

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH LUFTHANSA CARGO, AG COVERING THE OCCUPANCY AND USE OF SPACE LOCATED AT THE SOUTH CARGO FACILITY AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) owns the South Cargo Facility at Hartsfield-Jackson Atlanta International Airport (“Airport”) used for air cargo and air freight business and other airport related support business at the Airport; and

WHEREAS, Lufthansa Cargo, AG (“Lufthansa”) is engaged in the air cargo business and has requested a lease of additional parking spaces at the South Cargo Facility; and

WHEREAS, the Airport has negotiated lease terms with Lufthansa, and will submit such terms for approval by Council; and

WHEREAS, the term of a lease with Lufthansa shall not exceed December 31, 2013; and

WHEREAS, the payment of rental for the lease of space shall be computed at rates that are applicable to other air cargo and warehouse facility tenants; and

WHEREAS, Lufthansa, at no expense to the City, shall be responsible for maintenance and repairs of the leased premises; and

WHEREAS, the Aviation General Manager has determined that sufficient space is available at the South Cargo Facility parking lot to meet Lufthansa’s requirements and has recommended that the City enter into an amendment to the lease agreement on the conditions hereinbefore set forth and as otherwise appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute, on behalf of the City, an amendment to the lease agreement with Lufthansa, which shall provide for the occupancy and use of additional parking spaces by Lufthansa for a term not to exceed December 31, 2013 at a rental payment for improvements computed at rates that are applicable to all tenants in the South Cargo Facility and where all maintenance and repairs of the premises shall be at the expense of Lufthansa.

BE IT FURTHER RESOLVED, that the City Attorney be and hereby is directed to prepare Amendment No.1 to the lease agreement for execution by the Mayor, with same to be approved as to form by the City Attorney.

BE IT FINALLY RESOLVED, that the Amendment shall not become binding on the City and the City shall incur no liability hereunder until the same has been signed by the Mayor and delivered to Lufthansa.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to authorize the execution of Amendment No. 1 to the Lease Agreement with Lufthansa Cargo, AG ("Lufthansa") covering the occupancy and use of space located at the South Cargo Facility at Hartsfield-Jackson Atlanta International Airport ("Airport").

2. Please provide background information regarding this legislation.

Lufthansa operates five weekly dedicated cargo flights between Atlanta and Frankfurt. Lufthansa has expanded its cargo business and has added additional personnel to handle the additional cargo volumes. As a result, Lufthansa has a need for approximately fifteen (15) additional employee parking spaces.

Lufthansa currently leases warehouse and ramp space from the City in a facility that it exclusively occupies on the south side of the airport located at South Cargo Building A and wishes to lease the additional parking spaces adjacent to these facilities. The Department of Aviation has worked closely with Lufthansa to identify suitable additional employee parking spaces and is ready to bring forward legislation to Council for approval to execute an amendment to the lease agreement.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract: through 12/31/2013

4. Fund Account Center (*Ex. Name and number*):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: None

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: Rental revenues.

Examples:

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Tom Reinhardt



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24.00

LEASED AREA
3863.16 SF

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404.382.2313

Originating Department: AVIATION

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 11/16/12

Anticipated Committee Meeting Date(s): 12/12/12

Anticipated Full Council Date: 01/07/13

Legislative Counsel's Signature: Richard Rubin *Richard Rubin, Senior Assistant City Attorney*

Commissioner's Signature: [Signature]

Chief Financial Officer: N/A

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH LUFTHANSA CARGO, AG COVERING THE OCCUPANCY AND USE OF SPACE LOCATED AT THE SOUTH CARGO FACILITY AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 11.16.12 [Signature]
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: _____ (date)