



# CITY UTILITIES COMMITTEE

## REGULAR COMMITTEE MEETING

~Minutes~

Atlanta City Hall  
55 Trinity Ave.  
Atlanta, GA 30303  
<http://www.atlantaga.gov/>

CITY OF ATLANTA

**Chairperson**  
The Honorable Howard Shook

Alfred Berry Jr.  
(404) 330-6313  
aberryjr@atlantaga.gov

**Tuesday, May 14, 2013**

**9:30 AM**

**Committee Room 2**

### A. CALL TO ORDER

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, May 14, 2013 at 9:34 a.m., in Committee Room #2.** The following members were present:

Attendee Name	Title	Status	Arrived
Alex Wan	Councilmember	Present	9:29 AM
Howard Shook	Chair	Present	9:29 AM
Natalyn Mosby Archibong	Vice Chair	Present	9:39 AM
Yolanda Adrean	Councilmember, District 8	Present	9:30 AM
Clarence "C. T." Martin	Councilmember	Present	9:30 AM
Carla Smith	Councilmember, District 1	Present	9:39 AM
Aaron Watson	Councilmember, Post 2 –at-Large	Present	9:32 AM

Others present at the meeting were: Councilmembers Kwanza Hall and Ivory L. Young, Jr. Peter Andrews, Stephanie Grant, Michael Patrick McShane, Renee Sheperd, Marc Goncher and Roger Bhandari, Law Department; Deputy Commissioners Eric Glover, Michael Geisler and Margaret Tanner, Department of Watershed Management; Commissioner Richard Mendoza, Deputy Commissioner, Dexter White, Santana Kempson Wright Department of Public Works; Duriya Farppqio, COO. Katrina Taylor Parks, Deputy Chief of Staff, Office of the Mayor; members of the public, press and Council Staff.

### B. INTRODUCTION OF MEMBERS PRESENT

### C. ADOPTION OF AGENDA - ADOPTED

### D. APPROVAL OF MINUTES - APPROVED

### E. PRESENTATIONS

#### 1ST QUARTER REVIEW

1. Department of Watershed Management
2. Department of Public Works  
Brother Muhammad  
Ron Shakir

**F. ORDINANCES FOR SECOND READING**

13-O-1000 (1) - An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2013 (Budget Water and Wastewater Renewal and Extension Fund) (5052) in the amount of \$555,000.00; to transfer funds from the General Reserve for appropriations and add to Appropriations for the Cathodic Protection Restoration Project and the Pipeyard Substation and Central Warehouse-Peyton Road; and for other purposes.

**RESULT: FAVORABLE**  
**MOVER:** Alex Wan, Councilmember  
**YEAS:** Wan, Shook, Adrean, Smith, Watson

13-O-1001 (2) - An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2013 Budget (Water and Wastewater Renewal and Extension Fund) (5052), in the amount of \$31,087,385.00 to transfer funds from the General Reserve for Appropriations and add to appropriations for the Intrenchment Creek WRC Decommissioning - CSO Sludge Tank Cleaning Project and the Peachtree Creek Trunk Stabilization Project; and for other purposes.

**RESULT: FAVORABLE**  
**MOVER:** Alex Wan, Councilmember  
**YEAS:** Wan, Shook, Adrean, Smith, Watson

13-O-1002 (3) - An Ordinance by City Utilities Committee authorizing the Mayor to enter into an agreement for the construction of a street on abandoned right-of-way known as Gaither Circle; and for other purposes.

**RESULT: FAVORABLE**  
**MOVER:** Yolanda Adrean, Councilmember, District 8  
**YEAS:** Wan, Shook, Archibong, Adrean, Martin, Watson

13-O-1003 (4) - An Amended Ordinance by City Utilities Committee amending the 2013 (Intergovernmental Grant Fund) budget in the Department of Public Works, by adding to anticipations and appropriations in the amount of \$2,682,493.04 to increase the budget amount authorized by The Georgia Department of Transportation for the 2013 Local Maintenance Improvement Grant; and for other purposes.

**RESULT: FAVORABLE AS AMENDED**  
**MOVER:** Carla Smith, Councilmember, District 1  
**YEAS:** Wan, Shook, Archibong, Adrean, Martin, Smith, Watson  
**Motion To: Amend**

## ORDINANCES FOR SECOND READING (CONT'D)

- 13-O-1021 ( 5) - An Ordinance by City Utilities Committee to Amend Various Sections of Chapter 74, Article VI, Flood Area Regulations of the City of Atlanta Code of Ordinances for the Purpose of Complying with the Conditions to Participate in the National Flood Insurance Program as Required by the Federal Emergency Management Agency; to Permit Construction and Land Development in Historically Modified Floodplains Under Appropriate Conditions; to Continue to Prohibit Certain Development in Traditional Floodplains; and for Other Purposes. (FORWARDED WITH NO RECOMMENDATION - 3 YEAS, 3 NAYS)

**RESULT: FORWARDED [3 TO 3]**

**MOVER:** Carla Smith, Councilmember, District 1

**YEAS:** Howard Shook, Carla Smith, Aaron Watson

**NAYS:** Alex Wan, Natalyn Mosby Archibong, Yolanda Adrean

**Motion To: Forward Without Recommendation**

- 13-O-1022 ( 6) - An Ordinance by City Utilities Committee authorizing the acceptance of a Non-Exclusive Water Utility Easement and a Sewer Utility Easement with Encroachments from the State of Georgia, by and through Its Georgia State Properties Commission, in connection with the relocation of a certain public sewer line for the College Football Hall of Fame Project; authorizing the abandonment of the existing sewer line at Such time as the relocated sewer line is accepted by the City; authorizing the Mayor or his designee to execute all appropriate documents for said Easements, Encroachments and Abandonments; and for other purposes.

**RESULT: FAVORABLE**

**MOVER:** Carla Smith, Councilmember, District 1

**YEAS:** Wan, Shook, Archibong, Adrean, Smith, Watson

- 13-O-1030 ( 7) - An Ordinance by Councilmember Yolanda Adrean waiving the Sidewalk Requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances for Subdivision Application Sd-13-004 (4466 Northside Drive, NW) to provide that in lieu of installing sidewalk at said Subdivision, 300 feet of sidewalk will be installed along the south side of Moores Mill Road starting at the Apron at 1128 Moores Mill Road; and for other purposes.

**RESULT: FAVORABLE**

**MOVER:** Aaron Watson, Councilmember, Post 2 –at-Large

**YEAS:** Wan, Shook, Archibong, Adrean, Smith, Watson

## ORDINANCES FOR SECOND READING (CONT'D)

- 13-O-1031 ( 8) - An Amended Ordinance by Councilmember Alex Wan amending the 2013 (Intergovernmental Grant Fund) Budget, in the Department of Public Works, by adding to anticipations and appropriations the amount of \$557,815.00 from the Ansley Park Civic Association; and authorizing the City of Atlanta to accept Local Match Funds for the Ansley Park Pedestrian and Streetscape Project for the purpose of Intersection and Roadway Improvements in the Ansley Park Community; and for other purposes.

**RESULT: FAVORABLE AS AMENDED**

**MOVER:** Alex Wan, Councilmember

**YEAS:** Wan, Shook, Archibong, Adrean, Martin, Smith, Watson

**Motion To: Amend**

## G. RESOLUTIONS

- 13-R-3116 ( 9) - A Resolution by City Utilities Committee authorizing the Mayor to enter into an Intergovernmental Agreement with the City of Fairburn, Georgia and the South Fulton Community Improvement District, on behalf of the Department of Watershed Management, to Relocate and/or adjust a City of Atlanta Water Main and related facilities in conjunction with the State of Georgia Department of Transportation Project #0006913 to make improvements to Oakley Industrial Boulevard from Jonesboro Road to West of Stalwart Drive; all contracted work shall be charged to and paid from Fund Department Organization and Account Number 5066 (2009A Water & Wastewater Bond Fund) 170408 (DWM Drinking Water Engineering Service) 5414002 (Facilities Other Than Buildings/Infrastructure CIP) 4440000 (Distribution) and Project Task Award Organization Expenditure and Account Number 17110893 (Utilities GDOT & Municipal) 101 (Task) 506621876 (2009A Water & Wastewater Bond Fund) COA); and for other purposes.

**RESULT: FAVORABLE**

**MOVER:** Yolanda Adrean, Councilmember, District 8

**YEAS:** Wan, Shook, Archibong, Adrean, Smith, Watson

- 13-R-3117 (10) - An Amended Resolution by City Utilities Committee authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into Contract with Midtown Community Improvement District doing business as Midtown Business Association, Inc., in an amount not to exceed \$573,897.00 for Engineering and Construction Services for certain High-Priority Bicycle Projects on 5th Street, 10th Street, Peachtree Street, and West Peachtree Street in Midtown; all work to be charged to and paid from the following Fund, Department and Account Numbers 3503 (Capital Finance Fund) 130308 (DPW Transportation Design) 5414002 (Facilities other than Bldgs/Infrastructure-CIP) 4270000 (Traffic Engineering) 110071 (Bicycle Route Sign & Marks) 1\*\* 350322037 22037 (Repurposed Bond Proceeds 2012); and for other purposes.

## RESOLUTIONS (CONT'D)

**RESULT: FAVORABLE AS AMENDED**  
**MOVER:** Aaron Watson, Councilmember, Post 2 –at-Large  
**YEAS:** Wan, Shook, Archibong, Martin, Smith, Watson  
**ABSTAIN:** Yolanda Adrean

13-R-3118 (11) - An Amended Resolution by City Utilities Committee authorizing the Mayor, or his designee, on behalf of the City Of Atlanta, to enter into Contract with the Atlanta Downtown Improvement District, Inc. in an amount not to exceed \$122,159.00 for Engineering and Construction Services for the High-Priority Bicycle Project on Peachtree Center Avenue Between Edgewood Avenue and Peachtree Street; all work to be charged to and paid from the following Fund, Department and Account Numbers 3503 (Capital Finance Fund) 130308 (DPW Transportation Design) 5414002(Facilities Other Than Bldgs/Infrastructure-CIP) 4270000 (Traffic Engineering) 110071 (Bicycle Route Sign & Marks) 1\*\* 350322037 22037 (Repurposed Bond Proceeds 2012); and for other purposes.

**RESULT: FAVORABLE AS AMENDED**  
**MOVER:** Aaron Watson, Councilmember, Post 2 –at-Large  
**YEAS:** Wan, Shook, Archibong, Martin, Smith, Watson  
**ABSTAIN:** Yolanda Adrean

13-R-3119 (12) - An Amended Resolution by City Utilities Committee authorizing the Mayor, or his designee, to issue a Task Order To Arcadis/BPA, A Joint Venture, For FC-4906a, Contract for Architectural, Engineering And Design Services, for Engineering and Construction Management Services for certain High-Priority Bicycle projects in an amount not to exceed \$135,000.00; with all contracted work to be charged to and paid from the following Fund, Department And Account Numbers 3503 (Capital Finance Fund) 130308 (DPW Transportation Design) 5212001 (Consulting/Professional Services) 4270000 (Traffic Engineering) 110071 (Bicycle Route Sign & Marks) 1\*\* 350322037 22037 (Repurposed Bond Proceeds 2012); and for other purposes.

**RESULT: FAVORABLE AS AMENDED**  
**MOVER:** Carla Smith, Councilmember, District 1  
**YEAS:** Wan, Shook, Archibong, Adrean, Martin, Smith, Watson  
**Motion To: Amend**

## H. PAPERS HELD IN COMMITTEE

(ID # 1740) (13) 10-O-1058 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)

- (ID # 1747) (14) 10-O-1059 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)
- (ID # 1751) (15) 10-O-1688 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)
- (ID # 1756) (16) 11-R-0088 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)

## PAPERS HELD IN COMMITTEE (CONT'D)

- (ID # 1752) (17) 11-O-0080 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)
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- (ID # 1758) (18) 11-O-0108 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)
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- (ID # 1759) (19) 12-R-0376 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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- (ID # 1776) (20) 13-R-0512 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)
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- (ID # 1778) (21) 13-O-0514 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 14Th 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)

## PAPERS HELD IN COMMITTEE (CONT'D)

- (ID # 1764) (22) - 12-O-0563 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)
- (ID # 1704) (23) - A Resolution by Councilmember Keisha Lance Bottoms authorizing the Mayor, or his designee, to enter into Amendment Agreement Number 12 with C.P. Richards Construction Company, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters, For Sidewalk Improvements on Barge Road from Campbellton Road to Fairburn Road and on Dodson Drive from Campbellton Road to Cascade Road in an amount not to exceed \$1,601,000.00; all contracted work to be charged to and paid from Various Fund, Department, Organization and Account Numbers; and for other purposes. (Held 4/30/13 for further review)
- (ID # 1723) (24) - A Resolution by Councilmember Howard Shook authorizing payment of 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 4/30/13)
- (ID # 1950) (25) - 13-O-0427 ( 1) An Ordinance by Community Development/Human Resources Committee to Amend Section 15-09.004 of the Land Subdivision Ordinance for the Purpose of Defining Sanitary Sewer Connection Requirements for Land Subdivisions; and for Other Purposes. (Held 4/30/13 for further review)
- 13-R-3012 (26) - A Resolution by City Utilities Committee authorizing the Mayor, or his designee, to enter into Amendment Agreement Number 2 with Thorpe Building Services, Inc., for FC-4843, Annual Contract for Security Guard Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,231,063.56; to amend the Scope of Services to add the Department of Public Works to the Contract; all contracted work to be charged to and paid from Various Fund, Department, Organization, and Account Numbers; and for other purposes. (Held 5/14/13 for further review)

13-R-3099 (27) - A Resolution authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Tabernacle Group, LLC, Owner of Real Property located at 168 Luckie Street, NW Atlanta, Georgia, for the purpose of permitting the temporary installation of a Ferris Wheel which will partially extend into the public right-of-way for approximately 23.29 feet on Luckie Street and 23.44 feet on Nassau Street, respectively; and for other purposes. (FAVORABLE - 4 YEAS, 2 ABSTENTIONS)

**RESULT: FAVORABLE [4 TO 0]**

**MOVER:** Carla Smith, Councilmember, District 1

**YEAS:** Howard Shook, Natalyn Mosby Archibong, Clarence "C. T." Martin, Carla Smith

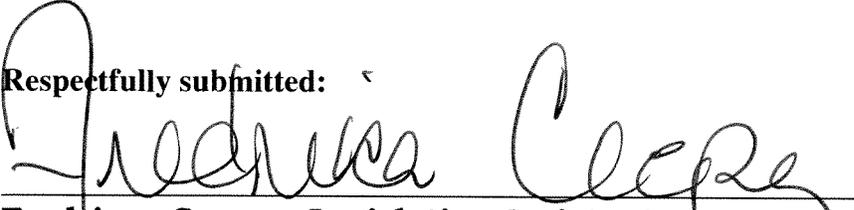
**ABSTAIN:** Alex Wan, Yolanda Adrean

#### **I. REQUESTED ITEMS**

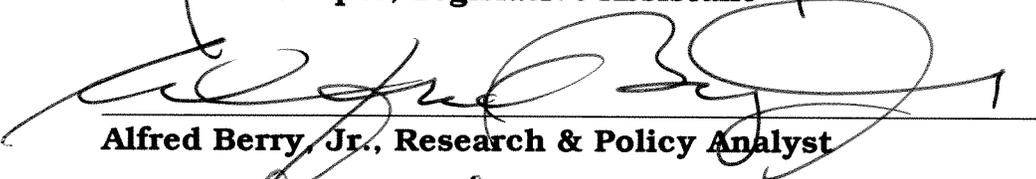
1. Councilmember Adrean requested that metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed
2. The Sidewalk Task Force met Tuesday, April 16, 2013 from 5:30 to 7:00 p.m. in Committee Room #2. The next will be held Tuesday, May 21, 2013 a 5:30 to 7:00 p.m. in Committee Room #2.
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?
5. Councilmember Martin made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.
6. 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.
7. 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.
8. Councilmember Wan made a request to the Law Department to provide clarification of the language in Section 138-9 (k)(2) of the City of Atlanta Code of Ordinances.

**There being no further business to come before the City Utilities Committee the meeting was adjourned at 1:47 PM**

Respectfully submitted: ✓



**Fredrieca Cooper, Legislative Assistant**



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



**The Honorable Howard Shook, Chair**