

**CITY UTILITIES COMMITTEE**

**MINUTES**

**AUGUST 28, 2012**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, August 28, 2012 at 9:42 a.m., in Committee Room #2.** The following members were present:

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

The following member was absent:

**The Honorable Aaron Watson, Vice Chair**

Others present at the meeting were: Michael Patrick McShane, Stephanie Grant, Marc Goncher and Roger Bhandari, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover and Margaret Tanner, Department of Watershed Management; Commissioner Richard Mendoza, Deputy Commissioner Dexter White, Department of Public Works; Bruce Bell, Office of Contract Compliance; Katrina Taylor, Office of the Mayor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:42 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD A PMT UPDATE**
- B. APPROVAL OF MINUTES - APPROVED**
- C. ORDINANCE FOR SECOND READING**

12-O-1142 ( 1) An Ordinance by Councilmembers Natalyn Archibong and Aaron Watson correcting Ordinance Number 12-O-0891 which transferred funds from several projects in the 2013 Water and Wastewater Renewal and Extension Fund that have been realigned, postponed or discontinued for the purpose of correcting the amount of \$9,905,729.46 in the caption and the add to appropriations in Section I; and for other purposes.

**(Councilmember Adrean made a motion to approve)**  
**FAVORABLE**

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**D. RESOLUTIONS**

12-R-1057 ( 1) An **Amended** Resolution by City Utilities Committee authorizing Renewal No. 1 with Scott and Sons Holdings, LLC, for FC-5221, Annual Contract for Clean-Up Sewage Spills Inside Structures, on behalf of the Department of Watershed Management, in an amount not to exceed \$280,000.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

**(Councilmember Smith made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

12-R-1058 ( 2) A Resolution by City Utilities Committee authorizing the Mayor to enter into a Contract Item Agreement and a Memorandum of Understanding with State of Georgia, Department of Transportation for Construction of Water System Improvements on Northside Drive in conjunction with GADOT Project #0004166: Northside Drive Safety Improvements in an amount not to exceed \$14,523,898.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number and PATEO Numbers listed; and for other purposes.

**(Councilmember Adrean made a motion to approve)**

**FAVORABLE**

12-R-1059 ( 3) A Resolution by City Utilities Committee authorizing the Mayor, or his designee to enter into an appropriate contractual agreement with Al Jennah Homes and Communities, LLC, for FC-6041, Assembly and Distribution of Recycle Containers, on behalf of the Department of Public Works, in an amount not to exceed \$243,750.00; all contracted work shall 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**

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**RESOLUTIONS (CONT'D)**

12-R-1060 ( 4)      A Resolution by City Utilities Committee authorizing the Mayor, on behalf of the City Atlanta, to accept the donation of professional services and volunteer hours, from Curbside Value Partnership, valued at approximately \$90,000.00 to assist in the implementation and evaluation of the New Recycling Program Community Outreach and Public Education Campaign for the Department of Public Works; and for other purposes.

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

**FAVORABLE**

12-R-1061 ( 5)      An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into a Consent Agreement with the Public Service Commission, State of Georgia and to authorize payment pursuant to the Consent Agreement in the amount of \$100,000.00; and for other purposes.

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

**FAVORABLE AS AMENDED**

12-R-1062 ( 6)      A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute a Contract with SD&C, Inc., for FC-5299, Bolton Road Streetscape Project, Project Number CSTE-0006-00(571), P. I. No. 0006571, on behalf of the Department of Public Works, in an amount not to exceed \$425,065.31; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.

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

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**RESOLUTIONS (CONT'D)**

12-R-1063 ( 7) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute a Contract with SD&C, Inc., for FC-5295, East Atlanta Streetscape Project, Project Number CSSTP-0006-00(717), P. I. No. 0006717, on behalf of the Department of Public Works, in an amount not to exceed \$840,378.66; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.

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

**HELD**

12-R-1145 ( 8) A Resolution by Councilmembers Yolanda Adrean and Felicia A. Moore authorizing the Mayor or his designee to execute a Right-of-Way Maintenance Agreement with the Georgia Department of Transportation concerning a median island to be installed on Northside Drive between Peachtree Battle Avenue and Sagamore Drive and a Right-of-Way Maintenance Agreement between the City and Peachtree Battle Alliance, Inc. in which Peachtree Battle Alliance, Inc. will assume the City's obligations as set forth in the Maintenance Agreement entered into between the City and the Georgia Department of Transportation; and for other purposes.

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

**FAVORABLE**

**E. ORDINANCE FOR FIRST READING**

12-O-1056 ( 1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2013 (2004 Water and Wastewater Bond Fund 5058) Budget in the amount of \$7,000,000.00 to transfer funds from the 2004 Water and Wastewater Bond Project Reserve for Appropriations and add to appropriations for the Supplemental Program Management Services Project; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

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**F. 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 by City Utilities Committee 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)**

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

- 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)**
- 11-R-0088 ( 5) 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)**
- 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)**

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

- 12-O-0357 ( 7) An Ordinance by Councilmembers Joyce M. Sheperd and Felicia A. Moore to repeal Ordinances 02-O-0342, adopted by the Atlanta City Council on March 18, 2002 and approved on March 26, 2002, pertaining to the establishment of procedures for enforcing standards for collecting, handling, storing and disposing of scrap tires in the City of Atlanta, to introduce a revised scrap tires procedures and requirements ordinance, to be inserted into the City Code at Chapter 130 (Solid Waste Management), at Article II and Title "Scrap Tire Enforcement" beginning at currently Reserved Code Section 130-13 through 130-19; and for other purposes. **(Held 3/13/12 for further discussion)**
- 12-R-0376 ( 8) A Resolution by City Utilities Committee authorizing the initiation of the process of renaming that portion of Greenbriar Parkway between Barge Road to the west and the intersection of Greenbriar Parkway and Continental Colony Parkway to the east to Tyler Perry Way by and through actions of the Commissioner of Department of Public Works or his designee; and for other purposes. **(Held 3/13/12 for further review)**
- 12-O-0563 ( 9) An Ordinance by City Utilities Committee to amend Article V of Chapter 154 of the Atlanta City Code entitled "Sewerage Disposal" (§154-196 et seq.); to address findings of a Pretreatment Compliance Audit conducted by the United States Environmental Protection Agency; and for other purposes. **(Held 5/15/12 for further review)**
- 12-R-0965 (10) A Resolution by Councilmember Natalyn M. Archibong 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 7/10/12)**

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

12-R-0997 (11) A Resolution by City Utilities Committee authorizing Renewal No. 1 with MWH/Khafra, JV for FC-4343, Program Management Services, on behalf for the Department of Watershed Management and to appropriate an amount not exceed \$7,000,000.00 for the term of Renewal No. 1; all contracted work will be charged to and paid from the listed Fund, Department Organization, Account Number and PTAE0 Number; and for other purposes. **(Held 7/31/12 at the request of the Department)**

**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 made a request to start a Sidewalk Subcommittee and report back to the committee next meeting. (Councilmembers Archibong and Smith will co-chair the committee, Sally Flock, Brother Anthony Muhammad and Ron Shakur volunteered.)
3. Councilmember Archibong requested that the staff schedule visits to all of the Department of Watershed facilities.
4. Councilmember Adrean requested a list of the infrastructure in need of repair and a 5 Year Financial Plan from the Department of Watershed Management.
5. Councilmember Adrean requested a report on the Small Meter Audit. (findings, recommendations, cost, implementation phase, etc.) The report is due at the end of October.
6. Councilmember Adrean requested a report on how much the citizens of Atlanta is spending on Gas Tax annually.
7. Next meeting a Report on the reorganization in the Department of Watershed Management
8. A report on the Safety Program in the Department of Watershed Management
  - a. What the City has been paid so far in claims?
  - b. How many cameras have been purchased?

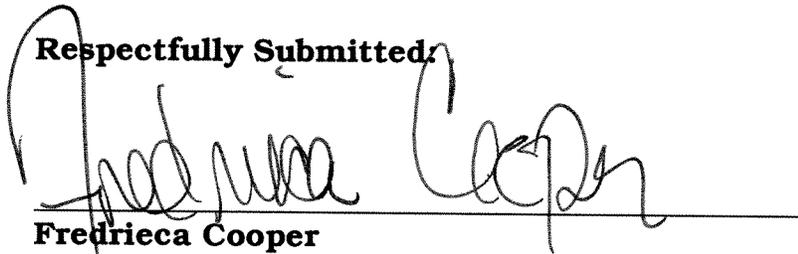
**REQUESTED ITEMS (CONT'D)**

- c. A report on the City Atlanta purchase/investment for the past five (5) years on safety concerns.
  - d. What are the present and future plans?
- 9. Councilmember Adrean requested a detail report on the MOST projects
  - a. A detail project list
  - b. The percentage used for Consent work.
- 10. Councilmember Martin requested a detail copy of the Small Business Development Program from the Department of Watershed Management.
- 11. Councilmember Archibong requested the Office of Contract Compliance to provide an overview of the EBO/MBE Program and what if any limitations are placed on contractors as to who they can or cannot hire at next meeting 9/11/12.
- 12. Councilmember Archibong requested DPW put together a tour of facilities and job sites.

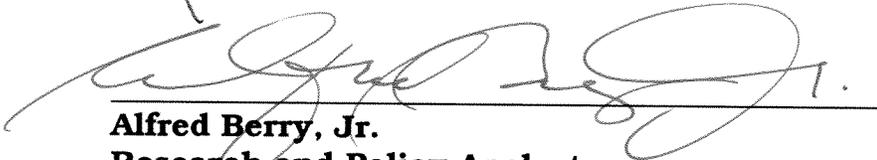
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**There being no further business to come before the Committee, the meeting adjourned at 11:15 a.m.**

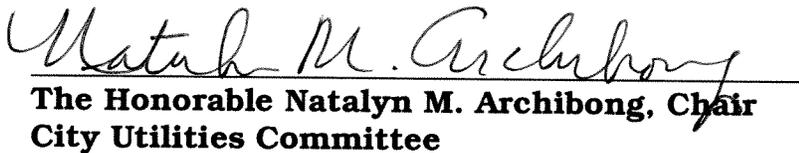
**Respectfully Submitted,**



**Fredrica Cooper  
Legislative Assistant**



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



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