

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION
BY COUNCILMEMBER CLAIR MULLER

04- R-0326

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO AMEND AN EXISITNG AGREEMENT BETWEEN THE CITY OF ATLANTA, THE MIDTOWN ALLIANCE, AND SILVERMAN CONSTRUCTION FOR THE TEMPORARY USE OF THE PARCEL OF PROPERTY LOCATED AT THE END OF WESTMINSTER DRIVE AS A TEMPORARY STAGING AREA, AND TO REQUIRE THE RESTORATION OF THE SITE TO ITS ORGINAL CONDITION FOLLOWING THE COMPLETION OF ANY CONSTRUCTION WORK; AND FOR OTHER PURPOSES.

WHEREAS, on June 24, 2003, resolution number 03-R-0919 was approved by the Mayor for the temporary use of this property by Silverman Construction; and

WHEREAS, by 03-R-0919 the temporary use of this property by Midtown Alliance expires on February 28, 2004; and

WHEREAS, Midtown Alliance needs to extend the temporary use of the site until August 31, 2005 to accommodate two additional streetscape projects; and

WHEREAS, the Department of Watershed Management supports the extension of the temporary use of this site; and

WHEREAS, the Midtown Alliance has contracted with Silverman Construction to coordinate program management for these projects; and

WHEREAS, the Department of Watershed Management of the City of Atlanta maintains ownership of the undeveloped property at the end of Westminster Drive, hereinafter referred to as the West Lumber site; and

WHEREAS, the Midtown Alliance and Silverman Construction have requested access to and the use of the West Lumber site as a staging area for these projects; and

WHEREAS, the Midtown Alliance, through its agreement with Silverman Construction, has agreed to pay for all costs of any work necessary to prepare the site for use as a staging area by Silverman Construction; and

WHEREAS, the Midtown Alliance, through its agreement with Silverman Construction, has agreed to restore the West Lumber site to its original condition following the removal of all construction equipment and materials, at no cost to the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1: The Mayor or her designee is hereby authorized to enter into an extended agreement with the Midtown Alliance and Silverman Construction for the temporary use of a parcel of City property on Westminster Drive, to be used as a construction staging area for streetscape improvements until August 31, 2005.

SECTION 2: That the Midtown Alliance and Silverman Construction shall maintain all uses of the West Lumber site according to the provisions of the Construction Facilities agreement and the Allowance agreement as adopted by City Council on June 16, 2003 and approved by the Mayor on June 24, 2003.

SECTION 3: That the City of Atlanta shall incur no financial liability in preparing the West Lumber site for temporary use as a staging area by Silverman Construction.

SECTION 4: That the Midtown Alliance and Silverman Construction shall maintain full responsibility to restore the West Lumber site to its original condition following the removal of all construction equipment and materials from the site, at no cost to the City of Atlanta.

SECTION 5: That the Midtown Alliance and selected construction company shall allocate an amount of not less than \$10,000 for improvements to the site, the balance of which remaining following the completion of temporary staging shall be for further improvements to the site according to the direction of the Department of Watershed Management.

SECTION 6: That all ordinances or resolutions, or parts thereof, in conflict herewith, are hereby repealed.

A true copy,

Shonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAR 01, 2004
MAR 09, 2004

RCS# 5475
3/01/04
3:54 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I , EXCEPT: 04-O-0328,04-O-0047
04-O-0221,04-R-0309,04-O-0324,04-O-0216
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

CONSENT I

3-01-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
<ol style="list-style-type: none"> 1. 04-O-0324 2. 04-O-0328 3. 04-O-0332 4. 04-O-0337 5. 04-O-0338 6. 04-O-0339 7. 04-O-0155 8. 04-O-0047 9. 04-O-0221 10. 04-O-0251 11. 04-R-0039 12. 04-R-0305 13. 04-R-0306 14. 04-R-0307 15. 04-R-0308 16. 04-R-0353 17. 04-R-0298 18. 04-R-0301 19. 04-R-0313 20. 04-R-0344 21. 04-R-0345 22. 04-R-0366 23. 04-R-0248 24. 04-R-0297 25. 04-R-0325 26. 04-R-0326 27. 04-R-0336 28. 04-R-0343 29. 04-R-0355 30. 04-R-0299 31. 04-R-0316 32. 04-R-0062 33. 04-R-0302 34. 04-R-0303 35. 04-R-0304 36. 04-R-0309 37. 04-R-0354 38. 04-R-0275 39. 04-R-0276 40. 04-R-0277 	<ol style="list-style-type: none"> 41. 04-R-0278 42. 04-R-0279 43. 04-R-0280 <p>ITEMS ADVERSED ON CONSENT</p> <ol style="list-style-type: none"> 44. 04-R-0281 45. 04-R-0282 46. 04-R-0283 47. 04-R-0284 48. 04-R-0285 49. 04-R-0286 50. 04-R-0287 51. 04-R-0288 52. 04-R-0289 53. 04-R-0290 54. 04-R-0291 55. 04-R-0292 56. 04-R-0293 57. 04-R-0294 58. 04-R-0295 59. 04-R-0296

04-R-0326
(Do Not Write Above This Line)

A RESOLUTION
BY COUNCILMEMBER CLAIR MULLER

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO AMEND AN EXISTING AGREEMENT BETWEEN THE CITY OF ATLANTA, THE MIDTOWN ALLIANCE, AND SILVERMAN CONSTRUCTION FOR THE TEMPORARY USE OF THE PARCEL OF PROPERTY LOCATED AT THE END OF WESTMINSTER DRIVE AS A TEMPORARY STAGING AREA, AND TO REQUIRE THE RESTORATION OF THE SITE TO ITS ORIGINAL CONDITION FOLLOWING THE COMPLETION OF ANY CONSTRUCTION WORK; AND FOR OTHER PURPOSES.

ADOPTED BY
MAR 0 1 2004
COUNCIL

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

Date Referred 02/16/04
Referred To: City Writter
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____

Committee _____
Date _____
Chair _____
Referred To _____

First Reading

Committee City Writter
Date 2/26/04
Chair Clair Muller
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 _____

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 _____

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

CERTIFIED

MAR 0 1 2004

CERTIFIED
MAR 0 1 2004
Richard D. ...
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
Mayor Frank ...
MAR 9 2004
MAYOR