

## CITY UTILITIES COMMITTEE

### MINUTES

**JULY 13, 2010**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, July 13, 2010 at 10:13 a.m.**, in Committee Room #2. The following members were present:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable Kwanza Hall, Vice-Chair**  
**The Honorable Howard Shook**  
**The Honorable Yolanda Adrean**  
**The Honorable Carla Smith**  
**The Honorable Aaron Watson**

Others present at the meeting were: Councilmember C. T. Martin, Theresa Stewart, Saul Schultz and Marc Goncher, Law Department; Deputy Commissioners Sheila Pierce, Sharon Matthews and Sally Mills, Department of Watershed Management; Madelyn Grant and Cotena Carothers, Department of Public Works; Raines Carter, City's Solicitor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:13 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF THE AGENDA - ADOPTED AS AMENDED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. STATUS REPORT ON THE DPW ENFORCEMENT PROGRAM - DPW**

### CONSENT

#### **D. ORDINANCES FOR FIRST READING**

- 10-O-1256 ( 1) An Ordinance by City Utilities Committee authorizing the Mayor or his designee to **abandon** a portion of South Colonial Homes Circle, NW, located between Colonial Homes Drive, NW and South Colonial Homes Circle, NW consisting of approximately 0.614 acre and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 11 of the 17<sup>th</sup> District, Fulton County, Georgia; and to

**ORDINANCES FOR FIRST READING (CONT'D)**

accept the donation from Pope & Land Enterprises, LLC of approximately 0.415 acre located on South Colonial Homes Circle, NW, ("The South Colonial Property") including the City of Atlanta's cost of due diligence and purchase services; and for other purposes. **(Advertised for a Public Hearing 7/27/10 at 10:00 a.m.)**

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

- 10-O-1257 ( 2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$1,798,760.29 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for the Indian Creek Sewer Project; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

- 10-O-1258 ( 3) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2011 (2009A Water and Wastewater Fund-5066) Budget in the amount of \$28,688,616.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriations funds for Various Capital Improvement Projects; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**REGULAR**

**E. COMMUNICATION**

- 10-C-1327 ( 1) A Communication by Councilmember Felicia A. Moore appointing **Mr. M. Talmadge Simpson** to serve as a member of the Keep Atlanta Beautiful Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

**F. RESOLUTIONS**

- 10-R-1259 ( 1) A Resolution by City Utilities Committee authorizing the Mayor to apply for and accept a National Center for Civic Innovation Government Trailblazer Grant on behalf of the Department of Watershed Management for Performance Reporting; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

- 10-R-1260 ( 2) A Resolution by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to Atlanta Services Group, Inc., Joint Venture, for FC-4906B, Annual Contract for Architectural and Engineering Services, Stormwater Infrastructure Mapping, on behalf of the Department of Watershed Management in an amount not to exceed \$396,647.00 to fund work on Future-Condition Floodplain Delineation, as required by the Metropolitan North Georgia Water Planning District (Metro District); all contracted work to be charged to and paid from Fund, Department, Organization and Account Number listed; and for other purposes.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

- 10-R-1261 ( 3) A Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture, for FC-4906D, Architectural, Engineering & Design Services-Design and Build Services for the R. M. Clayton WRC Compliance Upgrade Project on behalf of the Department of Watershed Management, in an amount not to exceed \$2,062,919.00; all work will be charged to and paid from the listed Fund, Department Organization and Account ("FDOA") and Project Award Task Expenditure ("PATEO") and Organization Numbers; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 10-R-1262 ( 4) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with A & D Painting, Inc., for FC-5104, Annual Contract for Painting and Pressure Washing Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$316,532.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes.  
**(Councilmember Archibong made a motion to hold at the Department request.)**

**HELD**

- 10-R-1263 ( 5) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Ed Castro Landscape, Inc., for FC-5068, Annual Contract for Landscaping Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$337,572.75; all contracted work will be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes.  
**(Councilmember Shook made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 10-R-1264 ( 6) A Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Project O'Hern House, LLC, owner of real property located at 16 William Holmes Borders Drive, SE, for the purpose of permitting an existing underground storage vault which presently extends into the public right-of-way; and for other purposes.  
**(Councilmember Watson made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 10-R-1265 ( 7) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with United States General Services Administration, owner of real property located on the northwest corner of Cone Street, NW and Poplar Street, NW, for the purpose of installing a vehicle entry station with bollards in the public right-of-way; and for other purposes.  
**(Councilmember Shook made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

- 10-R-1266 ( 8) A Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Beulah Heights University, owner of real property located on the west side of Vernon Avenue, SE between Mercer Street, SE and Berne Street, SE, Atlanta, Georgia, for the purpose of permitting a portion of two presently existing retaining walls which partially extend into the public right-of-way along the west side of Vernon Avenue for an approximate total of thirty-eight (38) feet; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

- 10-R-1267 ( 9) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute Amendment Agreement Number 2 with Kemi Construction, Inc., for FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$401,173.85 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

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**RESOLUTIONS (CONT'D)**

- 10-R-1268 (10) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute Amendment Agreement Number 2 with CP Richards Construction, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$409,439.82 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

- 10-R-1269 (11) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute Amendment Agreement Number 2 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$761,329.06 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

- 10-R-1270 (12) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute Amendment Agreement Number 4 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$265,899.45 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Shook made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 10-R-1271 (13) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee to execute Amendment Agreement Number 5 with Precision 2000, Inc., for FC-4943C, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$2,212,602.94 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Shook made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

**G. PAPERS HELD IN COMMITTEE**

- 10-O-0808 ( 1) A **Substitute** Ordinance by City Utilities Committee to amend Article II of Chapter 74 entitled "Soil Erosion and Sedimentation Control" (§74-36 et seq.) to comply with the requirements of the Georgia Erosion and Sedimentation Act of 1975 (O.C.G.A. §12-7-1 et seq.); to incorporate the requirements of the National Pollutant Discharged Elimination System; to clarify the regulation of ephemeral streams; and for other purposes.  
**(Councilmember Hall made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 10-O-0939 ( 2) An Ordinance by City Utilities Committee to amend Chapter, Article V, Division IV, Section 297 of the Atlanta City Code of Ordinances, entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes. **(To be advertised for a Public Hearing) (Held 6/15/10)**

**HELD**

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

- 10-O-0940 ( 3) An Ordinance by City Utilities Committee to amend Article V of Chapter 154 of the Atlanta City Code entitled "Sewage Disposal" (§154-196 et seq.); to create a fee for the issuance of an Industrial Wastewater Discharge Permit; to create a fee for Annual Inspections; and for other purposes. **(To be advertised for a Public Hearing)**

**HELD**

- 10-O-1058 ( 4) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances, for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(To be advertised for a Public Hearing) (Held 6/29/10 for a Public Hearing) (Amended and held 7/13/10)**

**AMENDED AND HELD**

- 10-O-1059 ( 5) An Ordinance by City Utilities Committee to amend Section 173 (Charges for Sewers laid by Developer for use of Development), Division 2 (Assessments), Chapter 154 (Utilities) Article IV (Sewer Construction and Assessments), of the City Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 48 Erosion Control and Construction Inspection Fees), Article II (Soil Erosion and Sedimentation Control), Chapter 74 (Environment) to impose new fees for Erosion and Sedimentation Plan Review and other reviews; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for Riparian Buffer authorized Encroachment Application Review; and to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for reviews related to Post Development Stormwater Management Plans; and for other purposes. **(To be advertised for a Public Hearing) (Held 6/29/10 for a Public Hearing)**

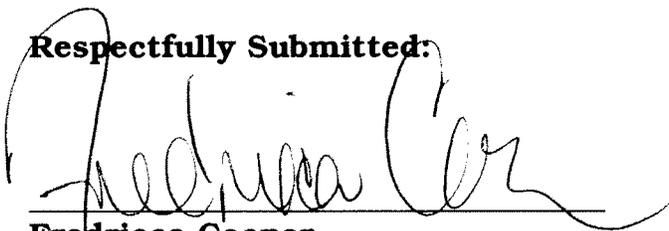
**HELD**

**H. REQUESTED ITEMS**

1. Councilmember Archibong made a request to receive periodic update on the Water Tank Painting and Structural Repair from the Department of Watershed Management. **First Report due on August 31, 2010.**

**There being no further business to come before the Committee, the meeting was adjourned at 11:21 a.m.**

**Respectfully Submitted:**



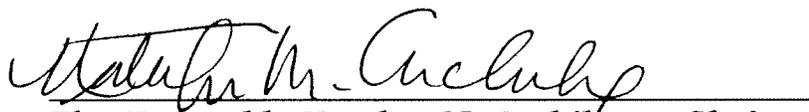
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**Fredrieca Cooper  
Legislative Assistant**



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



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**The Honorable Natalyn M. Archibong, Chair  
City Utilities Committee**