

2668
13-R-3521
 (Do Not Write Above This Line)

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

FINAL COUNCIL ACTION

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

A RESOLUTION
 BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AMENDMENT NO. 2 TO THAT CERTAIN AMENDED, RESTATED AND CONSOLIDATED LEASE AGREEMENT WITH FELCOR LODGING LIMITED PARTNERSHIP ("FELCOR" OR "TENANT") COVERING THE LEASE OF APPROXIMATELY 17,272 SQUARE FEET OF SPACE OWNED BY THE CITY OF ATLANTA ("CITY") LOCATED IN THE FACILITY FORMERLY KNOWN AS THE GEORGIA INTERNATIONAL CONVENTION CENTER, AND FOR OTHER PURPOSES.

Committee TRANSPORTATION
 Date August 28 2013
 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 _____

ADOPTED BY
 SEP 03 2013
 COUNCIL
 Refer To _____

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

Members _____

 Refer To _____

- 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: _____

CERTIFIED
 SEP 03 2013
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 SEP 03 2013
 Rhonda Dandrea Johnson
 METROPOLITAN CLERK

MAYOR'S ACTION

APPROVED

SEP 12 2013

WITHOUT SIGNATURE
 BY OPERATION OF LAW



**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AMENDMENT NO. 2 TO THAT CERTAIN AMENDED, RESTATED AND CONSOLIDATED LEASE AGREEMENT WITH FELCOR LODGING LIMITED PARTNERSHIP (“FELCOR” OR “TENANT”) COVERING THE LEASE OF APPROXIMATELY 17,272 SQUARE FEET OF SPACE OWNED BY THE CITY OF ATLANTA (“CITY”) LOCATED IN THE FACILITY FORMERLY KNOWN AS THE GEORGIA INTERNATIONAL CONVENTION CENTER, AND FOR OTHER PURPOSES.

WHEREAS, the City and Felcor are the current parties to that certain Amended, Restated and Consolidated Lease, dated April 23, 1993, as amended (the “Lease”), with respect to premises located in the facility formerly known as the Georgia International Convention Center (the “Civic Center”) which premises is more fully described in the Lease and is adjacent to Tenant’s hotel in metro-Atlanta, Clayton County, Georgia; and

WHEREAS, Felcor exercised the Renewal Option under the Lease on September 6, 2012, thereby extending the term of the Lease for an additional twenty-five (25) years; and

WHEREAS, pursuant to the Lease, City and Felcor have agreed upon the Fixed Minimum Rent as determined by the Fair Market Value of the leased premises to be paid by Felcor during the Renewal Term at an initial rate of \$9.07 per square foot, an annual rental of \$156,657.04 and subject to an annual escalation of 2.5% during the extension term; and

WHEREAS, Felcor has expressed a desire to lease certain other vacant premises owned by the City located adjacent to the leased premises on an “ad-hoc” basis (the “Ancillary Premises”); and

WHEREAS, in consideration of the City allowing Felcor use of the Ancillary Premises, Felcor will remit to the City all funds due for Felcor’s previous usage of the Ancillary Premises, as disclosed by Felcor to City; and

WHEREAS, City and Felcor have agreed upon the Rent for the Ancillary Premises based on the Fair Market Value of the leased premises to be paid by Felcor during the Renewal Term; and

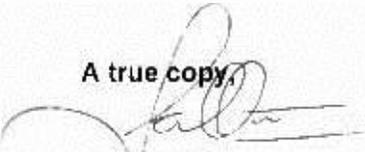
WHEREAS, Landlord and Tenant desire to amend the Lease to confirm the foregoing and to address certain other terms and provisions of the Lease.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that the Mayor or his designee is authorized to execute on behalf of the City, an Amendment No. 2 to that certain Amended, Restated and Consolidated Lease, dated April 23, 1993, for approximately 17,272 square feet of space owned by the City and located in the facility formerly known as the Georgia International Convention Center and to include provisions authorizing the lease of the Ancillary Premises.



BE IT FURTHER RESOLVED, that the City Attorney be and hereby is directed to prepare the Amendment for execution by the Mayor containing substantially the terms set forth in this Resolution and any other terms or conditions as are customarily included in lease agreements of similar nature.

BE IT FINALLY RESOLVED, that the Amendment will not become binding on the City and the City will incur no obligation or liability under it until it has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk and delivered to Felcor Lodging Limited Partnership, Inc.

A true copy,

Deputy Clerk

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

SEP 03, 2013
SEP 12, 2013

RCS# 2982
9/03/13
2:09 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS
EXCEPT 13-R-3434
ADOPT

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

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

CONSENT I

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		09-03-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-1202	40. 13-R-3526	79. 13-R-3477
2. 13-O-1203	41. 13-R-3527	80. 13-R-3478
3. 13-O-1204	42. 13-R-3529	81. 13-R-3479
4. 13-O-1205	43. 13-R-3441	82. 13-R-3480
5. 13-O-1206	44. 13-R-3442	83. 13-R-3481
6. 13-O-1213	45. 13-R-3443	84. 13-R-3482
7. 13-O-1214	46. 13-R-3444	85. 13-R-3483
8. 13-O-1200	47. 13-R-3445	86. 13-R-3484
9. 13-O-1209	48. 13-R-3446	87. 13-R-3485
10. 13-O-1197	49. 13-R-3447	88. 13-R-3486
11. 13-O-1199	50. 13-R-3448	89. 13-R-3487
12. 13-R-3415	51. 13-R-3449	90. 13-R-3488
13. 13-R-3419	52. 13-R-3450	91. 13-R-3489
14. 13-R-3420	53. 13-R-3451	92. 13-R-3490
15. 13-R-3421	54. 13-R-3452	93. 13-R-3491
16. 13-R-3422	55. 13-R-3453	94. 13-R-3492
17. 13-R-3423	56. 13-R-3454	95. 13-R-3493
18. 13-R-3424	57. 13-R-3455	96. 13-R-3494
19. 13-R-3411	58. 13-R-3456	97. 13-R-3495
20. 13-R-3426	59. 13-R-3457	98. 13-R-3496
21. 13-R-3528	60. 13-R-3458	99. 13-R-3497
22. 13-R-3431	61. 13-R-3459	100. 13-R-3498
23. 13-R-3432	62. 13-R-3460	101. 13-R-3499
24. 13-R-3433	63. 13-R-3461	102. 13-R-3500
25. 13-R-3435	64. 13-R-3462	103. 13-R-3501
26. 13-R-3436	65. 13-R-3463	104. 13-R-3502
27. 13-R-3437	66. 13-R-3464	105. 13-R-3503
28. 13-R-3438	67. 13-R-3465	106. 13-R-3504
29. 13-R-3439	68. 13-R-3466	107. 13-R-3505
30. 13-R-3440	69. 13-R-3467	108. 13-R-3506
31. 13-R-3413	70. 13-R-3468	109. 13-R-3507
32. 13-R-3518	71. 13-R-3469	110. 13-R-3508
33. 13-R-3519	72. 13-R-3470	111. 13-R-3509
34. 13-R-3520	73. 13-R-3471	112. 13-R-3510
35. 13-R-3521	74. 13-R-3472	113. 13-R-3511
36. 13-R-3522	75. 13-R-3473	114. 13-R-3512
37. 13-R-3523	76. 13-R-3474	115. 13-R-3513
38. 13-R-3524	77. 13-R-3475	116. 13-R-3514
39. 13-R-3525	78. 13-R-3476	117. 13-R-3515
		118. 13-R-3516