



A RESOLUTION BY

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATLANTA (“CITY”) AND THE ATLANTA POLICE FOUNDATION (“FOUNDATION”), ON BEHALF OF THE ATLANTA POLICE DEPARTMENT (“DEPARTMENT”), TO LEASE TO THE FOUNDATION AN INOPERABLE 2004 HARLEY DAVIDSON MODEL FLHPI MOTORCYCLE, VIN 1HD1FHW125Y709523 FOR DISPLAY PURPOSES ONLY, FOR A TERM OF TWENTY (20) YEARS AT THE RATE OF \$1 PER YEAR; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to 01-R-0352, the City Council of Atlanta authorized the Mayor to initiate proceedings to create the City of Atlanta Police Foundation (“Foundation”); and

WHEREAS, the Foundation was subsequently created as a tax-exempt organization in accordance with Section 501(c) (3) of the Federal Internal Revenue Code; and

WHEREAS, since 2003, the Foundation, through the solicitation of donations to the Atlanta Police Department, has continuously provided substantial funding for numerous public safety initiatives, and managed programs that have helped the Atlanta Police Department (“Department”) and The City of Atlanta (“City”) transform public safety, in order to make the City of Atlanta (“City”) a safer city, including, but not limited to, a new police recruitment website to improve the hiring process to reach 2,000 officers, Operation Shield, a city-wide public/private video security network, and Crime Stoppers, a go-to tool for public assistance in solving crimes; and

WHEREAS, in order to better facilitate the solicitation of donations to the Department, the Foundation has requested a lease agreement for a 2004 Harley Davidson Model FLHPI Motorcycle, VIN 1HD1FHW125Y709523 (“motorcycle”), to be placed on display to the public at the Foundation’s office at 191 Peachtree Street, NE; and

WHEREAS, the motorcycle has been declared unserviceable surplus equipment, in part due to a cracked frame, and is scheduled for replacement, and is deemed “surplus” property; and

WHEREAS, notwithstanding the cracked frame, the motorcycle is appraised at a value over \$500; and

WHEREAS, Part II, Chapter 2, Article X, section 2-1332, paragraph (a) of the City of Atlanta Code of Ordinances requires surplus supplies with estimated value in excess of \$500.00 be offered through competitive sealed bids or public auction, but that, “Notwithstanding this subsection, the chief procurement officer may exchange or trade in surplus supplies with another property owner if such exchange or trade is deemed to be in the best interests of the city;” and



WHEREAS, the Chief of Police, and Chief Procurement Officer both deem that it is in the best interests of the City to enter into the agreement so that the motorcycle can be placed on display by the Foundation, in order to better facilitate the solicitation of donations to the Atlanta Police Department; and

WHEREAS, the motorcycle is free from any liens, storage fees, or other charges; and

WHEREAS, the agreement stipulates the motorcycle has been rendered and shall remain inoperable and restricts the Foundations use as a display piece at the Foundation's headquarters and that the Foundation shall indemnify the City from any claims of harm caused by the motorcycle while on display; and

WHEREAS, the agreement also restricts use of the City Seal as it appears on the motorcycle.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to enter into a lease agreement between the City of Atlanta ("City") and the Atlanta Police Foundation ("Foundation"), on behalf of the Atlanta Police Department ("Department"), for the lease of a 2004 Harley Davidson Model FLHP1 Motorcycle, VIN 1HD1FHW125Y709523 ("motorcycle"), for the sole use as a display piece at the Foundation's office at 191 Peachtree Street, NE, for a term of up to twenty (20) years from the date fully executed, at a rental rate of \$1 per year.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare an appropriate lease agreement for execution by the Mayor or his designee.

BE IT FINALLY RESOLVED, that the agreement shall not be binding upon the City and the City will incur no obligation or liability under it until it has been approved by the City Attorney as to form, executed by the Mayor or his designee, and attested to by the Municipal Clerk.

A true copy,

A handwritten signature in black ink, appearing to read "Scott", is written over the text "A true copy,".

Deputy Clerk

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

NOV 04, 2013
NOV 13, 2013

RCS# 3113
11/04/13
2:13 PM

Atlanta City Council

ADOPT

CONSENT AGENDA SECTION I:ALL ITEMS
EXCEPT 13-R-3691
CONSENT I

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

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

ADOPT

+

		11-04-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-1320	32. 13-R-3688	48. 13-R-3706
2. 13-O-1321	33. 13-R-3687	49. 13-R-3707
3. 13-O-1322	34. 13-R-3688	50. 13-R-3708
4. 13-O-1323	35. 13-R-3591	51. 13-R-3709
5. 13-O-1343	36. 13-R-3635	52. 13-R-3710
6. 13-O-1328	37. 13-R-3692	53. 13-R-3711
7. 13-O-1332	38. 13-R-3693	54. 13-R-3713
8. 13-O-1330	39. 13-R-3698	55. 13-R-3714
9. 13-O-1338	40. 13-R-3699	56. 13-R-3715
10. 13-O-1344	41. 13-R-3700	57. 13-R-3716
11. 13-O-1297	42. 13-R-3701	58. 13-R-3717
12. 13-O-1316	43. 13-R-3702	59. 13-R-3718
13. 13-O-1317	44. 13-R-3703	60. 13-R-3719
14. 13-O-1318	45. 13-R-3704	61. 13-R-3720
15. 13-O-1327	46. 13-R-3705	62. 13-R-3721
16. 13-R-0458	47. 13-R-3712	63. 13-R-3722
17. 13-R-0102		64. 13-R-3723
18. 13-R-3632		65. 13-R-3724
19. 13-R-3684		66. 13-R-3725
20. 13-R-3679		67. 13-R-3726
21. 13-R-3694		68. 13-R-3727
22. 13-R-3695		69. 13-R-3728
23. 13-R-3696		70. 13-R-3729
24. 13-R-3697		71. 13-R-3730
25. 13-R-3682		72. 13-R-3731
26. 13-R-3683		73. 13-R-3732
27. 13-R-3673		
28. 13-R-3677		
29. 13-R-3685		
30. 13-R-3686		
31. 13-R-3687		