

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**MARCH 26, 2013**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, March 26, 2013 at 9:34 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 Aaron Watson**  
**The Honorable Carla Smith**

Others present at the meeting were: Councilmember H. Lamar Willis, Peter Andrews, Stephanie Grant, Michael Patrick McShane, Renee Sheperd, Marc Goncher and Roger Bhandari, Law Department; Deputy Commissioners Eric Glover and Margaret Tanner, Department of Watershed Management; Commissioner Richard Mendoza, Deputy Commissioner, Dexter White; Department of Public Works; 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 9:34 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. PUBLIC HEARING - ORDINANCE FOR SECOND READING**

13-O-0514 ( 1) 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

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**C. PUBLIC HEARING - ORDINANCE FOR SECOND READING**

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. **(Public Hearing held 3/26/13) (Held 3/26/13 for further review)**

**D. ORDINANCE FOR SECOND READING**

- 13-O-0611 ( 1) An Ordinance by Councilmember Natalyn Archibong waiving the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances for Subdivision Application SD-12-011 (394 McWilliams Avenue, SE); to provide that in lieu of the required sidewalks at the subdivision site, the developer of the subdivision shall construct sidewalks of equal or greater length along the west side of Joseph Avenue from the end of existing sidewalk to Portland Avenue; and for other purposes.  
**(Councilmember Archibong made a motion to approve)**

**FAVORABLE**

**E. RESOLUTIONS**

- 13-R-0539 ( 1) A **Substitute** Resolution by City Utilities Committee to authorize the Mayor or his designee to enter into an Expedited Consent Order with the Environmental Protection Division, Department of Natural Resources of the State of Georgia and to authorize payment pursuant to the Consent Order in the amount of \$1,000.00 to resolve a monitoring violation of Underground Storage Tank Standards pursuant to the Georgia Rules for Underground Storage Management, Chapter 391-3-15 (GUST Rules); and for other purposes.  
**(Councilmember Wan made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE**

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**RESOLUTIONS (CONT'D)**

- 13-R-0540 ( 2) A Resolution by City Utilities Committee authorizing the Mayor or his designee, to enter into Amendment Agreement Number 11 with Precision 2000, Inc., for FC-4943C, Annual Contract to Construction 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 the listed Various Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Smith made a motion to approve)**

**FAVORABLE**

- 13-R-0603 ( 3) A Resolution by Councilmember Carla Smith **as amended 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 the Southeast Atlanta Green Infrastructure Initiative, Phase 1 Peoplestown, Mechanicsville and Summerhill in an amount not to exceed \$997,728.00; all work will be charged to and paid from listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Wan made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

**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**

**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

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

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 Clela 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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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

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-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)**

**HELD**

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)**

**HELD**

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

- 13-R-0501 (11) A Resolution by Councilmember Howard Shook **on substitute as amended by City Utilities Committee** authorizing the Mayor or his designee to enter into an agreement with the United States Environmental Protection Agency to resolve alleged violations of the Comprehensive Environmental Response, Compensation and Liability Act and the Emergency Planning and Community Right-To-Know Act; and for other purposes.  
**(Councilmember Watson motion to approve on substitute as amended)**

**FAVORABLE ON SUBSTITUTE AS AMENDED**

- 13-R-0512 (12) 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. **(Held 3/12/13 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 next Sidewalk Task Force will meet Wednesday, April 16, 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?
  - 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?

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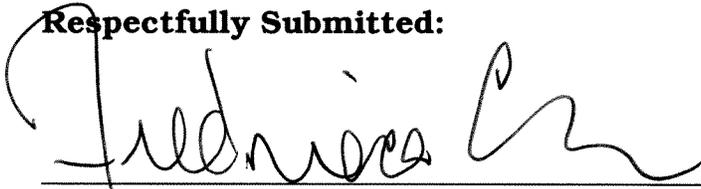
**G. REQUESTED ITEMS**

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 made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.
7. 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.
8. Councilmember Shook made a request to the Departments of Watershed Management and Public Works to make Quarterly Status Reports to the City Utilities Committee on the Audit Reports' Recommendations.

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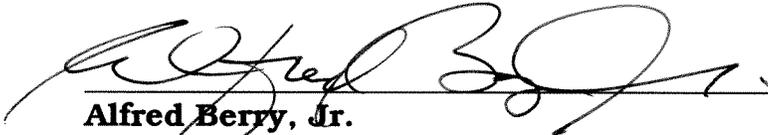
**There being no further business to come before the Committee, the meeting adjourned at 11:36 a.m.**

**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**