

**CITY UTILITIES COMMITTEE**

**MINUTES**

**OCTOBER 11, 2011**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, October 11, 2011 at 10:45 a.m., in Committee Room #2.** The following members were present:

**The Honorable H. Lamar Willis, Vice-Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Howard Shook**

The following members were absent:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable Aaron Watson**  
**The Honorable Carla Smith**

Others present at the meeting were: Stephanie Grant, M. Theresa Stewart; Michael Patrick McShane and Renee Sheperd, Law Department; Commissioner Richard Mendoza, Deputy Commissioner Dexter White, Valerie Bell-Smith Department of Public Works; Acting Commissioner Jo Ann J. Macrina, Deputy Commissioners Jim Beard, Director Reginald Wells, and Susan Rutherford; Department of Watershed Management; Mark T. Haldane, OEAM, Keith Brooks, Office of Procurement; Katrina Taylor, Office of the Mayor; members of the public, press and Council Staff.

Vice-Chair Willis called the meeting to order at 10:45 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVAL**
- C. SOLID WASTE REVIEW - Deputy Commissioner Dexter White, DPW**

**D. ORDINANCES FOR SECOND READING**

11-O-1371 ( 1) An Ordinance by City Utilities Committee authorizing the sale of the City's interest in a narrow strip of land located at the southwest corner of Centennial Olympic Drive and Parker Street, in Land Lot 79 of the 14<sup>th</sup> District of Fulton County, Georgia; authorizing the Mayor to execute a quitclaim deed to the abutting property owner upon payment of the Fair Market Value; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-O-1372 ( 2) An Ordinance 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 the Metropolitan Condominium Associates, Inc., owner of real property located at 20 Marietta Street, NW., Atlanta, Georgia for the purpose of permitting an existing basement which presently extends into the public right-of-way; to waive the application fee and yearly inspection fee; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-O-1421 ( 3) An Ordinance by City Utilities Committee to correct the Account Number in the Fund Department Organization and Account ("FDOA") Number in Ordinance 11-O-1097 adopted by the Atlanta City Council on September 6, 2011 and approved by Operation of Law on September 15, 2011; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**E. RESOLUTIONS**

11-R-1438 ( 1) An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal No. 1 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 \$540,000.000; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

11-R-1439 ( 2) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 1 with Florida Testing Services, LLC d/b/a Xenco Laboratories for FC-4990, Annual Trace Organics Laboratory Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$35,000.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

11-R-1440 ( 3) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 1 in an amount not to exceed \$276,000.00; for FC-5068, Annual Contract for Landscaping Services with Ed Castro Landscaping Services, on behalf of the Department of Watershed Management; to correct Resolution No. 10-R-1263 to correct the Agreement term; to amend the Agreement to correct the Agreement term; 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 on substitute)**

**FAVORABLE ON SUBSTITUTE**

**F. ORDINANCE FOR FIRST READING**

- 11-O-1437 ( 1) An Ordinance 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 Colo Properties Atlanta, LLC owner of real property located at 56 Marietta Street, NW., Atlanta, Georgia for the purpose of permitting an existing basement and an existing sub-basement which presently extend into the public right-of-way; to waive the application fee and yearly inspection fee; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**G. PAPERS HELD IN COMMITTEE**

- 10-O-1058 ( 1) 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 ( 2) 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)**

- 10-O-1688 ( 3) 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)**
- 11-O-0080 ( 4) 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)**

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

- 11-R-0088 ( 5) 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 ( 6) 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-R-1132 ( 7) 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)**

**H. 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.

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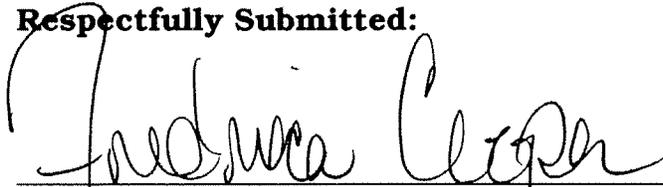
**REQUESTED ITEMS (CONT'D)**

4. 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.)
5. Councilmember Archibong requested that the staff schedule visit to all of the Department of Watershed facilities.
6. 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.
7. Councilmember Willis requested the Department of Public Works to present answer to; Who would the City generally waive the Encroachment Fees?
8. Councilmember Willis requested the Department of Public Works to provide data on their Department's Workers safety.

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**There being no further business to come before the Committee, the meeting adjourned at 11:28 a.m.**

**Respectfully Submitted:**



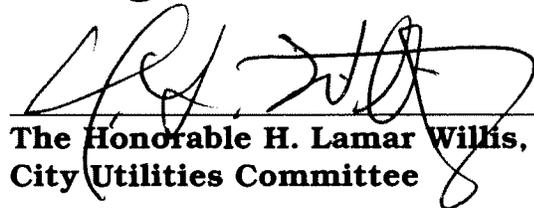
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**Fredrieca Cooper, Legislative Assistant**



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



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**The Honorable H. Lamar Willis, Vice-Chair  
City Utilities Committee**