

A RESOLUTION

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT NO. 11 WITH AIRTRAN AIRWAYS, INC., COVERING AN EXCHANGE OF PASSENGER TICKETING FACILITIES BETWEEN AIRTRAN AIRWAYS, INC., AND US AIRWAYS, INC., UNDER THE AGREEMENT AND LEASE OF PREMISES, CENTRAL PASSENGER TERMINAL COMPLEX, HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, DATED FEBRUARY 19, 1996; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") and AirTran Airways, Inc., ("AirTran") are parties to an Agreement and Lease of Premises, Central Passenger Terminal Complex, Hartsfield Atlanta International Airport, dated February 19, 1996, incorporating Amendments No. 1 through 8, Amendment No. 9 dated March 2, 2000, and an Amendment No. 10 dated December 5, 2002, (collectively, "AirTran CPTC Lease") under which AirTran, as the successor in interest to ValuJet, occupies and uses certain premises and facilities in the North Terminal Building and on Concourse C-South in connection with its business of air transportation with respect to person, property, and mail on a scheduled basis to and from Atlanta; and

WHEREAS, AirTran's flight activity and customer service space requirement has increased markedly, and AirTran requires additional facilities to support its increased ticketing operations; and

WHEREAS, AirTran's space needs prompted a City review of North Terminal Building ticket counter utilization; which review determined that US Airways, Inc., ("US Airways") underutilizes its ticketing facilities; and

WHEREAS, the City has brokered an exchange of ticketing facilities between AirTran and US Airways, and the two airlines have agreed to exchange ticketing facilities in the North Terminal Building, and AirTran further agrees to fund and finance all of the costs associated therewith; and

WHEREAS, it is thus necessary and appropriate to amend the AirTran CPTC Lease to accomplish such an exchange by deleting certain ticketing facilities from the AirTran CPTC Lease and substituting therefore certain ticketing facilities obtained by an exchange from US Airways and other miscellaneous facilities; and

WHEREAS, the City and US Airways desire and intend to enter into an agreement amending the US Airways CPTC Lease to effectuate the exchange of ticketing facilities contemplated hereunder, and the execution of such agreement is contingent upon the execution of the amendment contemplated hereunder.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor or her designee be and hereby is authorized to execute on behalf of the City of Atlanta an Amendment No. 11 with AirTran Airways, Inc., to the Agreement and Lease of Premises, Central Passenger



Terminal Complex, Hartsfield Atlanta International Airport, as heretofore amended, which shall contain substantially the following terms and conditions:

- (1) accomplishment by AirTran of the AirTran and US Airways Ticket Counter Exchange Project, for exchange of ticketing facilities to include relocation of ticket counters, back office areas, acquisition and installation of Flight Information Display System monitors, counter inserts, signage and other equipment, all subject to prior written approval of plans and specifications therefore by the Aviation General Manager;
- (2) increase in the number of ticket counter positions leased to AirTran thereunder from 12 existing ticket counter positions to 18 total ticket counter positions; by **RELEASING** existing ticket counter and back office area, and curbside check-in facility comprising approximately 1,941.14 square feet and **RELEASING** the lower level baggage make-up device comprising approximately 4,192 square feet, as depicted on Exhibit "A" and **LEASING** ticket counter and back office area, and curbside check-in facility comprising approximately 3,363.48 square feet and **LEASING** lower level baggage make-up device comprising approximately 4,192 square feet and **LEASING** premises comprising approximately 675.83 square feet on the lower level of the North Terminal Building, as depicted on Exhibit "B";
- (3) provide for a term commencing on the first day of the month following the month in which Amendment No. 11 is signed by the Mayor for the City and continuing for the remainder of the Term of the CPTC Lease, ending September 20, 2010;
- (4) containing such other terms, conditions, and provisions as are required by federal regulations, City ordinances, or as are customarily included in amendatory agreements of a similar nature at the Airport.

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Amendment No. 11 for execution by the Mayor.

BE IT FINALLY RESOLVED that said Amendment No. 11 shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until same has been signed by the Mayor and delivered to AirTran.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

APR 21, 2003
APR 28, 2003



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25

26a

26

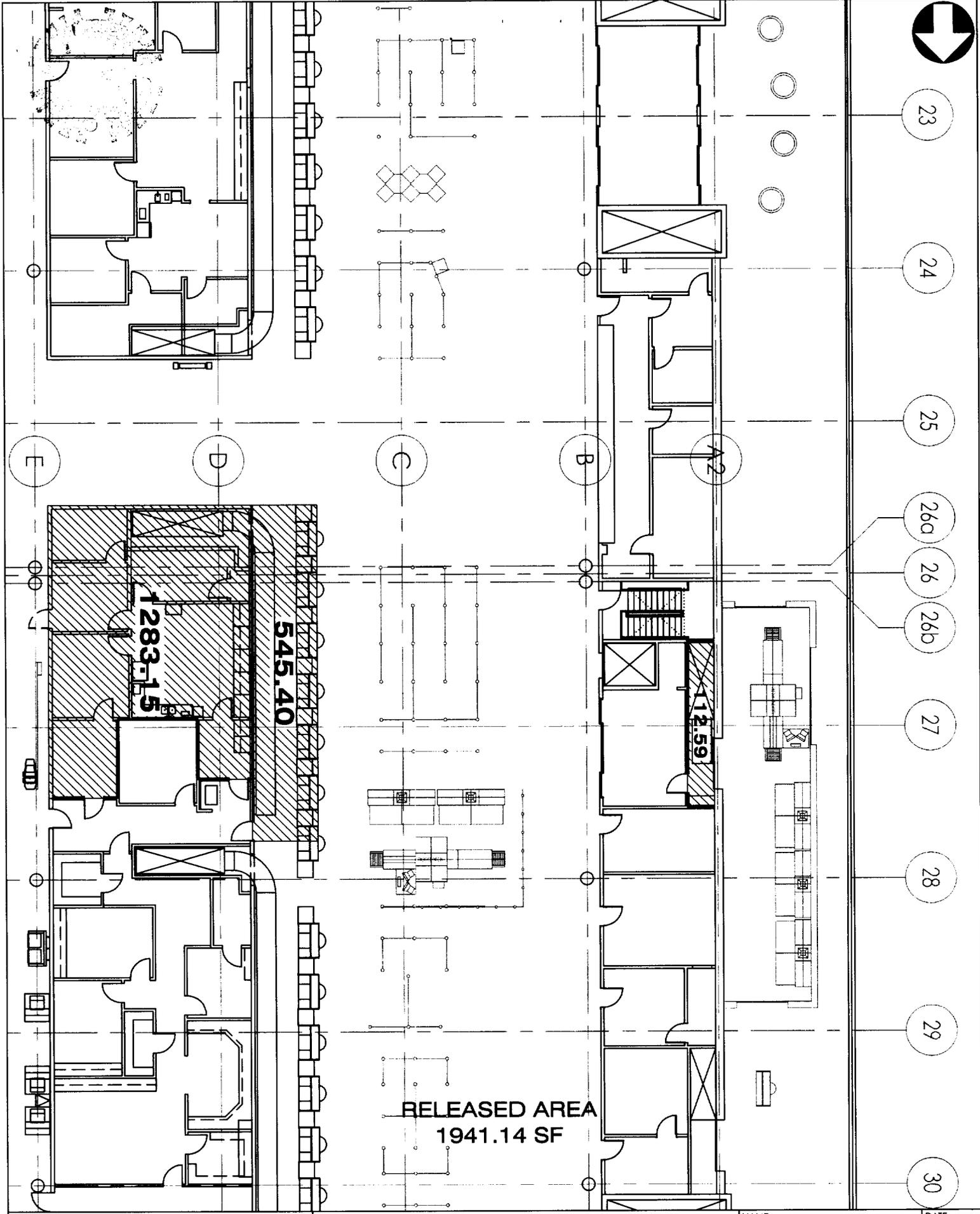
26b

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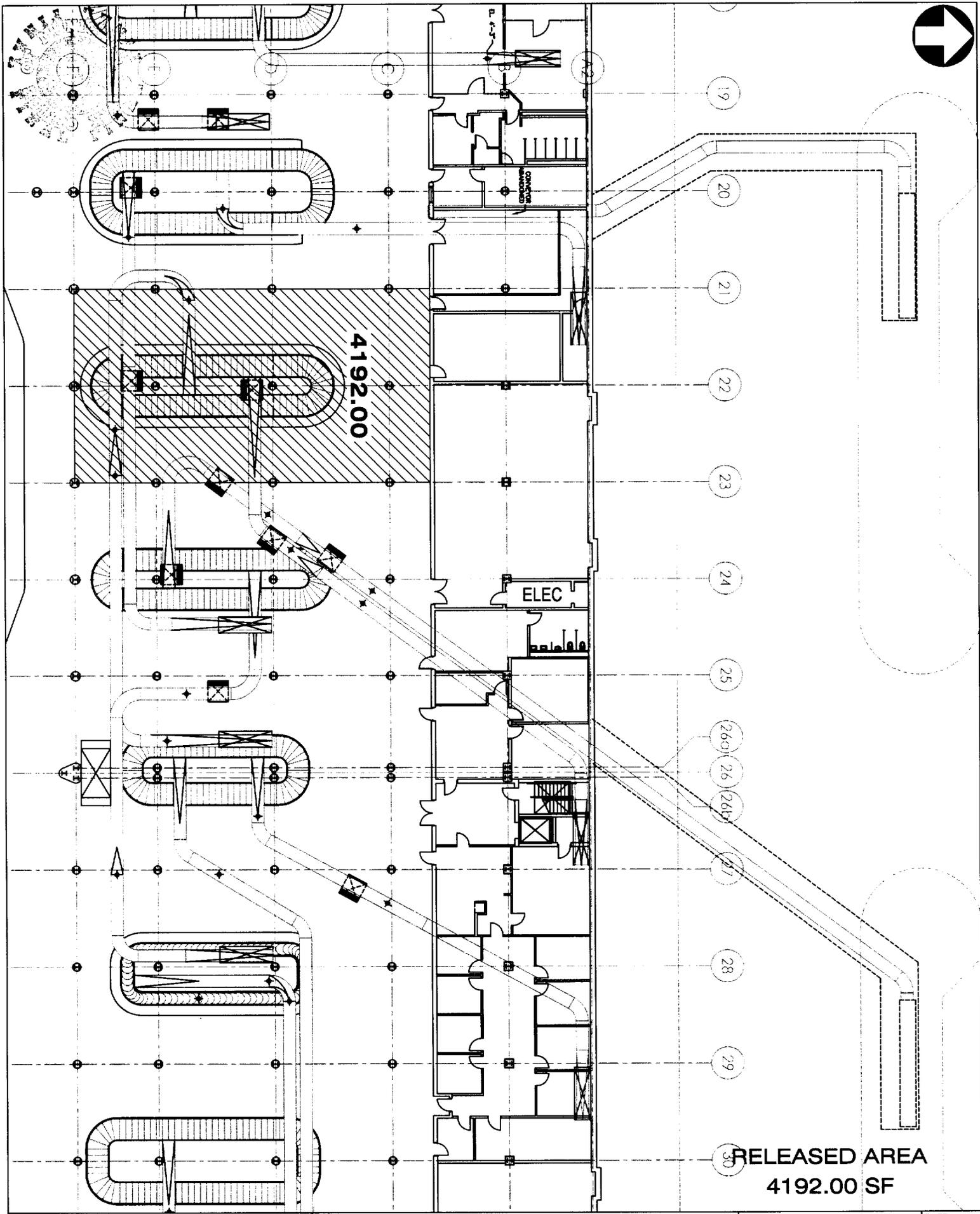
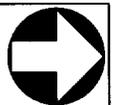


RELEASED AREA
1941.14 SF

545.40

1283.15

12.59



RELEASED AREA
4192.00 SF



Hartsfield Atlanta International Airport

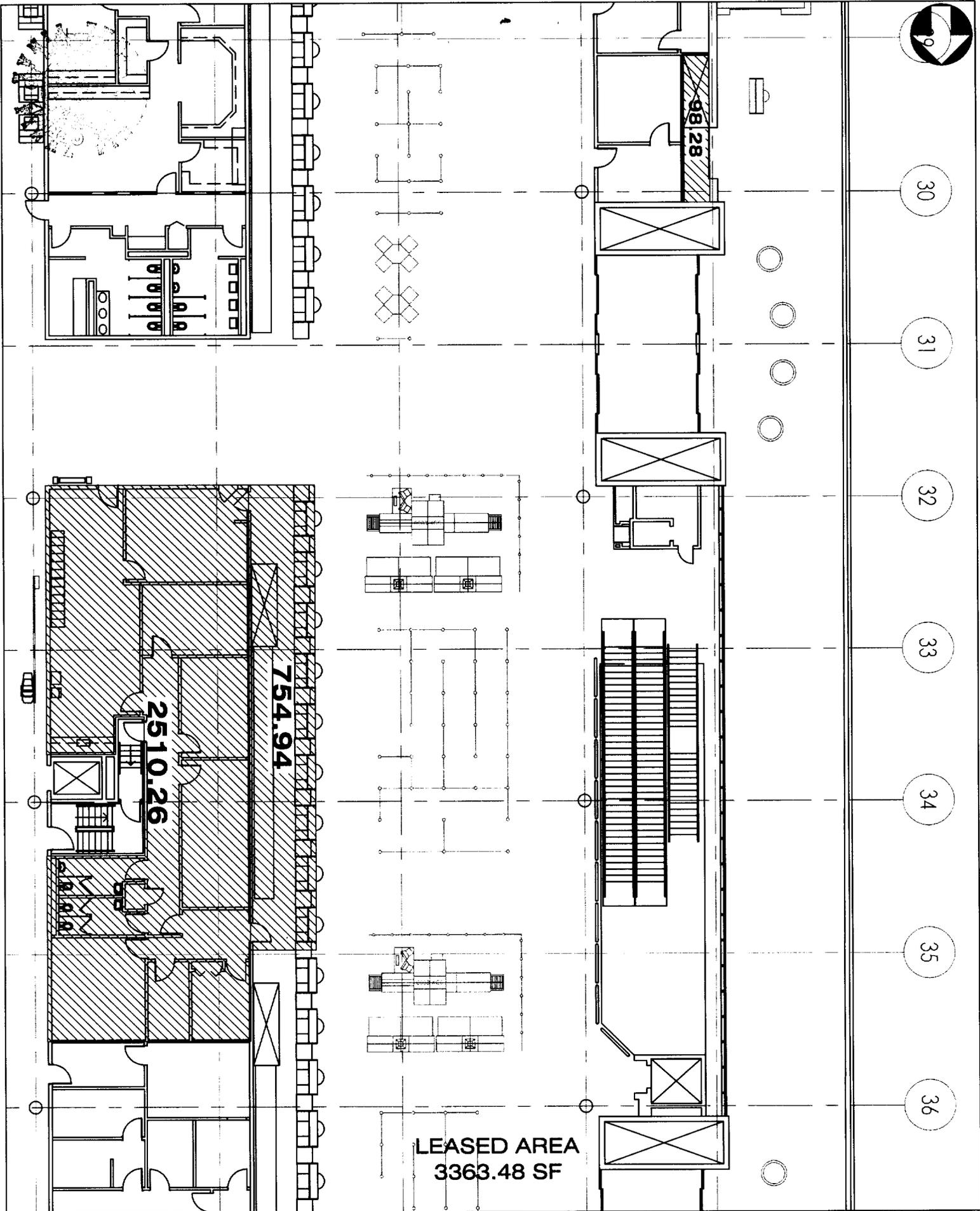
TITLE: **AIRTRAN AIRLINES**
CPTC AMENDMENT #11
LOCATION: **TERMINAL NORTH - APRON LEVEL**

NAME: **EXHIBIT 'A'**

DATE: **02/03/03**
SHEET: **1 of 1**



- 30
- 31
- 32
- 33
- 34
- 35
- 36



LEASED AREA
3363.48 SF



Hartsfield Atlanta International Airport

TITLE:

AIRTRAN AIRLINES
 OPTC AMENDMENT #11

LOCATION:

TERMINAL NORTH - TICKETING LEVEL

NAME:

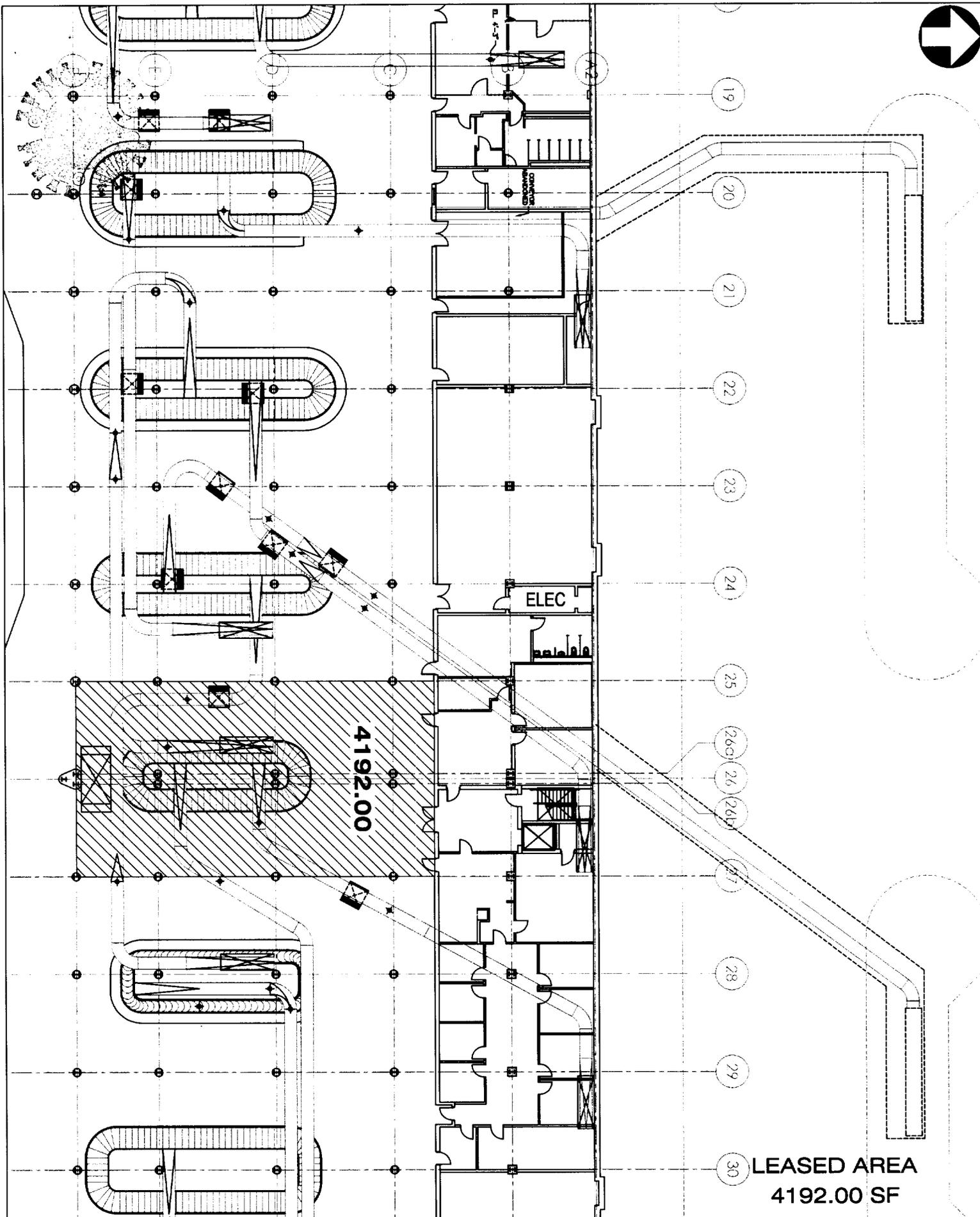
EXHIBIT B

DATE:

01/27/03

SHEET:

1 of 3



30 LEASED AREA
4192.00 SF

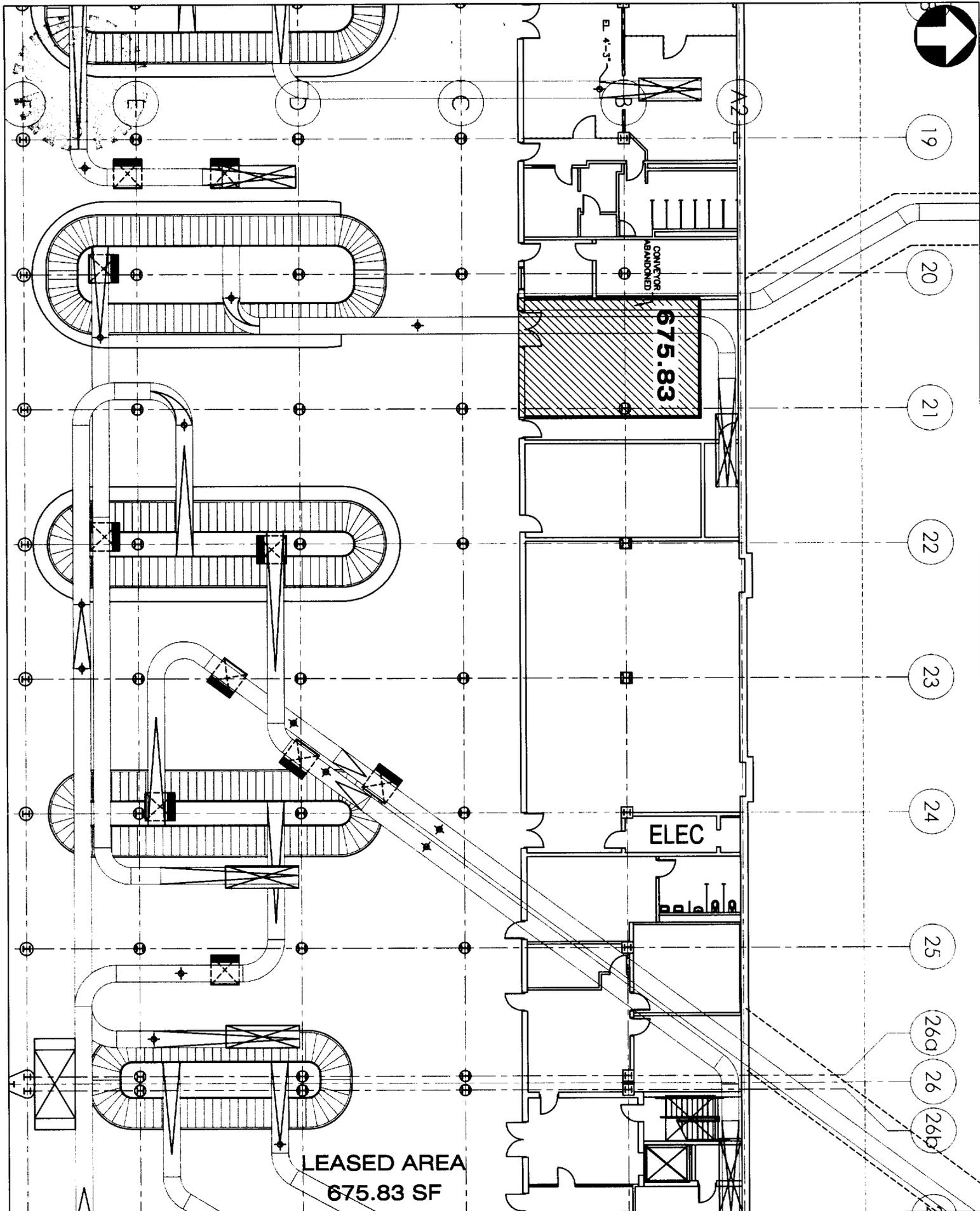


Hartsfield Atlanta International Airport

TITLE: **AIRTRAN AIRLINES**
OPTC AMENDMENT #11
LOCATION: **TERMINAL NORTH - APRON LEVEL**

NAME: **EXHIBIT 'B'**

DATE: **02/03/03**
SHEET: **1 of 1**



LEASED AREA
675.83 SF



Hartsfield Atlanta International Airport

TITLE:

AIRTRAN AIRLINES
 CPTC AMENDMENT #11

LOCATION:

TERMINAL NORTH - APRON LEVEL

NAME:

EXHIBIT B

DATE:

01/27/03

SHEET:

3 of 3

03-*R*-0544
 (Do Not Write Above This Line)

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

A RESOLUTION

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT NO. 11 WITH AIRTRAN AIRWAYS, INC., COVERING A SWAP OF PASSENGER TICKETING FACILITIES BETWEEN AIRTRAN AIRWAYS, INC., AND US AIRWAYS, INC., UNDER THE AGREEMENT AND LEASE OF PREMISES, CENTRAL PASSENGER TERMINAL COMPLEX, HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, DATED FEBRUARY 19, 1996; AND FOR OTHER PURPOSES.

ADOPTED BY

- CONSENT REFER APR 2 1 2003
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

COUNCIL

Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

Members
Debra Walker
Carla King

4/2/03
 Date
 Chair
 Action
 Fav. Adv. Hold (see rev. side)
 Other

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

CERTIFIED

CERTIFIED
 APR 2 1 2003
John D. Moore
 COUNCIL PRESIDENT PROTTEM

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED
 APR 3 1 2003
Ronald Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APR 2 8 2003

Walter Frank

104031