

**A RESOLUTION BY
TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDATORY AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE RETURN TO THE CITY OF CERTAIN PROPERTY THAT WAS TEMPORARILY RELINQUISHED TO THE FEDERAL AVIATION ADMINISTRATION FOR THE CONSTRUCTION OF THE NEW AIR TRAFFIC CONTROL TOWER; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) and The United States of America, acting through the Department of Transportation, Federal Aviation Administration (FAA), Southern Region, are parties to the Lease dated August 22, 2003 pursuant to which the City leases to the FAA certain land and improvements; and

WHEREAS, the City and the Federal Aviation Administration jointly determined that a new Air Traffic Control Tower (“ATCT”) should be constructed in support of the Runway 10-28 Project; and

WHEREAS as a result of the construction process for the ATCT the temporary use was required of certain portions of City property which at the time were leased to Delta Air Lines, as shown by the Triangular Parcel in Exhibit A attached hereto; and

WHEREAS as construction of the ATCT has been completed, the FAA wishes to return this property to the City for its full use; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is hereby authorized to execute on behalf of the City of Atlanta an Amendatory Agreement with the Federal Aviation Administration for the return of certain property back to the City for its full use.

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

BE IT FINALLY RESOLVED that said Amendatory Agreement shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation or liability thereunder until such Amendatory Agreement has been executed by the Mayor, approved as to form by the City Attorney attested to by the Municipal Clerk and delivered to the Federal Aviation Administration.

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).

To re-take property from the FAA that was temporarily surrendered by Delta Air Lines during construction of the new FAA Air Traffic Control Tower (ATCT), in order to reinstate this property to Delta.

2. Please provide background information regarding this legislation.

Construction of the new FAA ATCT required the temporary surrender of a certain area of Delta's leased property, a parking lot to the west of Delta's Technical Operations Center. This parking lot was needed for use as a location for construction trailers and for materials laydown and storage during the construction process. As construction of the FAA ATCT is now complete, the area has been restored by the FAA to its original condition and it can now be returned to Delta's lease.

3. If Applicable/Known:

(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:

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

Fund: _____ Account: _____ Center: _____

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

6. Fiscal Impact:

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

7. Method of Cost Recovery:

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:

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: 5/14/08

Anticipated Committee Meeting Date(s): 5/28/08

Anticipated Full Council Date: 6/02/08

Commissioner Signature: Mod 

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDATORY AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE RETURN TO THE CITY OF CERTAIN PROPERTY THAT WAS TEMPORARILY RELINQUISHED TO THE FEDERAL AVIATION ADMINISTRATION FOR THE CONSTRUCTION OF THE NEW AIR TRAFFIC CONTROL TOWER; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

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

Received by Mayor's Office: 5/14/08  (date) Reviewed by:  (date)

Submitted to Council: _____ (date)