

# CITY UTILITIES COMMITTEE

## MINUTES

MARCH 22, 2012

2:00 P.M.

The regularly scheduled meeting of the City Utilities Committee held on **Thursday, March 22, 2012 at 2:10 p.m., in Committee Room #2.** The following members were present:

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

The following member was absent:

**The Honorable C. T. Martin**

Others present at the meeting were: Stephanie Grant, Michael Patrick McShane, Renee Sheperd, Marc Goncher and M. Theresa Stewart, Law Department; Commissioner Richard Mendoza, Deputy Commissioner, Dexter White; Department of Public Works; Commissioner Jo Ann J. Macrina, Deputy Commissioner Frank Stephens, Susan Rutherford; Department of Watershed Management; Katrina Taylor Parks, Office of the Mayor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 2:10 p.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. COMMUNICATION**

12-C-0378 ( 1) A Communication by Mayor Kasim Reed appointing **Ms. Nicole G. Iannarone** to serve as a member of the Keep Atlanta Beautiful Commission. This appointment is for a term of two (2) years, to begin on the date of Council confirmation.  
**(Councilmember Archibong made a motion to forward to Committee on Council with no recommendation)**

**FORWARDED WITH NO RECOMMENDATION - REFERRED TO COMMITTEE ON COUNCIL**

**D. ORDINANCES FOR SECOND READING**

- 12-O-0292 ( 1) An **Amended** Ordinance by City Utilities Committee authorizing the acquisition of certain property having an address of 0 Bowen Circle, Atlanta, GA and a Fulton County Tax Identification Number of 14-0073-LL-074-9 through the exercise of condemnation, pursuant to the Declaration of Takings Method, O.C.G.A. §22-3-140 or other condemnation method, as may be applicable pursuant to O.C.G.A. §22-2-1 et seq. to complete the McDaniel Branch Watershed Improvement Project, pursuant to the requirements of the City's cost sharing agreement with U. S. Corps of Engineers for the McDaniel Branch Wetland Improvement Project and to meet the City's Wastewater permitting requirements; to authorize the City Attorney, or her designee, to institute condemnation proceedings to acquire the property, including use of outside counsel where necessary for an amount not to exceed \$210,000.00; that all amounts associated with these actions shall be charged to and paid from the listed Fund Department, Organization and Account Numbers and PTAE0 Numbers; and for other purposes.  
**(Councilmember Willis made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

- 12-O-0440 ( 2) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 154 of the City of Atlanta Code of Ordinances for the purpose of amending and restating the organizational structure of the Department of Watershed Management and various operating bureaus within the department; and for other purposes.  
**(Councilmember Archibong made a motion to hold at the Department request)**

**HELD**

**E. RESOLUTIONS**

- 12-R-0390 ( 1) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute an Intergovernmental Agreement between the City of Atlanta and Fulton County for the design, right-of-way, relocation and construction of public facilities within both the City of Atlanta and Unincorporated Fulton County within the Danforth Road Sidewalk Improvements Project Limits; and for other purposes.  
**(Councilmember Willis made a motion to approve)**

**FAVORABLE**

- 12-R-0441 ( 2) A Resolution by Councilmember Kwanza Hall authorizing the Mayor or his designee to accept fourteen (14) thirty-six (36) gallon solid steel trash receptacles valued in an amount not to exceed \$14,000.00 from the Wingate Management, Inc. for use in the Boulevard Corridor between Ponce de Leon Avenue and Edgewood Avenue; and for other purposes.  
**(Councilmember Willis made a motion to approve)**

**FAVORABLE**

**F. ORDINANCE FOR FIRST READING**

- 12-O-0391 ( 1) An Ordinance by City Utilities Committee to fix a schedule for monthly water and sewer rates and charges for the City of Atlanta, Georgia, as authorized by Chapter 154, Article III, Division 3, Sections 154-111 and 154-112 (Water Rates and Charges) and Chapter 154, Article V, Division 3, Sections 154-276 and 154-227 (Sewer Rates and Charges) for the time period beginning July 1, 2012 and terminating June 30, 2016; to establish a formula for fixing rates after June 30, 2016, when not otherwise established by Atlanta City Council; and pursuant to Atlanta City Code Chapter 154,

**ORDINANCE FOR FIRST READING (CONT'D)**

Article III, Division 3 (Rates, Charges and Related Matters), Sections 111 (Authority to Fix Water Rates) and 112 (Established) to set a separate rate for customers with meters or devices that have been granted exemptions from the sewer services charge pursuant to Atlanta City Code Chapter 154, Article V, Division 3 (Rates and Charges), Section 277, (Sewer Service Charge), Subsection (E), to encourage conservation of water resources; and for other purposes. **(To be advertised for a Public Hearing)**

**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 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

**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 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)**

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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 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)**
- 12-R-0221 ( 7) A Resolution by Councilmembers Natalyn M. Archibong 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 2/14/12)**
- 12-O-0357 ( 8) 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)**

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

12-R-0376 ( 9)     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)**

**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 made a request to start a Sidewalk Subcommittee and report back to the committee next meeting. (Councilmember Shook will 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 Willis request an updated list of the City's take home vehicles.
6.     Councilmember Adrean requested the backlog of cases for the Water and Sewer Appeals Board and the name of the person in charge.
7.     Councilmember Watson requested the Department of Public Works give a report to the committee on the new Recycling Plan.
8.     Councilmember Adrean requested a report on the Small Meter Audit. (findings, recommendations, cost, implementation phase, etc.)

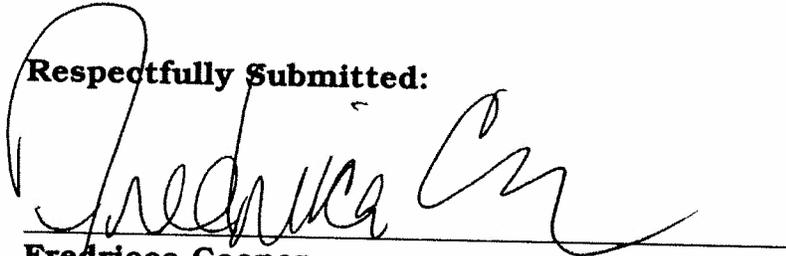
**REQUESTED ITEMS (CONT'D)**

9. Councilmember Adrean requested information on receivables, debt analysis (how it's being serviced), aging accounts, cash flow, Rating Agency Reports, how 5 Year Plan being impacted.

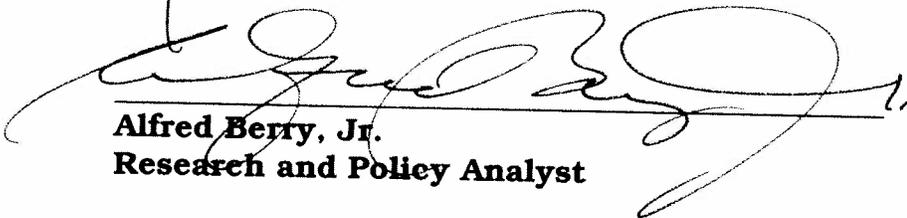
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**There being no further business to come before the Committee, the meeting adjourned at 2:42 p.m.**

**Respectfully Submitted:**



**Fredrieca Cooper**  
**Legislative Assistant**



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

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