A RESOLUTION
BY TRANSPORTATION COMMITTEE

07-R-1690

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AIRPORT USE LICENSE AGREEMENT WITH JAZZ AIR LP FOR OPERATIONS AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, Jazz Air LP ("Jazz") desires to provide passenger service from Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, in furtherance of its plan to operate such flights, Jazz desires to enter into an Airport Use License Agreement with the City of Atlanta ("City") as a carrier serving the Airport; and

WHEREAS, the Aviation General Manager believes that it is in the best interest of the Airport and the City to enter into an Airport Use License Agreement with Jazz, as hereinafter set forth, and recommends the execution of such an Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and hereby is authorized to execute on behalf of the City of Atlanta an appropriate Airport Use License Agreement with Jazz Air LP which shall contain the following terms, conditions, and provisions:

1) a term effective as of November 1, 2007 and ending September 20, 2010; provided that either party may terminate the agreement by giving at least 30 days prior written notice to the other party; and

2) a landing fee to be computed at the then current landing fee rate, which rate will be applied per 1,000 pounds of the FAA Maximum Certificated Gross Landing Weight of each aircraft scheduled to land at the Airport. The landing fee rate shall be subject to adjustment from time to time at the discretion of the Aviation General Manager. Such adjustments shall be consistent with landing fee rates charged to similarly classified airlines at the Airport; and

3) such other terms, conditions, and provisions as may be required by City ordinances or Federal regulations or which are otherwise deemed appropriate by the Aviation General Manager.

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

BE IT FINALLY RESOLVED that said Agreement shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation nor liability thereunder until the same has been approved as to form by the City Attorney, signed by the Mayor, attested to by the Municipal Clerk and delivered to Jazz Air LP.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legilation is to authorize the execution of an Airport Use License Agreement with Jazz. The agreement will establish the conditions under which Jazz will operate at the airport.

2. Please provide background information regarding this legislation.

The commencement of operations out of ATL by another carrier is in the best interest of the ariport, the City and the region.

3. <u>If Applicable/Known:</u>

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):

(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:** 9/20/10

4. **Fund Account Center (*Ex. Name and number*):**

Fund: _____ **Account:** _____ **Center:**_____

5. **Source of Funds:** ***Example: Local Assistance Grant***

6. **Fiscal Impact:** None

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. **Method of Cost Recovery:** Landing fees

Examples:

a. ***Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***

b. ***Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Bill Murphy

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE **ATTN: GREG PRIDGEON**

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 8/13/07

Anticipated Committee Meeting Date(s): 8/29/07

Anticipated Full Council Date: 9/04/07

Commissioner Signature: Ned

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AIRPORT USE LICENSE AGREEMENT WITH JAZZ AIR LP FOR OPERATIONS AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) $46,143 (positive)

Mayor's Staff Only

Received by CPO: _____ (date) Received by LC from CPO: _____ (date)

Received by Mayor's Office: 8.13.07 (date) Reviewed by: 8/15/07 (date)

Submitted to Council: _____ (date)