CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

03- R -1673

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH FIRST AMERICAN TRUST, COVERING THE LEASING TO THE CITY OF APPROXIMATELY 12,390 RENTABLE SQUARE FEET OF OFFICE SPACE LOCATED IN BUILDING 200 AT 200 TRADEPORT BOULEVARD, CLAYTON COUNTY, GEORGIA, FOR THE RELOCATION OF THE SYSTEM MAINTENANCE OFFICE AND OCCUPANCY THEREOF BY THE FEDERAL AVIATION ADMINISTRATION, FOR A COST TO THE CITY NOT TO EXCEED $3,758,100, TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H27 574001 R21E010493CG; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") and the Federal Aviation Administration (the "FAA") are parties to the Lease for the Air Traffic Control Tower (the "ATCT") site (the "ATCT Site") at Hartsfield Atlanta International Airport (the "ATCT Lease"); and

WHEREAS, the City has undertaken the design and construction of a new East International Terminal ("EIT") and related aircraft ramp, entrance roadway, and vehicle parking facilities, which project ultimately requires the surrender by the FAA to the City of all of the ATCT Site, upon completion and dedication of a new ATCT to replace the existing ATCT, which surrender will occur in phases; and

WHEREAS, at this time, the City and the FAA desire and intend to amend the ATCT Lease and memorialize the surrender of a portion of the ATCT Site needed for enabling the EIT project. That deletion will be accomplished under a companion legislation covering a Supplemental Agreement with the FAA and is contingent upon the execution of the Tradeport Lease contemplated hereunder; and

WHEREAS, the portion of the ATCT Site to be relinquished under the Supplemental Agreement contains an FAA facility known as the "System Maintenance Office" or "SMO" (formerly known as the "FAA Field Sector Office"), the taking of which and damages caused to the FAA must be mitigated and cured by the City by the provision of a facility with comparable capabilities for the remaining lease term of the supplemented ATCT Lease; and

WHEREAS, the City intends to execute a Lease Agreement between the City of Atlanta, as Lessee, and the First American Trust, as Lessor, (the "Tradeport Lease") covering the leasing by the City of approximately 12,390 rentable square feet located in Building 200, at 200 Tradeport Boulevard, Clayton County, Georgia (the "Tradeport Building"), for the relocation of the SMO and occupancy thereof by the FAA; which Tradeport Lease is the subject of this legislation; and

WHEREAS, the City, as Lessee under the Tradeport Lease, and the FAA, as Sublessee, also desire and intend to simultaneously enter into a Sublease Agreement, covering the use and occupancy of the Tradeport Building by the FAA as a replacement for the SMO (the "Tradeport Sublease"). The City and the FAA further intend to enter into a Reimbursable Agreement, as a companion to the Tradeport Sublease, covering the acquisition, installation and cost of FAA

requirements for use of the Tradeport Building under the Tradeport Sublease. The Tradeport Sublease and the Reimbursable Agreement will be accomplished under two separate companion legislations and are contingent upon the execution of the Tradeport Lease contemplated hereunder; and

WHEREAS, all of the foregoing actions and agreements are co-dependant and require the approval of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute, on behalf of the City of Atlanta, a Lease Agreement between the City of Atlanta, as Lessee, and First American Trust, as Lessor, which shall contain substantially the following terms, conditions and provisions:

1. A term effective as of November 1, 2003 and ending October 31, 2013, with options for two consecutive five-year optional renewal terms;
2. Rentals under the Lease Agreement shall commence at $10.50 per square foot per annum, escalating every year thereafter at the rate of 3%.
3. Rental shall include the base rent, taxes, insurance, CAM, maintenance of systems and general maintenance of office areas;
4. Rentals under the option terms shall be at the prevailing market rate as of the date of renewal;
5. The FAA, under the Tradeport Sublease, shall be responsible for the cost of utilities and janitorial expenses;
6. Such other terms, conditions and provisions as may be required by FAA, the City and the Lessor, or as are customarily included in similar commercial agreements.

BE IT FURTHER RESOLVED the Tradeport Lease will be at a cost to the City not-to-exceed Three Million, Seven-Hundred Fifty-Eight Thousand, One-Hundred Dollars ($3,758,100) in the aggregate over a twenty-year period; and to be charged to and paid from Fund Account Center No. 2H27 574001 R21E010493CG.

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Lease Agreement for execution by the Mayor.

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

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council OCT 20, 2003
APPROVED by the Mayor OCT 28, 2003

RCS# 5099
10/20/03
4:32 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT:03-O-1695, 03-O-1444
03-O-1689, 03-O-1493, 03-O-1494
~~RECONSIDER~~
ADOPT

YEAS:	10
NAYS:	1
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
N Young	Y Shook	Y Maddox	B Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5098
10/20/03
4:30 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I & II PGS 1-22 EXCEPT:03-O-1695
03-O-1444, 03-O-1689, 03-O-1493
RECONSIDER

YEAS:	10
NAYS:	1
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

See RCS# 5067

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
N Young	Y Shook	Y Maddox	B Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5067
10/20/03
2:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-17, EXCEPT:03-O-1695, 03-O-1444, 03-O-1689, 03-O-1493
ADOPT

Reconsidered 104 in See RCS# 5098

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

		10-20-03 Council Meeting
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 03-O-1509 2. 03-O-1510 3. 03-O-1706 4. 03-O-1354 5. 03-O-1500 6. 03-O-1501 7. 03-O-1130 8. 03-O-1434 9. 03-O-1512 10. 03-O-1586 11. 03-O-0662 12. 03-R-1669 13. 03-R-1508 14. 03-R-1661 15. 03-R-1662 16. 03-R-1663 17. 03-R-1664 18. 03-R-1691 19. 03-R-1704 20. 03-R-1670 21. 03-R-1671 22. 03-R-1672 23. 03-R-1673 24. 03-R-1674 25. 03-R-1675 26. 03-R-1654 27. 03-R-1655 28. 03-R-1711 29. 03-R-1724 30. 03-R-1725 31. 03-R-1726 32. 03-R-1727 33. 03-R-1656 34. 03-R-1657 35. 03-R-1728 36. 03-R-1594 37. 03-R-1595 38. 03-R-1596 39. 03-R-1597 40. 03-R-1598	41. 03-R-1599 42. 03-R-1600 43. 03-R-1601 44. 03-R-1602------ **Items Adversed on Consent** 45. 03-R-1603 46. 03-R-1604 47. 03-R-1605 48. 03-R-1606 49. 03-R-1607 50. 03-R-1608 51. 03-R-1609 52. 03-R-1610 53. 03-R-1611 54. 03-R-1612 55. 03-R-1613 56. 03-R-1614 57. 03-R-1615 58. 03-R-1616 59. 03-R-1617 60. 03-R-1618 61. 03-R-1619 62. 03-R-1620 63. 03-R-1621 64. 03-R-1622 65. 03-R-1623 66. 03-R-1624 67. 03-R-1625 68. 03-R-1626 69. 03-R-1627 70. 03-R-1628 71. 03-R-1629 72. 03-R-1630 73. 03-R-1631 74. 03-R-1632 75. 03-R-1633 76. 03-R-1634 77. 03-R-1635 78. 03-R-1636 79. 03-R-1637	80. 03-R-1638 81. 03-R-1639 82. 03-R-1640 83. 03-R-1641 84. 03-R-1642 85. 03-R-1643 86. 03-R-1644 87. 03-R-1645 88. 03-R-1646 89. 03-R-1647 90. 03-R-1648 91. 03-R-1649

03-R-1673
(Do Not Write Above This Line)

A RESOLUTION BY

TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH FIRST AMERICAN TRUST, COVERING THE LEASING TO THE CITY OF APPROXIMATELY 12,390 RENTABLE SQUARE FEET OF OFFICE SPACE LOCATED IN BUILDING 200 AT 200 TRADEPORT BOULEVARD, CLAYTON COUNTY, GEORGIA, FOR THE RELOCATION OF THE SYSTEM MAINTENANCE OFFICE AND OCCUPANCY THREOF BY THE FEDERAL AVIATION ADMINISTRATION, FOR A COST TO THE CITY NOT TO EXCEED $3,758,100, TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H27 574001 R21E010493CG; AND FOR OTHER PURPOSES.

ADOPTED BY
OCT 20 2003
COUNCIL

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

Date Referred
Referred To:
Date Referred
Refferred To:
Date Referred
Referred To:

First Reading
Committee
Date
Chair
Referred To

Committee	Committee
TRANSPORTATION	
Date 10/15/3	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other	Action: Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other	Action: Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION
❑ 2nd ❑ 1st & 2nd Readings ❑ 3rd
❑ Consent ❑ V Vote ☑ RC Vote

CERTIFIED

CERTIFIED
OCT 20 2003
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
OCT 20 2003
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
OCT 28 2003
MAYOR