

13-R-3278

(Do Not Write Above This Line)

A RESOLUTION  
BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH THE PATH FOUNDATION, INC. ("PATH") FOR PRELIMINARY ENGINEERING AND CONSTRUCTION SERVICES FOR THE GEORGIA 400 TRAIL PROJECT; AND AUTHORIZING AN AGREEMENT WITH THE PATH FOUNDATION, INC., APPOINTING PATH TO ACT AS THE CITY'S AGENT AND CONSTRUCTION MANAGER FOR THE GEORGIA 400 TRAIL PROJECT; AND FOR OTHER PURPOSES.

FILED

JUL 01 2013

By Council

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> 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 City Utilities  
 Date June 25 2013  
 Chair [Signature]  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (See rev.side) \_\_\_\_\_  
 Other F/E  
 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 \_\_\_\_\_

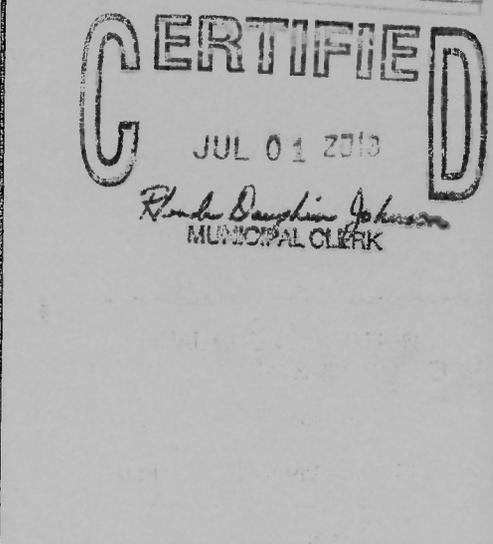
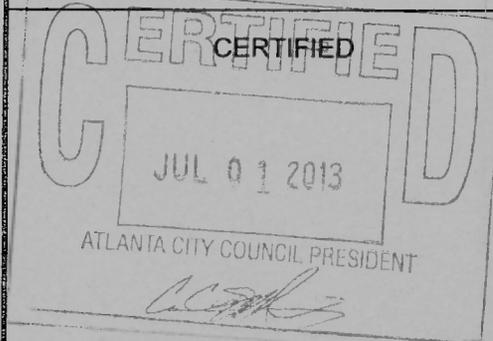
Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (See rev.side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

2<sup>ND</sup>     1<sup>ST</sup> & 2<sup>ND</sup>     3<sup>RD</sup>

Readings

Consent     V Vote     RC Vote



MAYOR'S ACTION

RCS# 2880  
7/01/13  
4:14 PM

Atlanta City Council

13-R-3278

MOU WITH THE PATH FOUNDATION, INC. FOR  
ENGINEERING & CONSTRUCTION SERVICES.  
FILE

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 1

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

13-R-3278

**A RESOLUTION  
BY CITY UTILITIES COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH THE PATH FOUNDATION, INC. ("PATH") FOR PRELIMINARY ENGINEERING AND CONSTRUCTION SERVICES FOR THE GEORGIA 400 TRAIL PROJECT; AND AUTHORIZING AN AGREEMENT WITH THE PATH FOUNDATION, INC., APPOINTING PATH TO ACT AS THE CITY'S AGENT AND CONSTRUCTION MANAGER FOR THE GEORGIA 400 TRAIL PROJECT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") has the goal of providing trails for use of its citizens and visitors as a safe venue to engage in outdoor activities free of conflict with automobiles on the streets and rights of way; and

**WHEREAS**, the goal of the Path Foundation, Inc. ("PATH") is to facilitate such trail systems by providing expertise in the planning, design and implementation of the Project and providing private funding for the Project; and

**WHEREAS**, the City of Atlanta and PATH believe that a strong working relationship offers the City and its citizens a unique opportunity for the development of new greenspace, recreation areas and alternative transportation infrastructure which will significantly improve the quality of life for all citizens of the City; and

**WHEREAS**, PATH has facilitated arrangements in which funding is made available from sources other than the City of Atlanta for design, engineering, and construction connected with development of the aforementioned project; and

**WHEREAS**, local match contributions for the design, engineering, and construction work necessary to complete certain infrastructure improvement projects will be funded fully by PATH; and

**WHEREAS**, the City desires to enter into a Memorandum of Understanding with PATH to provide preliminary engineering and construction services for the Georgia 400 Trail Project and to authorize PATH to act as the City's agent and construction manager for the Project.

**THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY RESOLVES** that the Mayor is hereby authorized to execute on behalf of the City of Atlanta, a Memorandum of Understanding with PATH to provide preliminary engineering and construction services for the GA 400 Trail Project ("Project") and to authorize PATH to act as the City's agent and construction manager for the Project.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to negotiate, prepare and review an appropriate Memorandum of Understanding Agreement, acceptable as to form, for execution by the Mayor and the Path Foundation, Inc.

**BE IT FINALLY RESOLVED**, that the agreement will not become binding on 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 as to form by the City Attorney and delivered to the Path Foundation, Inc.

**PROPOSED ALIGNMENT**

