

CITY UTILITIES COMMITTEE

MINUTES

NOVEMBER 13, 2012

9:30 A.M.

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, November 13, 2012 at 9:38 a.m., in Committee Room #2.** The following members were present:

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

Others present at the meeting were: Stephanie Grant and Marc Goncher, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover and Margaret Tanner, Directors M. Theresa Stewart and Melinda Langston; Department of Watershed Management; Commissioner Richard Mendoza, Department of Public Works; Katrina Taylor, Office of the Mayor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:38 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. PMT MONTHLY REPORT - DEPARTMENT OF WATERSHED MANAGEMENT - WILL BE PRESENTED AT THE NEXT MEETING**
- D. COMMUNICATION**

12-C-1591 (1) A Communication by Councilmember Aaron Watson **as amended by City Utilities Committee** appointing Ms. P. Ramsay Battin to serve as a member of the Keep Atlanta Beautiful Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation; and for other purposes.

(Councilmember Archibong made a motion to amend and hold)

AMENDED AND HELD

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E. ORDINANCES FOR SECOND READING

12-O-1495 (1) An Ordinance by City Utilities Committee authorizing the abandonment of certain sewer easements on certain property owned by Georgia Power Company and located in Land Lot 53 of the 17th and Land Lot 17 of the 14th District of Fulton County; acknowledgement and authorizing the acceptance of new Easements and Storm and Sanitary Sewer Facilities constructed and dedicated by Georgia Power Company upon the final approval of the same; authorizing the acceptance of a certain drainage easement from Georgia Power Company; authorizing the Mayor or his designee to execute any necessary documents and instruments; and for other purposes.

(Councilmember Adrean made a motion to approve)

FAVORABLE

12-O-1496 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Renewal and Extension Fund) (5052), the (1999 Water and Wastewater Bond Fund) (5056), the (2001 Water and Wastewater Bond Fund (5057) the (2004 Water and Wastewater Fund (5058) and the (2009A Water and Wastewater Bond Fund) (5066) in the amount of \$43,563,082.57 to transfer funds from the Water and Wastewater Renewal and Extension Fund) (5052), the (1999 Water and Wastewater Bond Fund (5056) the (2001 Water and Wastewater Bond Fund) (5057) the (2004 Water and Wastewater Fund) (5058) and the (2009A Water and Wastewater Bond Fund) (5066) Project Reserves for Appropriations and add to appropriations for the Peachtree Basin Capacity Relief Project; and for other purposes.

(Councilmember Martin made a motion to approve)

FAVORABLE (1 ABSTENTION) ADREAN

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ORDINANCES FOR SECOND READING (CONT'D)

12-O-1497 (3) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2013 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$7,000,000.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Fund-5066) for Appropriations and to add to appropriation for Custer Ave. CSO Capacity Relief and Sewer Group 2 Rehab Capital Projects; and for other purposes.

(Councilmember Martin made a motion to approved as amended)

FAVORABLE AS AMENDED

12-O-1498 (4) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Renewal and Extension Fund-5052) Budget in the amount of \$3,203,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Capital Project Reserve for Appropriations and to add to appropriations for East Atlanta Water Main Replacement and Custer Ave. CSO Capacity Relief Capital Projects; and for other purposes.

(Councilmember Martin made a motion to approved as amended)

FAVORABLE AS AMENDED

12-O-1608 (5) An Ordinance by Councilmember Yolanda Adrean waiving the sidewalk requirements of the Section 15-09.003 of the City of Atlanta Code of Ordinances for Subdivision Application SD-12-009 (2576 Howell Mill Road, NW) to provide that in lieu of a portion of sidewalk being constructed at the subdivision site, 273 feet will be constructed in existing gaps along the south side of Moores Mill Road, NW from 1088 to 1160 Moores Mill Road; and for other purposes.

(Councilmember Adrean made a motion to approve)

FAVORABLE

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RESOLUTIONS (CONT'D)

12-R-1541 (4) A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Amendment Agreement Number 1 with Republic Services of Georgia, LP for FC-5035B, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works in an amount not to exceed \$2,062,500.00; all contracted work shall 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)

FAVORABLE

12-R-1597 (5) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin 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.

(Councilmember Archibong made a motion to hold)

HELD

12-R-1601 (6) A Resolution by Councilmembers Keisha Lance Bottoms and H. Lamar Willis authorizing the Mayor or his designee to execute a Contract with S. D. & C., Inc., for FC-6159, Danforth Road Sidewalk Project, on behalf of the Department of Public Works, in an amount not to exceed \$1,174,221.30; all contracted work shall be charged to and paid from Various Fund, Department, Organization and Account Numbers; and for other purposes.

(Councilmember Martin made a motion to approve)

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RESOLUTIONS (CONT'D)

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(Councilmember Martin made a motion to approve)

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(Councilmember Archibong made a motion to hold)

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(Councilmember Martin made a motion to approve)

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RESOLUTIONS (CONT'D)

- 12-R-1602 (7) A Resolution by Councilmembers Keisha Lance Bottoms and H. Lamar Willis authorizing the Mayor or his designee to execute a Utility Relocation Agreement between the City of Atlanta and the Georgia Power Company for additional right of way acquisitions for the removal, relocation, or adjustment of electrical and communication facilities owned by the Georgia Power Company for construction of the Danforth Road Sidewalk Project from Cascade Road to New Hope Road in an amount not to exceed \$114,502.00; with all contracted work charged to and paid from the listed Account/PTAEO Numbers; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

- 12-R-1610 (8) A Resolution by Councilmembers Ivory L. Young, Jr. and Michael J. Bond authorizing the Mayor or his designee to execute a Contract with Tople Construction for FC-5821, Simpson Road Pedestrian Improvements Project, Project Number CSSTP-0006-00(573), P.I. No. 0006573, on behalf of the Department of Public Works, in an amount not to exceed \$1,295,435.15; all contracted work shall be charged to and paid from Various Fund, Department, Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to hold)

HELD

- 12-R-1616 (9) A Resolution by Councilmembers Aaron Watson and C. T. Martin authorizing the Mayor or his designee to enter into a Contract Amendment with Southeast Energy Assistance, Inc., for the Care and Conserve Program in an amount not to exceed \$300,000.00; and for other purposes.
(Councilmember Martin made a motion to approve)

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RESOLUTIONS (CONT'D)

- 12-R-1623 (10) A Resolution by Councilmembers Clela Winslow and C. T. Martin authorizing the Mayor or his designee to execute a Contract with Cotangent Technical Services, LLC, for FC-5894, Ralph David Abernathy Streetscape Improvements Project, Project Number STP00-0004-00(461), P.I Number 0004461, on behalf of the Department of Public Works, in an amount not to exceed \$640,395.00; all contracted work shall be charged to and paid from Various Fund, Department, Organization and Account Numbers; and for other purposes. **(Councilmember Martin made a motion to hold)**

HELD

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 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

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PAPERS HELD IN COMMITTEE (CONT'D)

(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 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 (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)**

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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 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)**
- 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)**
- 12-R-0376 (7) 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 (8) 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-1063 (9) 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. **(Held 8/28/12 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

12-R-1161 (10) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with _____ for FC-6164, Peachtree Creek Capacity Relief and Pump Station – Phase 1 Site Preparation, on behalf of the Department of Watershed Management, in an amount not to exceed _____; all contracted work will be charged to and paid from FDOA and PTAE0 Numbers; and for other purposes. **(Held 9/11/12 for further review)**

H. REQUESTED ITEMS

1. Councilmember Adrean requested that metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed
2. The Sidewalk Task Force met Tuesday, October 30, 2012 from 5:30 to 7:00 p.m.
3. Councilmember Archibong requested that the staff schedule visits to all of the Department of Watershed facilities. Maisha Land Wood, from Watershed Management, requested a meeting with Council Staff to coordinate and schedule dates and times for these visits that would be convenient for both DWM and the City Council.
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 in gas taxes annually.

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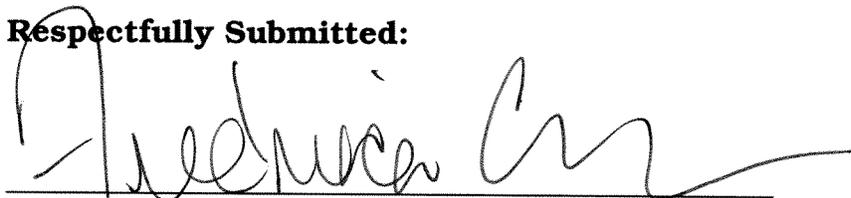
REQUESTED ITEMS (CONT'D)

7. A report on the Safety Program in the Department of Watershed Management:
 - a. What the City has paid so far in claims?
 - b. How many cameras have been purchased?
 - c. A report on the City of Atlanta purchases/investments for the past five (5) years on safety concerns.
 - d. What are the present and future plans?
8. Councilmember Adrean requested a detail report on the MOST projects:
 - a. A detail project list
 - b. The percentage used for Consent work.
9. Councilmember Watson requested a list of the amount and employees that will transfer from the PMT staff to the Department of Watershed Management staff.
10. Councilmember Adrean requested a report on fines for spills in 2011 and 2012, by the next Committee meeting, 11/13/12. (12-R-1501)
11. Councilmember Martin made a request to Eric Glover to provide a list of all members of the Sheltered Market Program associated with Small Business Enterprise participation.
12. Councilmember Martin asked Commissioner Macrina to provide a copy of the PMT contract and the percentage of MBE participation associated with the contract.
13. Councilmembers Smith and Martin asked Commissioner Mendoza to provide recruitment information used to fill vacancies within the department.
14. Councilmember Martin asked Commissioner Mendoza to provide a larger organizational chart for his department.
15. Councilmember Archibong requested the Department of Watershed Management provide updated Maps from FEMA showing the Council Districts Flood Plain Areas.
16. Councilmember Martin made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.

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There being no further business to come before the Committee, the meeting adjourned at 11:49 a.m.

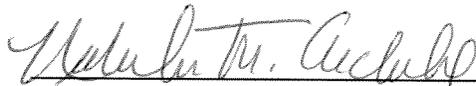
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Reginald Grant for Alfred Berry, Jr.
Research and Policy Analyst**



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