

CITY UTILITIES COMMITTEE

MINUTES

OCTOBER 26, 2010

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, October 26, 2010 at 10:11 a.m., in Committee Room #2**. The following members were present:

The Honorable Natalyn M. Archibong, Chair
The Honorable Yolanda Adrean
The Honorable Howard Shook
The Honorable Aaron Watson
The Honorable Carla Smith

The following members were absent:

The Honorable Kwanza Hall, Vice-Chair
The Honorable C. T. Martin

Others present at the meeting were: Councilmember Cleta Winslow; M. Theresa Stewart, Renee Sheperd and Stefanie Grant, Law Department; Deputy Commissioner Jim Beard; Department of Watershed Management; Commissioner Richard Mendoza and Madelyn Grant, Department of Public Works; Keith Brooks, Office of Procurement; members of the public, press and Council Staff.

Chair Archibong called the meeting to order at 10:11 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**

CONSENT

- C. ORDINANCES FOR FIRST READING**

10-O-1820 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$1,250,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for the Utilities-GDOT & Municipal Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1821 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$17,134,968.00 to transfer funds from the Capital Project Reserve (5066) for Appropriations and to add to appropriation funds for the Supplement Program Management Service Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

10-O-1822 (3) An Ordinance by City Utilities Committee authorizing the Mayor to accept with the Georgia Environment Facilities Authority ("GEFA") State Revolve Fund ("SRF") Loan Program a Subsidized/Reimbursable Loan for \$50,000.000.00; and authorize the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund)(5052) Budget in the amount of \$62,582,241.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and to add to appropriations for Various Capital Projects; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

D. ORDINANCE FOR SECOND READING

10-O-1870 (1) An Ordinance by Councilmembers Cleta Winslow and Carla Smith **as amended by City Utilities Committee** authorizing the Commissioner of Public Works, on behalf of the Mayor to waive paragraph (a)(4) and (a)(7) of Section 138-60 of the Code of Ordinances of the City of Atlanta for the issuance of a Banner Permit to the Mechanicsville Civic Association; and for the purposes.
(Councilmember Adrean made a motion to approve as amended.)

FAVORABLE AS AMENDED

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E. RESOLUTIONS

- 10-R-1823 (1) A Resolution by City Utilities Committee authorizing the Mayor to execute Renewal Agreement No. 1 with Formmaker Software, Inc., for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$593,813.69; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Watson made a motion to approve.)

FAVORABLE

- 10-R-1824 (2) A Resolution by City Utilities Committee authorizing the Mayor to execute Amendment Agreement Number 3 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 \$205,190.99 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
(Councilmember Adrean made a motion to approve.)

FAVORABLE

- 10-R-1825 (3) A Resolution by City Utilities Committee authorizing the Mayor to execute Amendment Agreement Number 3 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 \$187,460.44 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
(Councilmember Adrean made a motion to approve.)

FAVORABLE

RESOLUTIONS (CONT'D)

- 10-R-1826 (4) A **Substitute** Resolution by City Utilities Committee Authorizing the Mayor to execute Amendment Agreement Number 4 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 \$639,246.42 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers; and for other purposes.
(Councilmember Adrean made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

- 10-R-1827 (5) A Resolution by City Utilities Committee authorizing the Mayor to execute Amendment Agreement Number 5 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 \$481,771.16 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
(Councilmember Adrean made a motion to approve.)

FAVORABLE

- 10-R-1828 (6) A Resolution by City Utilities Committee authorizing the Mayor to execute Amendment Agreement Number 6 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 \$579,453.27 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
(Councilmember Adrean made a motion to approve.)

FAVORABLE

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F. PAPERS HELD IN COMMITTEE

- 10-O-0939 (1) A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, 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. **(Substituted and held 8/31/10) (Public Hearing held 9/21/10)**
- 10-O-0940 (2) A **Substitute** 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. **(Held 6/15/10) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**
- 10-O-1058 (3) 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. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**
- 10-O-1059 (4) A **Substitute** Ordinance 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 of 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 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post

PAPERS HELD IN COMMITTEE (CONT'D)

Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

- 10-O-1688 (5) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14th District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

- 10-C-1762 (6) A Communication by Interim Chief Financial Officer Roosevelt Council submitting the Department of Watershed Management Administrative Write-Offs totaling \$8,068,067.39 in compliance with Ordinance 90-O-1324. **(Councilmember Shook made a motion to approve.)**

FAVORABLE - REFERRED TO FINANCE/EXECUTIVE COMMITTEE

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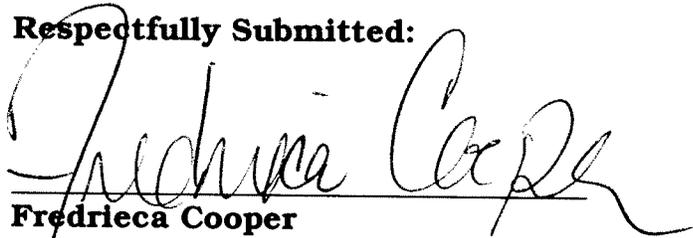
G. REQUESTED ITEM

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?

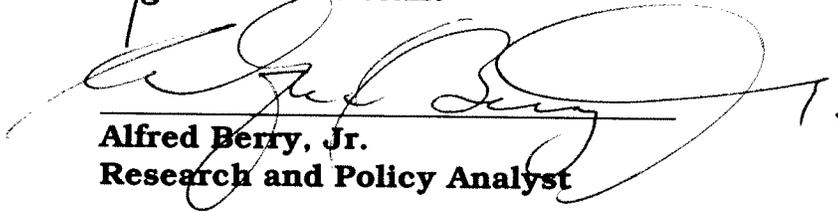
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There being no further business to come before the Committee, the meeting was adjourned at 10:52 a.m.

Respectfully Submitted:



**Fredriecca Cooper
Legislative Assistant**



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



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