

11-*R*-1578

(Do Not Write Above This Line)

A RESOLUTION

BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT, AND THE ATLANTA DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR THE ATLANTA STREETCAR PROJECT IN ORDER TO ADD THE LUCKIE STREET TWO-WAY CONVERSION PROJECT TO THE SCOPE OF WORK AND PROVIDE FOR RESPECTIVE DUTIES AND RESPONSIBILITIES 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 \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee *Finance/Exec*

Date *11-2-11*

Chair

*[Signature]*

Action

Fav, Adv, Hold (see rev. side)

Other

Members

*[Signatures]*

*[Signature]*

*[Signature]*

*[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

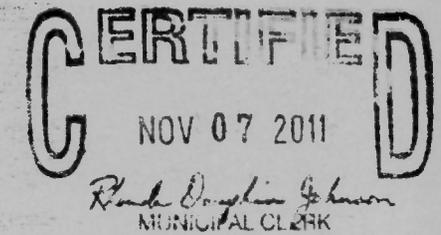
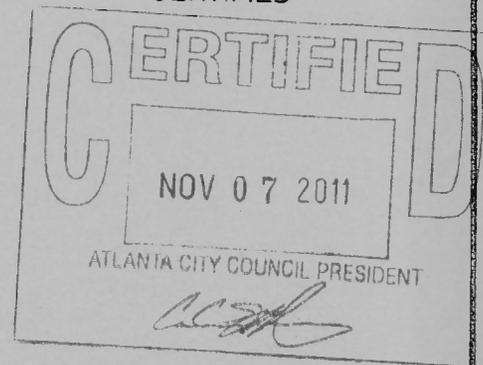
Members

Refer To

FINAL COUNCIL ACTION

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

CERTIFIED

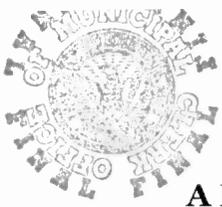


MAYOR'S ACTION

APPROVED

NOV 16 2011

WITHOUT SIGNATURE  
BY OPERATION OF LAW



**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT, AND THE ATLANTA DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR THE ATLANTA STREETCAR PROJECT IN ORDER TO ADD THE LUCKIE STREET TWO-WAY CONVERSION PROJECT TO THE SCOPE OF WORK AND PROVIDE FOR RESPECTIVE DUTIES AND RESPONSIBILITIES OF THE ATLANTA STREETCAR PROJECT AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to Ordinance 11-O-0327, adopted by the Atlanta City Council on March 7, 2011 and approved by the Mayor on March 14, 2011, the City of Atlanta (the "City") entered into an intergovernmental agreement in March, 2011 ("Intergovernmental Agreement") with Metropolitan Atlanta Rapid Transit Authority ("MARTA"), the Downtown Atlanta Community Improvement District ("DACID"), and the Atlanta Downtown Improvement District, Inc., ("ADID") (together, the "Parties"), to build a modern streetcar system in the City (the "Atlanta Streetcar"); and

**WHEREAS**, the City and DACID/ADID (the "Project Sponsors") have secured independent funding from the Federal Transit Administration in the amount of One Million One Thousand Four Hundred Dollars (\$1,001,400.00) ("Luckie Street Award") for the purpose of converting Luckie Street, an urban arterial street located in the Atlanta Streetcar's alignment between Centennial Olympic Park Drive, N.W. and Peachtree Street, N.W., from a one-way into a two-way street, thereby allowing for two-way traffic (the "Luckie Street Project"); and

**WHEREAS**, the Luckie Street Award requires a twenty percent (20%) local share obligation in the amount of Two Hundred Fifty Thousand Three Hundred Fifty Dollars and no cents (\$250,350.00) that will be provided by ADID, acting on behalf of DACID; and

**WHEREAS**, to facilitate the design, construction and operation of the Atlanta Streetcar, the Parties agree that the Luckie Street Project can be integrated into the Atlanta Streetcar's procurement, design and construction project; and

**WHEREAS**, MARTA has agreed to include the Luckie Street Project in the Atlanta Streetcar Project Design-Build Project, MARTA RFP P21954; and

**WHEREAS**, the Parties desire to enter into this first amendment to the Intergovernmental Agreement for the Atlanta Streetcar Project ("First Amendment") to provide for the addition of traffic operation improvements to the scope of work and the respective duties and responsibilities of the Parties in



relation to the inclusion of the Luckie Street Project into the Atlanta Streetcar's design and build process.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES** that the Mayor is authorized to execute this First Amendment to the Intergovernmental Agreement with "the Parties" in order to provide for the addition of traffic operation improvements to the scope of work and the respective duties and responsibilities of the Parties in relation to the inclusion of the Luckie Street Project into the Atlanta Streetcar's design and build process.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to negotiate, prepare, and/or review the First Amendment necessary to effect the intent of this resolution provided that such amendment is in compliance with the conditions set forth herein and provided that there is no cost to the City.

**BE IT FINALLY RESOLVED**, that the First Amendment to the Intergovernmental Agreement (and any additional amendments to the Intergovernmental 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 Parties.

A true copy,

Deputy Municipal Clerk

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

**Nov. 07, 2011  
Nov. 16, 2011**



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Stefanie Grant

Contact Number: 404-330-6404

Originating Department: Law

Committee(s) of Purview: Finance Executive

Chief of Staff Deadline: October 14, 2011

Anticipated Committee Meeting Date(s): November 2, 2011

Anticipated Full Council Date: November 7, 2011

Legislative Counsel's Signature: Stefanie Grant *Stefanie Grant*

Commissioner's Signature: Cathy Hampton *Cathy Hampton*

Chief Information Officer Signature (for IT Procurements) \_\_\_\_\_

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT, AND THE ATLANTA DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR THE ATLANTA STREETCAR PROJECT IN ORDER TO ADD THE LUCKIE STREET TWO-WAY CONVERSION PROJECT TO THE SCOPE OF WORK AND PROVIDE FOR RESPECTIVE DUTIES AND RESPONSIBILITIES OF THE ATLANTA STREETCAR PROJECT AND FOR OTHER PURPOSES.**

**FINANCIAL IMPACT: (if any)**  
**Mayor's Staff Only**

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Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 10.17.11 *[Signature]*  
(date)

Reviewed by: [Signature]  
(date)

Submitted to Council: \_\_\_\_\_ (date)