CITY UTILITIES COMMITTEE

MINUTES

DECEMBER 13, 2012

9:30 A.M.

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, December 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 H. Lamar Willis

The following member was absent:

The Honorable Carla Smith

Others present at the meeting were: Stephanie Grant, Michael Patrick McShane, Renee Sheperd and Roger Bhandari, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover, Mike Geisler and Tracy Hillick, Department of Watershed Management; Commissioner Richard Mendoza, Deputy Commissioner Dexter White, Department of Public Works; Keith Brooks, Office of Procurement; 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

D. ORDINANCES FOR SECOND READING

12-O-1639 (1) 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 $1,300,000.00; to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve Account (5052) and add to Appropriations for the funding of the Toilet Rebate Program; and for other purposes.
(Councilmember Martin made a motion to approve as amended)

FAVORABLE AS AMENDED

12-O-1640 (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) Budget in the amount $97,667.00; to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to Appropriations for Clear Creek CSO Improvements Project; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

12-O-1720 (3) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2013 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of $189,308,264.74; to anticipate and appropriate the transfer of equity closeout from the Water Wastewater Revenue Fund (5051) to the Water and Wastewater Renewal and Extension Fund (5052); and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

E. RESOLUTION

12-R-1760 (1) A Resolution by City Utilities Committee authorizing the Renewal No. 1 with United Consulting, Inc., for FC-4918B, Geotechnical, Environmental Engineering, Testing and Investing Services, on behalf of the Department of Planning and Community Development, Public Works, Parks, Recreation and Cultural Affairs and Watershed Management; all contracted work shall be charged to and paid from Various Fund, Department and Account Numbers and Funding Sources; and for other purposes.
(Councilmember Martin made a motion to approve)

FAVORABLE

F. ORDINANCE FOR FIRST READING

12-O-1761 (1) An Ordinance by City Utilities Committee to amend various Sections of Chapter 74, Article X of the City of Atlanta Code of Ordinances for the purpose of promoting Green Infrastructure and Runoff Reduction Practices; complying with the Metropolitan North Georgia Water Planning District's Model Post-Development Stormwater Management Ordinance; streamlining the permitting process; promoting maintenance of Stormwater Management Facilities; 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)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

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)**

HELD

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

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

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

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)**

HELD

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)**

HELD

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)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

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)**

HELD

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)**

HELD

12-R-1063 (9) An **Amended** 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 Martin made a motion to approve as amended)**

FAVORABLE AS AMENDED

PAPERS HELD IN COMMITTEE (CONT'D)

12-R-1161 ( ) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Archer Western/Lewis Contracting, JV for FC-6260, Peachtree Creek South Fork Relief Storage and Pumping Station, on behalf of the Department of Watershed Management, in an amount not to exceed $35,600,000.00; all contracted work will be charged to and paid from FDOA and PTAEO Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

12-R-1597 (11) 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. **(Held 11/13/12)**

HELD

12-R-1610 (12) 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 approve)

FAVORABLE

PAPERS HELD IN COMMITTEE (CONT'D)

12-R-1623 (13) An **Amended** Resolution by Councilmembers Cleta 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 approve as amended)

FAVORABLE AS AMENDED

12-R-1646 (14) A Resolution by City Utilities Committee authorizing the Mayor to enter into an Agreement with Site Engineering, Inc., for FC-6034, Water Distribution System Improvements – Southwest Area, on behalf of the Department of Watershed Management, in an amount not to exceed $2,762,667.50; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes. **(Held 11/27/12 at the request of the Department)**

HELD

12-R-1730 (15) A Resolution by Councilmembers Keisha Lance Bottoms and H. Lamar Willis authorizing the Mayor or his designee to amend FC-4943B with Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, to include additional unit price line items for bridges, on behalf of the Department of Public Works; and for other purposes. **(Held 11/27/12 at the request of the Department)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

12-R-1733 (16) A Resolution by Councilmembers Keisha Lance Bottoms and H. Lamar Willis authorizing the Mayor or his designee to amend FC-4943E with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, to include additional unit price line items for bridges, on behalf of the Department of Public Works; and for other purposes. **(Held 11/27/12 at the request of the Department)**

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 Adrean requested a list of the infrastructure in need of repair and a 5 Year Financial Plan from the Department of Watershed Management.

4. 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?

5. Councilmember Watson requested a list of the amount and employees that will transfer from the PMT staff to the Department of Watershed Management staff.

6. Councilmember Adrean requested a report on fines for spills in 2011 and 2012, by the next Committee meeting, 11/13/12. (12-R-1501)

REQUESTED ITEMS (CONT'D)

7. 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.

8. Councilmember Martin asked Commissioner Macrina to provide a copy of the PMT contract and the percentage of MBE participation associated with the contract.

9. Councilmembers Smith and Martin asked Commissioner Mendoza to provide recruitment information used to fill vacancies within the department.

10. Councilmember Martin made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.

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

Respectfully Submitted:

Fredrieca Cooper
Legislative Assistant

Alfred Berry, Jr.
Research and Policy Analyst

The Honorable Natalyn M. Archibong, Chair
City Utilities Committee