

CITY UTILITIES COMMITTEE

MINUTES

JANUARY 29, 2013

9:30 A.M.

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, January 29, 2013 at 9:37 a.m., in Committee Room #2.** The following members were present:

The Honorable Howard Shook, Chair
The Honorable Natalyn M. Archibong, Vice-Chair
The Honorable C. T. Martin
The Honorable Yolanda Adrean
The Honorable Alex Wan
The Honorable Carla Smith
The Honorable Aaron Watson

Others present at the meeting were: Lem Ward, Stephanie Grant, Michael Patrick McShane, Marc Goncher, Renee Sheperd and Roger Bhandari, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover, Mike Geisler and Frank Stephens, Susan Rutherford, 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.

Chairman Shook called the meeting to order at 9:37 a.m. after declaring a quorum present. He 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. ELECTION OF VICE-CHAIR - Councilmember Howard Shook made a motion to elect Councilmember Natalyn Archibong as Vice-Chair. The vote was unanimous.**
- D. 4TH QUARTER REVIEW**
 - 1. Department of Public Works
 - 2. Department of Watershed Management

City Utilities Committee Minutes
January 29, 2013
Page Two

E. PUBLIC HEARING – ORDINANCE FOR SECOND READING

- 13-O-0002 (1) An Ordinance by City Utilities Committee authorizing the **abandonment** of any and all remaining portions of Alexander Street between Marietta Street, NW, Ivan Allen Boulevard and Luckie Street, NW and being more specifically described in the attached Exhibit “A”, said property lying and being in Land Lot 79 of the 14th District, Fulton County, Georgia; and for other purposes. **(Public Hearing held 1/29/13)**
(Councilmember Smith made a motion to approve)

FAVORABLE

F. ORDINANCES FOR SECOND READING

- 13-O-0003 (1) An **Amended** 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 \$170,374.00; to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to Appropriations for Global Positioning System Units (GPS) and Monitoring; and for other purposes.
(Councilmember Smith made a motion to approve as amended)

FAVORABLE AS AMENDED

- 13-O-0166 (2) An Ordinance by Councilmember Yolanda Adrean correcting Ordinance Number 12-O-0562 which abandoned a portion of South Colonial Homes Circle, NW, located between Colonial Homes Drive, NW and South Colonial Homes Circle, NW in exchange for conveyance of approximately 0.415 acre located on South Colonial Homes Circle, NW; and for other purposes.
(Councilmember Adrean made a motion to approve)

FAVORABLE

ORDINANCES FOR SECOND READING (CONT'D)

- 13-O-0168 (3) An Ordinance by Councilmember Howard Shook to exchange real property proposed for improvement as right-of-way to extend Lakeside Drive and Wright Avenue for real property proposed for improvement as right-of-way to extend Lakeside Drive and Wright Avenue in a new configuration; to authorize the Mayor to enter into an agreement for construction of streets on the new right-of-way in exchange for Impact Fee Credits; to clarify certain language in Ordinance 07-O-1928; and for other purposes.
(Councilmember Shook made a motion to approve)

FAVORABLE

- 13-O-0171 (4) An Ordinance by Councilmembers H. Lamar Willis and Aaron Watson **as amended by City Utilities Committee** authorizing the purchase of Permanent and Temporary Construction Easements and the acquisition of real property located in the City of Atlanta, Fulton County, Georgia and identified on Exhibit A, attached to this Ordinance and incorporated herein, and the waiver of Article X, Division 14, Sections 2-1541(d) and 2-1545(d) of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, for the purposes of certain improvements in connection with the Atlanta Streetcar Project; costs associated with the referenced easements and real property acquisition to be charged to and paid from the listed Fund, Department/Organization, Account and Function Activity Numbers; and for other purposes.
(Councilmember Wan made a motion to approve as amended)

FAVORABLE AS AMENDED

City Utilities Committee Minutes

January 29, 2013

Page Four

G. RESOLUTIONS

13-R-0117 (1) A Resolution by City Utilities Committee 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 the Georgia 400 Greenway Trail Project; and for other purposes.

(Councilmember Adrean made a motion to approve)

FAVORABLE

13-R-0118 (2) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee to issue a Task Order to Arcadis/Brindley, Pieters & Associates, Inc., a Joint Venture for FC-4906A, Architectural, Engineering and Design Services, for Post Closure Care and Landfill Maintenance of City owned Landfills in an amount not to exceed \$1,105,314.00; all contracted work will be charged to and paid from the listed Fund, Department, Organization and Account Number; and for other purposes.

(Councilmember Adrean made a motion to approve as amended)

FAVORABLE

13-R-0120 (3) An **Amended** Resolution by City Utilities Committee authorizing Renewal No. 2 with Clark Maintenance and Supplies, Inc., for FC-5114, Annual Contract for Fleet Maintenance Service, on behalf of the Department of Watershed Management For Time Only; and for other purposes.

(Councilmember Martin made a motion to approve as amended)

FAVORABLE AS AMENDED

H. ORDINANCE FOR FIRST READING

- 13-O-0119 (1) An Ordinance by City Utilities Committee amending Chapter 154 of the City of Atlanta Code of Ordinances for the purpose of establishing the City of Atlanta Care and Conserve Grant Program, together with applicable provisions governing the Program; authorizing the use of certain Water and Sewer Revenues for the purpose of funding the Care and Conserve Program; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

I. 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

PAPERS HELD IN COMMITTEE (CONT'D)

(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)**

- 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)**

City Utilities Committee Agenda

January 29, 2013

Page Seven

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-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-1597 (9) 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)**

City Utilities Committee Agenda

January 29, 2013

Page Eight

PAPERS HELD IN COMMITTEE (CONT'D)

12-R-1646 (10) 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)**

12-O-1761 (11) A **Substitute** 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.
(Councilmember Smith made a motion to approve on substitute

FAVORABLE ON SUBSTITUTE

J. 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 next meeting will be held Thursday, February 14, 2013 from 5:30 to 7:00 p.m. in Committee Room #1.
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.

City Utilities Committee Minutes

January 29, 2013

Page Nine

REQUESTED ITEMS (CONT'D)

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 Adrean requested a report on fines for spills in 2011 and 2012, by the next Committee meeting, 11/13/12. (12-R-1501)
6. Councilmember Martin asked Commissioner Macrina to provide a copy of the PMT contract and the percentage of MBE participation associated with the contract.
7. Councilmembers Smith and Martin asked Commissioner Mendoza to provide recruitment information used to fill vacancies within the department.
8. Councilmember Martin made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.

K. LEGISLATION NOT ON AGENDA

RESOLUTION

13-R-0176 (1)

A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into a Construction Agreement with CSX Transportation, Inc., to provide Engineering Design, Construction Inspection and Flagging Services for the West Lake Avenue Bridge over CSXT Project; to enter into an agreement with Engineered Restorations, Inc., to perform all applicable construction services pursuant to the CSXT Agreement, on behalf of the Department of Public Works; and for other purposes.

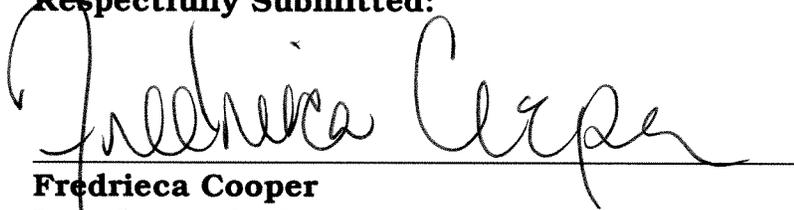
(Councilmember Martin made a motion to approve)

FAVORABLE

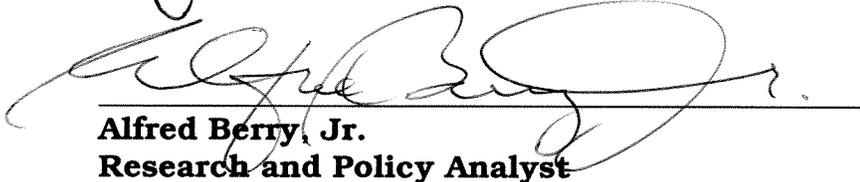
**City Utilities Committee Minutes
January 29, 2013
Page Eleven**

There being no further business to come before the Committee, the meeting adjourned at 12:15 p.m.

Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



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



**The Honorable Howard Shook, Chair
City Utilities Committee**