

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

BY

04- R-2207

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ATLANTA TO DESIGNATE THE ATLANTA COORDINATING RESPONSIBLE AUTHORITY (ACoRA) AS THE CITY'S AGENT TO WORK WITH THE COMMERCIAL REVITALIZATION TAX DEDUCTION PROGRAM AUTHORIZED UNDER TITLE 26, SECTION 1400I OF THE INTERNAL REVENUE CODE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta was designated a Renewal Community by the United States Department of Housing and Urban Development on January 1, 2002 and is the only such Renewal Community in the State of Georgia; and

WHEREAS, Title 26, Section 1400I of the Internal Revenue Code provides for certain commercial revitalization tax deductions each calendar year after 2001 and before 2010 for each Renewal Community in the State; and

WHEREAS, the Mayor and City Council are in support of assistance from the State of Georgia to create a Commercial Revitalization Deduction Program and Qualified Allocation Plan, and has endorsed the State's designation of the Georgia Department of Community Affairs (DCA) as the State Commercial Revitalization Agency for the Atlanta Renewal Community; and

WHEREAS, DCA as the Commercial Revitalization Agency needs the City experience with commercial development to coordinate the development of the Qualified Allocation Plan (QAP) and coordinate the implementation of the Commercial Revitalization Tax Deduction Program; and

WHEREAS, the Qualified Allocation Plan must be approved by the City of Atlanta before an allocation can be made; and

WHEREAS, Title 26, Section 1400I(e)(2) of the Internal Revenue Code provides that the State's Commercial Revitalization Agency must notify the Chief Executive Officer of any proposed allocation and obtain the Chief Executive's comments; and

WHEREAS, to effectuate this designation, certain contracts and agreements must be amended to accomplish this;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1: That the Mayor or her designee is authorized to designate the ACoRA as the City's Agent to work with DCA with regards to development of the QAP, to communicate on behalf of the City's proposed applications for tax allocations, for tax year 2004 and 2005.



SECTION 2: That the City Attorney is authorized to execute those agreements and contracts necessary to amend the City's contract with the ACoRA to establish the agency agreement between the City and the ACoRA.

A true copy,

Rhonda Doughtin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

DEC 06, 2004
DEC 10, 2004



**FIRST AMENDMENT TO COOPERATIVE AGREEMENT
BETWEEN THE CITY OF ATLANTA AND THE ATLANTA
CORA FOR THE RENEWAL COMMUNITY, INC.**

**STATE OF GEORGIA
COUNTY OF FULTON**

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into this ___ day of _____, 2004, by and between the **City of Atlanta**, a municipal corporation of the State of Georgia, (hereinafter "**the City**") and **Atlanta Renewal Community CoRA, INC.**, (hereinafter "**ACoRA**"), a non-profit corporation organized and existing under the laws of the State of Georgia.

WITNESSETH:

WHEREAS, the City has entered into an Agreement with ACoRA entitled Cooperative Agreement between the City of Atlanta and the Atlanta CoRA for the Renewal Community, Inc. ("Agreement"); and

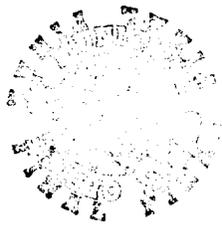
WHEREAS, the Agreement authorized ACoRA to administer the City's newly designated Renewal Community; and

WHEREAS, Title 26, Section 1400I of the Internal Revenue Code provides for certain commercial revitalization tax deductions each calendar year after 2001 and before 2010 for each Renewal Community in the State; and

WHEREAS, Title 26, Section 1400I authorizes the State to designate a "Commercial Revitalization Agency" to carry out the responsibilities with respect to commercial revitalization tax deductions within the City's Renewal Community; and

WHEREAS, the State of Georgia has designated the Georgia Department of Community Affairs as the "Commercial Revitalization Agency"; and

WHEREAS, The Mayor and the City Council are in support of cooperation with the State of Georgia to create a Commercial Revitalization Deduction Program and Qualified Allocation Plan to allocate tax benefits authorized by Title 26, Section 1400I of the Internal Revenue Code; and



WHEREAS, the City is authorized to designate an "Implementer" of this Commercial Revitalization Deduction Program; and

WHEREAS, this Amendment to the Agreement is authorized by Resolution number 04-R-____, passed by the Atlanta City Council on _____, 2004, and approved by the Mayor on _____, and the Resolution is attached hereto as Exhibit A.

THEREFORE, for and in consideration of the mutual agreements between the parties hereinafter contained, and for other good and valuable consideration, the parties hereto do agree as follows:

1.

A new subpart "C" shall be inserted into Section II of the Agreement entitled "Acceptance of CoRA Designation" and shall read as follows:

C. The corporation does hereby accept designation by the City as an "Implementer" for the purposes of cooperation with the State of Georgia Department of Community Affairs, the "Commercial Revitalization Agency", in order to implement a Commercial Revitalization Deduction Program and Qualified Allocation Plan for the allocation of tax benefits authorized by Title 26, Section 1400I of the Internal Revenue Code.

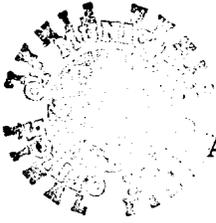
IN WITNESS WHEREOF, the City and ACoRA have executed this First Amendment to Agreement in quintuplicate by their duly authorized officers. First Amendment to Agreement shall become effective on _____, 2004.

ATTEST:

CITY OF ATLANTA:

MUNICIPAL CLERK (SEAL)

SHIRLEY FRANKLIN, MAYOR



ATTEST:

**ACoRA:
ATLANTA RENEWAL COMMUNITY
CoRA, INC.**

CORPORATE SECRETARY (SEAL)

PRESIDENT/VICE PRESIDENT

RECOMMENDED:

APPROVED:

ACTING COMMISSIONER,
DEPARTMENT OF PLANNING
AND COMMUNITY DEVELOPMENT

CHIEF FINANCIAL OFFICER

APPROVED AS TO FORM:

APPROVED:

CITY ATTORNEY

CHIEF PROCUREMENT OFFICER

RCS# 6355
12/06/04
7:41 PM

Atlanta City Council

Regular Session

04-R-2207

AMENDMENT NO 1 COOPERATIVE AGRMNT W/ATL
RENEWAL COMMUNITY CoRA INC
ADOPT AS AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	E Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

04-R-2207

RCS# 6354
12/06/04
7:40 PM

Atlanta City Council

Regular Session

04-R-2207

AMENDMENT NO 1 COOPERATIVE AGRMNT W/ATL
RENEWAL COMMUNITY CoRA INC
AMEND MITCHELL

YEAS: 13
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	N Martin	E Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

04-R-2207

RCS# 6353
12/06/04
7:39 PM

Atlanta City Council

Regular Session

04-R-2207

AMENDMENT NO 1 COOPERATIVE AGRMNT W/ATL
RENEWAL COMMUNITY CoRA INC
AMEND

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	E Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

04-R-2207

04-*P*-2207

(Do Not Write Above This Line)

A RESOLUTION
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES
COMMITTEE

A RESOLUTION BY THE CITY COUNCIL OF THE
CITY OF ATLANTA TO DESIGNATE THE ATLANTA
COORDINATING RESPONSIBLE AUTHORITY (ACORA)
AS THE CITY'S AGENT TO WORK WITH THE
COMMERCIAL REVITALIZATION TAX DEDUCTION
PROGRAM AUTHORIZED UNDER TITLE 26, SECTION
1400 I OF THE INTERNAL REVENUE CODE; AND
FOR OTHER PURPOSES.

ADOPTED BY

As Amended

DEC 0 6 2004

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:

Committee _____
Date _____
Chair _____
Referred to _____

First Reading

Committee _____

Date _____

Chair _____

Action: _____

Fav, Adv, Hold (see rev. side)

Other: *No Rec*

Members _____

Refer To _____

Handwritten signatures and notes in this section.

Committee _____

Date _____

Chair _____

Action: _____

Fav, Adv, Hold (see rev. side)

Other: _____

Members _____

Refer To _____

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FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RRC Vote

CERTIFIED

Large stamp: CERTIFIED, DEC 0 6 2004, with handwritten signature.

MAYOR'S ACTION

Handwritten signature and date: DEC 10 2004.