

11-1825

(Do Not Write Above This Line)

A RESOLUTION
BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE AMENDMENT
NO. 25 TO THE CENTRAL
PASSENGER TERMINAL COMPLEX
LEASE AGREEMENT WITH DELTA
AIR LINES, INC. ("DELTA")
PROVIDING FOR THE ADDITION OF
3,865 SQUARE FEET OF SPACE TO
DELTA'S LEASED PREMISES
PROVIDING FOR AN ASSOCIATED
INCREASE IN DELTA'S RENT, 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

Date 12-14-11

Chair

Action 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

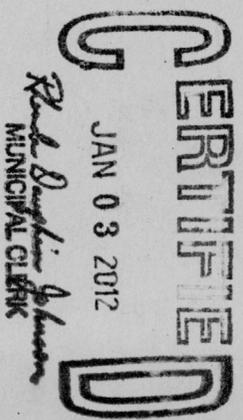
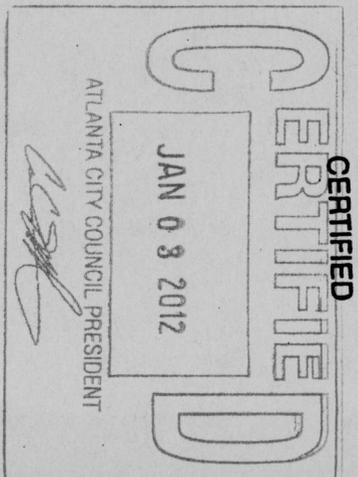
Chair

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

Members

Refer To

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



MAYOR'S ACTION

APPROVED

JAN 12 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

11- R -1825

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 25 TO THE CENTRAL PASSENGER TERMINAL COMPLEX LEASE AGREEMENT WITH DELTA AIR LINES, INC. ("DELTA") PROVIDING FOR THE ADDITION OF 3,865 SQUARE FEET OF SPACE TO DELTA'S LEASED PREMISES PROVIDING FOR AN ASSOCIATED INCREASE IN DELTA'S RENT, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") and Delta Airlines, Inc. ("Delta") have entered into an Agreement and Lease-Central Passenger Terminal Complex, dated March 22, 1977, and various supplemental agreements and amendments thereto (hereinafter collectively referred to as the "CPTC Lease"), including that certain Agreement to Amend and Extend CPTC Leases, Use Agreements and Certain Other Space Use Agreements entered into by Delta, the City and Northwest Airlines, Inc. ("Northwest," Northwest now merged into Delta and represented herein by Delta as successor-in-interest), effective as of December 24, 2009 (the "Extension Agreement"); and

WHEREAS, City and Northwest are parties to a CPTC Lease, which CPTC Lease was originally between the City and Southern Airlines, Inc, as further described in, and as amended by, the Extension Agreement; and

WHEREAS, in the Extension Agreement the City agreed to reimburse Delta up to \$25,000,000.00 to renovate Concourse D north leased premises, which included premises leased to Atlantic Southeast Airlines ("ASA"), and the purchase and installation of 22 passenger jet bridges on Concourse D ("D North Project"), pursuant to Resolution 09R1809 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009; and

WHEREAS, City and Delta desire to amend the Extended Delta CPTC Lease to reflect the increase in space and rentals associated with the D North Project; and

WHEREAS, City will execute a similar Amendment to the ASA 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. 25 to the Delta CPTC Lease Agreement under which the following will be provided:

- A. Delta will complete the D North Project in accordance with plans approved by the Department of Aviation.



- B. The City will reimburse Delta for the actual cost (“Reimbursement Amount”) of the D North Project up to a maximum of \$25,000,000.00 as outlined in the Extension Agreement.
- C. Delta will pay additional Tenant Finishes/Equipment/Systems Costs (“TFESC”) rentals to the City in an amount that would amortize Delta’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 over the remaining term of the Bonds.
- D. Delta’s Lease shall be amended to reflect the addition of approximately 3,865 square feet of Preferential Leased Premises on the Boarding Level of Concourse D North.

BE IT FURTHER RESOLVED that the City Attorney is directed to prepare said Amendment No. 25 for execution by the Mayor.

BE IT FINALLY RESOLVED, that said Amendment No. 25 shall not become binding upon the City and the City shall 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 Delta Air Lines, Inc.

A true copy,

A handwritten signature in black ink, appearing to be "G. E. ...", written over a horizontal line.

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