

**12-R-0345**  
 (Do Not Write Above This Line)

A RESOLUTION  
 BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 27 TO THE CENTRAL PASSENGER TERMINAL COMPLEX AND AGREEMENT LEASE WITH DELTA AIR LINES, INC. TO ALLOW THE CITY OF ATLANTA TO ACQUIRE BAGGAGE SORTATION SYSTEM FROM DELTA AIR LINES, INC., PURSUANT TO SECTION 2-119.1 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SPECIAL PROCUREMENT FOR AN AMOUNT NOT TO EXCEED FIFTY MILLION DOLLARS (\$50,000,000.00) AND CONVERT CERTAIN DELTA LEASED PREMISES TO JOINT LEASED PREMISES; ALL SERVICES WILL BE CHARGED TO AND PAID FROM PTAE0: 18101352 (TERMINAL IMPROVEMENT), 200 (TASK), 550591336 (DOA PFC REVENUE964A), 5414002 (FACILITIES OTHER THAN BUILDINGS), AND FDOA: 5505 (AIRPORT PASSENGER FACILITY CHARGE FUND) 180201 (DOA CAPITAL PLANNING & DEVELOPMENT), 5414002 (FACILITIES OTHER THAN BUILDINGS) 7563000 (AIRPORT), 101352 (TERMINAL IMPROVEMENT), 91336 (DOA PFC REVENUE 964A); AND FOR OTHER PURPOSES.

ADOPTED

MAR 19 2012

- 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:

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

First Reading

Committee Finance/Executive  
 Date 3-14-12  
 Chair John Spill  
 Referred To \_\_\_\_\_

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

Members

Refer To \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Members

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Members

Refer To \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Members

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

CERTIFIED

CERTIFIED  
 MAR 19 2012

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED  
 MAR 19 2012

*Ronald Campbell*  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 28 2012

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 27 TO THE CENTRAL PASSENGER TERMINAL COMPLEX AND AGREEMENT LEASE WITH DELTA AIR LINES, INC. TO ALLOW THE CITY OF ATLANTA TO ACQUIRE A BAGGAGE SORTATION SYSTEM FROM DELTA AIR LINES, INC., PURSUANT TO SECTION 2-1191.1 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SPECIAL PROCUREMENT, FOR AN AMOUNT NOT TO EXCEED FIFTY MILLION DOLLARS (\$50,000,000.00) AND CONVERT CERTAIN DELTA LEASED PREMISES TO JOINT LEASED PREMISES; ALL SERVICES WILL BE CHARGED TO AND PAID FROM PTAEO: 18101352 (TERMINAL IMPROVEMENT), 200 (TASK), 550591336 (DOA PFC REVENUE96AA), 5414002 (FACILITIES OTHER THAN BUILDINGS), AND FDOA: 5505 (AIRPORT PASSENGER FACILITY CHARGE FUND) 180201 (DOA CAPITAL PLANNING & DEVELOPMENT), 5414002 (FACILITIES OTHER THAN BUILDINGS) 7563000 (AIRPORT), 101352 (TERMINAL IMPROVEMENT), 91336 (DOA PFC REVENUE 96AA); AND FOR OTHER PURPOSES.**

**WHEREAS,** The City of Atlanta (the "City") and Delta Air Lines, 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) entered into an Agreement to Amend and extend CPTC leases, Use Agreements and certain other Space Use Agreements, effective as of December 24, 2009 (the "Extension Agreement"); and

**WHEREAS,** Delta owns, operates and maintains a baggage sortation system on Concourse E ("E-Bag System") that it is updating to include substantial replacement of the system components; and

**WHEREAS,** the update to the E-Bag System will not exceed Fifty Million Dollars (\$50,000,000.00); and

**WHEREAS,** the City desires to acquire the E-Bag System as a common use baggage system; and

**WHEREAS,** the E-Bag System will fully integrate into the common use baggage system being constructed by the City for the Maynard Holbrook Jackson, Jr. International Terminal ("MHJIT"); and



**WHEREAS**, the E-Bag System is capable of directing international passenger bags to domestic flights as required; and

**WHEREAS**, as a result, the City’s Department of Procurement has authorized, pursuant to Code Section, 2-1191.1; Special Procurement, the Department of Aviation’s purchase of the E-Bag System from Delta; and

**WHEREAS**, Delta shall continue to operate and maintain both the E-Bag System and the expanded baggage system serving MHJIT; and

**WHEREAS**, the acquisition and reimbursement to Delta is conditioned upon approval from the Federal Aviation Administration (“FAA”) to impose and use Passenger Facility Charges (“PFCs”) for this purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA**, that, conditioned upon approval from the FAA to impose and use PFCs, the Mayor is authorized to execute on behalf of the City of Atlanta an Amendment No. 27 to the CPTC Lease under which:

- A. The City will reimburse Delta for costs associated with the design, construction, replacement, repair and acquisition of the E-bag system in an approximate but not to exceed amount of Fifty Million Dollars (\$50,000,000.00).
- B. Delta will operate and maintain the E-bag system and the expanded baggage system serving MHJIT. The City will reimburse Delta for maintenance fees.
- C. Convert certain Preferential Leased Premises currently utilized for the E-bag system to Joint Leased Premises.

**BE IT FURTHER RESOLVED**, that all services will be charged to and paid from PTAE0: 18101352 (Terminal Improvement), 200 (Task), 550591336 (DOA PFC Revenue 96AA), 5414002 (Facilities Other Than Buildings), and FDOA: 5505 (Airport Passenger Facility Charge Fund) 180201 (DOA Capital Planning & Development), 5414002 (Facilities Other Than Buildings) 7563000 (Airport), 101352 (Terminal Improvement), 91336 (DOA PFC Revenue 96AA).

**BE IT FURTHER RESOLVED** that the City Attorney is directed to prepare said Amendment No. 27 for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that said agreement will not become binding on the City and the City will incur no liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to Delta Air Lines, Inc.

A true copy,  
  
Deputy Municipal Clerk

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

**MAR. 19, 2012**  
**MAR. 28, 2012**

RCS# 1828  
3/19/12  
5:08 PM

Atlanta City Council

12-R-0345

EXECUTE AMENDMENT NO. 27 TO CENTRAL  
PASSENGER TERMINAL COMPLEX LEASE W/DELTA  
ADOPT

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

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

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