

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**JUNE 28, 2011**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, June 28, 2011 at 10:14 a.m., in Committee Room #2.** The following members were present:

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

The following members were absent:

**The Honorable H. Lamar Willis, Vice-Chair**  
**The Honorable C. T. Martin**  
**The Honorable Carla Smith**

Others present at the meeting were: M. Theresa Stewart, Stephanie Grant, Lem Ward, Michael Patrick McShane, Renee Sheperd and Peter Andrews, Law Department; Commissioner Richard Mendoza, Department of Public Works; Deputy Commissioners Jim Beard, Rob Bush 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 10:14 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. AN OVERVIEW OF CITY'S RISK MANAGEMENT POLICY - Jerry Deloach, Office of Risk Management**
- D. ORDINANCES FOR SECOND READING**

11-O-0897 ( 1) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 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.

**(Councilmember Shook made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

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

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.

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

**FAVORABLE**

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 which presently extends into the public right-of-way; to waive the applications fee and yearly inspection fees; and for other purposes.

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

**FAVORABLE**

**E. RESOLUTIONS**

11-R-0972 ( 1) A Resolution by City Utilities Committee authorizing the Mayor to enter into an Agreement with Rockdale Pipeline, Inc./Integral Municipal Services Corp. JV, for FC-4773, South River Basin – South Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$6,485,164.15; all contracted work will be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.

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

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 11-R-0973 ( 2)     A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 1 with Player and Company, for FC-5011, Annual Contract for Major Electrical Service and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,117,084.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Shook made a motion to hold.)**

**HELD**

**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)**

**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**

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

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 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

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

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**

- 11-O-0080 ( 5) 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 ( 6) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleeta 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 ( 7) 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**

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

- 11-O-0681 ( 8) An Ordinance by Councilmembers Yolanda Adrean and Howard Shook **as substituted by City Utilities Committee** to waive Section 154-26(f) of the City of Atlanta Code of Ordinance to allow for the re reappointment of a present Board Member to the Water and Sewer Appeals Board; and for other purposes  
**(Councilmember Shook made a motion to approve on substitute.)**

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

- 11-O-0740 ( 9) 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 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-0774 (10) 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**

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

- 11-R-0892 (11) 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 Adrean made a motion to approve.)**

**FAVORABLE**

**G. 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 be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance)
3. Councilmember Archibong requested metrics be 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 be 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 Projects.

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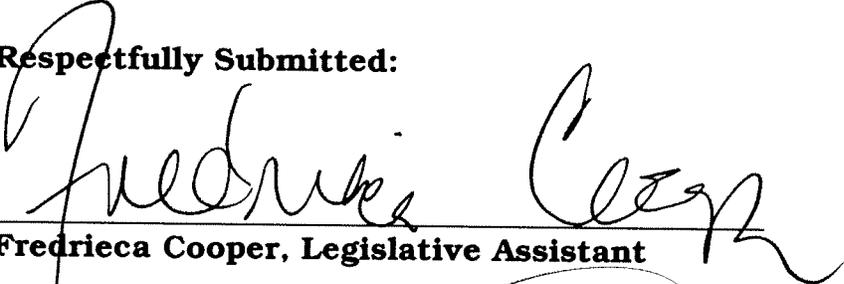
**REQUESTED ITEMS (CONT'D)**

7. Councilmember Martin requested the Department of Watershed to provide an updated map by Council District on the Consent Decree-Related Activities.
8. Councilmember Martin requested the Department of Watershed to provide Fund Balance of 5052.
9. Councilmember Archibong requested Jerry DeLoach, Director of Risk Management come back to the November 1, 2011 meeting the give an updated on the City's Risk Management Program.

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**There being no further business to come before the Committee, the meeting was adjourned at 11:32 a.m.**

**Respectfully Submitted:**



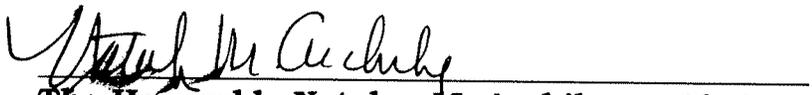
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**Fredrica Cooper, Legislative Assistant**



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



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