

A RESOLUTION

BY: FINANCE EXECUTIVE COMMITTEE

04- R-1883

AN RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE ATLANTA DEVELOPMENT AUTHORITY (ADA) TO UNDERTAKE A RELOCATION ANALYSIS, WHICH INCLUDES A SPECIFIC PROGRAMS REQUIREMENTS STUDY, TO DEVELOP A RELOCATION STRATEGY AND DETERMINE THE DETAILED REQUIREMENTS FOR THE FUTURE SPACE FOR THE DEPARTMENT OF POLICE, DEPARTMENT OF FIRE AND DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO MAKE PAYMENTS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000); TO BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 1A01 761001 T31003, PAYMENTS TO OTHER GOVERNMENTS NON-ALLOCATED FUND-WIDE EXPENSES; AND FOR OTHER PURPOSES.

WHEREAS the City of Atlanta is in negotiations for the sale and redevelopment of City Hall East;

WHEREAS a plan for the relocation of the agencies (primarily the Department of Fire, Department of Police, and Department of Parks, Recreation and Cultural Affairs) currently housed in City Hall East must be in place prior to any transaction involving that building;

WHEREAS the development of such a plan will require an assessment of the program needs of those agencies and a programmatic and economic assessment of relocation options;

WHEREAS the Atlanta Development Authority is the development arm of the City of Atlanta and has a depth of experience in real estate economics and development;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Atlanta is authorized to enter into an intergovernmental agreement with the Atlanta Development Authority with ADA for the purposes of procuring outside assistance to perform the program requirements and the relocation options assessment associated with the sale of City Hall East.

BE IT FURTHER RESOLVED, that the City Attorney be, and is hereby, directed to prepare and finalize the IGA for execution by the Mayor, to be approved by the City Attorney as to form.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to pay the ADA a sum not to exceed Two Hundred Thousand Dollars (\$200,000) to be charged to and paid from fund, account and center number 1A01 761001T31001, payments to other governments– non-allocated fund-wide expenses.

Be it finally resolved, that the IGA shall not become binding upon the City of Atlanta until such agreement has been duly executed by the Mayor, attested to by the Municipal Clerk, and delivered to the ADA.

STATE OF GEORGIA
COUNTY OF FULTON

INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN THE CITY OF ATLANTA, GEORGIA
AND THE ATLANTA DEVELOPMENT AUTHORITY

THIS INTERGOVERNMENTAL AGREEMENT (the “**Agreement**”) is made and entered into effective as of the 31 day of October, 2004, by and between the City of Atlanta, Georgia, a municipal corporation duly established under the laws of the State of Georgia (hereinafter referred to as the “**City**”) and the Atlanta Development Authority, a body corporate and politic established under the laws of the State of Georgia (“**ADA**”).

WHEREAS, the City and ADA desire to enter into this Agreement pursuant to 1983 GEORGIA CONSTITUTION, ARTICLE IX, SECTION 3, PARAGRAPH 1, and other applicable provisions of Georgia law, for the purpose of memorializing the terms and conditions upon which the City will pay ADA an amount not to exceed Two Hundred Thousand and No/100 Dollars (\$200,000.00) (the “**Relocation Services Contribution**”) for certain relocation services for the development of a relocation strategy, and ADA will undertake said relocation services for the period of October 31, 2004 through and including February 28, 2005; and

WHEREAS, the City has previously expressed its desire to have ADA carry out certain responsibilities critical to the development of a relocation strategy and specific programs requirements to determine the detailed requirements for future space for the Department of Police, Department of Fire and the Department of Parks, Recreation and Cultural Affairs, and to have ADA serve as the point of contact and lead participant with respect to the creation and development of a relocation strategy centralized and specific programs and key facilities requirements throughout the City (collectively, the “**Relocation Services**”); and

WHEREAS, ADA shares the City’s commitment to the continued revitalization, growth and development of the entire City and is currently a major stakeholder in various City-wide revitalization efforts; and

WHEREAS, ADA has previously provided and continues to provide General Development Services for or on behalf of the City and is willing to provide such services in consideration for the Development Services Contribution; and

WHEREAS, the City has determined that it is in its best interest to provide operating support for ADA by way of the Relocation Services Contribution, in exchange for ADA’s agreement to carry out the Relocation Services.

NOW THEREFORE, the City and ADA, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby agree as follows:

Section 1. The City agrees to immediately fund the Relocation Services Contribution and ADA agrees to perform the Relocation Services. If and to the extent the Development Services Contribution is materially below the level required to fund the Relocation Services provided by ADA, the parties agree to negotiate in good faith toward an increase in such contribution, a reduction in service levels or a combination of both.

Section 2. The City and ADA hereby agree that the Relocation Services shall include, without limitation, creation, promotion, coordination and implementation, as the case may be, of relocation strategies, specific program requirements study activities and key facilities requirements such as location, security, technology and key programmatic requirements such as operation adjacencies and parking, and an assessment of relocation options to include re-purposing an existing facility or building a new facility within the City, serving as a point of contact for and coordinating with various City agencies, community and civic groups and other stakeholders interested in the relocation of the Department of Police, Department of Fire and Department of Parks, Recreation and Cultural Affairs focusing on relocation and such other activities as the parties may reasonably agree.

Section 3. The parties hereby agree that this Agreement may be extended, renewed, modified or otherwise amended upon the written consent of both parties, including, without limitation, extension of the initial term hereof, and/or modifications to the scope or revisions to the compensation set forth herein.

Section 4. ADA agrees to provide the City with such documents and information as may be reasonably requested in order to establish compliance by ADA with the requirements and conditions set forth in this Agreement.

Section 5. This Agreement shall be governed by and construed under the laws of the State of Georgia.

Section 6. Time is of the essence in every particular, and especially where the obligation to pay money is involved.

Section 7. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which when taken together constitute a single document.

Section 8. This Agreement shall remain in effect until December 31, 2005 unless extended in writing by the parties.

Section 9. The provisions of this Agreement shall be deemed independent and severable. In the event any one or more of the provisions contained herein shall, for any reason, be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of the Agreement.

ATTEST:

CITY OF ATLANTA

Municipal Clerk
[City Seal]

Mayor

APPROVED AS TO INTENT:

RECOMMENDED:

Chief Financial Officer

Chief Operating Officer

APPROVED AS TO FORM:

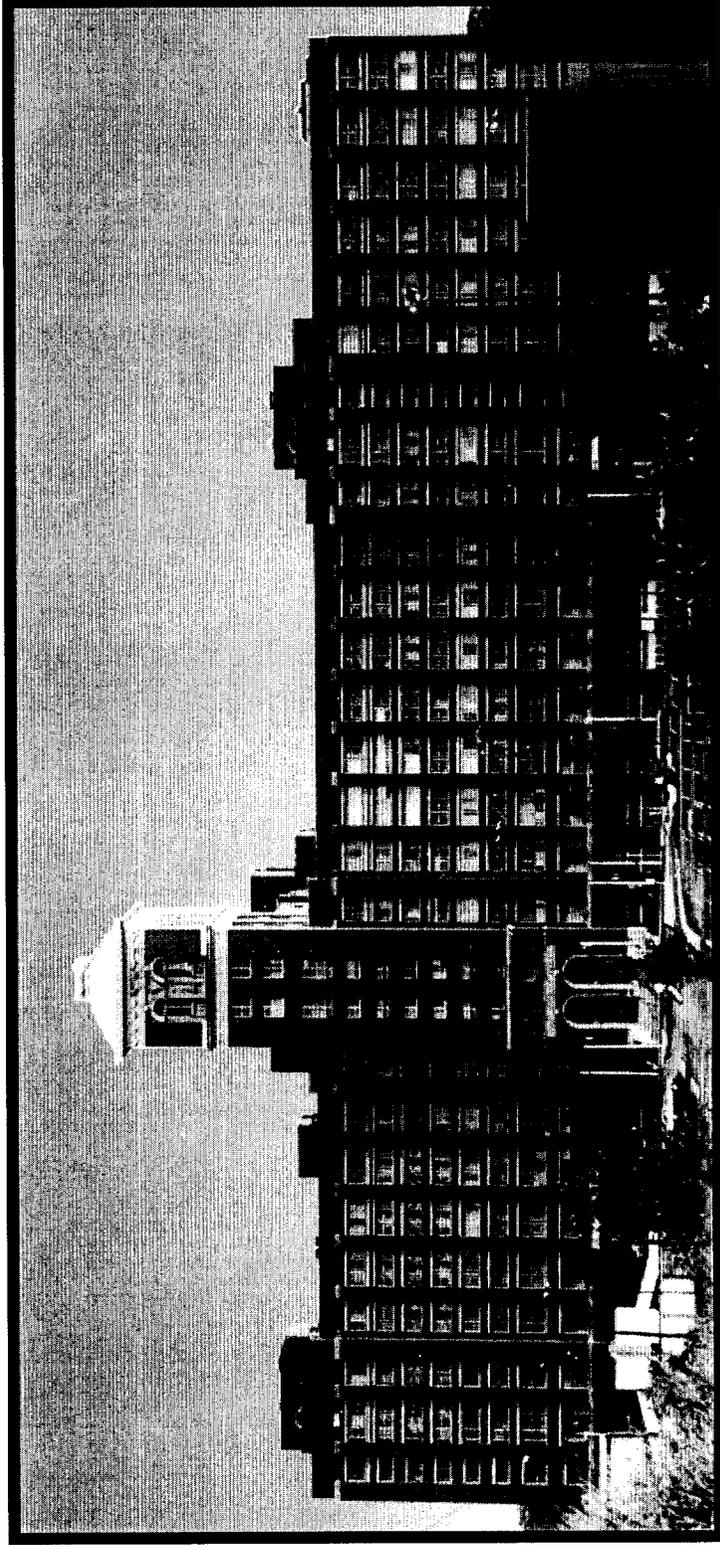
City Attorney

Atlanta Development Authority

By: _____
President

Secretary [Seal]

City of Atlanta
City Hall East Sale & Redevelopment
Briefing for City Council on Related Legislation



Oct. 13, 2004

Legislation Summary

- Three pieces of legislation have been introduced
 - An ordinance to surplus the two city owned parcels associated with City Hall East
 - An ordinance to transfer funds to Fulton County to fund the E911 feasibility study
 - An ordinance to transfer funds to ADA to fund the relocation analysis

Background

- The City began to explore the sale and redevelopment of City Hall East in 2003
 - the building is under-utilized and is not being put to its highest and best use
 - the City's use of the building is hindering, rather than advancing, the development going on in the Ponce Corridor
 - the building was not designed to support city government functions and the City agencies housed there would prefer space that better supports their activities
- The City issued an RFP in December 2003 to determine if the value of the building had increased to the point where the City could sell and relocate its agencies without increasing the debt or operating expenses of the City
 - three bids were received
 - the City has entered into negotiations with the Ponce Park consortium

Next Steps

- The City and Ponce Park have entered into a “due diligence” period
 - Ponce Park is conducting a variety of assessments
 - environmental assessment (asbestos, lead paint, underground storage tanks, etc)
 - water and sewer assessment
 - traffic study
 - neighborhood reviews of concept plans
 - The City is developing a relocation strategy
 - new location for Police, Fire and DPRCA
 - absorption of other activities currently housed at CHE
 - relocation of the E911 call center facility
- Both Ponce Park and the City need to complete this work before a transaction can be negotiated

Surplus Legislation

- Prior to the sale of any City-owned property, the City Council must surplus the property
- Legislation has been introduced to surplus the two parcels
 - 675 Ponce De Leon Avenue, which is the 16.2 acre parcel upon which the City Hall East building sits
 - 641 North Avenue, which is the 6.5 acre parcel currently used as a supplemental parking lot
- The City will negotiate a contract with the future buyer of the property
 - City Council will be asked to authorize the City to enter into a contract with the buyer once the main terms and conditions have been negotiated
 - finances
 - future use
 - other

E911 Feasibility Study Legislation

- The City of Atlanta and Fulton County have agreed to study the feasibility of consolidating our E911 Call Centers
 - both centers are due for technology and other upgrades
 - operational issues in the handling of E911 calls among the various City and County agencies persist
 - Department of Police and Department of Fire have recommended the following three step approach:
 - combine Atlanta Police and Atlanta Fire 911 call takers (underway)
 - create a 311 City Services call taking center in association with the 911 call center (request denied by City Council in 2004 budget, may be included in 2005 budget request)
 - create a consolidated Metropolitan Atlanta 911 Communications Authority (consolidated CoA/Fulton County would be first step)
- Legislation would authorize the transfer of funds to Fulton County to fund the study

Relocation Analysis Legislation

- The City must develop a relocation strategy prior to concluding a transaction involving City Hall East
- Two major pieces of work are required to develop that strategy
 - a “specific program requirements” study to determine the detailed requirements for future space for the Department of Police, Department of Fire and Department of Parks, Recreation and Cultural Affairs
 - key facility requirements such as location, security, technology, etc...
 - key programmatic requirements such as operational adjacencies and parking
- an assessment of relocation options
 - re-purposing an existing facility
 - building a new facility
- Architectural and space planning firms specialize in this type of work and the City will be contracting to perform this analysis

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE Greg Pridgeon
(For review & Distribution to Execution Management)

Chief of Staff's Signature: *GPridgeon* (SAW)

From: Origination Dept. _____

Contact : David Edwards

Committee(s) Purview: Finance /Exec.

Committee Deadline: _____

Committee Meeting Date(s): _____

City Council Meeting Date: _____

CAPTION:

A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE ATLANTA DEVELOPMENT AUTHORITY (ADA) TO UNDERTAKE A RELOCATION ANALYSIS, WHICH INCLUDES A SPECIFIC PROGRAMS REQUIREMENTS STUDY, TO DEVELOP A RELOCATION STRATEGY AND DETERMINE THE DETAILED REQUIREMENTS FOR THE FUTURE SPACE FOR THE DEPARTMENT OF POLICE, DEPARTMENT OF FIRE AND DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO MAKE PAYMENTS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000); TO BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 1A01 761001 T31003, PAYMENTS TO OTHER GOVERNMENTS NON-ALLOCATED FUND-WIDE EXPENSES; AND FOR OTHER PURPOSES.

BACKGROUND/PURPOSE/DISCUSSION:

The purpose of this legislation is to authorize an IGA with the ADA and to authorize funding to ADA for expenses associated with relocation analysis in preparation for the sale of City Hall East and the necessary relocation of the Department of Fire, Department of Police and Department of Parks, Recreation and Cultural Affairs.

FINANCIAL IMPACT (If Any): \$200,000

Mayor's Staff Only

Received by Mayor's Office: _____ Reviewed by: _____
(date) (initials)

Submit to Council: _____
(date)

Action by Committee: _____ Approved _____ Adverse _____ Held _____ Amended
_____ Substitute _____ Referred _____ Other

RCS# 6542
3/07/05
4:18 PM

Atlanta City Council

Regular Session

MULTIPLE

04-R-1197 AND 04-R-1883

FILE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 3

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

MULTIPLE

Committee Amendment Form

Committee

Finance Executive

Page(s) 1

Ordinance I.D. #

Section(s) CAPTION

Resolution I.D.# 04-R-1883

Paragraph 1

Amendment

Change the FAC to read1A01 - 561001 - T31001 (UNALLOCATED
FUND-WIDE EXPENSE)

04-R-1883

(Do Not Write Above This Line)

A Resolution By Finance/Executive Committee

Authorizing the Mayor to enter into an Intergovernmental Agreement (IGA) with the Atlanta Development Authority (ADA) to undertake a relocation analysis, which includes a specific program requirements study, to develop a relocation strategy and determine the detailed requirements for the future space for the Department of Police, Department of Fire, and the Department of Parks, Recreation and Cultural Affairs; authorizing the Chief Financial Officer to make payments in an amount not to exceed \$200,000.00; to be charged to and paid from Fund, Account and Center Number 1A01 561001 T31003, payments to other governments non-allocated Fund-Wide Expenser; and for other purposes.

- 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:
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee Finance
 Date 3-20-05

Chair John Spivey

Action

Fav, Adv, Hold (see rev. side)

Other _____

Members

John Spivey
John Spivey
John Spivey

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

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
 - RC Vote

CERTIFIED

MAR 07 2005

6-11-05

MAYOR'S ACTION