

13-0-1235 2654

(Do Not Write Above This Line)

AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING WAIVING THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA ("CODE") AS WELL AS ANY OTHER CONFLICTING CODE PROVISIONS AND AUTHORIZING KELLE COMMUNICATIONS GROUP, INC. TO PROVIDE, AND THE CITY OF ATLANTA, GEORGIA TO ACCEPT, PUBLIC PAY PHONE SERVICES UNDER THE TERMS AND CONDITIONS SET FORTH IN THAT CERTAIN LEASE AGREEMENT FOR PUBLIC PAY TELEPHONE CONCESSIONS (FC-7708-04) BEGINNING AUGUST 1, 2013 AND CONTINUING ON A MONTH-TO-MONTH BASIS UNTIL SEPTEMBER 30, 2014; AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 9/3/13
 Referred To: Finance/Exec
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee Finance/Executive
 Date 9-3-13
 Chair Kelita W. Moore
 Referred To _____

Committee Fin/Exec
 Date 9-11-13
 Chair Moore
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members [Signature]
[Signature]
[Signature]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 ADOPTED BY _____
SEP 16 2013
 COUNCIL _____
 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

CERTIFIED
 SEP 16 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 SEP 16 2013
 Rhonda Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 SEP 25 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING WAIVING THE COMPETITIVE SOURCE SELECTION REQUIREMENTS CONTAINED IN SECTION 2-1187 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA ("CODE") AS WELL AS ANY OTHER CONFLICTING CODE PROVISIONS AND AUTHORIZING KELLEE COMMUNICATIONS GROUP, INC. TO PROVIDE, AND THE CITY OF ATLANTA, GEORGIA TO ACCEPT, PUBLIC PAY PHONE SERVICES UNDER THE TERMS AND CONDITIONS SET FORTH IN THAT CERTAIN LEASE AGREEMENT FOR PUBLIC PAY TELEPHONE CONCESSIONS (FC-7708-04) BEGINNING AUGUST 1, 2013 AND CONTINUING ON A MONTH-TO-MONTH BASIS UNTIL SEPTEMBER 30, 2014; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City"), as owner and operator of Hartsfield-Jackson Atlanta International Airport ("Airport"), entered into that certain Lease Agreement for Public Pay Telephone Concessions Agreement (FC-7708-04) ("Agreement") with Kellee Communications Group, Inc. ("Kellee") pursuant to Resolution Number 05-R-0687, for the establishment and operation of public pay telephones and pre-paid calling card machines at the Airport; and

WHEREAS, the Agreement expired on June 30, 2011; and

WHEREAS, Kellee has provided satisfactory public pay telephone services at the Airport during the term of the Agreement and it is in the City's best interest to ensure that public pay telephone services continue to be provided at the Airport until such time the City's Department of Aviation ("DOA") is able to competitively procure public pay telephone services; and

WHEREAS, Kellee and the City desire to amend the Agreement to allow Kellee to (a) continue to provide public pay telephone services at the Airport on a month-to-month basis not to exceed September 30, 2014 and (b) perform a test program that will require Kellee to install new public pay telephones with the capability to display advertising at Kellee's sole cost and expense; and

WHEREAS, Kellee Communications will pay the greater of a Minimum Annual Guarantee of \$30/phone/month and a percentage rent in the amount of fifty percent (50%) of adjusted gross revenue. Kellee Communication is planning to install 400 phones upgraded with the Rich Multimedia Technologies new telecommunication equipment. The potential additional revenue generated for the City over a long-term contract would be \$3-5 million per year; and

WHEREAS, the Department of Aviation anticipates that if the pay telephones with advertising program is successful, it will procure public pay telephone service with



advertising via the Airport Terminal Advertising Bid in 2014 pursuant to a competitive source selection process as set forth in the Code; and

WHEREAS, the Aviation General Manager and Chief Procurement Officer have recommended that Kellee be authorized to (a) continue providing, on an uninterrupted basis, public pay phone services at the Airport and the City be authorized to accept such services under the terms set forth in the Agreement on a month-to-month basis, which shall in no event extend beyond September 30, 2014 and (b) install new public pay telephones with the capability to display advertising at Kellee's sole cost and expense.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That Kellee Communications Group, Inc. is authorized to provide public pay telephone services at the Airport, and the City is authorized to accept such services, under the terms and conditions set forth in that certain Lease Agreement for Public Pay Telephone Concessions Agreement (FC-7708-04) beginning August 1, 2013 and continuing on a month-to-month basis until September 30, 2014 and install new public pay telephones with the capability to display advertising at Kellee's sole cost and expense.

SECTION 2: That all ordinances or parts of ordinances in conflict with this ordinance, including but not limited to Code Section 2-1187 are waived to the extent of the conflict.

SECTION 3: That the Mayor is authorized to execute an amendment to the Agreement with Kellee Communications Group, Inc. for Contract Number FC-7708-04 extending the term of the Agreement on a month-to-month basis until September 30, 2014.

SECTION 4: That the extended term of the Agreement will begin on August 1, 2013 and continue on a month-to-month basis until September 30, 2014.

SECTION 5: That the City Attorney is directed to prepare an amendment extending the term of that certain that certain Lease Agreement for Public Pay Telephone Concessions Agreement (FC-7708-04) beginning on August 1, 2013 and continuing on a month-to-month basis until September 30, 2014, for execution by the Mayor.

SECTION 6: That said amendment shall not become binding on the City, nor will the City incur no liability hereunder until such amendment has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Kellee Communications Group, Inc.

A true copy,

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

September 16, 2013
September 25, 2013

Rhonda Daughin Johnson
Municipal Clerk

RCS# 3015
9/16/13
2:19 PM

Atlanta City Council

CONSENT AGENDA SECTION I PAGES (1-20)
EXCEPT 13-O-1260
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 4

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

+

		09-16-13
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-1227	40. 13-R-3544	66. 13-R-3571
2. 13-O-1228	41. 13-R-3545	67. 13-R-3572
3. 13-O-1229	42. 13-R-3546	68. 13-R-3573
4. 13-O-1230	43. 13-R-3427	69. 13-R-3574
5. 13-O-1232	44. 13-R-3428	70. 13-R-3576
6. 13-O-1235	45. 13-R-3429	71. 13-R-3577
7. 13-O-1258	46. 13-R-3533	72. 13-R-3578
8. 13-O-1263	47. 13-R-3547	73. 13-R-3579
9. 13-O-1265	48. 13-R-3537	74. 13-R-3580
10. 13-O-1266	49. 13-R-3538	75. 13-R-3581
11. 13-O-1267	50. 13-R-3539	
12. 13-O-1234	51. 13-R-3549	
13. 13-O-1248	52. 13-R-3550	
14. 13-O-1082	53. 13-R-3551	
15. 13-O-1216	54. 13-R-3552	
16. 13-O-1236	55. 13-R-3560	
17. 13-O-1238	56. 13-R-3561	
18. 13-O-1240	57. 13-R-3562	
19. 13-O-1241	58. 13-R-3563	
20. 13-O-1244	59. 13-R-3564	
21. 13-O-1247	60. 13-R-3565	
22. 13-O-1242	61. 13-R-3566	
23. 13-O-1260	62. 13-R-3567	
24. 13-O-1249	63. 13-R-3568	
25. 13-O-1250	64. 13-R-3569	
26. 13-O-1251	65. 13-R-3570	
27. 13-O-1252		
28. 13-O-1253		
29. 13-O-1254		
30. 13-O-1255		
31. 13-O-1256		
32. 13-R-3555		
33. 13-R-3556		
34. 13-R-3557		
35. 13-R-3558		
36. 13-R-3559		
37. 13-R-3012		
38. 13-R-3541		
39. 13-R-3542		