

11- R -0851

(Do Not Write Above This Line)

**A RESOLUTION BY  
CITY UTILITIES COMMITTEE**

**A RESOLUTION AUTHORIZING  
THE MAYOR, ON BEHALF OF THE  
CITY, TO EXECUTE A  
MAINTENANCE AGREEMENT  
WITH THE GEORGIA  
DEPARTMENT OF  
TRANSPORTATION AND CSX  
TRANSPORTATION FOR  
CONSTRUCTION AND  
MAINTENANCE SERVICES FOR  
THE FAIRBURN ROAD BRIDGE  
REPLACEMENT, FOR PROJECT  
CSBRG-0008-00(299), P.I. NO, 0008299,  
AT NO COST TO THE CITY; AND  
FOR OTHER PURPOSES.**

ADOPTED BY

JUN 06 2011

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee City Utilities

Date May 31 2011

Chair Hale

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

[Signature]

[Signature]

[Signature]

Refer To

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

Committee

Date

Chair

Action  
 Fav, Adv, Hold (see rev. side)  
 Other

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED

JUN 06 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

JUN 06 2011

Rhonda Daughin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 15 2011

WITHOUT SIGNATURE  
BY OPERATION OF LAW



CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION BY  
CITY UTILITIES COMMITTEE

11- R -0851

**A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO EXECUTE A MAINTENANCE AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION FOR CONSTRUCTION AND MAINTENANCE SERVICES FOR THE FAIRBURN ROAD BRIDGE REPLACEMENT, FOR PROJECT CSBRG-0008-00(299), P.I. NO, 0008299, AT NO COST TO THE CITY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Georgia Department of Transportation (“GDOT”) has represented to the City of Atlanta (“City”) a desire to replace the bridge on CR 1349/Fairburn Road over the tracks of CSX Transportation (“CSXT”); and

**WHEREAS**, GDOT has expressed a willingness to provide one hundred percent (100%) of the funding for the bridge replacement with GDOT funds and/or funds appropriated to GDOT by the Federal Highway Administration, under Title 23, Highways, of the Code of Federal Regulations; and

**WHEREAS**, the new bridge over the tracks of CSX Transportation will replace the existing bridge and will require construction activities within CSXT Right of Way at Railroad Inventory Number 63862IL and Railroad Milepost ANB 851.87; and

**WHEREAS**, CSXT has expressed a willingness to perform certain construction engineering activities, accounting and billing activities, and a willingness to grant GDOT temporary easements for services related to the construction of the CR 1349/Fairburn Road Bridge Replacement project; and

**WHEREAS**, once construction has been completed on the CR 1349/Fairburn Road Bridge Replacement, this new bridge overpass will be owned and maintained by the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor, on behalf of the City, is authorized to execute a Maintenance Agreement with CSX Transportation and the Georgia Department of Transportation for construction services on the CR 1349/Fairburn Road Bridge Replacement Project, CSBRG-0008-00(299), P.I. No. 0008299, at no cost to the City.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare an appropriate Agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that this Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the Georgia Department of Transportation and CSX Transportation, Inc.

A true copy,  
  
Deputy Municipal Clerk

ADOPTED by the Atlanta City Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

June 06, 2011  
June 15, 2011

RCS# 1077  
6/06/11  
2:28 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

Y Smith	B Archibong	Y Moore	Y Bond
B Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell

CONSENT I