

# CITY UTILITIES COMMITTEE

## MINUTES

**MARCH 12, 2013**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, March 12, 2013 at 9:31 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 following members were absent:

**The Honorable Carla Smith**  
**The Honorable Aaron Watson**

Others present at the meeting were: Stephanie Grant, Michael Patrick McShane, Renee Sheperd and Roger Bhandari, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover and Lee Hunt, Department of Watershed Management; Commissioner Richard Mendoza, Department of Public Works; Hans Utz, Deputy Chief Operating Officer and Katrina Taylor Parks, Deputy Chief of Staff, Office of the Mayor 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 TO ADD A BRIEF STATUS REPORT ON THE AUDIT RECOMMENDATIONS FOR THE DEPARTMENT OF WATERSHED MANAGEMENT AND DEPARTMENT OF PUBLIC WORKS - LESLIE WARD, CITY AUDITOR**
- B. **APPROVAL OF MINUTES - APPROVED**

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**C. ORDINANCES OF SECOND 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.

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

**FAVORABLE**

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.

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

**FAVORABLE**

13-O-0499 ( 3) An Ordinance by Councilmembers Howard Shook, Yolanda Adrean, Natalyn Mosby Archibong, C. T. Martin, Carla Smith, Alex Wan and Aaron Watson to amend Ordinance No. 93-O-1484 so as to provide that the City of Atlanta Solid Waste Management Authority meet periodically and declare the need to reactivate the Authority, to repeal conflicting Ordinances; and for other purposes.

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

**FAVORABLE**

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

- 13-O-0514 ( 4)     An Ordinance by Councilmember H. L. Willis authorizing the Mayor or his designee to **abandon** Honeysuckle Lane, SW located between Campbellton Road, SW and Plaza Lane, SW consisting of approximately 1.084 acres and a portion of Plaza Lane, SW between Myrtle Drive, SW continuing in an eastward direction for approximately 390.90 feet to the property line of Harmony Plaza Apartments consisting of approximately 0.916 acre and being more specifically described in the attached Exhibits "A" and "B", lying and being in the Land Lots 167 and 168 of the 14<sup>th</sup> District, Fulton County, Georgia; to waive the provisions of Section 138-9(k) of the City of Atlanta Code of Ordinances; and for other purposes. **(To be advertised for a Public Hearing 3/26/13 at 9:30 a. m. in Committee Room #2)**  
**(Councilmember Shook made a motion to hold for a Public Hearing)**

**HELD**

**D.     RESOLUTIONS**

- 13-R-0418 ( 1)     A Resolution by City Utilities Committee authorizing Renewal No. 3 with Systems & Software, Inc., for FC-5037, Maintenance and Support Agreement for Customer Information System ("CIS")/Billing System and Off-Site Billing Services for Enquesta, on behalf of the Department of Watershed Management, in an amount not to exceed \$313,472.21; all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Shook made a motion to file)**

**FILE**

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**RESOLUTIONS (CONT'D)**

- 13-R-0419 ( 2)      A Resolution by City Utilities Committee authorizing the City of Atlanta, as a Joint Venture Member of the Atlanta-Fulton County Water Resources Commission and Co-Owner of the Atlanta-Fulton County Water Treatment Plant, to exercise the Atlanta-Fulton County Water Resources Commission's Option for Renewal No. 2 for FC-6005007928, Operation and Maintenance Service of the Atlanta-Fulton County Water Treatment Facility with Veolia Water North America-South/Khafra Engineering Consultants, a Joint Venture, on behalf of the Department of Watershed Management, in an amount not to exceed \$8,832,037.14, with a fifty percent share of the Project Cost to the City of Atlanta in an amount to not exceed \$4,416,018.57; all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 13-R-0420 ( 3)      A Resolution by City Utilities Committee authorizing the Mayor, or his designee to enter into the appropriate Contractual Agreement with C. P. Richards Construction Co., Inc., for FC-5838, Greenbriar Parkway Improvement LCI Project, Project Number STP00-0004-00(466), P. I. Number 0004466, on behalf of the Department of Public Works, in an amount not to exceed \$2,097,392.19; with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 13-R-0421 ( 4) A Resolution by City Utilities Committee authorizing the Mayor, or his designee to enter into the appropriate Contractual Agreement with C. P. Richards Construction Co., Inc., for FC-5837, Headland Drive Streetscape Project, Project Number CSSTP00-0006-00(260), P. I. Number 0006260, on behalf of the Department of Public Works, in an amount not to exceed \$345,143.30; with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 13-R-0422 ( 5) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Amendment Agreement Number 10 with C. P. Richards Construction Company, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$488,617.00; with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

- 13-R-0423 ( 6) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Amendment Agreement Number 13 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$318,000.00; with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

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**D. RESOLUTIONS (CONT'D)**

13-R-0424 ( 7) A Resolution by City Utilities Committee authorizing the Mayor to appropriate additional funding for the Department of Watershed Management's share of cost pursuant to the Agreement with the United States Army Corps of Engineers ("USACE"), on behalf of the Department of Watershed Management, for the Watershed River Intake and Erosion Control Improvement Project for Defoors Island in an amount not to exceed \$200,000.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Wan made a motion to approve)**

**FAVORABLE**

13-R-0425 ( 8) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Amendment Agreement Number 9 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$488,617.02; with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

13-R-0501 ( 9) A Resolution by Councilmember Howard Shook 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 Shook made a motion to hold)**

**HELD**

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**D. RESOLUTIONS (CONT'D)**

13-R-0511 (10) A Resolution by Councilmember H. Lamar Willis **as substituted by City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 3 for FC-5037, Maintenance and Support Agreement for Customer Information System ("CIS")/Billing System and Offsite Billing Services for Enquesta with Systems & Software, Inc., on behalf of the Department of Watershed Management in an amount not to exceed \$348,608.48; 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 on substitute)**

**FAVORABLE ON SUBSTITUTE**

13-R-0512 (11) A Resolution by Councilmember H. Lamar Willis authorizing the Mayor or his designee to execute a Facilities Relocation Agreement with Georgia Power Company to relocate its facilities in conflict with construction of Atlanta Streetcar Project; and for other purposes. **(Councilmember Shook made a motion to hold)**

**HELD**

**E. 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)**

**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)**
- 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)**
- 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)**
- 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)**

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

- 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-1646 ( 9) 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)**
- 13-O-0119 (10) 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)**

**F. 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.

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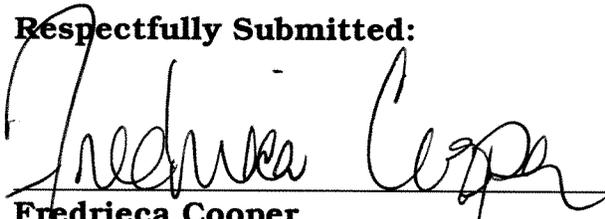
**REQUESTED ITEMS (CONT'D)**

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. Councilmember Martin made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.
8. Councilmember Wan made a request to Commissioner Macrina to provide a copy of the consultant report on the stormwater inventory to be completed in 3 months.
9. Councilmember Shook made a request to the Departments of Watershed Management and Public Works to make Quarterly Audit Reports to the City Utilities Committee on the Audit Reports' Recommendations.

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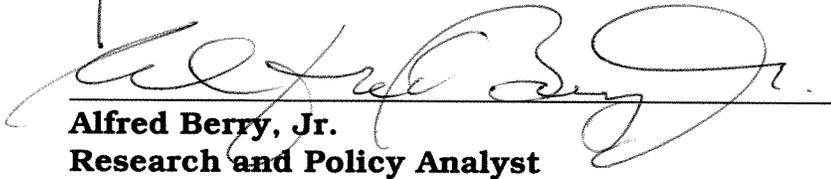
**There being no further business to come before the Committee, the meeting adjourned at 11:12 a.m.**

**Respectfully Submitted:**



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



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



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