

11-R-1558

(Do Not Write Above This Line)

**A RESOLUTION BY
TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LICENSE AGREEMENT WITH THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY ("MARTA") TO ACCESS, USE AND MAINTAIN A TRACTION POWER SUBSTATION AT THE MARTA PEACHTREE CENTER RAIL STATION, LOCATED AT 216 PEACHTREE STREET, NE ATLANTA, FULTON COUNTY, GEORGIA, PROPERTY OWNED BY MARTA, TO PROVIDE NECESSARY ELECTRICAL POWER FOR THE OPERATION OF THE ATLANTA STREETCAR PROJECT; AND FOR OTHER PURPOSES. **ADOPTED BY**

NOV 07 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 MA _____
 Referred To _____

Committee TRANSPORTATION

Date 11-2-11

Chair [Signature]

Action [Signature]
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

[Signatures]

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
 NOV 07 2011
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 NOV 07 2011
 Rhonda Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 16 2011

WITHOUT SIGNATURE
BY OPERATION OF LAW



**A RESOLUTION BY
TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LICENSE AGREEMENT WITH THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY ("MARTA") TO ACCESS, USE AND MAINTAIN A TRACTION POWER SUBSTATION AT THE MARTA PEACHTREE CENTER RAIL STATION, LOCATED AT 216 PEACHTREE STREET, NE ATLANTA, FULTON COUNTY, GEORGIA, PROPERTY OWNED BY MARTA, TO PROVIDE NECESSARY ELECTRICAL POWER FOR THE OPERATION OF THE ATLANTA STREETCAR PROJECT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") was awarded a TIGER II grant to fund the construction of the Atlanta Streetcar Project (the "Project"), a modern, ADA compliant, electrically powered transit system; and

WHEREAS, the resulting infrastructure to be owned by the City will include three (3) traction power substations to provide necessary electrical power for the operation of the Atlanta Streetcar Project; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority ("MARTA") is the owner of certain property described as the MARTA Peachtree Center Rail Station located at 216 Peachtree Street, NE Atlanta, Fulton County, Georgia, a portion of which contains a traction power substation room (the "Peachtree Center Substation"), which can serve as the optimal location of one such traction power substation; and

WHEREAS, MARTA is assisting the City in managing the construction, implementation and operation of the Atlanta Streetcar Project; and

WHEREAS, the City desires a license and right of entry for the placement, installation, testing, operation, maintenance and repair of the Peachtree Center Substation for the benefit of the Atlanta Streetcar Project; and

WHEREAS, MARTA desires to allow the City to access, use and maintain the Peachtree Center Substation for the benefit of the Atlanta Streetcar Project; and

WHEREAS, MARTA and the City (the "Parties") have agreed to enter into an agreement whereby MARTA will grant a license and right of entry to the City for the placement, installation, testing, operation, maintenance and repair of the Peachtree Center Substation for the benefit of the Atlanta Streetcar Project; and

WHEREAS, the Parties also desire to enter into an agreement to provide for the respective duties and responsibilities of the Parties in relation to the placement, installation, testing, operation, maintenance and repair of the Peachtree Center Substation.



THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor is authorized to enter into a license and right of entry agreement with the Metropolitan Atlanta Rapid Transit Authority ("MARTA") for the placement, installation, testing, operation, maintenance and repair of a traction power substation room at the Peachtree Center Rail Substation for the benefit of the Atlanta Streetcar Project.

BE IT FURTHER RESOLVED, that the City Attorney is directed to negotiate, prepare, and/or review an appropriate license and right of entry agreement necessary to effect the intent of this resolution provided that such amendment is in compliance with the conditions set forth herein.

BE IT FINALLY RESOLVED, that the license and right of entry 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 by the City Attorney as to form and delivered to the MARTA.

A true copy,

A handwritten signature in black ink, appearing to be "K. O'Connell", is written over a horizontal line.

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

Nov. 07, 2011
Nov. 16, 2011

RCS# 1528
11/07/11
3:50 PM

Atlanta City Council

REGULAR SESSION

11-R-1558 EXECUTE AGREEMENT W/MARTA FOR A TRACTION
POWER SUBSTATION AT 216 PEACHTREE ST.
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

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

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