

**A RESOLUTION BY
TRANSPORTATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
LEASE AGREEMENT WITH SHUTTLE AMERICA
CORPORATION COVERING THE OCCUPANCY AND USE OF
WAREHOUSE SPACE 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, Shuttle America Corporation (“Shuttle America”) is engaged in the commercial air transport business and has requested a lease of space in the North Cargo Building; and

WHEREAS, Shuttle America previously conducted its operations at the City North Hangar under an operating agreement with Atlantic Southeast Airlines who no longer can accommodate Shuttle America in the City North Hangar; and

WHEREAS, the Airport has negotiated lease terms with Shuttle America, the term of a lease with Shuttle America 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, Shuttle America, at no expense to the City, shall be responsible for maintenance and repairs of the leased premises; and

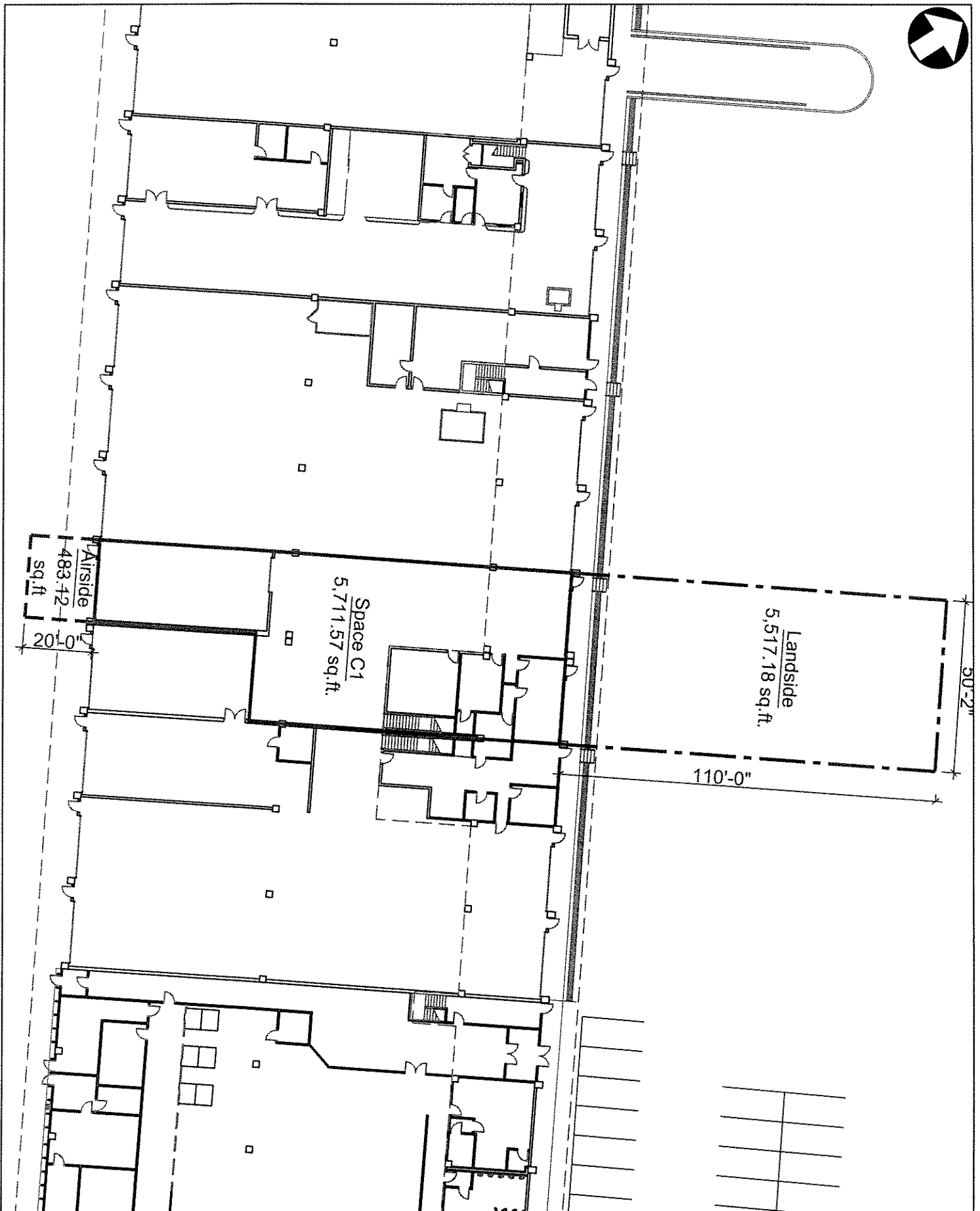
WHEREAS, the Aviation General Manager has determined that sufficient space is available in the North Cargo Building to meet Shuttle America’s requirements and has recommended that the City enter into a lease agreement on the conditions hereinbefore set forth and as otherwise appropriate.

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 Shuttle America, which shall provide for the occupancy and use by Shuttle America 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 Shuttle America.

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 said 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 Shuttle America.



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).

This Legislation is requesting the approval from Council for the Mayor to execute a lease agreement between the City of Atlanta and Shuttle America Corporation.

2. Please provide background information regarding this legislation.

Shuttle America Corporation (Shuttle America) previously conducted its operations at City North Hangar under an agreement with Atlantic Southeast Airlines (ASA). ASA gave notice to Shuttle America to vacate the space due to ASA expanding their operation at the City North Hangar. Shuttle America is an affiliate carrier for Delta Airlines and requires space on the airfield to support their flight operations at Hartsfield-Jackson Atlanta International airport.

Space has been located in the North Cargo Building that will accommodate the Shuttle America operation. Shuttle America desires to lease this space and has agreed to lease terms acceptable to the City.

The expected revenue from leasing this space to Shuttle America is \$96,349.29 annually (\$8,029.29 Monthly) and Shuttle America is in good standing with the City.

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: None

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

7. Method of Cost Recovery: Rental fees charged to Shuttle America

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: H. Jason Terreri

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

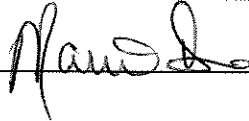
Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 2/10/09

Anticipated Committee Meeting Date(s): 2/25/09

Anticipated Full Council Date: 3/02/09

Commissioner Signature: 

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH SHUTTLE AMERICA CORPORATION COVERING THE OCCUPANCY AND USE OF WAREHOUSE SPACE IN THE NORTH CARGO BUILDING AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; 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: _____ (date) Reviewed by:  (date)

Submitted to Council: _____ (date)