

**CITY UTILITIES COMMITTEE**

**MINUTES**

**JANUARY 10, 2012**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, January 10, 2011 at 9:45 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 following member was absent:

**The Honorable H. Lamar Willis**

Others present at the meeting were: Councilmember Joyce Sheperd; Stephanie Grant, Michael Patrick McShane, Marc Goncher, Roger Bhandari and Renee Sheperd, Law Department; Commissioner Richard Mendoza; Department of Public Works; Commissioner Jo Ann J. Macrina, Deputy Commissioners Eric Glover; Sharon Matthew; Department of Watershed Management; John Lavelle, Director of Real Estate Portfolio members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:45 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. ELECTION OF VICE-CHAIR - Councilmember C. T. Martin made a motion to elect Councilmember Aaron Watson as Vice-Chair. The vote was unanimous**

**D. PUBLIC HEARING - ORDINANCE FOR SECOND READING**

- 11-O-1807 ( 1) An Ordinance by City Utilities Committee to abandon that portion of Lindbergh Drive and being more specifically described in the attached Exhibits "A-1 and A-2" lying and being in Land Lots 48 and 59 of the 17<sup>th</sup> District, Fulton County, Georgia; waiving certain provisions of the Code of Ordinances; and for other purposes. **(Public Hearing held 1/10/12)**  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**E. ORDINANCES FOR SECOND READING**

- 11-O-1805 ( 1) An Ordinance by City Utilities Committee authorizing the release of a certain Sanitary Sewer Easement, said Easement being located on the property known as 2690 Metropolitan Parkway, Atlanta, Georgia; authorizing the Mayor or his designee to execute a Quitclaim Deed or other documents necessary to effectuate such release; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-O-1806 ( 2) An Ordinance by City Utilities Committee authorizing the release of a certain Storm Sewer Easement in exchange for certain improvements to the City of Atlanta Storm Water System, said easement being located on the property known as 4225 Harris Trail, Atlanta, Georgia; authorizing the Mayor or his designee to execute a Quitclaim Deed or other documents necessary to effectuate such release; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-O-1808 ( 3) An Ordinance by City Utilities Committee authorizing the Mayor of his designee to execute documents that would grant permanent easement rights to the Georgia Power Company across three tax parcels owned by the City of Atlanta and under the purview of the Department of Watershed Management that are located in the Land Lot 150 and 151 on the 17<sup>th</sup> District of Fulton County; and for other purposes.

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

**FAVORABLE**

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

- 11-O-1809 ( 4) An Ordinance by City Utilities Committee authorizing the Mayor or his designee to execute documents that would grant permanent easement rights to the Georgia Power Company across city-owned property associated with Fire Station 25 at 2349 Benjamin E. Mays Drive in Land Lot 183 of the 14<sup>th</sup> District of Fulton County; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-O-1810 ( 5) An Ordinance by City Utilities Committee authorizing the Mayor of his designee to execute documents that would grant permanent easement rights to the Georgia Power Company across city-owned property associated with the Atlanta Fire Training Facility on Claire Drive in Land Lot 72 of the 14<sup>th</sup> District of Fulton County; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**F. RESOLUTIONS**

- 12-R-0011 ( 1) A Resolution by City Utilities Committee 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, and adjusting electrical and communication facilities owned by Georgia Power for the completion of Phase Two of the Cascade/Mays Streetscape Project in an amount not to exceed \$33,435.00; with all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 12-R-0012 ( 2)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to appropriate Year Four (4) funding in an amount not to exceed \$8,400,000.00 for FC-4343, Program Management Services with MWH/Khafra, JV on behalf of the Department of Watershed Management; all contracted work will be charged to and paid from the Fund, Department Organization and Account Number and PTAE0 listed; and for other purposes.  
**(Councilmember Martin made a motion to forward with no recommendation on condition as amended.)**

**FORWARDED WITH NO RECOMMENDATION ON  
CONDITION AS AMENDED**

**G.     ORDINANCE FOR FIRST READING**

- 12-O-0010 ( 1)     An Ordinance by City Utilities Committee authorizing the purchase of permanent and temporary construction easements and the necessary rights-of-way from various property owners for the completion of the Peachtree Road Corridor Project Phase 3, and to authorize the Mayor or his designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to and including condemnation proceedings; to authorize the City Attorney or her designee to institute condemnation proceedings pursuant to the Declaration of Taking Method authorized by O.C.G.A Section 32-3-4; to authorize the City Attorney to use the services of outside counsel, where necessary to handle condemnation proceedings; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**H. 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**

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**

**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)**

**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**

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

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**

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)**

**HELD**

11-O-1632 ( 8) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (Water & Wastewater Renewal and Extension Fund) (5052) Budget, in the amount of \$8,400,000.00 to transfer funds from the Water & Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for the Supplemental Program Management Services Project; and for other purposes.  
**(Councilmember Martin made a motion to forward with no recommendation on condition as amended.)**

**FORWARDED WITH NO RECOMMENDATION ON  
CONDITION AS AMENDED**

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

11-O-1840 (9) An Ordinance by Councilmember Joyce Sheperd **as substitute by City Utilities Committee** amend Sections 302, 303, 306, and 310 of the Article VII of Chapter 74 entitled "Riparian Buffer Requirements" to encourage redevelopment that improves stream buffers on lots of record created before the adoption of the City of Atlanta;s first ordinance protecting stream buffers; and to encourage use of green infrastructure to mitigate impacts of authorized encroachments; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

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

**I. 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 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.)
4. Councilmember Archibong requested that the staff schedule visit to all of the Department of Watershed facilities.
5. 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.
6. Councilmember Willis requested the Department of Public Works provide answers on who and why the City would waive Encroachment Fees. Does the department know how many existing encroachments there are?

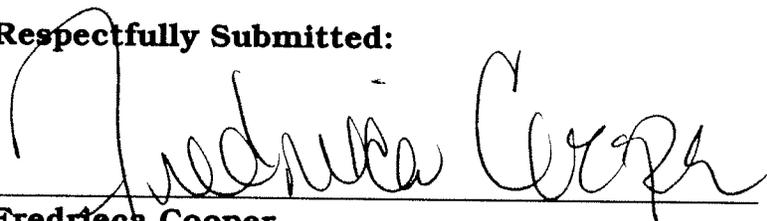
**REQUESTED ITEMS (CONT'D)**

7. Councilmember Willis requested the Department of Public Works to provide data on its safety program and how the data is analyzed?
8. Councilmember Adrean requested a list of the infrastructure in need of repair and a 5 Year Financial Plan from the Department of Watershed Management.
9. Councilmember Willis request an updated list of the City's take home vehicles.

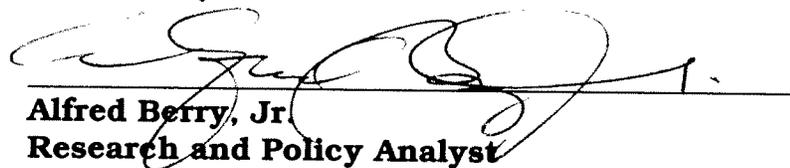
**City Utilities Committee Minutes  
January 10, 2012  
Page Ten**

**There being no further business to come before the Committee, the meeting adjourned at 11:09 a.m.**

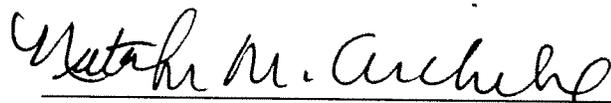
**Respectfully Submitted:**



**Fredrica Cooper  
Legislative Assistant**



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



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