

11-R-1821

(Do Not Write Above This Line)

A RESOLUTION
BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE AMENDMENT
NO. 13 TO THE CENTRAL
PASSENGER TERMINAL COMPLEX
LEASE AGREEMENT WITH
ATLANTIC SOUTHEAST AIRLINES,
INC. ("ASA") PROVIDING FOR AN
INCREASE IN ASA'S TENANT FINISH
EQUIPMENT SYSTEMS CHARGE
RENTALS IN ORDER TO REPAY THE
CITY OF ATLANTA FOR ASA'S
SHARE OF THE COST OF THE D
NORTH PROJECT, AND FOR OTHER
PURPOSES.

ADOPTED BY

JAN 03 2012

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 _____

TRANSPORTATION

12-14 Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Handwritten signatures]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

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

JAN 03 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

JAN 03 2012

[Signature]

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 12 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 13 TO THE CENTRAL PASSENGER TERMINAL COMPLEX LEASE AGREEMENT WITH ATLANTIC SOUTHEAST AIRLINES, INC. ("ASA") PROVIDING FOR AN INCREASE IN ASA'S TENANT FINISH EQUIPMENT SYSTEMS CHARGE RENTALS IN ORDER TO REPAY THE CITY OF ATLANTA FOR ASA'S SHARE OF THE COST OF THE D NORTH PROJECT, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") and Atlantic Southeast Airlines, Inc. ("ASA") have entered into an Agreement and Lease-Central Passenger Terminal Complex, dated August 1, 1990, and various supplemental agreements and amendments thereto (collectively the "CPTC Lease") including that certain Agreement to Amend and Extend CPTC Leases, Use Agreements and Certain Other Space Use Agreements entered into by ASA and the City on September 20, 2010 ("Extension Agreement").

WHEREAS, pursuant to the Extended CPTC Lease extending the lease agreement with Delta Air Lines, Inc. the City has agreed to reimburse Delta Air Lines, Inc., ("Delta") up to \$25,000,000.00 to renovate Concourse D north leased premises, some of which is leased to ASA, including the purchase and installation of 22 passenger jet bridges on Concourse D ("D North Project"); and

WHEREAS, City and ASA desire to amend the CPTC Lease to reflect the increase in Tenant Finish Equipment Systems rentals attributable to ASA associated with the D North Project; and

WHEREAS, ASA and the City wish to amend the CPTC Lease (as defined in the Extension Agreement).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is authorized to execute on behalf of the City of Atlanta an Amendment No. 13 to the CPTC Lease under which:

- A. ASA will pay additional Tenant Finishes/Equipment/Systems Costs ("TFESC") rentals to the City in an amount that would amortize ASA's prorata share (based on the square footage of boarding level Concourse D space leased by Delta and ASA) of the Reimbursement Amount plus capitalized interest at 1.20 times the interest rate on the General Airport Revenue Bonds which are the source of the funds for the D North Project.
- B. ASA shall lease from the City approximately 1,692 square feet of Preferential Leased Premises on the Boarding Level of Concourse D North and approximately 197 square feet of Preferential Leased Premises on the Apron Level of Concourse D North.



BE IT FURTHER RESOLVED that the City Attorney is directed to prepare said Amendment No. 13 for execution by the Mayor or his designee.

BE IT FINALLY RESOLVED, that said Amendment No. 13 shall 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 Atlantic Southeast Airlines, Inc.

A true copy,

Deputy Municipal Clerk

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

Jan. 03, 2012
Jan. 12, 2012

RCS# 1647
1/03/12
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I
JANUARY 3, 2012
ADOPT

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

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	01-03-12 ITEMS ADVERSED ON CONSENT
<ol style="list-style-type: none"> 1. 11-O-1694 2. 11-O-1717 3. 11-O-1713 4. 11-O-1714 5. 11-O-1832 6. 11-O-1836 7. 11-O-1837 8. 11-O-1838 9. 11-O-1630 10. 11-O-1712 11. 11-O-1839 12. 11-O-1718 13. 11-R-1789 14. 11-R-1815 15. 11-R-1811 16. 11-R-1844 17. 11-R-1821 18. 11-R-1822 19. 11-R-1823 20. 11-R-1824 21. 11-R-1825 22. 11-R-1826 23. 11-R-1796 24. 11-R-1797 25. 11-R-1798 26. 11-R-1799 27. 11-R-1800 28. 11-R-1801 		<ol style="list-style-type: none"> 29. 11-R-1802 30. 11-R-1803 31. 11-R-1804