

**A RESOLUTION BY
TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH OMNI AIR INTERNATIONAL, INC. COVERING THE OCCUPANCY AND USE OF CARGO WAREHOUSE SPACES AND OFFICE SUITES IN THE NORTH CARGO BUILDING AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) has developed the North Cargo Building at Hartsfield-Jackson Atlanta International Airport (“Airport”) for air cargo and air freight business at the Airport; and

WHEREAS, Omni Air International, Inc. (“Omni”) is engaged in the air cargo and freight business and has requested a lease of space in the North Cargo Area; and

WHEREAS, Omni previously conducted its operations at North Cargo Building under an operating agreement with Aircraft Service Group International (ASIG), whose lease with the City expired January 3, 2004. ASIG continued to manage the North Cargo Building until the Airport gave notice to ASIG to cease operation of the building and vacate the premises effective July 1, 2006. The Airport is now managing the building, the existing tenants of the building and the aircraft ramp; and

WHEREAS, the Airport has negotiated lease terms with existing tenants, including Omni, and will submit such terms for approval by Council; and

WHEREAS, the term of a lease with Omni shall not exceed December 31, 2013; and

WHEREAS, the payment of rental for the lease of space shall be computed at rates that are applicable to all tenants in the North Cargo Facility; and

WHEREAS, the payment of an operating and maintenance charge (“O&M charge”) will be based on the actual cost incurred by the City for operating and maintaining the common use areas and facilities, and the common utilities of the North Cargo Building. The O&M charge will be subject to periodic reconciliation against the City’s actual incurred cost, at the tenants’ expense or benefit; and

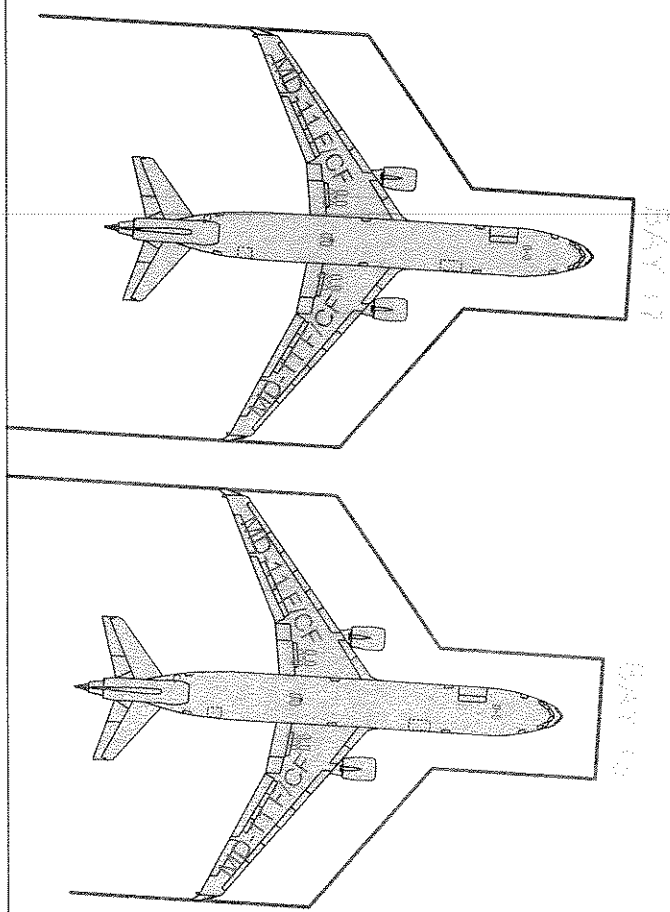
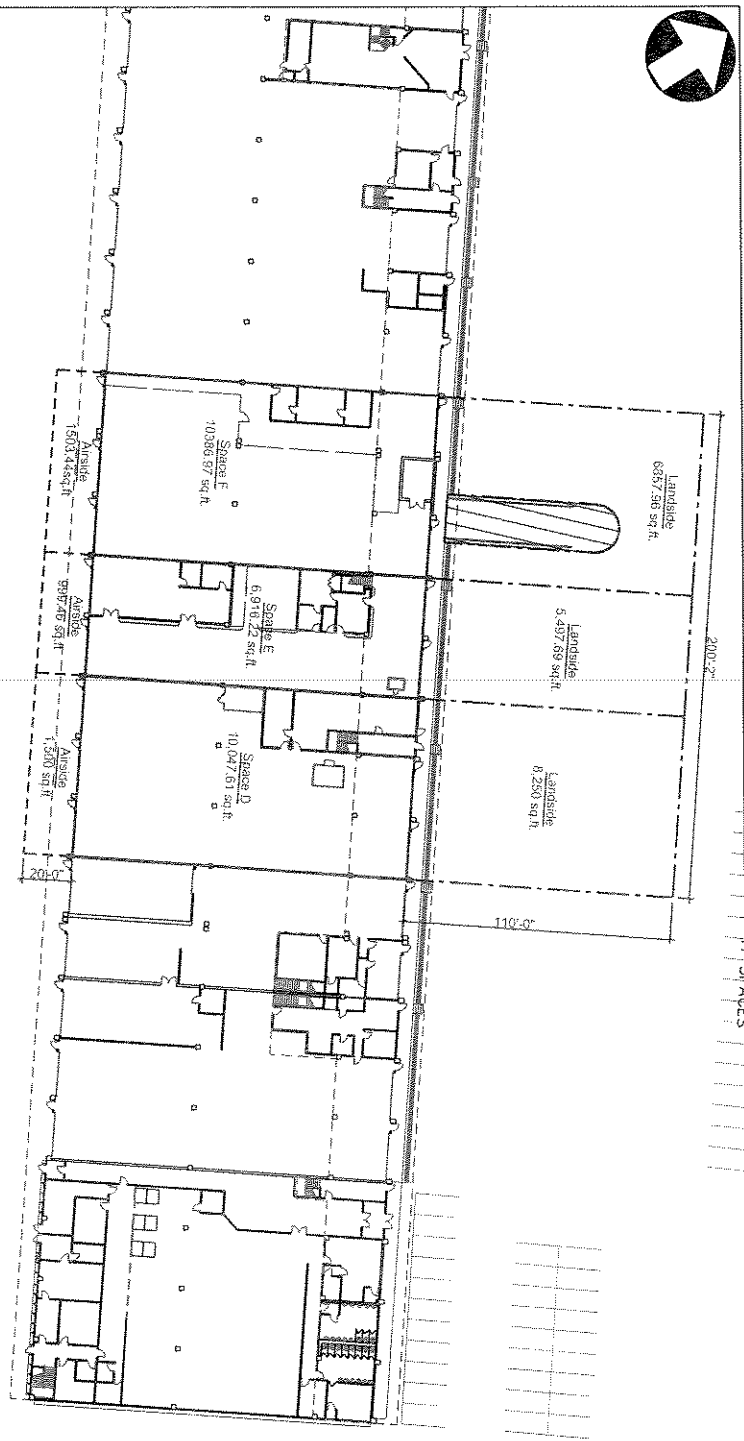
WHEREAS, Omni Air International, Inc., at no expense to the City, shall be responsible for maintenance and repairs of the leased premises; and

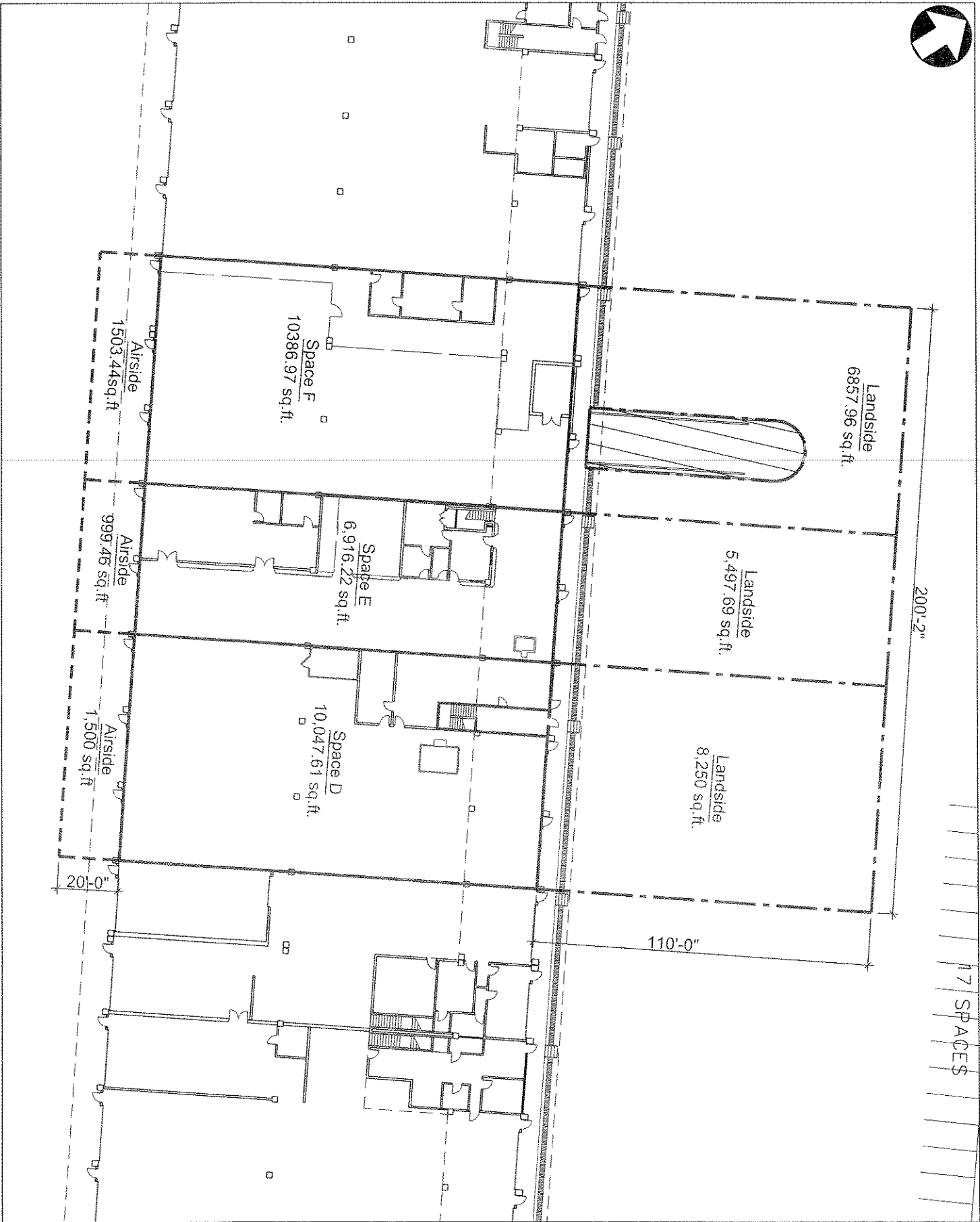
WHEREAS, the Aviation General Manager has determined that sufficient space is available in the North Cargo Building to meet Omni Air International, Inc.’s requirements and has recommended that the City enter into a lease agreement on the conditions hereinbefore set forth and as otherwise appropriate.

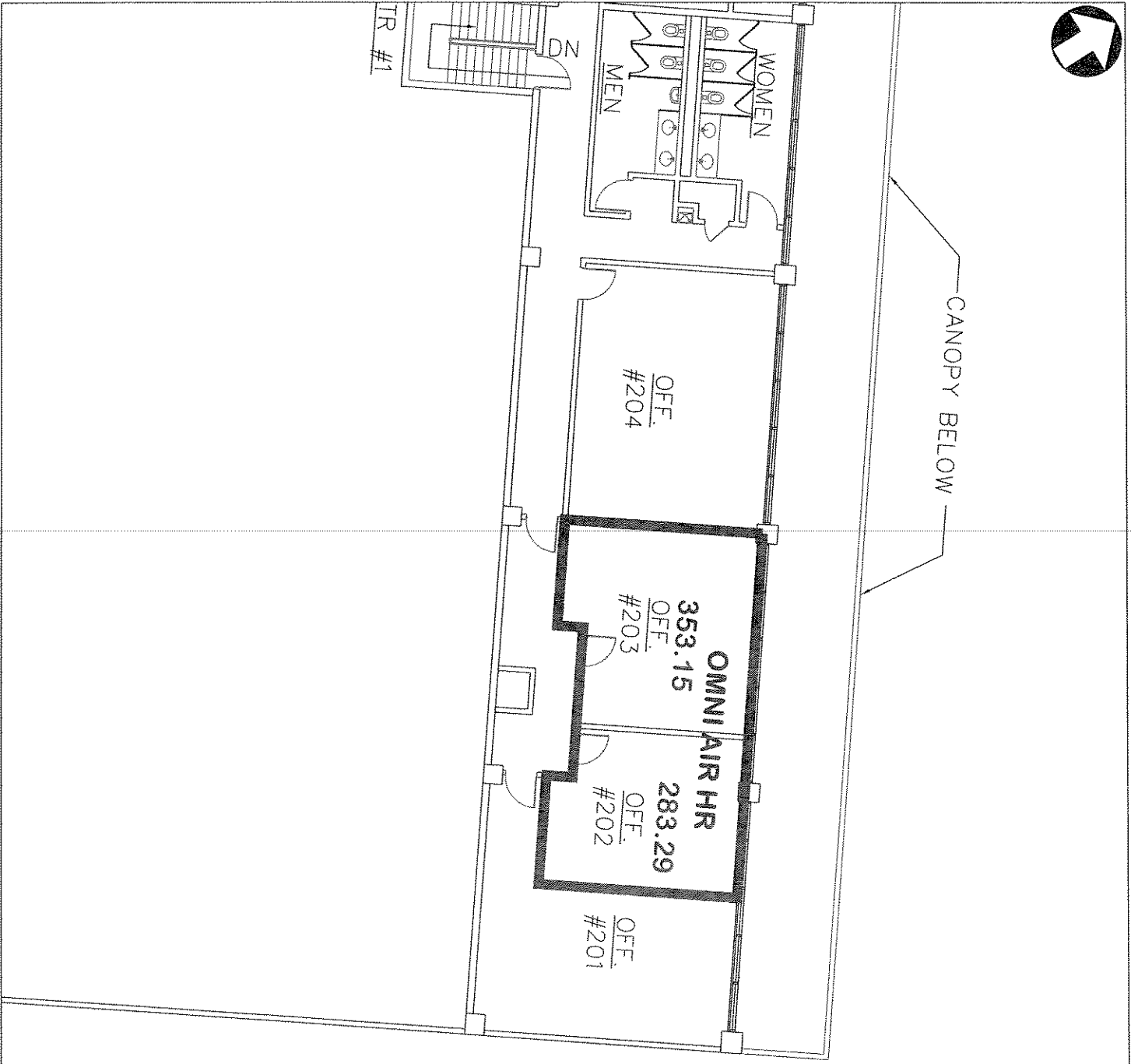
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute on behalf of the City of Atlanta a lease agreement with Omni Air International, Inc., which shall provide for the occupancy and use by Omni Air International, Inc. in the North Cargo Building for a term not to exceed December 31, 2013 at a rental payment for improvements computed at rates that are applicable to all tenants in the North Cargo Facility and where all maintenance and repairs of the premises shall be at the expense of Omni Air International, Inc.

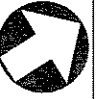
BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare said agreement for execution by the Mayor, with same to be approved as to form by the City Attorney.

BE IT FINALLY RESOLVED, that the Agreement shall not become binding on the City and the City shall incur no liability hereunder until the same has been signed by the Mayor and delivered to the Omni Air International, Inc.

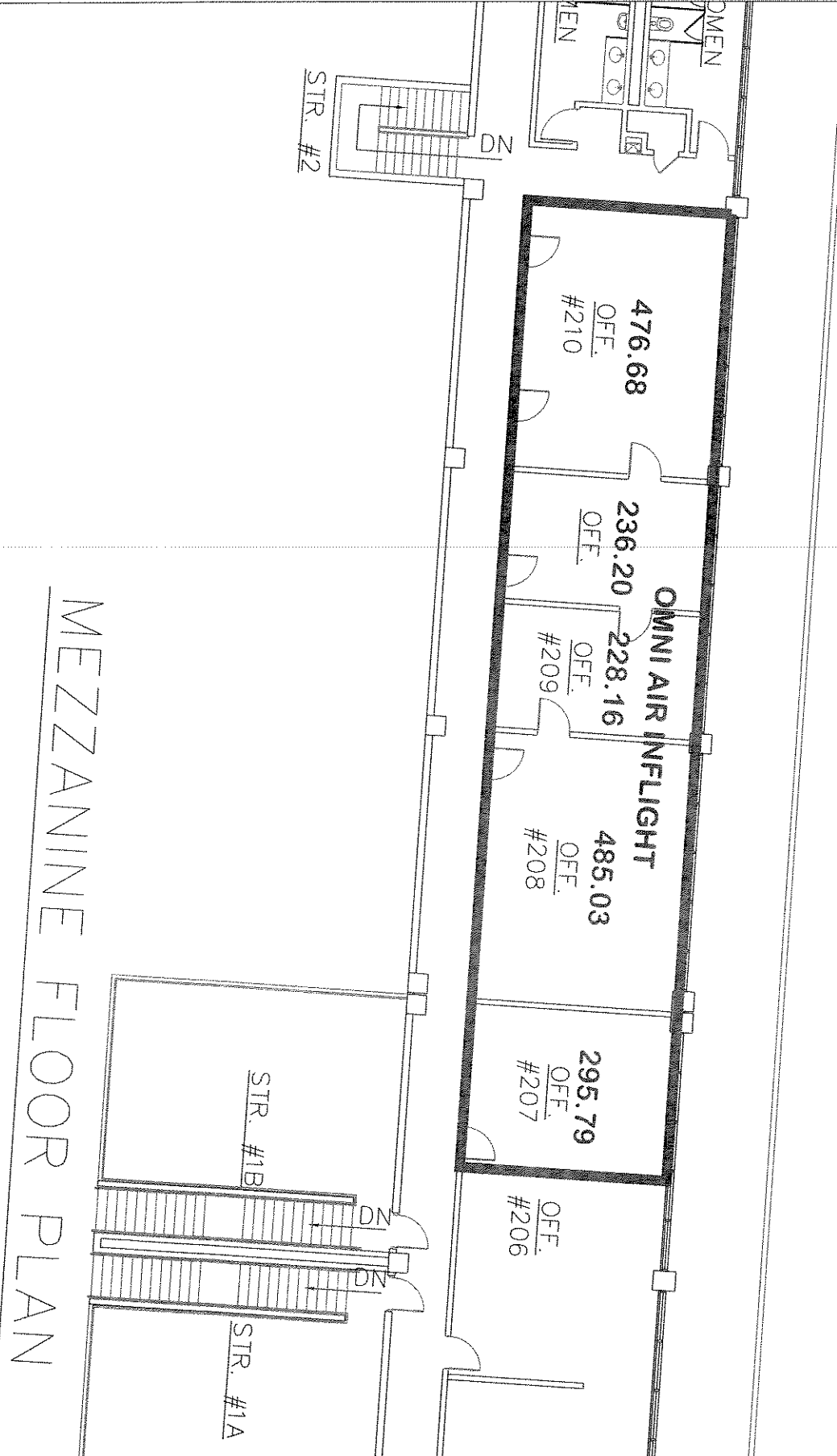


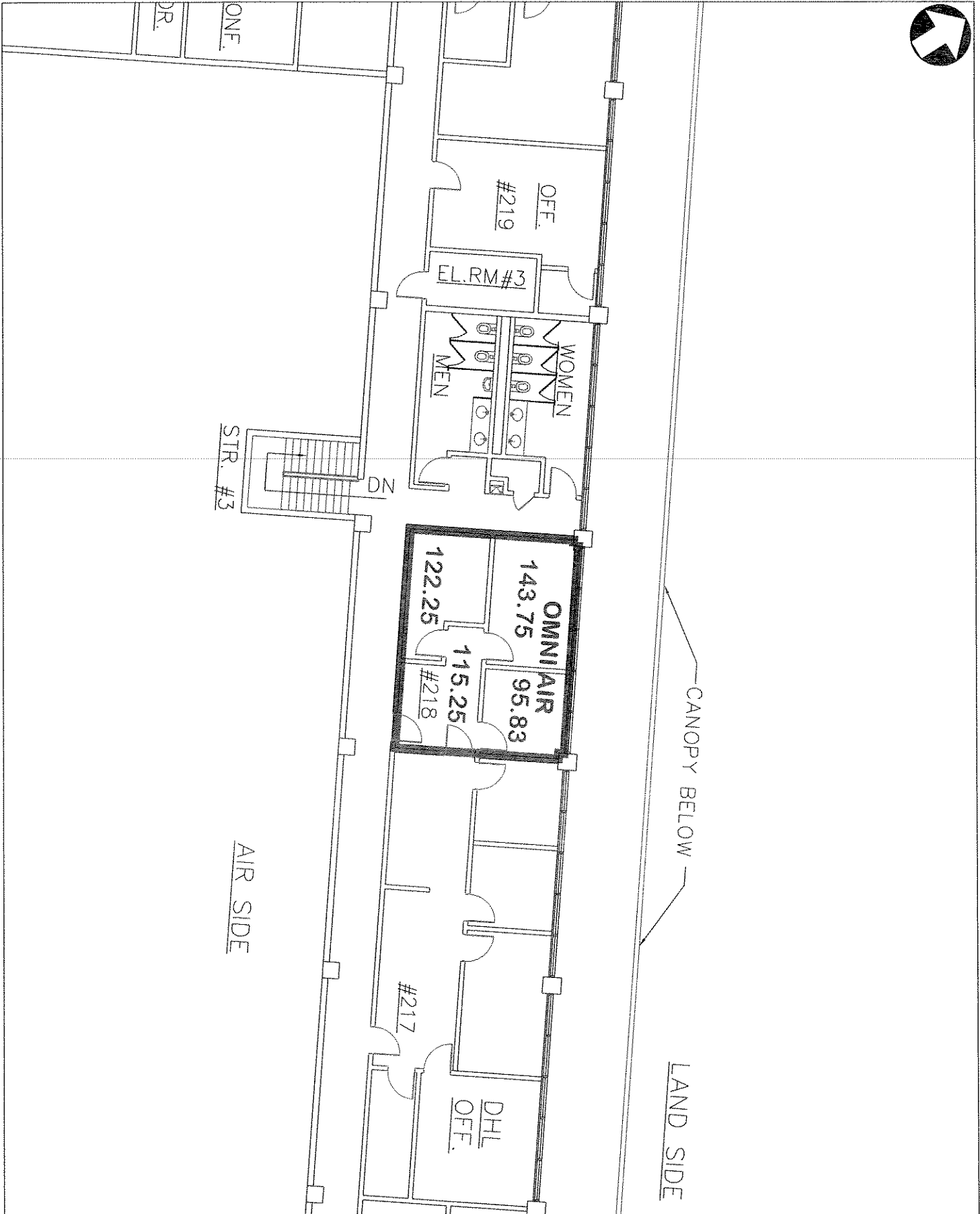






AND SIDE





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: 9/17/08

Anticipated Committee Meeting Date(s): 10/01/08

Anticipated Full Council Date: 10/06/08

Commissioner Signature: 



CAPTION

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FINANCIAL IMPACT (if any)

Mayor's Staff Only

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

Received by Mayor's Office: 9.17.08  (date) Reviewed by:  (date)

Submitted to Council: _____ (date)