

**AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE ATLANTA CITY EMPLOYEES CREDIT UNION FOR APPROXIMATELY 1,068 SQUARE FEET OF OFFICE SPACE AT 226 PEACHTREE STREET, SE, IN LAND LOT 77 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, bond funds were secured for the purchase of land and the construction of the new Public Safety Headquarters and parking deck; and

WHEREAS, pursuant to applicable zoning regulations approximately 1,068 square feet of space was required to be set aside within the said parking deck for office or retail purposes; and

WHEREAS, the Atlanta City Employees Credit Union (“Credit Union”) recently vacated its office space within City Hall East in anticipation of the closing of that property by the City of Atlanta (“City”); and

WHEREAS, the City desires to lease said 1,068 square feet of space directly to the Credit Union for use as a credit union office.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS,
as follows:**

SECTION 1: That the Mayor is hereby authorized to enter into and execute an agreement with the Credit Union for the lease of approximately 1,068 square feet of space within the Public Safety Headquarters parking deck, which space will be built out by the Credit Union as a credit union office.

SECTION 2: That the lease agreement shall commence upon the execution and delivery of said lease agreement to the contracting parties and shall have a term of fifteen (15) years, with an additional five (5) – year option term.

SECTION 3: That the rental rate shall begin at \$10.00 per square foot annually upon the issuance of a certificate of occupancy or July 1, 2009, whichever occurs sooner; with increases of ten percent (10%) after each five-year period from the commencement date, including the option term.

SECTION 4: That the lease agreement will not become binding upon the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to the contracting parties.

SECTION 5: That all lease payments shall be deposited to Fund: 1001 (General Fund), Department: 000002 (General Revenue Org), Account: 3810008 (Building Rentals), Activity: 0000000 (Default).

SECTION 6: That Chapter 2, Article X, Division 14, Subdivision II, Section 2-1547 of the City of Atlanta Code of Ordinances is hereby waived to the extent that such applies to the lease agreement.

SECTION 7: That all other Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

**LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION**

For Legislative Counsel Use Only	
_____ Date Received	_____ Complete _____ Incomplete (Date returned: _____)
_____ Date of Department Consultation	_____ Date of Finance Department Consultation
Commissioner Notified: ____ Yes ____ No If No, Why? _____	
Legislation Required ____ Yes ____ No	Legislation Type ____ Resolution _____ Ordinance
Amends the Code ____ Yes ____ No	Blueback Prepared ____ Yes ____ No
Commissioner Signature _____	
Council Members Only: Authority to speak to Subject Matter Attorney ____ Yes ____ No Authority to speak to Department ____ Yes ____ No	

Date Submitted: February 23, 2009

Department Submitting Request: Office of Enterprise Assets Management

Person Submitting Request: Lisa Y. Gordon
Extension: 8585

Bureau/Division Manager: John C. Lavelle
Extension: 8620

Requesting preliminary meeting with Legislative Counsel attorney? Yes No

Subject Matter of the Meeting _____

Cycle Number/Requested Full Council Date (not earlier than 4 weeks from date of submission): 5

If this must be submitted to Council in fewer than 4 weeks explain why. Please identify consequences if legislation is not submitted for requested cycle. Also, if applicable, please state why the Legislative Request Form was submitted after the Cycle deadline. All non-conforming requests must have Commissioner approval.

The Atlanta City Employees Credit Union has been negotiating with staff for the lease of the only commercial space within the new Public Safety Headquarters parking deck. OEAM staff thinks that the Credit Union is the best-fit occupant for this space. The space will be secure and the location is convenient to City Hall. The Credit Union has closed its City Hall East location and would like to

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REQUEST FOR LEGISLATION**

start to build out the proposed lease site to coincide with the move by the public safety departments into their new headquarters building.

Part I: Legislative Request Form:

Instructions: Please answer all questions fully before submitting. Attach additional pages if necessary. All requests for legislation must have approval of a manager prior to submission. All incomplete requests will be returned. Send request via electronic mail to Legislative Counsel. No hard copies will be accepted. Please refer to attached deadlines for the relevant Chief of Staff submission guidelines.

1. Legislation Name/Project Name: Ordinance to lease space to the Atlanta City Employees Credit Union.

2. What is the purpose of this legislation? (check one)

- Accept a grant or donation [If so, is a matching grant required?] Yes No
- Amend budget
- Amend Code of Ordinances
- Amend Contract
- Anticipate funds
- Appropriate funds
- Apply for a grant or donation
- Authorize/renew Contract
- Fines/penalties
- Human Resources related
- Make a purchase
- New project
- Procuring goods
- Procuring services

Other, please explain: The proposed ordinance would authorize the city to lease the only commercial space in the new parking deck to the Public Safety Headquarters Building to the Atlanta City Employees Credit Union.

If this legislation is to award/amend/renew a contract, please provide the following:

Expiration date of contract:

Contract Term (months/yr):

3. Can the purpose of this legislative request be accomplished administratively?

- Yes No I Don't Know

4. Please explain and estimate any financial impact on the City or your Department.

Will there be a fee or charge assessed by the City?

- If so, how much?

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REQUEST FOR LEGISLATION**

- How was the fee or charge determined?
 - Will revenue be generated for the City? Yes.
5. If there has been previous or similar legislation, please describe and cite the relevant legislation. NA
6. Is this a computer/technology purchase? Yes No

Please forward any additional pertinent or supporting documents (e.g. contracts, exhibits, requisitions, copies of any old ordinances/resolutions pertaining to this issue, etc.) along with a copy of this Legislative Request Form and legislative white paper via email to Legislative counsel or via inter-office mail to: Legislative Counsel, Suite 4100, Law Department.

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

<p>A. To be completed by Legislative Counsel:</p> <p>Committee of Purview:</p> <p>Caption:</p> <p>Council Meeting Date:</p> <p>Requesting Dept.:</p> <p>FAC Confirmed by:</p>
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B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation.

The purpose is to authorize the lease of the only commercial space within the new parking deck to the Public Safety Headquarters Building to the Atlanta City Employees Credit Union. The lease of the 1,068 square foot space will start at \$10.00 per square foot annually and will escalate at 10 percent every five years. The lease will be for 15 years, with a five-year option. The Credit Union will build out the space.

2. Please provide background information regarding this legislation.

The city was required to construct the subject space within the new parking deck in compliance with existing codes. Given the location next to the Public Safety Headquarters Building and near City Hall, the Credit Union is viewed by staff to be the ideal tenant for the limited space available. Leasing directly to the Credit Union solves the challenge of finding a suitable and compatible tenant in this challenging location and economic environment.

3. If Applicable/Known:

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

(b) Source Selection:

(c) Bids/Proposals Due:

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____

Contact Number: _____

Originating Department: Executive Offices/Office of Enterprise Assets Management 

Committee(s) of Purview: Finance /Executive Committee

Chief of Staff Deadline: February 24, 2009

Anticipated Committee Meeting Date(s): March 10-11, 2009

Anticipated Full Council Date: March 16, 2009

Legislative Counsel's Signature: Adrian T. Jackson

Commissioner Signature: _____

Chief Procurement Officer Signature: Adam R. Smith


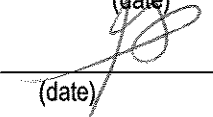
CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE ATLANTA CITY EMPLOYEES CREDIT UNION FOR APPROXIMATELY 1,068 SQUARE FEET OF OFFICE SPACE AT 226 PEACHTREE STREET, SE, IN LAND LOT 77 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES

FINANCIAL IMPACT (if any): \$10,680 annually in gross revenue to start, with ten percent increases in rent every five years over the 15-year term, plus the five-year option term, if applicable.

Mayor's Staff Only

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

Received by Mayor's Office: 2.24.09 (date)  Reviewed by:  (date)

Submitted to Council: _____