



CITY COUNCIL  
ATLANTA, GEORGIA

**A RESOLUTION**

**BY TRANSPORTATION COMMITTEE**

**03- R -1671**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUBLEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (THE "FAA") COVERING THE SUBLEASING TO THE FAA OF APPROXIMATELY 12,390 RENTABLE SQUARE FEET OF OFFICE SPACE LOCATED IN BUILDING 200 AT 200 TRADEPORT BOULEVARD, CLAYTON COUNTY, GEORGIA AND LEASED TO THE CITY OF ATLANTA BY FIRST AMERICAN TRUST; 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 the Hartsfield Atlanta International Airport (the "ATCT Lease"); and

**WHEREAS**, the City has undertaken the design and construction of a new East International Terminal (the "EIT") and related aircraft ramp, entrance roadway, and vehicle parking facilities, which project ultimately requires the relinquishment 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 relinquishment 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 relinquishment 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 Sublease Agreement 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 lease 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. That leasing will be accomplished under a companion legislation covering the Tradeport Lease with First American Trust and is contingent upon the execution of the Sublease Agreement contemplated hereunder; and

**WHEREAS**, the City, as Lessee under the Tradeport Lease, and the FAA, as Sublessee, desire and intend to 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 execution of the Tradeport Sublease is contingent upon the execution of the Supplemental Agreement and the Tradeport Lease; and the sublease will be accomplished under this and a companion legislation covering a Reimbursable Agreement with the FAA; 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 Sublease Agreement between the Federal Aviation Administration, as Sublessee, and the City of Atlanta, as Lessee, which shall contain substantially the following terms, conditions and provisions:

1. A term effective as of November 1, 2003 and ending September 30, 2004, subject to annual renewals by the FAA, not to extend beyond September 30, 2023; and subject to annual appropriations;
2. Rental shall include the base rent, taxes, insurance, CAM, maintenance of systems and general maintenance of office areas;
3. Rental under the Sublease Agreement shall be at the rate of \$87,277.00 per annum, payable in arrears at the end of each month for the period commencing November 1, 2003 and ending September 30, 2012. Commencing October 1, 2012 and ending September 30, 2023 there shall be no Rental due under the Sublease Agreement;
4. The FAA, under the Sublease Agreement, shall be responsible for the cost of utilities and janitorial expenses;
5. Such other terms, conditions and provisions as may be required by FAA, the City and the Landlord, or as are customarily included in similar commercial agreements.

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

**BE IT FINALLY RESOLVED** that said Sublease 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 FAA.

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

OCT 20, 2003  
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

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

*Reconsidered 104  
in  
See RCS#  
5098*

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

CONSENT I

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----- <b>Items Adversed on Consent</b> 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-*2*-1671

(Do Not Write Above This Line)

A RESOLUTION BY

TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUBLEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (THE "FAA") COVERING THE SUBLEASING TO THE FAA OF APPROXIMATELY 12,390 RENTABLE SQUARE FEET OF OFFICE SPACE LOCATED IN BUILDING 200 AT 200 TRADEPORT BOULEVARD, CLAYTON COUNTY, GEORGIA AND LEASED TO THE CITY OF ATLANTA BY FIRST AMERICAN TRUST, AND FOR OTHER PURPOSES

ADOPTED BY

OCT 2 0 2003

COUNCIL

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

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee **Transportation**

Date **10/15/03**

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

*Blanca H. Woodard*

*Clayton County*

*Carla Smith*

Refer To \_\_\_\_\_  
*David D. Phillips*

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

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

CERTIFIED

CERTIFIED  
OCT 2 0 2003

ATLANTA CITY COUNCIL PRESIDENT  
*Blanca H. Woodard*

CERTIFIED  
OCT 2 0 2003  
*David D. Phillips*  
MUNICIPAL CLERK

MAYOR'S ACTION  
**APPROVED**  
OCT 2 8 2003  
*David D. Phillips*  
MAYOR