

**CITY UTILITIES COMMITTEE**

**MINUTES**

**MAY 15, 2012**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, May 15, 2012 at 9:48 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: Michael Patrick McShane, Renee Sheperd, and Roger Bhandar, Law Department; Commissioner Richard Mendoza, Deputy Commissioner, Dexter White; Department of Public Works; Commissioner Jo Ann J. Macrina, Deputy Commissioners Frank Stephens, and Eric Glover, Sharon Matthews; Department of Watershed Management; Commissioner Jim Beard, CFO, Hebert Owens, Office of Contract Compliance; Keith Brooks, Office of Procurement; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:48 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 ONE RESOLUTION**
- B. APPROVAL OF MINUTES - APPROVED**
- C. UPDATE ON THE CITY'S VEHICLE USE POLICY**

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

- 12-O-0562 ( 1) A **Substitute** Ordinance by City Utilities Committee authorizing the Mayor or his designee to **abandon** a portion of South Colonial Homes Circles, NW, located between Colonial Homes Drive, NW and South Colonial Homes Circle, NW, consisting of approximately 0.614 acre and being more specifically described in the attached Exhibit “A” lying and being in Land Lot 111 of the 17<sup>th</sup> District, Fulton County, Georgia; and to accept the donation from Pope & Land Enterprises, LLC of approximately 0.415 acre located on South Colonial Homes Circle, NW (“The South Colonial Property”) including the City of Atlanta’s costs of due diligence and purchase services; and for other purposes.  
**(Public Hearing held 5/15/12)**  
**(Councilmember Adrean made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

**E. ORDINANCES FOR SECOND READING**

- 12-O-0560 ( 1) An **Amended** Ordinance by City Utilities Committee amending the 2012 (General Government Capital Outlay Fund) Budget, Department of Public Works by transferring to and from appropriations the amount of \$87,500.00 to provide local match funds and by adding to anticipations and appropriations from Federal Transportation Improvement Funds in the amount of \$350,000.00 and authorizing the Mayor or his designee, to execute a Project Framework Agreement between the City of Atlanta and the Georgia Department of Transportation for Design and Construction Services for SR 154/Memorial Drive Corridor Improvements Project; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

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

12-O-0561 ( 2) An Ordinance by City Utilities Committee authorizing the release of a certain storm sewer easement and related storm water facilities located on a portion of the property lying in Land Lot 65 of the 14<sup>th</sup> District of Fulton County, said facilities having no identifiable current or foreseeable public purpose; 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**

12-O-0563 ( 3) 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.  
**(Councilmember Archibong made a motion to hold.)**

**HELD**

12-O-0684 ( 4) An Ordinance by Councilmembers Keisha Lance Bottoms, C. T. Martin and H. Lamar Willis authorizing the Mayor or his designee to **rename** Herring Road, SW in its entirety to Gerald L. Durley Drive, SW and to waive Sections 138-8(b)(4)(a) (Deposit) except the cost of advertisement and 138-8(c)(1)(Age Requirement); and for other purposes. **(To be advertised for a Public Hearing)**  
**(Councilmember Archibong made a motion to hold.)**

**HELD**

12-O-0689 ( 5) An Ordinance by Councilmember Alex Wan waiving the sidewalk requirements Section of 15-09.003 of the City of Atlanta Code of Ordinances for subdivision application SD-11-006 (554 Allen Road, NE); to provide that in lieu thereof, the developer of subdivision SD-11-006 shall construct sidewalks of equal or greater length along a city owned island bounded by the intersection of Montgomery Ferry Drive, Pelham Road and Piedmont Way; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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

- 12-O-0697 ( 6)     An Ordinance by Councilmembers Natalyn M. Archibong, H. Lamar Willis, C. T. Martin, Kwanza Hall, Keisha Lance Bottoms, Carla Smith, Howard Shook, Felicia A. Moore, Michael J. Bond, Aaron Watson, Alex Wan, Joyce Sheperd and Yolanda Adrean authorizing the Mayor to enter into agreements with the State of Georgia and the United States of America, subject to approval by the Court, to modify the First Amended Consent Decree, Civil Action File No. 1:98-CV-1956-TWT; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**F.     RESOLUTIONS**

- 12-R-0648 ( 1)     A Resolution by City Utilities Committee authorizing the Mayor to execute Renewal No. 2 with Player and Company, Inc. for FC-5011, Annual Contract for Major Electrical Service and Repairs, on behalf of the Department of Watershed Management, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 12-R-0649 ( 2)     A Resolution by City Utilities Committee authorizing the Mayor to execute Renewal No. 2 with WWPS, LLC for FC-5010, Annual Contract for Major Mechanical Service and Repairs, on behalf of the Department of Watershed Management, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 12-R-0650 ( 3)      An **Amended** Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to United Consulting, Inc., for FC-4918B, Geotechnical, Environmental Engineering, Testing & Investigation Services, on behalf of the Department of Watershed Management, for Soil Remediation Services, in an amount not to exceed \$600,000.00; all contracted work shall be charged to and paid from the Fund Department, Organization and Account and PTAE0 Number listed; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

- 12-R-0651 ( 4)      A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Ruby-Collins, Inc., for FC-5653, Sandy Creek Outfall Phase 2, on behalf of the Department of Watershed Management, in an amount not to exceed \$920,867.93; all contracted work will be charged to and paid from the Fund Department, Organization and Account and PTAE0 Number listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 12-R-0652 ( 5)      A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Civil Works, Inc., for FC-5664, Sewer Rehabilitation Contract A, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,004,002.50; all contracted work will be charged to and paid from the Fund Department, Organization and Account and PTAE0 Number listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**  
**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 12-R-0653 ( 6)      A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Ruby-Collins, Inc., for FC-5652, Sandy Creek Outfall Phase 1, on behalf of the Department of Watershed Management, in an amount not to exceed \$2,061,637.95; all contracted work will be charged to and paid from the Fund Department, Organization and Account and PTAE0 Number listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 12-R-0654 ( 7)      An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Clean Water Rehab, JV (CamKen Consulting, Inc./CaJenn Construction & Rehabilitation Services, Inc.), for FC-5226, Sewer Rehabilitation Contract C, on behalf of the Department of Watershed Management, Watershed Management, in an amount not to exceed \$4,304,000.00; all contracted work will be charged to and paid from the Fund Department, Organization and Account and PTAE0 Number listed; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

- 12-R-0655 ( 8)      A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Civil Works, Inc., for FC-5665, Sewer Rehabilitation Contract B, on behalf of the Department of Watershed Management, Watershed Management, in an amount not to exceed \$966,418.50; all contracted work will be charged to and paid from the Fund Department, Organization and Account and PTAE0 Number listed; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 12-R-0696 ( 9) 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.  
**(Councilmember Archibong made a motion to hold.)**

**HELD**

**G. ORDINANCE FOR FIRST READING**

- 12-O-0647 ( 1) 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 a portion of the Lakewood Fairgrounds property currently leased by the City of Atlanta to Georgia Film and Television Center, LLC, said property being located at 175 Lakewood Way in Land Lot 71 of the 14<sup>th</sup> District of Fulton County; 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**

**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 14<sup>th</sup> District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and

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

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**

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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)**

**HELD**

- 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)**

**HELD**

- 12-O-0391 ( 9) A **Substitute** 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, Article III, Division 3 (Rates, Charges and Related

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

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. **(Public Hearing held 5/1/12) (Substituted and held 5/1/12 for further review)**

- 12-O-0440 (10) 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. **(Held 3/22/12 at the Department request)**

**HELD**

- 12-R-0565 (11) A Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to BGR, a Joint Venture, for FC-4906C, Architectural, Engineering and Design Services, on behalf of the Department of Watershed Management, for Architectural and Engineering Services in an amount not to exceed \$1,991,000.00; all contracted work shall be charged to and paid from the listed Fund Department, Organization and Account and PTAE0; and for other purposes. **(Councilmember Archibong made a motion to approve on condition)**

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

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

- 12-R-0566 (12) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to JP2, a Joint Venture, for FC-4906E, Architectural, Engineering and Design Services, on behalf of the Department of Watershed Management, for Architectural and Engineering Services in an amount not to exceed \$3,797,217.00; all contracted work shall be charged to and paid from the listed Fund Department, Organization and Account and PTAE0; and for other purposes. **(Substituted and held 5/1/12 for further review)**  
**(Councilmember Archibong made a motion to approve on substitute on condition)**

**FAVORABLE ON SUBSTITUTE ON CONDITION**  
**(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 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 Watson requested the Department of Public Works give a report to the committee on the new Recycling Plan.
6. Councilmember Adrean requested a report on the Small Meter Audit. (findings, recommendations, cost, implementation phase, etc.)

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

7. 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.
8. Councilmember Archibong requested that the Department of Watershed facilities provide the committee with a comprehensive overview of its master plans:
  - How many plans are there
  - What has been delivered
  - What is expected to be delivered and when
  - Was the \$7.4 million all the funds needed
9. Councilmember Watson requested the Department of Watershed Management to give a report on the

**J. LEGISLATIVE ITEM NOT ON THE AGENDA**

**RESOLUTION**

12-R-0703 ( 1)

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A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture, for FC-4906D, Architectural, Engineering and Design Services, on behalf of the Department of Watershed Management, for Architectural and Engineering Services in an amount not to exceed \$1,239,444.00; all contracted work shall be charged to and paid from the listed Fund Department, Organization and Account and PTAE0; and for other purposes.

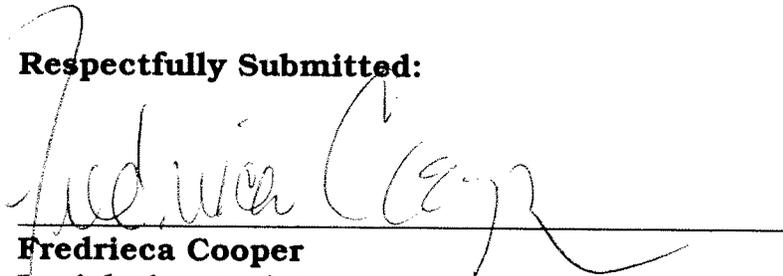
**(Councilmember Archibong made a motion to approve on condition)**

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

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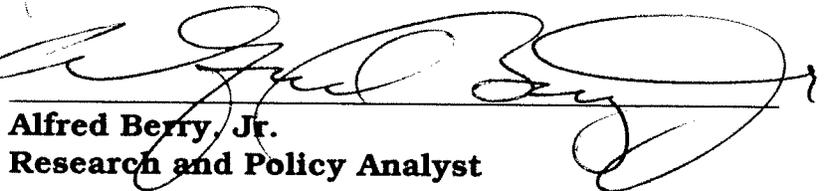
**There being no further business to come before the Committee, the meeting adjourned at 12:21 p.m.**

**Respectfully Submitted:**



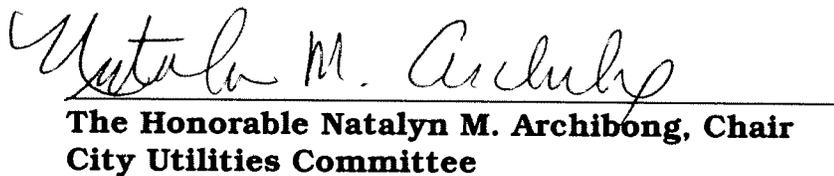
A handwritten signature in cursive script, appearing to read "Fredrieca Cooper", written over a horizontal line.

**Fredrieca Cooper  
Legislative Assistant**



A handwritten signature in cursive script, appearing to read "Alfred Berry, Jr.", written over a horizontal line.

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



A handwritten signature in cursive script, appearing to read "Natalyn M. Archibong", written over a horizontal line.

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