

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

AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA (“CITY”), TO ENTER INTO A LEASE AGREEMENT WITH BLUE HERON NATURE PRESERVE, INC. (“BHNP”) FOR THE PURPOSE OF LEASING A CITY OF ATLANTA BUILDING LOCATED AT 4055 ROSWELL ROAD, ATLANTA, GEORGIA 30342, WHICH IS A NATURE PRESERVE, FOR A TEN (10) YEAR PERIOD, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.

WHEREAS, the Blue Heron Nature Preserve, Inc. (“BHNP”), a non-profit organization whose mission is, in part, to develop, enhance, and maintain Blue Heron Nature Preserve (the “Preserve”), which is made up of a number of parcels of land located in Northeast Atlanta, Georgia and is owned by the City, for the benefit of the citizens of Atlanta, its many visitors, and its natural habitat; and

WHEREAS, the City of Atlanta, Department of Parks, Recreation and Cultural Affairs desires to assist the BHNP with its mission; and

WHEREAS, the City has previously entered into a Memorandum of Understanding (“MOU”) with BHNP with regard to the Preserve that lays the foundation for these entities to work cooperatively to develop, manage and enhance the Preserve; and

WHEREAS, a building is located on the portion of the Preserve located at 4055 Roswell Road, Atlanta, Georgia 30342, and BHNP desires to lease that building, together with the land parcel on which the building is located, from the City for the purpose of using the building to further the mission of BHNP and for the purpose of subleasing portions of the building to non-profit organizations that work for public benefit; and

WHEREAS, BHNP agrees that it shall utilize all rents raised by its subleases for purposes of developing, enhancing and maintaining the building and the Preserve.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, as follows:

SECTION 1: That the Mayor be and is hereby authorized to enter into a Lease Agreement with Blue Heron Nature Preserve, Inc. (“BHNP”), a non-profit corporation, for the purpose of leasing the building which is located in the portion of Blue Heron Nature Preserve (“Preserve”) at 4055 Roswell Road, Atlanta, Georgia, together with the land parcel on which the building is located, so as to use the same in furthering the mission of BHNP and to sublease portions of the building to non-profit organizations that work for public benefit.

SECTION 2: That BHNP shall not owe monthly rent to the City. In exchange for a waiver of monthly rent, BHNP shall maintain the building at its own cost, sublease the

building to non-profit organizations that work for environmental protection or other public benefit and pay for all utility charges attributable to the building.

SECTION 3: That the City Attorney shall prepare the appropriate Lease Agreement for execution by the Mayor, to be approved as to form by the City Attorney.

SECTION 4: That said Lease Agreement shall not become binding on the City, and the City shall incur no liability upon the same, until the Lease Agreement has been executed by the Mayor and delivered to BHNP.

Part II: Legislative White Paper

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development/Human Resources

**Caption: A RESOLUTION BY COMMUNITY DEVELOPMENT
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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.

The purpose of this legislation is to authorize a Resolution to enter into a lease Agreement with Blue Heron Nature Preserve, Inc. for a City of Atlanta Building located at 4055 Roswell Road, Atlanta, Georgia 30342, which is a Nature Preserve, for a ten (10) year period on behalf of the Department of Parks, Recreation and Cultural Affairs.

2. Please provide background information regarding this legislation.

The Blue Heron Nature Preserve, Inc. ("BHNP"), a non-profit organization whose mission is, in part, to develop, enhance, and maintain Blue Heron Nature Preserve (the "Preserve"), which is made up of a number of parcels of land located in Northeast Atlanta, Georgia and is owned by the City, for the benefit of the citizens of Atlanta, its many visitors, and its natural habitat, the City of Atlanta, Department of Parks, Recreation and Cultural Affairs desires to assist the BHNP with its mission.

The City has previously entered into a Memorandum of Understanding ("MOU") with BHNP with regard to the Preserve that lays the foundation for these entities to work cooperatively to develop, manage and enhance the Preserve and a building is located on the portion of the

Preserve located at 4055 Roswell Road, Atlanta, Georgia 30342, and BHNP desires to lease that building, together with the land parcel on which the building is located, from the City for the purpose of using the building to further the mission of BHNP and for the purpose of subleasing portions of the building to non-profit organizations that work for public benefit, BHNP agrees that it shall utilize all rents raised by its subleases for purposes of developing, enhancing and maintaining the building and the Preserve.

3. If Applicable/Known:

- (a) **Contract Type:** - A Lease Agreement
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Lease Agreement:** Ten (10) Years

4. **Fund Account Center:** N/a

5. **Source of Funds:**

6. **Fiscal Impact:**

7. **Method of Cost Recovery:**

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 Committee

Chief of Staff Deadline: September 17, 2008

Anticipated Committee Meeting Date(s): September 30, 2008

Anticipated Full Council Date: October 6, 2008

Legislative Counsel's Signature:

Adrian L. Jackson

Commissioner Signature:

[Signature]

Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION BY COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ENTER INTO A LEASE AGREEMENT WITH BLUE HERON NATURE PRESERVE, INC. ("BHNP") FOR THE PURPOSE OF LEASING A CITY OF ATLANTA BUILDING LOCATED AT 4055 ROSWELL ROAD, ATLANTA, GEORGIA 30342, WHICH IS A NATURE PRESERVE, FOR A TEN (10) YEAR PERIOD, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: _____

(date)

Received by LC from CPO: _____

(date)

Received by Mayor's Office: 9.9.08

(date)

Reviewed by: [Signature]

(date)

Submitted to Council: _____

(date)