

**CITY UTILITIES COMMITTEE**

**MINUTES**

**SEPTEMBER 13, 2011**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, September 13, 2011 at 9:36 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: M. Theresa Stewart, Renee Sheperd, Stephanie Grant, Roger Bhandari and Mark Goncher, Law Department; Commissioner Richard Mendoza, Madelyn Grant, Department of Public Works; Acting Commissioner Jo Ann J. Macrina, Deputy Commissioners Jim Beard, and Eric Glover, Department of Watershed Management; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:36 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. ORDINANCES FOR SECOND READING**

11-O-1098 ( 1) 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. **(Referred back from Full Council 9/6/11)**  
**(Councilmember Martin made a motion to approve.)**  
**FAVORABLE**

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

- 11-O-1225 ( 2) A **Substitute** 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 \$368,000.00 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.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 11-O-1226 ( 3) A **Substitute** 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.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 11-O-1227 ( 4) 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.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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

- 11-O-1353 ( 5)     An Ordinance by Councilmember C. T. Martin to waive Chapter 150, Article VIII, Section 150-293(b) of the City of Atlanta Code of Ordinances to allow for the closure of the sidewalks and street located on the block of Peachtree Street from the intersection of 3<sup>rd</sup> Street to the intersection of Ponce de Leon Avenue, during the morning and afternoon rush hours on Thursday, November 17, 2011 for the construction of the Soul Train Awards Red Carpet Area; and other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**D.   RESOLUTIONS**

- 11-R-1304 ( 1)     A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into a Transportation Improvement Agreement between the City of Atlanta and Atlanta BeltLine, Inc. ("ABI"), for ABI to provide design and construction services for the Edgewood Avenue Bridge Project; and for other purposes.  
**(Councilmember Watson made a motion to approve.)**

**FAVORABLE**

- 11-R-1305 ( 2)     A Resolution by City Utilities Committee authorizing the Mayor or his designee to issue a Task Order with Atlanta Services Group, a Joint Venture, for FC-4906B, Citywide Contract for Architectural and Engineering Design Services, for the D. L. Hollowell and Moreland Avenue LCI Projects on behalf of the Department of Public Works, in an amount not exceed \$1,017,131.00; with all contracted work to be charged to and paid from the Various Fund, Department and Account Numbers and PTAEO Numbers listed; and for other purposes.  
**(Councilmember Archibong made a motion to approve.)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 11-R-1306 ( 3)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No., 1, for FC-4408, Annual Contract for Asbestos Abatement Services with DPC General Contractors, Inc. on behalf of the Department of Watershed Management in an amount not to exceed \$300,000.00; that all contracted work shall be charged to and paid from Fund, Department and Account Numbers and PTAE0 Number listed; and for other purposes.  
**(Councilmember Adrean made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

- 11-R-1307 ( 4)     A Resolution by City Utilities Committee to call for a referendum to re-impose a special one percent sales and use tax to fund water and sewer projects and costs, subject to referendum approval; to regulate and provide for the calling of an election and to call an election to determine the re-imposition or non-reimposition of the sales and use tax; to specify the aggregate maximum cost of such projects and maintenance operation costs to be funded by the sales and use tax; to specify the maximum period of time the sales and use tax will be re-imposed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-1308 ( 5)     A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal No. 1 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 for **Time-Only**; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 11-R-1309 ( 6)     A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2, for FC-4926, Annual Contract for Streambank Stabilization and Bioengineering Systems, with Site Engineering, Inc., on behalf of the Department of Watershed Management, in an amount not to exceed \$100,000.00; all contracted work shall be charged to and paid from Fund, Department and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-1310 ( 7)     A Resolution by City Utilities Committee to amend and accept the Atlanta-Fulton County Hazard Mitigation Plan prepared by the Atlanta-Fulton County Emergency Management Agency with the purpose to ensure mitigation and preparedness from Natural and Technological Hazards which may affect the City of Atlanta; and for other purposes.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

**E.     ORDINANCE FOR FIRST READING**

- 11-O-1311 ( 1)     An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$237,495.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for Global Positioning System Units (GPS); and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

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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)**

**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 Stormwater Management) Chapter 74 (Environment) to

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

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**

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

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 Clela 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**

11-O-0740 ( 8) A **Substitute #3** Ordinance by City Utilities Committee to amend Chapter I entitled "Administration" of Appendix C entitled "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Single-Family Residential Potable Use"; to regulate potable rainwater catchment for Single-Family Residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with the 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 single-family residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes.

**(Councilmember Adrean made a motion to approve on substitute #3)**

**FAVORABLE ON SUBSTITUTE #3**

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

- 11-R-1012 ( 9)     A **Substitute #2** Resolution 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 \$99,476.00; all contracted work to be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.  
**(Councilmember Watson made a motion to approve on substitute #2)**

**FAVORABLE ON SUBSTITUTE #2**

- 11-R-1013 (10)    A **Substitute #2** 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 \$198,952.00; all work will be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.  
**(Councilmember Watson made a motion to approve on substitute #2)**

**FAVORABLE ON SUBSTITUTE #2 (1 ABSTENTION)**  
**ADREAN**

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

11-R-1132 (11) 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)**

**HELD**

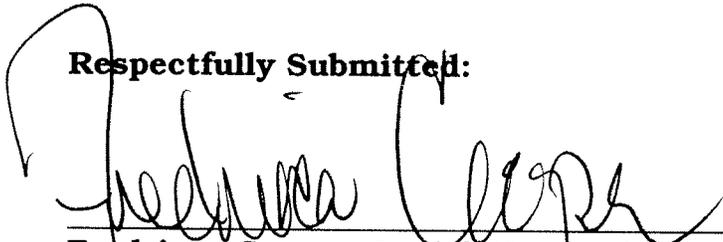
**G. REQUESTED ITEMS**

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 Jerry DeLoach, Director of Risk Management come back to the November 1, 2011 meeting to give an updated on the City's Risk Management Program.
4. Councilmember Adrean requested the Department of Watershed Management to provide the number of Cases that are before the Water and Sewer Appeals Board.
5. Councilmember Archibong made a request to start a Sidewalk Subcommittee and report back to the committee next meeting. (Councilmember Shook will chair the committee, Sally Flock and Ron Shakur volunteered.)
6. Councilmember Archibong requested that the staff schedule visit to all of the Department of Watershed facilities.
7. Councilmember Adrean made a request to the Department of Watershed Management to include a copy of a sign-off report from the CFO on all Bonds matters in required legislation.

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**There being no further business to come before the Committee, the meeting was adjourned at 11:33 a.m.**

**Respectfully Submitted:**



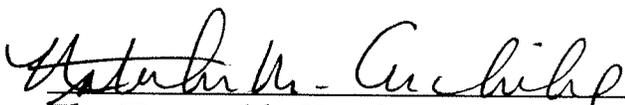
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**Fredrica Cooper, Legislative Assistant**



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



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