

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**JUNE 14, 2011**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, June 14, 2011 at 10:07 a.m., in Committee Room #2**. The following members were present:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable H. Lamar Willis, Vice-Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Howard Shook**  
**The Honorable Carla Smith**

The following member was absent:

**The Honorable Aaron Watson**

Others present at the meeting were: Cathy Hampton, City Attorney, M. Theresa Stewart, Marc Goncher, Stephanie Grant, Lem Ward, Michael Patrick McShane, Renee Sheperd and Roger Bhandari, Law Department; Commissioner Richard Mendoza, Madelyn Grant, Department of Public Works; Dexter White, Interim Commissioner, Deputy Commissioners Jim Beard, Sharon Matthews, Bahman Firoozi and Eric Glover, Department of Watershed Management; Keith Brooks, Office of Procurement; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:07 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. AJC MONTHLY REVIEW - MARK HUNT, OEAM**

**CONSENT**

**D. ORDINANCES FOR FIRST READING**

11-O-0897 ( 1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 Budget (DWM 2004 Water & Wastewater Bond Fund (5058)) Budget, in the amount of \$17,631,571.36; to transfer funds for realignment from RM Clayton Flood Repair Project to the Capital Projects Reserve for Appropriations; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

11-O-0898 ( 2) An Ordinance by City Utilities Committee authorizing the Mayor, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Non-Conforming Uses with the William Oliver Condominium Association, Inc., owner of real property located at 32 Peachtree Street, NW for the purpose of permitting an existing basement which presently extends into the public right-of-way; to waive the applications fee and yearly inspection fees; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

11-O-0899 ( 3) An Ordinance by City Utilities Committee authorizing the Mayor, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Non-Conforming Uses with the Bank Building, LP, owner of real property located at 55 Marietta Street, NW, for the purpose of permitting an existing basement with presently extends into the public right-of-way; to waive the applications fee and yearly inspection fees; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**REGULAR**

**E. ORDINANCES FOR SECOND READING**

11-O-0849 ( 1) A **Substitute** Ordinance by City Utilities Committee amending the 2011 (General Government Capital Outlay Fund) Budget, Department of Public Works by transferring to and from appropriations in the amount of \$292,167.00 to provide local match funds and by adding to anticipations and appropriations Transportation Improvement Funds in the amount of (\$725,833.00 for Federal Funds, and authorizing the Mayor, or his designee, to execute Project Framework Agreements between the City of Atlanta and the Georgia Department of Transportation for Design and Construction Services for the Glenwood Moreland LCI and D. L. Hollowell/Westlake LCI Projects; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

11-O-0850 ( 2) An Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Articles II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board) of the City of Atlanta, Code of Ordinances; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-O-0856 ( 3) An Ordinance by City Utilities Committee to repeal Ordinance 10-O-1981 which renamed Harris Street to John Portman Boulevard; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-O-0943 ( 4) An Ordinance by Councilmembers Natalyn Archibong, Aaron Watson and H. Lamar Willis to amend the Code of Ordinances of the City of Atlanta, Section 174 of Chapter 74 entitled "Graffiti Abatement" so as to amend the definition of the term "Graffiti" for the sole purpose of correcting the state law reference.

**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**City Utilities Committee Minutes**  
**June 14, 2011**  
**Page Four**

**F. RESOLUTIONS**

- 11-R-0889 ( 1) A Resolution by City Utilities Committee authorizing the Mayor or his designee, to execute a Contract with SD&C, Inc., for FC-5149, Memorial Drive/SR 154 Sidewalk, Phase I Project, CM000-0000-00(608), P. I. No. 0000608, on behalf of the Department of Public Works, in an amount not to exceed \$376,295.25; all contracted work shall be charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-0890 ( 2) A Resolution by City Utilities Committee authorizing the Mayor, on behalf of the Department of Public Works, to issue a Task Order with Atlanta Services Group, JV, for FC-4906B, Annual Contract for Architectural and Engineering Services, to provide Technical Services to develop Computer-Aided Design Standards and prepare a Standard Details Report in an amount not exceed \$49,988.00; with all contracted work to be charged to and paid from the Fund, Department and Account Numbers and PTAE0 Funding Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-0891 ( 3) A Resolution by City Utilities Committee authorizing the Mayor, on behalf of the Department of Public Works, to execute a Local Public Road Acceptance Agreement with the Georgia Department of Transportation to return sections of Ivan Allen Boulevard, Jones Avenue, Haynes Street, and Simpson Street, CSSTP-006-00(952), P. I. Number 0006952, back to the official system of roads within the City of Atlanta; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**City Utilities Committee Minutes**  
**June 14, 2011**  
**Page Five**

**RESOLUTIONS (CONT'D)**

11-R-0892 ( 4) A Resolution by City Utilities Committee authorizing the Mayor, or his designee to execute a Contract with R. J. Haynie and Associates, Inc., for FC-5086, Marietta Boulevard Streetscape Project, Project Number CM000-0004-00(493), P. I. No. 0004493, on behalf of the Department of Public Works, in an amount not to exceed \$1,413,956.37; all contracted work shall be charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.

**(Councilmember Archibong made a motion to hold.)**

**HELD**

11-R-0893 ( 5) A Resolution by City Utilities Committee authorizing the Mayor, or his designee to execute a Contract with Georgia Development Partners, LLC, for FC-5145, Cascade-Mays Streetscape Improvements Project, Phase II for Project Number TEE-0006-00(570), P. I. No. 0006570, on behalf of the Department of Public Works, in an amount not to exceed \$525,050.05; all contracted work shall be charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.

**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-R-0894 ( 6) A Resolution by City Utilities Committee authorizing the Mayor, or his designee, to enter into Amendment Agreement No. 4, Annual Contract with HDR Engineering, Inc., for FC-6005007887D, Professional Design Services for Various Quality of Life Projects to provide funding for additional Design, Environmental, Right-of-Way Services, and Construction Administration for the Memorial Drive Sidewalk, Phase I, II, and III, Cascade-Mays Streetscape, and Southwest Atlanta Sidewalk Projects, on behalf of the Department of Public Works in an amount not to exceed \$233,685.00; all contracted work being charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.

**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**City Utilities Committee Minutes**

**June 14, 2011**

**Page Six**

**RESOLUTIONS (CONT'D)**

11-R-0895 ( 7)     A Resolution by City Utilities Committee authorizing the Mayor to Encumber Year Two (2) funding for FC-4939, Annual Contract for Centrifuge Repair and Maintenance with Decanter Machine, Inc., on behalf of the Department of Watershed Management in the amount not to exceed \$272,064.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.

**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-R-0896 ( 8)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor, to amend a Task Order to Arcadis BPA, Joint Venture, for FC-4906A, Annual Contract for Architectural and Engineering Services, FEMA Property Acquisition, on behalf of the Department of Watershed Management to increase the total authorized not to exceed amount for an additional \$165,930.00 for the purpose of providing additional professional services for acquisition of thirteen additional properties under the FEMA Flood Relief Program; all contracted work shall be charged to and paid from the Fund, Department and Account Numbers and PTAE0 Funding listed; and for other purposes.

**(Councilmember Martin made a motion to approve.)**

**FAVORABLE AS AMENDED (1 ABSTENTION) ADREAN**

11-R-0922 ( 9)     A Resolution by City Utilities Committee authorizing the Mayor, or his designee, to enter into a Right-of-Way Mowing and Maintenance Agreement with the Georgia Department of Transportation for Mowing and Maintenance Services along portions of Glenwood Avenue, SE which are under the control of the Georgia Department of Transportation; and for other purposes.

**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

**City Utilities Committee Minutes**  
**June 14, 2011**  
**Page Seven**

**G. 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)**

**HELD**

10-O-1058 ( 2) 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)**

**HELD**

10-O-1059 ( 3) 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

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

Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post 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)**

**HELD**

- 10-O-1688 ( 4) 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 14<sup>th</sup> 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)**

**HELD**

**City Utilities Committee Minutes**  
**June 14, 2011**  
**Page Nine**

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

- 10-R-2126 ( 5)     A **Substitute (#2)** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Rockdale Pipeline, Inc./Integral Municipal Services Corp. JV, for FC-5211, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$13,088,451.19; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE ON SUBSTITUTE**

- 11-O-0080 ( 6)     An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes.  
**(Held 1/14/11 at the request of the author)**

**HELD**

- 11-R-0088 ( 7)     A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**

**HELD**

- 11-O-0108 ( 8)     An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing)**  
**(Held 2/1/11 for further discussion)**

**HELD**

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

- 11-R-0617 ( 9) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 2 for FC-4084, Valve and Hydrant Asset Assessment Program with WUS-BPA, Joint Venture, LLC, on behalf of the Department of Watershed Management in an amount not to exceed \$9,402,772.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PATEO listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE ON SUBSTITUTE (1 ABSTENTION) ADREAN**

- 11-C-0668 (10) A Communication by Mayor Kasim Reed appointing **Jo Ann J. Macrina, PE**, to serve as Commissioner of the Department of Watershed Management for the City of Atlanta. This appointment is effective upon Council confirmation.  
**(Councilmember Adrean made a motion to approve.)**

**FAVORABLE (1 NAY) ARCHIBONG - REFERRED TO COMMITTEE ON COUNCIL**

- 11-O-0681 (11) An Ordinance by Councilmembers Yolanda Adrean and Howard Shook to waive the term restriction contained in Section 154-26 of the Code of Ordinance stating that members of the Water and Sewer Appeals Board shall not serve more than eight consecutive years, so as to allow the reappointment of present board member Seymour Liebmann; and for other purposes. **(Held 4/26/11 for further review)**

**HELD**

- 11-O-0740 (12) An Ordinance by City Utilities Committee to amend Chapter I entitled "Administration" of Appendix C entitle "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Residential Potable Use; to regulate potable rainwater catchment for residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with City of Atlanta Water Supply; to streamline the installation of potable rainwater catchment systems; to

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

amend Chapter 154 "Utilities", Article V. " Sewage Disposal," Division 3 "Rates and Charges," Section 277 "Sewer Service Charge", Subsection (d) to exempt residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes. **(To be advertised for Public Hearing.) (Held 5/31/11 for a Public Hearing)**

**HELD**

- 11-R-0743 (13) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with A & D Painting, Inc., for FC-5213, Annual Contract for Painting and Pressure Washing Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$238,669.22; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes. **(Held 5/10/11 for further discussion) (Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-0774 (14) A Resolution by Councilmembers Natalyn M. Archibong and Howard Shook 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 5/10/11)**

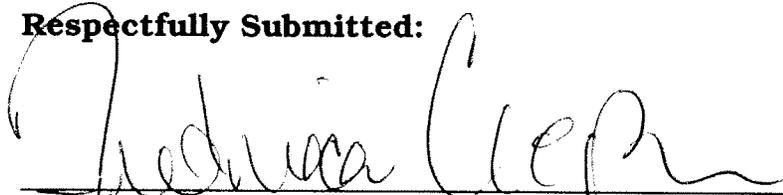
**HELD**

**H. REQUESTED ITEMS**

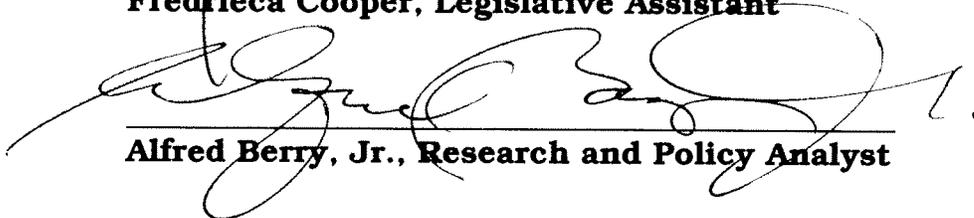
1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2. Councilmember Adrean requested metrics is developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance)
3. Councilmember Archibong requested metrics is developed for bulk rubbish pickup. (i.e. # of calls received, tons of material picked up, # of days to respond, etc.)
4. Councilmember Archibong requested metrics is developed for Graffiti Task Force. (i.e. # of walls cleaned, gallon of paint used, # of days to respond, etc.)
5. Councilmember Archibong requested the Department of Watershed to include in their Quarterly Update the number of raised valves on the manhole covers.
6. Councilmember Archibong requested that the Department of Watershed host a work session for the Full Council to provide a status report on Consent Decree.
7. Councilmember Martin requested the Department of Watershed to provide an updated map by Council District on the Consent Decree-Rated Activities.

**There being no further business to come before the Committee, the meeting was adjourned at 12:37 p.m.**

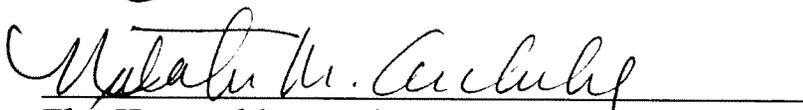
**Respectfully Submitted:**



**Fredrieca Cooper, Legislative Assistant**



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



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