

CITY UTILITIES COMMITTEE

MINUTES

JULY 27, 2010

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, July 27, 2010 at 10:08 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 C. T. Martin
The Honorable Yolanda Adrean
The Honorable Aaron Watson

The following members were absent:

The Honorable Howard Shook
The Honorable Carla Smith

Others present at the meeting were: M. Theresa Stewart, Renee Sheperd, Marc Goncher and Stefanie Grant, Law Department; Deputy Commissioners Sheila Pierce, Chris Heberd and Sharon Matthews, Department of Watershed Management; Commissioner Richard Mendoza, James Swope and Cotena Carothers, Department of Public Works; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:04 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. **PUBLIC HEARING - ORDINANCE FOR SECOND 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 17th District, Fulton County, Georgia; and to 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. **(Public Hearing held 7/27/10.)**

(Councilmember Adrean made a motion to hold.)
HELD

D. COMMUNICATIONS

- 10-C-1356 (1) A Communication by Councilmembers Keisha Lance Bottoms, District 11; Felicia A. Moore, District 9; C. T. Martin, District 10; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3-At-Large appointing **Ms. Edith A. Love** to serve as a member of the People TV Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
(Councilmember Martin made a motion to approve.)

FAVORABLE – REFERRED TO COMMITTEE ON COUNCIL

- 10-C-1363 (2) A Communication by Mayor Kasim Reed appointing **Mr. Richard Mendoza** to serve as Commissioner of Public Works for the City of Atlanta; effective upon City Council confirmation.
(Councilmember Martin made a motion to approve.)

FAVORABLE – REFERRED TO COMMITTEE ON COUNCIL

E. ORDINANCES FOR SECOND READING

- 10-O-1257 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (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.
(Councilmember Martin made a motion to approve.)

FAVORABLE ON CONDITION

- 10-O-1258 (2) A **Substitute** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Fund-5066) Budget in the amount of \$33,665,475.00 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.
(Councilmember Martin made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE ON CONDITION

ORDINANCES FOR SECOND READING (CONT'D)

- 10-O-1420 (3) An Ordinance by Councilmember Ivory L. Young, Jr. to rename Kennedy Street, NW from Gray Street to Oliver Street to Alexander Street; to waive Section 138-8(c) of the Code of Ordinances of the City of Atlanta; and for other purposes. **(To be advertised for a Public Hearing)**
(Councilmember Archibong made a motion to hold.)

HELD

- 10-O-1422 (4) An Ordinance by Councilmember Natalyn Mosby Archibong authorizing the Mayor or his designee to waive the sidewalk requirements of Section 15-09.003 of the City Of Atlanta Code o Ordinances, to provide that a certain Subdivision SD-10-002 (2134/2138 Wisteria Way, SE) applicant deposit a dollar amount (\$1,300.00) equal to the value of the required sidewalk construction into a designated Trust Fund Account for District 5; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

F. RESOLUTIONS

- 10-R-1368 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Kemi Construction Company, Inc., for FC-5100, Annual Contract for Asphaltic Concrete Pavement Milling and Resurfacing, on behalf of the Department of Watershed Management, in an amount not to exceed \$3,318,650.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAE0 listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 10-R-1369 (2) A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 with Johnson Real Estate Investments, LLC, for rental space located at 263 Decatur Street, SW, Atlanta, Georgia, on behalf of the Department of Watershed Management, in an amount not to exceed \$360,024.16; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 10-R-1370 (3) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor or his designee, to enter into a Consent Agreement with the Public Service Commission, State of Georgia and to authorize payment pursuant to the Consent Agreement in the amount of \$20,000.00; and for other purposes.
(Councilmember Martin made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

- 10-R-1372 (4) 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 IPC Investments, LLC, owner of real property located at 201 Peachtree Street, NE, Atlanta, Georgia, for the purpose of permitting an overhead canopy, to partially extend into the public right-of-way along the east side of Peachtree Street for approximately four (4) feet by twenty-seven (27) feet; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

G. ORDINANCE FOR FIRST READING

- 10-O-1371 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 Budget (2009A Water and Wastewater Fund (5006)) Budget, in the amount of \$25,999,000.00 to transfer funds from Completed, Realigned Postponed or Discontinued Projects to the Capital Project Reserve for Appropriations; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

H. PAPERS HELD IN COMMITTEE

- 10-O-0939 (1) An Ordinance by City Utilities Committee to amend Chapter, Article V. Division N. 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)**
- 10-O-0940 (2) 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 6/15/10)**
- 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)**
- 10-O-1059 (4) 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

PAPERS HELD IN COMMITTEE (CONT'D)

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)**

- 10-R-1262 (5) 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. **(Held 7/13/10 at the request of the Department)**

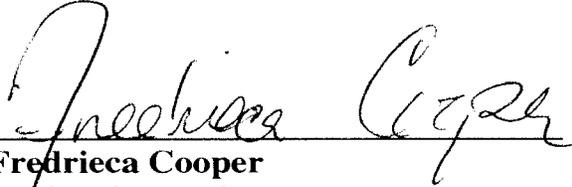
I. REQUESTED ITEMS

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.

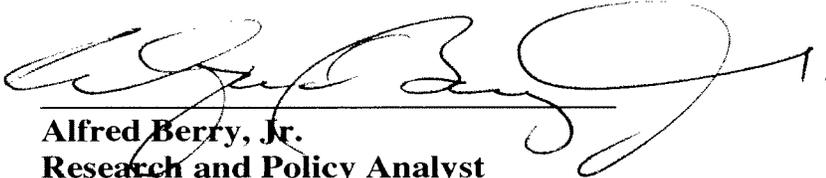
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There being no further business to come before the Committee, the meeting was adjourned at 11:03 a.m.

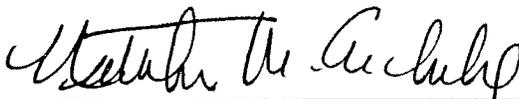
Respectfully Submitted:



Fredrieca Cooper
Legislative Assistant



Alfred Berry, Jr.
Research and Policy Analyst



The Honorable Natalyn M. Archibong, Chair
City Utilities Committee