

CITY UTILITIES COMMITTEE

MINUTES

JANUARY 9, 2007

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, January 9, 2007 at 9:22 a.m.**, in Committee Room #2. The following members were present:

The Honorable Carla Smith, Chair
The Honorable Ceasar C. Mitchell, Vice-Chair
The Honorable Ivory L. Young, Jr.
The Honorable Natalyn M. Archibong
The Honorable Clair Muller
The Honorable Howard Shook

Others present at the meeting were: Stefanie Grant, Renee Shepherd, Marc Goncher and Megan Middleton, Law Department; Deputy Commissioners Shelia Pierce and George Barnes, Department of Watershed Management; Madelyn Grant and Nursef Kedir, Department of Public Works; Cathy Martin, Office of Procurement; member of the public and Council Staff.

Chairwoman Smith called the meeting to order at 9:22 a.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

C. ELECTION OF VICE-CHAIR - Councilmember Shook made a motion to elect Councilmember Ceasar C. Mitchell as Vice-Chair. The vote was unanimous.

D. PUBLIC HEARING - ORDINANCE FOR SECOND READING

06-O-2687 (1) An Ordinance by Councilmember Anne Fauver to **abandon** a portion of Harriett Avenue, NW located between Page Avenue and the Dead-End of Harriett Avenue consisting of 0.1607 acre, more or less and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 239 of the 15th District, DeKalb County, Georgia; and for other purposes. **(Public Hearing held 1/9/07.)**
Councilmember Young made a motion to approve.)

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D. RESOLUTIONS

07-R-0001 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Ed Castro Landscape, Inc., for FC-6006007927, Annual Contract for Landscaping Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$607,735.03; all contracted work will be charged to and paid from Various Fund, Account and Center Number; and for other purposes.
Councilmember Young made a motion to approve.)

FAVORABLE

07-R-0002 (2) A Resolution by City Utilities Committee authorizing the Mayor to enter into a Maintenance Agreement with the Georgia Department of Transportation to convert a section of Bolton Road, Fulton Industrial Boulevard and Harwell Road to temporary State Route for Bridge Improvements; and for other purposes.
Councilmember Smith made a motion to approve.)

HELD

07-R-0003 (3) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Arcadis/Brindley, Pieters & Associates, JV, for FC-7619-03A, Annual Contract for Architectural and Engineering Services, for Construction Management Services for Water Main Replacement Program – Virginia Highlands, on behalf of the Department of Watershed Management, in an amount not to exceed \$295,693.00; all work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water & Wastewater Renewal & Extension) 524001 (Consultant/Professional Services) Q65J082994DA (Virginia Highland – Waterline Replacement); and for other purposes.
(Councilmember Young made a motion to approve as amended.)

FAVORABLE AS AMENDED

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RESOLUTIONS (CONT'D)

07-R-0004 (4) A Resolution by City Utilities Committee to amend Resolution 06-R-0396 adopted by City Council February 20, 2006 and approved by the Mayor February 28, 2006, to add Fund, Account and Center Number: 1C50 (2004 Quality of Life Bond Fund) 574001 (Facilities other than Buildings) M65G017192BH (Traffic Signals and Comm., Campbellton) on behalf of the Department of Public Works; and for other purposes.
(Councilmember Muller made a motion to approve.)

FAVORABLE

07-R-0005 (5) A Resolution by City Utilities Committee to amend Resolution 05-R-1715 adopted by City Council September 19, 2005 and approved by the Mayor September 27, 2005, to add Fund, Account and Center Number: 1C50 (2004 Quality of Life Bond Fund) 574001 (Facilities other than Buildings) M65F071392BH (Powers Ferry Bridge Replacement) on behalf of the Department of Public Works; and for other purposes.
(Councilmember Muller made a motion to approve.)

FAVORABLE

07-R-0018 (6) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to CH2M Hill/Williams, Russell & Johnson, JV, for FC-7619-03C, Annual Contract for Architectural and Engineering Services for the purpose of providing Design Services to accommodate New Sodium Hypochlorite Generators, on behalf of the Department of Watershed Management, in an amount not to exceed \$400,805.00; all work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water & Wastewater Renewal & Extension) 524001 (Consultant/Professional Services) Q67J1203094DA (On-Site Sodium Hypochlorite Generation); and for other purposes.
(Councilmember Muller made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 07-R-0019 (7) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** with Atlanta Services Group, a Joint Venture, for FC-7619-03B, Annual Contract for Architectural and Engineering Services for Design Services for East Atlanta Village Street Project Phase 2, on behalf of the Department of Public Works, in an amount not to exceed \$43,000.00; all contracted work will be charged to and paid from Fund, Account and Center Number: 1C50 (2004 Quality of Life Fund) 574001 (Facilities other than Buildings) Y63F058592BH (Streetscape Projects, District 5); and for other purposes.
(Councilmember Archibong made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 07-R-0020 (8) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** Arcadis/Brindley, Pieters & Associates, JV, for FC-7619-03A, Annual Contract for Architectural and Engineering Services to provide Design Services for Adams Drive Culvert Structure, on behalf of the Department of Public Works, in an amount not to exceed \$196,960.00; all work will be charged to and paid from Fund, Account and Center Number: 1C50 (2004 Quality of Life Fund) 574001 (Facilities other than Buildings) M65F076892BH (Bridge Improvement, Adams Drive); and for other purposes.
(Councilmember Smith made a motion to approve as amended.)

FAVORABLE AS AMENDED

E. PAPERS HELD IN COMMITTEE

- 06-O-0306 (1) An Ordinance by City Utilities Committee amending the 2006 (1994 G. O. Bond Referendum Fund) Budget by transferring from and to appropriations in the amount of \$852,361.11 to fund the Paving Management and Improvement Program; and for other purposes. **(Held 2/14/06 at the request of Councilmember Muller.)**
HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

06-R-0563 (2) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor to enter into an Agreement with Brock Built, LLC providing for the non-standard location of water meters on private property to which the city provides water services; and for other purposes. **(Referred back by Council 3/6/06) (Held 3/14/06 at the request of the Department of Watershed Management so that developer can address the private property concerns.)**

HELD

06-O-0937 (3) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled "**Riparian Buffer Requirements**"; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management.)**

HELD

06-O-1454 (4) An Ordinance by Councilmember Clair Muller **as amended by City Utilities Committee** to amend Chapter 130 Solid Waste Management, Section 130-84, Rates and Charges, to limit such rate to apply to lots with a residence; and for the other purposes. **(Amended and held 6/27/06 at the request of the author.)**

HELD

06-O-1573 (5) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or her designee to enter into an Agreement between Hilton Atlanta and the Atlanta Marriott Marquis and the City of Atlanta for the erection of a bridge in accordance with Section 138-25(b) of the City of Atlanta's Code of Ordinances; and for other purposes. **(Held 7/11/06 for further discussions.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

06-O-1947 (6) An Ordinance by City Utilities Committee to amend Sections 138-25 and 138-26 of the Official Code of Ordinances of the City of Atlanta, Georgia, to authorize the Commissioner of Public Works to determine the monthly rental rates for the air space or subsurface space occupied by bridges, tunnels of similar structures across streets or alleys and balconies over sidewalks of the City of Atlanta; and for other purposes. **(Held 9/18/06 at the request of the Law Department.)**

HELD

06-O-2048 (7) An Ordinance by Councilmember Ivory L. Young, Jr. authorizing the Mayor or her designee to amend the City of Atlanta's Code of Ordinances Section 138-5 Alleys, so as to define the ownership of the Alleys and maintenance thereof of the Alleys in the City of Atlanta, to immediately begin the defined statutory procedure for abandoning the City of Atlanta's interest in alleys; to request Fulton County to amend the County's Tax Map and to properly adjust all property within Fulton County to properly access property value and taxes and that millage rate reduction would occur equal to the tax increase; and for other purposes. **(Held 9/18/06 at the request of Councilmember Young) (Work session held 10/4/06)**

HELD

06-O-2057 (8) An Ordinance by Councilmember Mary Norwood **as substituted by City Utilities Committee** amending Chapter 74: Environment, of the City of Atlanta's Code of Ordinances by creating a new Article XI Litter Control, to provide for uniform prohibition of litter within the City Limits of the City of Atlanta; and for other purposes. **(Held 9/18/06 at the request of the Law Department for review of the penalty section) (Substituted and held 12/12/06)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

06-R-2299 (9) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with the United States Army Corps of Engineers for a project to analyze and map flood prone areas associated with storm water runoff within the Combined Sewer Basins, on behalf of the Department of Watershed Management, in an amount not to exceed \$333,000.00; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water and Wastewater Renewal and Extension Fund) 524001 (Consultant/Professional Services) Q38I029294DA (CSO Cost Sharing); and for other purposes. **(Held 10/31/06 at the request of the department.)**

HELD

06-O-2476 (10) An Ordinance by Councilmembers Howard Shook and Anne Fauver to amend Sections 138-14(d) and 138-103 of the Code of Ordinances so as to implement a sidewalk inspection, repair and notice process pertaining to damaged sidewalks which abut the public right-of way; and for other purposes. **(Held 11/14/06 pending further review from the Law Department and a Work session in 2007)**

HELD

06-R-2482 (11) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor or her designee to enter into an agreement with Housing Group Partners, LLC ("Housing Group"), providing for the non-standard location of water meters on private property located in the City of Atlanta, Fulton County, Georgia, to which the City provides water services; and for other purposes.
(Councilmember Mitchell made a motion to approve.)

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-R-2551 (12) A Resolution by City Utilities Committee authorizing the Mayor to enter an Encroachment Agreement for non-conforming uses with the United States of America, by and through the Administrator of General Services for the installation of Hydraulic Bollards, Planters and related amenities surrounding the United States Court of Appeals Building in the City of Atlanta, on behalf of the Department of Public Works; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE

- 06-R-2684 (13) A Resolution by City Utilities Committee authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$_____ 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 12/12/06) (Dummy paper)**

F. APPRAISAL

- (1) Appraisal of the **abandoned** portion of Lakeside Drive, NE, consisting of 19.50 acres proposed assemblage tract or \$1,300,000.00 per acre, or \$29.84 per square foot.
(Councilmember Shook made a motion not to accept.)

HELD

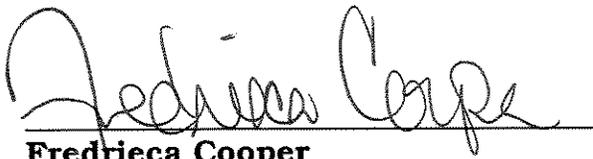
G. REQUESTED ITEM

1. Councilmember Muller requested the Department of Watershed Management to discuss storm water runoff in flood prone areas where the sewers (sanitary and storm water) have been separated, she also would like the department to identify any grant funds that maybe available for this purpose.

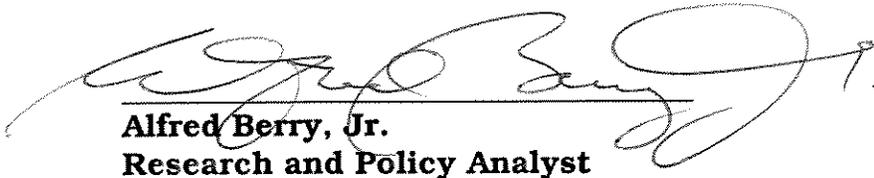
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There being no further business to come before the Committee, the meeting was adjourned at 10:20 a.m.

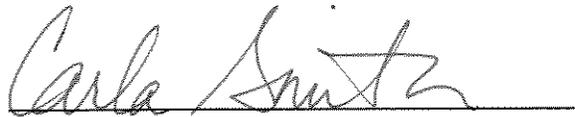
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Clara Smith, Chair
City Utilities Committee**