

CITY UTILITIES COMMITTEE

MINUTES

AUGUST 26, 2008

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, August 26, 2008 at 9:41 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 Howard Shook
The Honorable Clair Muller

Others present at the meeting were: Marc Goncher and Stephanie Grant, Law Department; Deputy Commissioners George Barnes, Sheila Pierce and Sally Mills, Department of Watershed Management; Commissioner Joe Basista, Madelyn Grant and James Swope, Department of Public Works; Cathy Martin, Office of Procurement; members of the public, press and Council Staff.

Chair Smith called the meeting to order at 9:41 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF THE AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. COMMENTS FROM THE PUBLIC**
- D. ORDINANCE FOR SECOND READING**

08-O-1689 (1) An Ordinance by Councilmember Carla Smith authorizing a new appraisal for the purchase by the City of a twelve foot (12') strip of land along the rear property line of 1144 and 1200 Avondale Avenue, lying and being in Land Lot 23 of the 14th District, Fulton County, Georgia; and for other purposes. **(Councilmember Smith made a motion to hold.)**

HELD

E. RESOLUTIONS

- 08-R-1566 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into a Sewer Development and Reimbursement Agreement with Lions Gables Realty Limited Partnership; to define the terms and conditions of the construction of certain sanitary sewer improvements on Armor Drive downstream from 1925 Monroe Drive, on behalf of the Department of Watershed Management; to authorize the Mayor to execute any necessary documents and instruments; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 08-R-1568 (2) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 1 with Precision 2000, Inc., for FC-3006008001, Construction Services for seven unpaved streets, on behalf of the Department of Public Works in an amount not to exceed \$733,528.36 with all contracted work being charged to and paid from Various Fund Department and Account Numbers and PTAE0 Funding Source; and for other purposes.
(Councilmember Muller made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 08-R-1569 (3) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Arcadis/BPA, a Joint Venture, for FC-7619-03A, Annual Contract for Architectural and Engineering Services, Real Estate Professional Services for Parks, Greenspace, Trails, Greenways and Conservation Lands, on behalf of the Department of Watershed Management, in an amount not to exceed \$100,001.00; all contracted work will be charged to and paid from Fund Department Organization and Account Number: 5051 (Water and Wastewater Revenue Fund), 170602 (DWM Greenway Planning & Acquisition), 5212001, (Consulting Professional Services), 7410000 (Planning & Zoning); and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

08-R-1570 (4) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Atlanta Services Group, Joint Venture for FC-7619-03B, Annual Contract for Architectural and Engineering Services, Active Directory Domain Migration, on behalf of the Department of Watershed Management, in an amount not to exceed \$317,354.50; all contracted work will be charged to and paid from Fund Department Organization and Account Number: 5051 (Water and Wastewater Revenue Fund), 170304 (DWM Watershed Information Systems), 5212001, (Consulting Professional Services), 1535000 (Data Processing); and for other purposes.

(Councilmember Young made a motion to approve.)

FAVORABLE

F. PAPERS HELD IN COMMITTEE

06-O-0937 (1) 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

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. **(Held 1/9/07 for further review)**
(Councilmember Smith made a motion to file.)

FILE

PAPERS HELD IN COMMITTEE (CONT'D)

07-R-1214 (3) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Jacobs/PRAD/PBS & J, Joint Venture, for FC-7619-03D, Annual Contract for Architectural and Engineering Services, White Paper Study for the Policy Level Analysis of Security Options for Drinking Water Assets, in an amount not to exceed \$48,250.48; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Professional Services) Q12001 (Watershed Security); and for other purposes. **(Held 6/12/07 at the request of Councilmember Shook for further review.)**

HELD

07-R-1477 (4) A Resolution by City Utilities Committee approving the Department of Public Works use of that certain section of Chastain Park along Powers Ferry Road for the purpose of widening the bridge over Nancy Creek and maintaining the same in perpetuity and for the purpose of placing and maintaining a drainage system in perpetuity, whereby said DPW use shall not interfere with the use of said property as parkland; and for other purposes.
(Councilmember Smith made a motion to file.)

FILE

07-O-1521 (5) An Ordinance by Councilmember Natalyn M. Archibong to amend Chapter 138 of the Code of Ordinances of the City of Atlanta so as to create a new Article VIII to be entitled "Outdoor Dining Areas"; to amend Article II of Chapter 138 so as to create a new Division 8 to be entitled "Outdoor Dining Areas"; to establish procedures for the authorization of restaurants that wish to provide Outdoor Dining Services; and for other purposes. **(Held 7/31/07) (Work sessions held 9/13/07 & 10/12/07)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

07-O-2505 (6) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Mary Norwood, Joyce Sheperd, Anne Fauver, Natalyn M. Archibong, Clair Muller, Caesar C. Mitchell and Ivory L. Young, Jr. amending Section 130-84 (Rates and Charges) of the Code of Ordinances of the City of Atlanta for the purpose of eliminating the Solid Waste Frontage Fee; and for other purposes. **(Amended and held 11/27/07 for further review.)**

HELD

07-O-2604 (7) An Ordinance by Councilmember Clair Muller to amend Part 15, Section 15-09.004 of the City's Land Subdivision Ordinance in the City of Atlanta's Code of Ordinances for the purpose of defining sanitary sewer connection requirements for Land Subdivisions; and for other purposes. **(Held 12/11/07 for further review.)**

HELD

07-O-2605 (8) An Ordinance by Councilmember Clair Muller to amend Chapter 154, Utilities, Article IV, Sewer Construction and Assessments, Division 1 of the City Code of Ordinances for the purpose of defining Sanitary Sewer Connection Requirement; and for other purposes. **(Held 12/11/07 for further review.)**

HELD

08-O-0481 (9) An Ordinance by City Utilities Committee amending the 2008 (1994, 1997 G. O. Public Improvement Bond Fund) Budget by transferring from and to appropriations in the amount of \$2,023,948.81, to fund the Assets Management and Improvement Program; and for other purposes. **(Held 4/1/08 for further review.)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

08-R-0682 (10) A Resolution by City Utilities Committee authorizing the Mayor to execute Renewal Agreement No. 1 with SD&C, Inc., for FC-3006007969, Pryor Road Streetscape Project, on behalf of the Department of Public Works, in order to continue the Streetscape Improvement Projects along Pryor Road; and for other purposes.
(Councilmember Smith made a motion to file.)

FILE

08-O-1000 (11) An Ordinance by Committee on Council to amend Chapter 154, Article II (Entitled "Water and Sewer Billing and Collection Procedures"), Section 154-26 of the Code of Ordinances of the City of Atlanta, so as to revise Subsection 154-26(d) which contains maximum yearly term requirements of the Water and Sewer Appeals Board at variance with provisions set out at Section 2-1854 of the Code of Ordinances that establishes terms of Office for Boards and Commissions; to waive conflicting ordinances; and for other purposes. **(Held 5/13/08 for further review.)**

HELD

08-O-1213 (12) An Ordinance by Councilmembers Clair Muller and Ceasar C. Mitchell to amend Chapter 130, Solid Waste Management Division 1, Section 130-37(b)(6) by deleting subsection (d). **(Held 6/10/08 at the request of the author for further review by the Department of Public Works.)**

HELD

08-O-1215 (13) An Ordinance by Councilmembers Clair Muller and Ceasar C. Mitchell requiring the initiation of a Pay-As-You-Throw or Volume-Based Billing Collection Program for Solid Waste Services in the City of Atlanta. **(Held 6/10/08 at the request of the author for further review by the Department of Public Works.)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

08-O-1217 (14) An Ordinance by Councilmember Clair Muller eliminating "Front Footage" billing on Solid Waste Services Bill and adding to the bill an amount for "Common Good Services" citywide for right-of-way cleaning where needed. **(Held 6/10/08 at the request of the author for further review by the Department of Public Works.)**

HELD

08-R-1435 (15) A Resolution by City Utilities Committee authorizing the Mayor or designee to issue a **Notice-to Proceed** to Shaw Environmental, Inc./AIM Partners, PLC, Joint Venture ("Shaw/AIM), for FC-7619-03F, Annual Contract for Architectural and Engineering Services, to provide right-of-way acquisition services for one (1) parcel (Parcel No. 17) for the Mitchell Street Bridge Project, on behalf of the Department of Public Works, in an amount not to exceed \$5,436.00 with all work to be charged to and paid from Fund, Department, and Account Number: 3128 (2008 Quality of Life Fund) 130308 (DPW Engineering) 100983 (Mitchell Street Viaduct ROW Acq.) 4270000 (Traffic Engineering) and PTAE0 Funding Source 13100983/103/313821776/5212001. **(Held 7/15/08 for further review)**

HELD

08-R-1445 (16) 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. **(Held 7/15/08)**

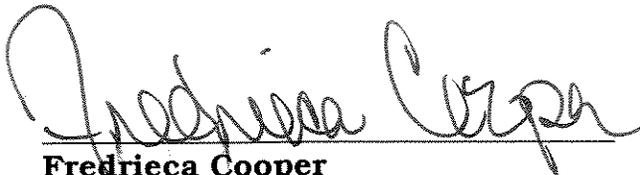
HELD

G. REQUESTED ITEM

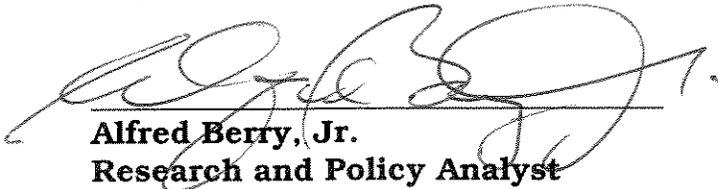
1. Councilmember Muller requested the Department of Watershed Management present to the committee a discussion on storm water at some date in the future.

There being no further business to come before the Committee, the meeting was adjourned at 10:27 a.m.

Respectfully Submitted:



Fredieca Cooper
Legislative Assistant



Alfred Berry, Jr.
Research and Policy Analyst



The Honorable Carla Smith, Chair
City Utilities Committee