

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**FEBRUARY 13, 2007**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, February 13, 2007 at 9:29 a.m.**, in Committee Room #2. The following members were present:

**The Honorable Carla Smith, Chair**  
**The Honorable Ivory L. Young, Jr.**  
**The Honorable Clair Muller**  
**The Honorable Howard Shook**

The following members were absent:

**The Honorable Ceasar C. Mitchell, Vice-Chair**  
**The Honorable Natalyn M. Archibong**

Others present at the meeting were: Former Councilmember Debi Starnes, Councilmember Mary Norwood; Niki Turner, Stefanie Grant, Renee Shepherd and Marc Goncher, Law Department; Deputy Commissioners Shelia Pierce, Sally Mills, George Barnes and Joseph Basista, Department of Watershed Management; Nursef Kedir, Department of Public Works; member of the public and Council Staff.

Chairwoman Smith called the meeting to order at 9:29 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. ORDINANCE FOR SECOND READING**

07-O-0246 ( 1) An Ordinance by Councilmember Clair Muller amending the 2007 (Trust Fund) Budget by transferring funds to and from appropriations in the amount of \$471,760.00 for the purpose of funding construction of Sidewalk Projects in Council District 8; and for other purposes.  
**(Councilmember Muller made a motion to approve.)**

**FAVORABLE**

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**D. RESOLUTIONS**

07-R-0200 ( 1) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into a Contract Item Agreement with the State of Georgia Department of Transportation for construction a portion of the 48-inch Adamsville Water Transmission Main, in conjunction with construction of the Fulton Industrial Boulevard/SR Widening Project, on behalf of the Department of Watershed Management, in an amount not to exceed \$4,117,775.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J21 (Water & Wastewater Renewal & Extension Fund) 574001 (Facilities other than Buildings) Q65J081594DA (Adamsville Pump & Mains) and for other purposes.  
**(Councilmember Young made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

07-R-0201 ( 2) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with SD & C, Inc., for FC-3006007969, Construction Services for Streetscape Improvements on Pryor Road, on behalf of the Department of Public Works, in an amount not to exceed \$576,936.80; all contracted work will be charged to and paid from Various Funds, Account and Center Numbers; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

07-R-0252 ( 3) A Resolution by Councilmember Carla Smith 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.  
**(Councilmember Smith made a motion to hold.)**  
**HELD**

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**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**

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**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

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.)**

**HELD**

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**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 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. **(Work session held 10/4/06)**  
**(Councilmember made a motion to approve, Councilmember Shook made a substitute motion to file.)**

**FILE (1 NAY) YOUNG**

- 06-R-2299 ( 8) 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 ( 9) 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. **(Work session held 2/1/07)**  
**(Councilmember Young made a motion to file.)**

**FILE (1 ABSTENTION) SHOOK**

**PAPERS HELD IN COMMITTEE (CONT'D)**

07-R-0002 (10) 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. **(Held 1/9/07 for further review.)**

**HELD**

(11) 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. **(Held 1/9/07 for further review.)**

**HELD**

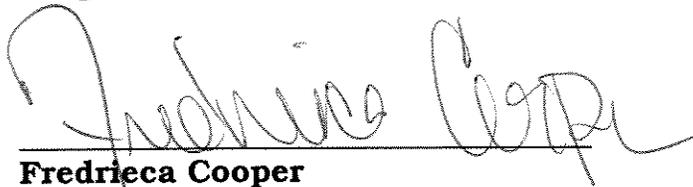
**F. REQUESTED ITEM**

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.

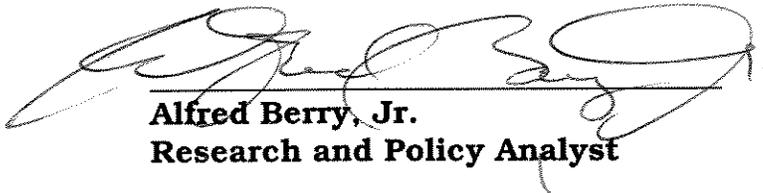
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**There being no further business to come before the Committee, the meeting was adjourned at 9:48 a.m.**

**Respectfully Submitted:**



**Fredrieca Cooper**  
**Legislative Assistant**



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



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