

**A RESOLUTION BY
COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY TO ENTER INTO A RENEWAL AGREEMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING WITH THE LITTLE FIVE POINTS BUSINESS ASSOCIATION, INC., FOR A TERM OF THREE YEARS; AND FOR OTHER PURPOSES.

WHEREAS, the Little Five Points Business Association, Inc. ("Association") is a not-for-profit corporation whose mission is to enhance the quality of life in the Little Five Points community by uniting and coordinating the efforts of local businesses and by creating a vibrant local park. The Association also strives to empower neighbors to act collectively for community development; and

WHEREAS, the Association's mission includes developing, managing, maintaining, and enhancing Findley Plaza, a City-owned park located at the intersection of Moreland Avenue and Euclid Avenue in Atlanta, Georgia, (the "Park"), to the benefit of both the citizens of Atlanta and its many visitors.; and

WHEREAS, though the City desires to assist the Association with its mission of developing, managing, maintaining, and enhancing the Park, it still does not have the resources to provide these services to the extent desired by the Association; and

WHEREAS, the City wishes to continue to facilitate the Association's work on the Park by continuing a cooperative relationship with the Association, as the Association is providing a valuable service to the City; and

WHEREAS, it is in the best interest of the City to enter into a Renewal Agreement to the existing Memorandum of Understanding ("MOU") with the Association to carry forth the cooperative relationship between the two parties and the role and obligations of each party established in that relationship.

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

Section 1.

The Mayor is hereby authorized, on behalf of the City, to enter into a Renewal Agreement to the existing Memorandum of Understanding with the Little Five Points Business Association, Inc. regarding the continuing roles and obligations of each of the two parties in the development, maintenance, management and enhancement of the Park,

and said Memorandum of Understanding shall at a minimum continue to provide the following:

- a) The MOU makes clear that the City owns the Park and shall have authority to make all final decisions regarding the Park, but shall exercise its authority in the spirit of good faith cooperation with the Association.
- b) The MOU has provided the Association with the authority and the responsibility to develop, maintain, manage, and enhance the Park in a manner consistent with the MOU.
- c) The MOU continues to provide the Association with the authority and primary responsibility for raising additional funds for the Park, and for overseeing the use of the funds it raises, making certain that the funds are utilized consistent with the MOU.

Section 2.

To the extent that the Association is donating time and money to the City, the City hereby continues to accept the donation and that this is the final renewal to the existing Memorandum of Understanding for a term of three (3) years.

Section 3.

The City Attorney be and is hereby directed to prepare the Renewal Agreement to the Memorandum of Understanding for execution by the Mayor, and the Memorandum of Understanding shall be approved as to form by the City Attorney.

Section 4.

The Renewal Agreement to the Memorandum of Understanding shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor and delivered to the Association.

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: Community Development/ Human Resources Committee

Caption: A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY TO ENTER INTO A RENEWAL AGREEMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING WITH THE LITTLE FIVE POINTS BUSINESS ASSOCIATION, INC., FOR A TERM OF THREE YEARS; AND FOR OTHER PURPOSES.

Council Meeting Date: September 15, 2008

Requesting Dept.: Parks, Recreation and Cultural Affairs

B. To be completed by the department :

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

Example: *The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.*

The purpose of this legislation is to authorize the one renewal option to the existing Memorandum of Understanding (MOU) between the City of Atlanta, Department of Parks, Recreation and Cultural Affairs (DPRCA) and the Little Five Points Business Association, Inc. for the Findley Plaza Park for a three (3) year period as authorized in the executed MOU dated as approved on September 6, 2005; the original MOU was adopted by the Atlanta City Council on May 16, 2005 and approved by the Mayor on May 23, 2005 for a term of three (3) years with an option to renew for one three (3) year period .

2. Please provide background information regarding this legislation.

Example: *The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.*

The Little Five Points Business Association, Inc. is a not for profit corporation whose mission is to enhance the quality of life in the Little Five Points Business District by uniting and coordinating local businesses and by creating a vibrant local park. Their mission's include developing, managing, maintaining and enhancing Findley Plaza Park a City owned park located at the intersection of Moreland Avenue and Euclid Avenue so as to benefit both the citizens of Atlanta and our many visitors in Atlanta. For the past three years there has been an MOU in place to allow this organization to develop, maintain, manage and enhance the Park and there was a one three (3) year option to renew this MOU that will technically expire on September 6, 2008. All parties have agreed to exercising the one three (3) year renewal option and this Resolution will accomplish that upon adoption by the Atlanta City Council and approval of the Mayor.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Memorandum of Understanding Agreement

(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:

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

6. Fiscal Impact: None to the City

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: : Debra F. Harris, M.A., Departmental Contracting Officer/Legislative Liaison, Department of Parks, Recreation and Cultural Affairs.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Debra F. Harris

Contact Number: (404) 817-6795

Originating Department: Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Community Development/ Human Resources

Chief of Staff Deadline: August 27, 2008

Anticipated Committee Meeting Date(s): September 9, 2008

Anticipated Full Council Date: September 15, 2008

Legislative Counsel's Signature: Robin Shahar

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: _____

CAPTION

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Mayor's Staff Only

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

Received by Mayor's Office: 8/21/08 Amc Reviewed by: [Signature]
(date) (date)