

CITY UTILITIES COMMITTEE

MINUTES

FEBRUARY 26, 2013

9:30 A.M.

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, February 26, 2013 at 9:33 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 Yolanda Adrean
The Honorable Alex Wan
The Honorable Carla Smith
The Honorable Aaron Watson

The following member was absent:

The Honorable C. T. Martin

Others present at the meeting were: Stephanie Grant, Michael Patrick McShane, Marc Goncher, Renee Sheperd and Roger Bhandari, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover, Margaret Tanner and Frank Stephens, Department of Watershed Management; Commissioner Richard Mendoza, 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 9:33 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. **ADOPTION OF AGENDA - ADOPTED AS AMENDED A BRIEFING ON THE FACILITY COMPLIANCE AND RELIABILITY ASSESSMENT - DEPARTMENT OF WATERSHED MANAGEMENT**
- B. **APPROVAL OF MINUTES - APPROVED**

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CONSENT

C. ORDINANCES FOR FIRST READING

13-O-0303 (1) 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 of \$3,567,500.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve and add to Appropriations for both the Hemphill Reservoir #1 Embankment Repair Project and the Intrenchment Creek WRC Decommissioning Safety and Security Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

13-O-0304 (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 of \$16,200,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund General Reserve for Appropriations and add to Appropriations for the Water Distribution Improvement Northeast and Northwest Quadrant Projects; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

D. ORDINANCE FOR SECOND READING

13-O-0190 (1) An Ordinance by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to waive the provisions contained in Chapter 138, Article II, Division 6, Section 138-60 entitled "Flags, Banners, Signs, Displays" of the City of Atlanta Code of Ordinances and specifically waiving the Banner Deposit Fee of \$1,000.00 pursuant to Code Section 138-60(a)(7), the Banner Permit Fee of \$100.00 pursuant to Code Sections 138-60(a)(8)b.1 and 138-60(a)(8)b.2 for Atlanta Jazz Festival Year 2013 and allowing the Department of Parks, Recreation and Cultural and Cultural Affairs a permit to display banners for the Atlanta Jazz Festival in the public right-of-way for Year 2013; and for other purposes.

(Councilmember Smith made a motion to approve)

FAVORABLE

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E. RESOLUTIONS

13-R-0301 (1) A Resolution by City Utilities Committee authorizing the Mayor or his designee, to enter into Amendment Agreement No. 9 with C.P. Richards Construction Company, Inc., for FC-4943A. Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters for the Barge Road at Campbellton Intersection Improvement Project, Project Number STP-0004-00(467), P. I. No. 0004467, on behalf of the Department of Public Works, in an amount not to exceed \$37,194.01; with all contracted work to be charged to and paid from Various Fund, Department, Organization and Account Numbers listed; and for other purposes.

(Councilmember Watson made a motion to approve)

FAVORABLE

13-R-0302 (2) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment No. 2 with Advanced Disposal Services Atlanta, LLC for FC-5035C, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Watershed Management, to add additional funding for year (3) of the agreement in an amount not to exceed \$976,000.00; all contracted work shall be charged to and paid from Various Fund, Department, Organization and Account Numbers listed; and for other purposes.

(Councilmember Watson made a motion to approve)

FAVORABLE

13-R-0308 (3) A Resolution by Councilmembers Ivory L. Young, Jr. and H. Lamar Willis **as amended by City Utilities Committee** authorizing the Mayor to issue a Task Order to ATC Associates, Inc. and C.E.R.M., Inc., a Joint Venture for FC-4918A, Geotechnical, Environmental Engineering, Testing and Investigation Services, on behalf of the Department of Watershed Management, for Soil Remediation Services at 310 Vine Street, NW in an amount not to exceed \$118,475.00; all contracted work shall be charged to and paid from the listed Fund, Department, Organization and Account Numbers; and for other purposes.

(Councilmember Adrean made a motion to approve as amended)

FAVORABLE AS AMENDED

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F. 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

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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 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)**

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

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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

- 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-1597 (9) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin **as substituted by City Utilities Committee** 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 \$5,000.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the Clear Creek CSO on January 30, 2013 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 Adrean made a motion to approve on substitute)**

FAVORABLE ON SUBSTITUTE

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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)**

HELD

13-O-0119 (11) A **Substitute** 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. **(Substituted and held 2/12/13 for further review)**

HELD

G. 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 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.
4. A report on the Safety Program in the Department of Watershed Management:
 - a. What the City has paid so far in claims?

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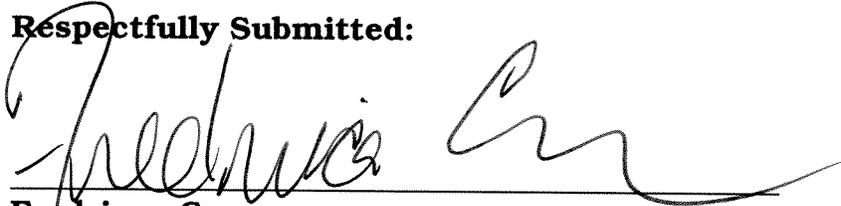
REQUESTED ITEMS (CONT'D)

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

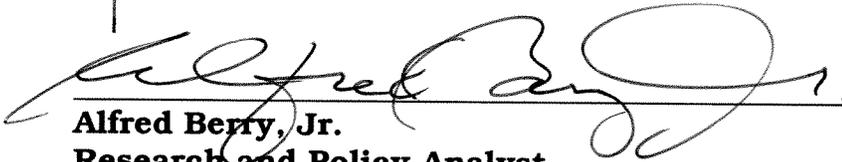
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There being no further business to come before the Committee, the meeting adjourned at 10:26 a.m.

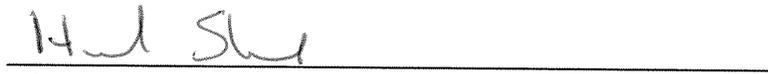
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



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


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

March 12, 2013

**2013
CITY UTILITIES COMMITTEE**

NAMES	TIME ARRIVED	TIME CONVENE	TIME DEPARTED	ADJOURNMENT
HOWARD SHOOK, CHAIR	9:31am			11:12am
NATALYN M. ARCHIBONG, VICE CHAIR	10:27am			
AARON WATSON		ABSENT		
C. T. MARTIN	9:28am			
ALEX WAN	9:30am			
YOLANDA ADREAN	9:32am			
CARLA SMITH		ABSENT		