

11- C -0953

First Reading

Committee _____
Date _____
Chair Yadru
Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

A COMMUNICATION BY MUNICIPAL CLERK RHONDA DAUPHIN JOHNSON:

SUBMITTING A REPORT OF ADMINISTRATIVE CORRECTIONS MADE TO PREVIOUSLY ADOPTED LEGISLATION BETWEEN THE COUNCIL'S REGULAR MEETING DATES OF JUNE 06, 2011 AND JUNE 20, 2011 TO THE ATLANTA CITY COUNCIL IN ACCORDANCE WITH SECTION 2-275 OF THE ATLANTA CITY CODE OF ORDINANCES. (09-O-1948)

Filed

JUL 05 2011

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 6/20/11

Referred To: Finance/Exec

Date Referred: _____

Referred To: _____

Date Referred: _____

Referred To: _____

Committee Financial/Executive

Date 6/29/11

Chair Yadru

Action Refer to COC

Fav. Adv. Hold (see rev. side)

Other Filed

Members Tricia Moore

Hester

Committee _____

Date _____

Chair _____

Action _____

Fav. Adv. Hold (see rev. side)

Other _____

Members _____

CERTIFIED
CERTIFIED
JUL 05 2011
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
JUL 05 2011
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Committee COC

Date 7/5/11

Chair Tricia Moore

Action File

Fav. Adv. Hold (see rev. side)

Other _____

Members Dominic Sheperd

[Signature]

[Signature]

Committee _____

Date _____

Chair _____

Action _____

Fav. Adv. Hold (see rev. side)

Other _____

Members _____



11-*C*-0953

**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

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SECOND FLOOR, EAST
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ATLANTA, GEORGIA 30303
(404) 330-6033
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June 20, 2011

TO: Council President Ceasar C. Mitchell
Members of Council

FROM: Rhonda Dauphin Johnson
Municipal Clerk

RE: Report of Administrative Correction to Legislation

The following previously adopted legislative item has received an administrative correction during the time period occurring between the regular Council meeting dates of June 06, 2011 and today's meeting June 20, 2011.

• **09-O-1948**

An Ordinance by Community Development/Human Resources Committee authorizing the Mayor, on behalf of the City of Atlanta, to execute a First Amendment to the 2007 Governmental Agreement regarding the Atlanta Zoo to increase the leasehold for the purpose of expanding zoo operations; and authorizing the Mayor, on behalf of the City of Atlanta, to enter into a Memorandum of Understanding with Atlanta-Fulton County Zoo, Inc. to set forth the terms of expanding the leasehold; and for other purposes.

**ADOPTED by the Atlanta City Council
APPROVED by Mayor Shirley Franklin**

**DEC 07, 2009
DEC 15, 2009**

Correction: To insert an Exhibit "A" legal description by replacing the blank description.

RCS# 1253
7/05/11
2:29 PM

Atlanta City Council

REGULAR SESSION

ATTENDANCE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

ATTENDANCE

**AN ORDINANCE
BY COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

CORRECTED COPY

AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO EXECUTE A FIRST AMENDMENT TO THE 2007 GOVERNMENTAL AGREEMENT REGARDING THE ATLANTA ZOO TO INCREASE THE LEASEHOLD FOR THE PURPOSE OF EXPANDING ZOO OPERATIONS; AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH ATLANTA-FULTON COUNTY ZOO, INC. TO SET FORTH THE TERMS OF EXPANDING THE LEASEHOLD; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") owns certain public buildings and facilities located on an approximately 36.42-acre parcel of land in Grant Park (the "Leasehold", more particularly described in Exhibit A attached hereto and incorporated herein by reference); and

WHEREAS, the City leases the Leasehold, including the improvements thereon, to the Fulton County Recreation Authority (the "Authority") for the purpose of operating a public zoo for amusement and educational purposes (the "Atlanta Zoo" or "Zoo"). The terms of the lease are set forth in a Governmental Agreement Regarding the Atlanta Zoo, dated June 1, 2007 (the "Governmental Agreement"), entered into by the City, the Authority, and Fulton County, Georgia; and

WHEREAS, the Zoo is operated by the Atlanta-Fulton County Zoo, Inc. ("Zoo Atlanta"), pursuant to an Operating Agreement for the Zoo, dated as of June 1, 2007, between the Authority and Zoo Atlanta; and

WHEREAS, Zoo Atlanta wishes to expand the Zoo's operations, and requires additional land to accomplish this purpose; and

WHEREAS, the City and the Authority propose to amend the Governmental Agreement ("First Amendment") to increase the Leasehold by adding the site of the City's Office of Parks Southeast Maintenance Facility ("Existing Facility"), consisting of approximately one acre adjoining the Zoo (the "Existing Facility Parcel"), to the Leasehold operated by Zoo Atlanta;

WHEREAS, the City and Zoo Atlanta propose to enter into a Memorandum of Understanding, (the "Memorandum of Understanding"), in which the City will agree to add the Existing Facility Parcel to the Leasehold, and the City and Zoo Atlanta will set forth the terms of adding the Existing Facility Parcel to the Leasehold; and

WHEREAS, one of the conditions of the Memorandum of Understanding is that Zoo Atlanta construct a new Office of Parks maintenance facility to replace the Existing Facility, at no cost to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. The Mayor, on behalf of the City, is hereby authorized to execute the First Amendment to the Governmental Agreement Regarding the Atlanta Zoo, dated June 1, 2007. The First Amendment shall be substantially similar to the document attached hereto as Exhibit B. The First Amendment shall include without limitation the increase of the Leasehold by approximately one acre through the addition of the parcel adjoining the Zoo that currently houses the Parks Southeast Maintenance Facility. The Existing Facility Parcel shall be utilized for Zoo operational purposes.

Section 2. The Mayor, on behalf of the City, is hereby authorized to execute a Memorandum of Understanding with the Atlanta-Fulton County Zoo, Inc. The Memorandum of Understanding shall be substantially similar to the document attached hereto as Exhibit C, and shall set forth the terms of the City's leasing the Existing Facility Parcel for use by Zoo Atlanta for Zoo operations. The Memorandum of Understanding shall include, without limitation, the requirement that Zoo Atlanta, at no cost to the City: (a) provide for the demolition of the Existing Facility, including removal of the existing building, parking areas and roadway currently on the Existing Facility Parcel; and (b) construct a replacement for the Existing Facility that shall be located on a five (5) acre portion of the of the Honor Farm property with road frontage on Constitution Road, and that shall contain approximately four thousand (4,000) square feet of usable space inclusive of a welding shop.

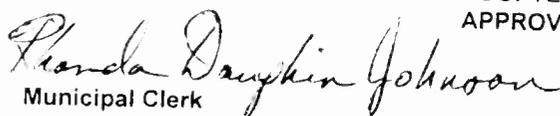
Section 3: There shall be no monetary impact upon the City arising from execution of the First Amendment or the Memorandum of Understanding.

Section 4: The City Attorney or his designee is hereby directed to prepare or have prepared the First Amendment and the Memorandum of Understanding for execution by the Mayor, to be approved as to form by the City Attorney or his designee.

Section 5: The First Amendment shall not become binding on the City, and the City shall incur no liability upon the same until the First Amendment has been executed by the Mayor and attested to by the Municipal Clerk.

Section 6: The Memorandum of Understanding shall not become binding on the City, and the City shall incur no liability upon the same until the First Amendment has been executed by the Mayor and attested to by the Municipal Clerk, and the Memorandum of Understanding has been executed by the Mayor and attested to by the Municipal Clerk.

A true copy


Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Shirley Franklin

DEC 07, 2009
DEC 15, 2009