19 DPW quarterly presentation.
7. Councilmember Matzigkeit requested the Department of Public Works provide an estimate how much money is being expended to manage derelict scooter collection.

L. COMMENTS FROM THE PUBLIC (2 MINUTES)

M. ADJOURNMENT