

CITY UTILITIES COMMITTEE

MINUTES

AUGUST 30, 2011

9:30 A.M.

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, August 30, 2011 at 9:35 a.m., in Committee Room #2.** The following members were present:

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

The following member was absent:

The Honorable H. Lamar Willis, Vice-Chair

Others present at the meeting were: City Attorney, Cathy Hampton, M. Theresa Stewart, Renee Sheperd, Stephanie Grant, Peter Andrew, Roger Bhandari and Mark Goncher, Law Department; Commissioner Richard Mendoza, Deputy Commissioner Dexter White, Valerie Bell-Smith and Madelyn Grant, Department of Public Works; Acting Commissioner Jo Ann J. Macrina, Deputy Commissioners Jim Beard, Rob Bush and Eric Glover, Melinda Langston and Janet Ward; Department of Watershed Management; John Lavelle; OEAM; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:35 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - AMENDED TO ADD ONE RESOLUTION**
- B. APPROVAL OF MINUTES - APPROVED**
- C. UPDATES**
 - 1. AJC MONTHLY REVIEWS - OEAM, Mark Hunt**
 - 2. SIDEWALK PROGRAM OVERVIEW - DPW**
 - 3. PMTS CONTRACTS MONTHLY REVIEW - DWM**
 - 4. CONSENT OVERVIEW - DWM**

CONSENT

D. ORDINANCES FOR FIRST READING

- 11-O-1225 (1) An Ordinance by City Utilities Committee amending the 2011 (General Government Capital Outlay Fund) Budget in the Department of Public Works by adding to anticipations and appropriations Transportation Improvement Funds in the amount of \$436,000.00; \$68,000.00 for Right-of-Way costs and \$360,000.00 for construction expenses and to authorize the Mayor or his designee to execute a Project Framework Agreement between the City of Atlanta and the Georgia Department of Transportation for the Right-of-Way and Construction Services for the Habersham Road/Habersham Drive Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 11-O-1226 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (DWM 2001 Water and Wastewater Bond Fund – 5057) Budget, in the amount of \$8,723,753.00 to transfer funds from the Realigned, Postponed or Discontinued Projects to the Capital Project Reserve for Appropriations; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 11-O-1227 (3) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (2009A Water and Wastewater Bond Fund – 5066) Budget, in the amount of \$6,055,020.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund – 5066) for Appropriations; to add to appropriation funds for Cathodic Protection, Sandy Creek Basin Relief, HTP Reservoir Expansion and Riverside Outfall Capacity Relief CIP Capital Projects; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

E. COMMUNICATION

- 11-C-1152 (1) A Communication by Councilmembers Joyce M. Sheperd, District 12; Keisha Lance Bottoms, District 11; C. T. Martin, District 10; Felicia Moore, District 9 and H. Lamar Willis, Post 3 At-Large appointing **Ms. Angelia M. Newell** 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

F. ORDINANCES FOR SECOND READING

- 11-O-1097 (1) A **Substitute** Ordinance by City Utilities Committee authorizing the Mayor to encumber funds in an amount not to exceed \$120,000.00 to fund the Care and Conserve Program, through Southeast Energy, on behalf of the Department of Watershed Management; all funds 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

- 11-O-1098 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Revenue Fund) (5051) Budget, in the amount of \$400,000.00; to transfer funds from the Water and Wastewater Revenue Fund (5051) Reserves for Appropriations and add to appropriations to the Water and Wastewater Revenue (5051) for Extra Help Salary Charges; and for other purposes.
(Councilmember Martin made a motion approve on condition.)

FAVORABLE ON CONDITION

City Utilities Committee Minutes
August 30, 2011
Page Four

ORDINANCES FOR SECOND READING (CONT'D)

- 11-O-1178 (3) An Ordinance by Councilmember Natalyn Archibong authorizing the Chief Financial Officer to amend the FY 2012 (2009A Water and Wastewater Bond Fund – 5066) Budget, in the amount of \$2,500,000.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund – 5066) for Appropriations; to add to appropriation funds for the Small Meter Audit Project; and for other purposes.
(Councilmember Martin made a motion approve on condition.)

FAVORABLE ON CONDITION

G. RESOLUTIONS

- 11-R-1012 (1) A **Substitute** Resolution **as amended** by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to BGR, JV for FC-4906C, Annual Contract for Architectural and Engineering Services, Land Support Project, Easement Research and Acquisition Services 1-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$53,064.00; all contracted work to be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes. **(Referred back from Full Council 8/15/11)**
(Councilmember Archibong made a motion to hold.)

HELD

- 11-R-1013 (2) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Arcadis/Brindley Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services - Land Support Project, Easement Research and Acquisition Services 2-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$232,044.00; all work will be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes. **(Referred back from Full Council 8/15/11)**
(Councilmember Archibong made a motion to hold.)

HELD

RESOLUTIONS (CONT'D)

- 11-R-1228 (3) An **Amended** Resolution by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to Arcadis/Brindley Pieters & Associates, Joint Venture for FC-4906A, Annual Contract for Architectural and Engineering Services, Small Water Meter Audit, on behalf of the Department of Watershed Management in an amount not to exceed \$1,120,000.00; all contracted work to be charged to and paid from Fund, Department, Organization, and Account Number listed; and for other purposes.
(Councilmember Martin made a motion to approve as amended.)

FAVORABLE AS AMENDED (1 ABSTENTION) ADREAN

- 11-R-1229 (4) A Resolution by City Utilities Committee authorizing the Mayor to issue a Notice to Proceed with Arcadis/Brindley Pieters & Associates, Joint Venture for FC-4906A, Annual Contract for Post Closure Care and Landfill Maintenance for City Owned Landfills, on behalf of the Department of Public Works in the amount not to exceed \$1,677,215.00; all contracted work to be charged to and paid from Fund, Department, Organization, and Account Number listed; and for other purposes.
(Councilmember Martin made a motion approve on condition.)

FAVORABLE ON CONDITION (1 ABSTENTION) ADREAN

- 11-R-1230 (5) 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 Jay-UDay, Inc., owner of real property located at 111 Cone Street, NE, Atlanta, Georgia for the purpose of permitting an overhead canopy to partially extend into the right-of-way along the east side of Cone Street; said canopy being approximately fifteen (15) feet in width, six (6) feet in depth and being fifteen (15) feet in height above the sidewalk; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

RESOLUTIONS (CONT'D)

11-R-1231 (6) An **Amended** Resolution by City Utilities Committee authorizing the Mayor, or his designee to execute a Right-of-Way Certification with the Georgia Department of Transportation for participation and funding assistance to resurface certain city streets in connection with the Local Maintenance and Improvement Grant Agreement; and for other purposes.
(Councilmember Martin made a motion to approve as amended.)

FAVORABLE AS AMENDED

11-R-1233 (7) A Resolution by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to JP2 (Prad, Atkins North America, Inc.), a Joint Venture, for FC-4906E, Annual Contract for Architectural and Engineering Services, Small Water Meter Audit, on behalf of the Department of Watershed Management in an amount not to exceed \$1,120,396.00; all contracted work to be charged to and paid from Fund, Department, Organization, and Account Number listed; and for other purposes.
(Councilmember Martin made a motion approve on condition.)

FAVORABLE ON CONDITION (1 ABSTENTION) ADREAN

H. 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)

City Utilities Committee Minutes
August 30, 2011
Page Seven

PAPERS HELD IN COMMITTEE (CONT'D)

- 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)**
- 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)**
- 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

City Utilities Committee Minutes
August 30, 2011
Page Eight

PAPERS HELD IN COMMITTEE (CONT'D)

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)**

- 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)**
- 11-R-0088 (6) 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)**
- 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)**
- 11-O-0740 (8) A **Substitute #2** Ordinance **as amended** 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

PAPERS HELD IN COMMITTEE (CONT'D)

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. **(Public Hearing held 7/21/11) (Substituted as amended and held 7/26/11 for further discussions) Substituted and held 8/30/11)**

- 11-R-1132 (9) A Resolution by Councilmembers Natalyn M. Archibong, Howard Shook and Yolanda Adrean 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 7/26/11)**

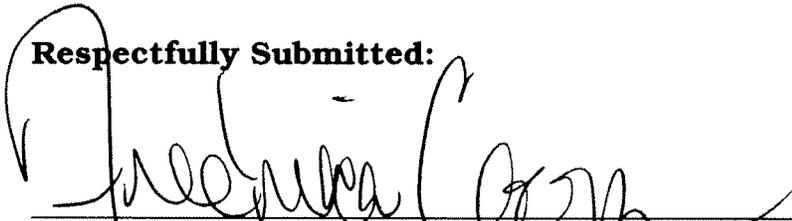
I. REQUESTED ITEMS

1. Councilmember Adrean requested metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed
2. Councilmember Archibong requested the Department of Watershed to include in their Quarterly Update the number of raised valves on the manhole covers.
3. 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.

**City Utilities Committee Minutes
August 30, 2011
Page Eleven**

There being no further business to come before the Committee, the meeting was adjourned at 12:50 p.m.

Respectfully Submitted:



Fredrieca Cooper, Legislative Assistant



Alfred Berry, Jr., Research and Policy Analyst



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