

CDO - 24 SPLOST 2020 Project 28 Mental Health Recovery Facility Waiver of Water Wastewater, and Connection Fees

January 6, 2026

(Fisher & Myers)

- a. Exempt 100% of the water and wastewater connection fees, in the amount of \$147,243, for the Mental Health Recovery Facility, in partnership with Advantage Behavioral Health, based on the organization providing affordable housing and additional behavioral health resources of substantial benefit to the Athens Clarke County community; and,
- b. Authorize the Mayor and appropriate staff to execute all related documents.

AN ORDINANCE TO WAIVE WATER AND WASTEWATER CONNECTION FEES FOR THAT CERTAIN MENTAL HEALTH RECOVERY FACILITY PROJECT LOCATED AT 240 MITCHELL BRIDGE ROAD; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, on or around August 2, 2022, the Mayor & Commission of Athens-Clarke County, Georgia, authorized that certain intergovernmental agreement by and between the Unified Government of Athens-Clarke County, Georgia, and Advantage Behavioral Health System, concerning SPLOST 2020 Project #28 (“IGA”); and

WHEREAS, said SPLOST 2020 Project #28 is for a Mental Health Recovery Facility, as more particularly described in the project list for SPLOST 2020 and the accompanying project statement for Project #28; and

WHEREAS, Advantage Behavioral Health System is a community service board, as described in O.C.G.A. §§ 37-2-6 through 37-2-6.5, and

WHEREAS, Advantage Behavioral Health System is the owner of certain real property at 240 Mitchell Bridge Road, Athens, Georgia, and Advantage Behavioral Health System proposes to construct the Mental Health Recovery Facility on said real property; and

WHEREAS, on or about June 4, 2019, the Commission of Athens-Clarke County, Georgia, adopted an amendment to Section 5-3-76(c) of the Code of Athens-Clarke County, Georgia, which provided that the Mayor & Commission “may exempt all or part of” fees for a project to connect to the Athens-Clarke County water system “if the Mayor and Commission determine that such project will either: (i) create substantial economic development and employment growth of benefit to the Athens-Clarke County community, or (ii) preserve existing or provide additional affordable housing resources of substantial benefit to the Athens-Clarke County community”; and

WHEREAS, on or about June 4, 2019, the Commission of Athens-Clarke County, Georgia, adopted an amendment to Section 5-3-79(c) of the Code of Athens-Clarke County, Georgia, which provided that that Mayor & Commission may “exempt all or part of” the fees for a project to connect to the Athens-Clarke County wastewater system “if the Mayor and Commission determine that such project will either: (i) create substantial economic development and employment growth of benefit to the Athens-Clarke County community, (ii) facilitate conversion of existing on-site sewage disposal systems to public sewer which conversion will substantially benefit water quality in the watershed, or (iii) preserve existing or provide additional affordable housing resources of substantial benefit to the Athens-Clarke County community”; and

WHEREAS, in accordance with an ordinance adopted by the Commission of Athens-Clarke County, Georgia, on or about June 5, 2024, Sections 5-3-76 and 5-3-79 of the Code of Athens-Clarke County, Georgia, were amended to allow a maximum waiver of 30% for water and wastewater connection fees; and

WHEREAS, in accordance with the law in effect as of the date that the Mayor & Commission approved the IGA, the Mayor & Commission could waive up to 100% of the water and wastewater connection fees for a particular project; and

WHEREAS, the Commission of Athens-Clarke County, Georgia, hereby finds that the Mental Health Recovery Facility meets the qualifications for a water and wastewater fee waiver, as described in Sections 5-3-76(c) and 5-3-79(c) of the Code of Athens-Clarke County, Georgia, as those code sections existed on or around August 2, 2022; and

WHEREAS, the Commission of Athens-Clarke County, Georgia, in accordance with the law in effect as of August 2, 2022, desires to waive 100% of the water and wastewater connection fees for the Mental Health Recovery Facility, as more specifically described elsewhere in this ordinance; and

WHEREAS, the Commission of Athens-Clarke County, Georgia, hereby finds that Advantage Behavioral Health System is a duly-created community service board under the laws of the State of Georgia, is statutorily authorized to perform the duties and responsibilities described in O.C.G.A. § 37-2-6.1, and may thus serve as a partner organization for the Mental Health Recovery Facility project; and

WHEREAS, the Commission of Athens-Clarke County, Georgia, further finds that the Mental Health Recovery Facility, as detailed in the project description for SPLOST 2020 Project #28, is intended to provide important services that promote the welfare and wellbeing of the residents of Athens-Clarke County, Georgia, mitigates the burdens of government arising from mental illness in the community, and thus substantiates another policy reason as to why the water and wastewater connection fees for this particular project should be waived in full;

NOW, THEREFORE, the following premises considered, the Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Commission hereby authorizes the waiver of 100% (one-hundred percent) of the water system connection fee and the wastewater system connection fee for the Mental Health Recovery Facility project located at 240 Mitchell Bridge Road, Athens, Georgia, also known as Tax Parcel No. 113 019G on the Official Tax Maps of Athens-Clarke County, Georgia.

SECTION 2. The Athens-Clarke County Public Utilities Department may undertake all actions necessary and incidental to effectuate the purposes of this ordinance as described herein.

SECTION 3. It is the express intent of the Commission of Athens-Clarke County, Georgia, that the certain ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO EXEMPTIONS FOR WATER AND SEWER FEES; AND FOR OTHER PURPOSES,” adopted by the Commission on or about June 5, 2024, shall remain in full force and effect. Any other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. The recitals beginning with “WHEREAS” above provide necessary background and context for this ordinance, and are thus incorporated herein by reference.

SECTION 5. Should any provision, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court of competent jurisdiction, the remaining provisions, paragraphs, sentences, or words of this ordinance shall remain in full force and effect.

SECTION 6. The Clerk of Commission (or Deputy Clerk) is authorized, in consultation with the Athens-Clarke County Attorney, to correct any scrivener’s errors that may be found in this ordinance after the adoption and approval hereof.

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: SPLOST 2020 Project 28, Mental Health Recovery Facility Project – Waiver of Water & Wastewater Connection Fees for Mental Health Recovery Facility Located at 240 Mitchell Bridge Road

DATE: ~~November 7, 2025~~ December 10, 2025

EXECUTIVE SUMMARY:

This agenda item seeks approval to waive 30% of the water and wastewater connection fees, in the amount of \$44,173, for the Mental Health Recovery Facility located at 240 Mitchell Bridge Road.

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: (\$44,173) – Reduced Connection Fee Revenues

FUNDING SOURCE: Water and Sewer Enterprise Fund (reduced revenues)

OPERATIONAL: Advantage Behavioral Health Service

COMMISSION ACTION REQUESTED ON: ~~December 2, 2025~~ January 6, 2026

PURPOSE:

To request that the Mayor and Commission:

- a. Exempt 30% of the water and wastewater connection fees, in the amount of \$44,173, for the Mental Health Recovery Facility, in partnership with Advantage Behavioral Health, based on the organization providing affordable housing and additional behavioral health resources of substantial benefit to the Athens Clarke County community; and,
- b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In 1987, water and wastewater connection fees were established. Subsequent updates to the ordinance occurred on January 5, 1993, October 3, 1995, March 1, 2005, May 6, 2008, May 10, 2010, February 7, 2017, March 2, 2021 and June 7, 2022.
2. On November 16, 2018, Advantage Behavioral Health Systems (Advantage) submitted a proposed project to the SPLOST 2020 Advisory Committee to construct a congregate living facility that will accommodate 30 two-bedroom units, three of which will be designed to

accommodate onsite staff and group/individuals counselling programming. Advantage's Proposed Budget for the Project was \$11,422,000.

3. On June 4, 2019, the Mayor and Commission (M&C) adopted revisions to the water and wastewater connection fee provisions of code allowing M&C-approved exemptions for public benefits such as affordable housing and job creation.
4. On December 1, 2020, in order to allocate funds for Program Administration, the Commission approved an Ordinance which amended the SPLOST 2020 Project Budgets. The budget for SPLOST 2020 Project 28, Mental Health Recovery Facility was amended to \$5,218,500.
5. On February 2, 2021, the M&C accepted the Financial Element of the 2020 Service Delivery Plan Update with associated water and sewer rates.
6. On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. The \$1.9 trillion package is intended to combat the COVID-19 pandemic by stabilizing state and local government operations, households, and small businesses.
7. On March 1, 2022, the M&C approved a budget allocating ARPA State and Local Recovery Funds to various programs including a budget of \$4,000,000 for Behavioral Health activities.
8. On August 2, 2022, M&C approved an Intergovernmental Contract with the Advantage for SPLOST 2020 Project 28, Mental Health Recovery Facility Project. The Intergovernmental Contract was to provide Project Implementation Guidelines and to govern the expenditure of proceeds of SPLOST 2020 for the Project. The M&C also designated the SPLOST 2020 Project 28, Mental Health Recovery Facility Project as appropriate for Public Art with a proposed Public Art Budget of \$32,500.
9. On August 5, 2022, Advantage submitted a legal opinion letter confirming that the agency is not subject to local zoning laws due to its status as a state Community Service Board. (History #23)
10. On August 8, 2022, a Request for Qualifications/Proposals (RFQ/P #01069) for Professional Design Services for the Mental Health Recovery Facility (Project 28) was released by ACCGov in accordance with the ACCGov procurement process.
11. On October 11, 2022, during the [M&C Work Session](#), Advantage presented an update on the SPLOST project and the expected \$8.7M gap from the initial proposal.
12. On October 24, 2022, ACCGov Planning Director issued a letter of concurrence that Advantage was exempt from compliance with local zoning regulations and are not subject to local zoning ordinances.
13. On November 6, 2022, M&C approved Lyman, Davidson, Dooley Inc. as the highest scoring firm

for Professional Design Services and authorized staff to negotiate a final Scope of Services and Fees for a not-to-exceed amount of \$450,000.

14. On January 9, 2023, Advantage submitted a request to Manager's Office to (1) convey two county-owned properties known as the Creekwood Duplexes to Advantage, and (2) release the \$4M of ARPA behavioral health funds to cover renovations of both properties & additional financing for the SPLOST 2020 Project 28 Mental Health Recovery Facility.
15. On March 28, 2023, the Advantage Board of Directors voted to withdraw the previous request to ACCGov (History #25), and to instead allocate the full \$4M of ARPA Behavioral Health funds to support the agency's SPLOST Mental Health Recovery Residence project.
16. On April 18, 2023, the Project 28 User Group approved the Proposed Project Concept.
17. On June 6, 2023, M&C authorized staff to advance SPLOST 2020 Project 28 Mental Health Recovery Facility to the Schematic Design Phase.
18. On October 3, 2023, M&C approved the Schematic Design and authorized staff to advance SPLOST 2020 Project 28 Mental Health Recovery Facility to the Bid and Award Phase in accordance with the Schematic Design.
19. On May 7, 2024, M&C approved funding recommendation for Advantage from balance of ARPA funding supporting homelessness efforts. The value of the funding recommendation was \$1,403,779.
20. On May 20, 2024, the Public Utilities Department (PUD) notified the project design team that Athens-Clarke County (ACCGov) did not have sanitary sewer capacity needed for the proposed facility.
21. On June 4, 2024, M&C adopted revisions to water and wastewater connection fees to exempt a maximum of 30% of water and wastewater connection fees for particular projects.
22. On July 9, 2024 a Request for Qualifications/Proposals (RFQ/P #25017) for Professional Construction Services for the SPLOST 2020 Project 28 Mental Health Recovery Facility was released by ACCGov in accordance with the ACCGov procurement process.
23. On October 16, 2024, ABHS selected Hogan Construction as the highest scoring firm to provide the construction services for the new Mental Health Recovery Facility.
24. November 6, 2024, the M&C approved the revised Schematic Design for the sanitary sewer system improvement along with the budget amendment to cover the cost of that associated work. The M&C action on this date also included the revised IGA to cover the previous funding added for the ARPA funding.

25. On December 4, 2024, DCA notified Advantage of being selected to receive \$4.7 million for the construction of Phase II. Pending facility successful environmental review, redesign, and pricing from Hogan Construction.
26. August 8, 2025, Advantage was notified that the project could receive up to \$7 million to cover the Construction of Phase II and the cost escalation for Phase I.
27. On October 1, 2025, ABHS received the updated pricing from Hogan Construction in the amount of \$17,440,963, for the construction of Phase I & II of the project.
28. On October 1, 2025, the contract with DCA was executed for ABHS to receive an additional \$7M to construct Phase II of the project along with Phase I.
29. On November 10, 2025, Advantage requested a 100% Waiver of the water and sewer connection fees in the amount of \$147,243 for the Mental Health Recovery Facility Project located at 240 Mitchell Bridge Road.

FACTS & ISSUES:

1. The Initial Project Statement for SPLOST 2020 Project 28 Mental Health Recovery Facility reads as follows:

***Project #28, Mental Health Recovery Facility Project,** will provide funding for land acquisition, design, construction, and/or equipping of a mental health recovery facility project and/or renovations, improvements, additions to, and equipping of an existing facility so as to provide a residential style facility for individuals with mental health and potentially co-occurring addictive disease(s). It is anticipated that to the extent permitted by law the facility or facilities would be built in conjunction with one or more public or other private partner(s) that may provide additional capital funds to the project to support SPLOST funding and that would provide the operational funding for the facility. The program is envisioned to provide a facility or facilities to provide congregate living style facility that could accommodate group and/or individuals for counseling programming. An example of a potential partner organization may be, but not be limited to, Advantage Behavioral Health Systems, a Community Service Board (CSB), duly created and existing pursuant to the Constitution and laws of the State of Georgia, specifically O.C.G.A. § 37-2-6. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

2. *Connection fee purpose and scope.* Water and wastewater connection fees refer to the payment made by a builder or developer representing the share of the capital cost of water and wastewater conveyance and treatment system proportionate to that development's demand. Connection fees help to establish equity in the water and wastewater infrastructure with respect to existing ratepayers. In an enterprise function of government, water and sewer customers are both ratepayers and owners/investors in the environmental and public health infrastructure. The result of charging connection fees is that existing ratepayers'

investment in infrastructure with capacity for new development is matched by new development.

3. *Criteria.* Criteria for connection fees include the following:
 - New taps of varying sizes match equity held by existing homes and businesses
 - Fair, defensible and predictable for new investors
 - Fees compare well with other jurisdictions
 - Comport with public interest regarding economic development and affordable housing.
4. Even with the added funding from the ARPA, Community Energy Fund for the solar photovoltaic system, and the funding for the redesign of the sanitary sewer, the funding is not adequate to cover the cost of escalation of the overall construction cost since the referendum was approved.
5. After receiving the pricing from Hogan Construction, staff has reviewed the and developed approximately \$1M in value engineering savings from the project, without reducing the number of bedrooms to be provided.
6. Advantage has requested a waiver of 100% of the water and wastewater connection fees that will be assessed for the project when applying for the service connections. The cost of water meters and regular water & sewer billing based on use are not included as part of this waiver request. The present value of this waiver is \$147,243.

Sanitary Sewer

(1) Multi Family Sewer connection fee	\$	64,116
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Water Connections:

(1) 4" water Meter fee	\$	8,655
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(2) 4" water Connection fee	\$	66,300
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(3) Water Tap Materials, Equipment, Inspection Fees	\$	8,172
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Total Water and Sewer Connection Fees:	\$	147,243
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7. Although Advantage has requested waiver of 100% of the fees, based on the ordinance (History #21), staff recommends waiving of 30% of the Water & Sewer Connection Fees or \$44,173 for the new Mental Health Facility Project.

Sanitary Sewer	
(1) Multi Family Sewer connection fee	\$ 64,116
Water Connections:	
(1) 4" water Meter fee	\$ 8,655
(2) 4" water Connection fee	\$ 66,300
(3) Water Tap Materials, Equipment, Inspection Fees	\$ 8,172
Total Water and Sewer Connection Fees:	\$ 147,243
	x 30%
Recommended Waiver	\$ 44,173

8. The Proposed Schedules for the remaining tasks are as follows:
 - Construction Start December 2025
 - Construction Completion Early 2027
9. This recommendation supports the following ACCGov FY26–FY28 Strategic Plan Goal :
 - Strategic Priority Area 1 – Good Neighbors
 - A. Initiative 1.A.7: Increase our ability to serve justice-involved individuals with substance use disorders through therapeutic, evidence-based care that empowers recovery, reduces recidivism, and promotes community safety
 - B. Initiative 1.A.10: Provide quality substance abuse treatment, behavioral health treatment, and recovery support services in order to reduce foster care stays and involvement with the judicial system
 - Strategic Priority Area 4 – Quality, Stable, Affordable Housing for All
 - A. Initiative 4.C.8: Collaborate and support the Athens Homeless Coalition on the annual Continuum of Care (CoC) grant application process and applying for other funding resources to bridge the gap in wrap-around and supportive services provided by partners
 - B. Initiative 4.C.10: Identify local funding sources to support affordable housing development in support of a Local Housing Fund

OPTIONS:

1. Mayor and Commission:
 - a. Exempt 30% of the water and wastewater connection fees, in the amount of \$44,173, for the Mental Health Recovery Facility, in partnership with Advantage Behavioral Health, based on the organization providing additional behavioral health resources of substantial benefit to the Athens Clarke County community; and,
 - b. Authorize the Mayor and appropriate staff to execute all related documents.
2. Mayor and Commission deny the request.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, & b

DEPARTMENT: Prepared by: Keith Sanders for Capital Projects Department,



Josh Hawkins, Capital Projects Director

November 10, 2025

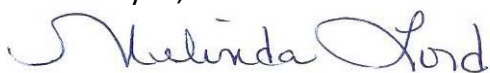
Date:



Hollis Terry IV, Public Utilities Director

November 10, 2025

Date:



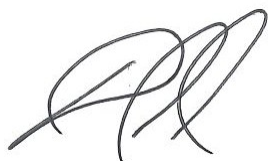
Melinda Lord, Housing and Community Development
Director

November 10, 2025

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, & b



Bob Cowell, Manager

November 13, 2025

Date:

Attachment #1 – Letter from Advantage Behavior requesting the waiver of fees

November 10, 2025

Mayor Kelly Girtz and Members of the Commission
Athens-Clarke County Unified Government
c/o Clerk of Commission
301 College Avenue, Room 204
Athens, Georgia 30601

RE: Request for 100% Waiver of Sewer Connection Fees for Pathway to Home Residential Development (SPLOST 2020 Project 28 – Mental Health Recovery Facility)

Dear Mayor Girtz, Commissioners, and Members of the Manager's Office:

On behalf of Advantage Behavioral Health Systems (ABHS), thank you for your strong and ongoing support of the Pathway to Home residential development. We are deeply grateful for the Unified Government's investment of \$5.3 million in SPLOST 2020 Project 28 – Mental Health Recovery Facility, as well as the subsequent allocation of an additional \$5.4 million in American Rescue Plan Act (ARPA) funds toward this project. Together, these commitments represent \$10.7 million in local investment and have been absolutely pivotal in advancing this much-needed mental health recovery resource for Athens-Clarke County residents and the broader region.

As envisioned, the Pathway to Home development is designed to provide 32 two-bedroom residential units in a recovery-oriented, community-based setting for individuals with serious mental illness and co-occurring disorders. This project directly supports Athens-Clarke County's priorities around behavioral health, housing stability, and public safety, and it exemplifies how local SPLOST and ARPA funds can be strategically leveraged with partner investments to create long-term health infrastructure for the community.

Since the initial SPLOST award, the overall cost of development has increased substantially due to construction inflation, market conditions, and infrastructure-related expenses. Based on current projections, the total development budget has grown to \$21,862,270 in order to maintain the original planned capacity of 32 two-bedroom units.

In response, ABHS has worked diligently to leverage additional resources from the State and other county & non-county sources, building upon the foundational local investments of SPLOST and ARPA. Despite these efforts and the generous county support already committed, we are still facing a significant development budget deficit that is now impeding our ability to move forward to groundbreaking.





Our development team continues to explore value-based options and cost-containment strategies to reduce the overall budget without compromising safety, quality, or long-term sustainability. However, some categories of cost, particularly utility and infrastructure fees, remain difficult to mitigate through value engineering alone.

In light of this, we are respectfully requesting that the Mayor and Commission, in coordination with the ACC Manager's Office and Public Utilities Department, consider a 100% waiver of all associated PUD sewer connection fees for the Pathway to Home residential development.

Approval of this request would:

- Provide immediate and meaningful relief to the remaining funding gap;
- Help preserve the full planned capacity of 32 two-bedroom units;
- Support timely progression to construction and eventual occupancy; and
- Further maximize the impact and return on the combined \$10.7 million in SPLOST and ARPA funds already committed by Athens-Clarke County.

The Pathway to Home project represents a durable, infrastructure-level response to complex community challenges, including behavioral health crises, homelessness, frequent emergency utilization, and justice system involvement. By waiving sewer connection fees, Athens-Clarke County would be taking a targeted, high-impact step to ensure that the substantial local investments already made can fully materialize into a functioning, recovery-focused residential program that will serve our community for decades.

We are sincerely appreciative of your past and ongoing partnership and would welcome the opportunity to discuss this request in more detail, including specific sewer connection fee estimates and potential mechanisms for implementing a waiver. If you have any questions or need additional information, please contact me or Evan Mills at evan.mills@advantagebhs.org at your convenience.

Thank you for your thoughtful consideration of this request and for your continued leadership in advancing behavioral health and housing solutions for our community.

Sincerely,

Tamara Conlin

Tamara L. Conlin, LCSW
Chief Executive Officer

