

**CITY COUNCIL
ATLANTA, GEORGIA**

13-R-3255

A RESOLUTION BY FINANCE/EXECUTIVE COMMITTEE A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AN AMENDMENT TO THE LEASE AGREEMENT WITH THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF ATLANTA FOR THE PURPOSE OF ADDING AN ADDITIONAL 100 SPACES TO THE SUBSIDIZED PUBLIC EMPLOYEE PARKING AT THE PARKING DECK LEASED BY THE CITY OF ATLANTA LOCATED AT 270 CENTRAL AVENUE, ATLANTA GEORGIA; AND FOR OTHER PURPOSES.

Review List:

John Lavelle	Completed	05/31/2013 1:33 PM
Mariangela Corales	Completed	05/31/2013 1:35 PM
Keith Brooks	Completed	06/06/2013 3:34 PM
Adam Smith	Completed	06/06/2013 3:37 PM
Mayor's Office	Completed	06/06/2013 4:20 PM
Office of Research and Policy Analysis	Completed	06/07/2013 9:41 AM
Finance/Executive Committee	Pending	
Atlanta City Council	Pending	

LEGISLATION HISTORY – BLUE BACK

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**RESOLUTION
BY**

A RESOLUTION BY FINANCE/EXECUTIVE COMMITTEE A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO AN AMENDMENT TO THE LEASE AGREEMENT WITH THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF ATLANTA FOR THE PURPOSE OF ADDING AN ADDITIONAL 100 SPACES TO THE SUBSIDIZED PUBLIC EMPLOYEE PARKING AT THE PARKING DECK LEASED BY THE CITY OF ATLANTA LOCATED AT 270 CENTRAL AVENUE, ATLANTA GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) and the Downtown Development Authority of the City of Atlanta (“ADA”) entered into a Lease Agreement dated July 1, 2006 (the “Lease”) whereby the City leased a multistory parking facility located at 270 Central Avenue, Atlanta Georgia (the “Parking Deck”) pursuant to Ordinance 06-O-1329 adopted by the Atlanta City Council on June 19, 2006 and approved by the Mayor on June 22, 2006; and

WHEREAS, Section 8.7 (c) of the Lease provides for no more than 400 subsidized public employee parking spaces in the Parking Deck; and

WHEREAS, the City is in need of an additional 100 subsidized public employee parking spaces for its employees; and

WHEREAS, the City and ADA desire to amend the Lease and revise Section 8.7 (c) to allow for the additional 100 subsidized public employee parking spaces in the Parking Deck; and

WHEREAS, the Deputy Chief Operating Officer in the Office of the Mayor has determined that it is in the best interest of the City to, and recommends that the City, enter into an amendment to the Lease revising Section 8.7 (c) to allow for the additional 100 subsidized public employee parking spaces in the Parking Deck.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, on behalf of the City, is hereby authorized to enter into an amendment (the “Amendment”) to the Lease with ADA revising Section 8.7 (c) to allow for the additional 100 subsidized public employee parking spaces in the Parking Deck

“(c) The Lessee shall not subsidize more than 500 spaces in the Project for the parking of public employees;”

BE IT FURTHER RESOLVED, that the City Attorney is hereby directed to prepare the Amendment for execution by the Mayor.

BE IT FURTHER RESOLVED, that all terms of the Lease not modified by the Amendment shall remain unchanged.

BE IT FINALLY RESOLVED, that the Amendment will not become binding upon the City, and the City will incur no liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to ADA.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Percefa Watkins

Contact Number: 404-330-6569

Originating Department: Office of Enterprise Assets Management

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: May 24, 2013

Anticipated Committee Meeting Date(s): June 11-12, 2013

Anticipated Full Council Date: June 17, 2013

Legislative Counsel's Signature: _____

Commissioner's Signature: _____

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

**A RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE**

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FINANCIAL IMPACT: (if any)

Mayor's Staff Only Michelle Hill

Received by CPO: _____ (date) Received by LC from CPO: _____ (date)

Received by Mayor's Office: 4 (date) Reviewed by: _____ (date)

Submitted to Council: Michelle Hill 5-24-13 (date)

Attachment: DDA PARKING (13-R-3255 : RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO

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WHEREAS, Section 8.7 (c) of the Lease provides for no more than 400 subsidized public employee parking spaces in the Parking Deck; and

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WHEREAS, the City and ADA desire to amend the Lease and revise Section 8.7 (c) to allow for the additional 100 subsidized public employee parking spaces in the Parking Deck; and

WHEREAS, the Deputy Chief Operating Officer in the Office of the Mayor has determined that it is in the best interest of the City to, and recommends that the City, enter into an amendment to the Lease revising Section 8.7 (c) to allow for the additional 100 subsidized public employee parking spaces in the Parking Deck.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, on behalf of the City, is hereby authorized to enter into an amendment (the “Amendment”) to the Lease with ADA revising Section 8.7 (c) to allow for the additional 100 subsidized public employee parking spaces in the Parking Deck.

BE IT FURTHER RESOLVED, that Section 8.7 (c) of the lease shall now read:

“(c) The Lessee shall not subsidize more than 500 spaces in the Project for the parking of public employees;”

BE IT FURTHER RESOLVED, that the City Attorney is hereby directed to prepare the Amendment for execution by the Mayor.

BE IT FURTHER RESOLVED, that all terms of the Lease not modified by the Amendment shall remain unchanged.

BE IT FINALLY RESOLVED, that the Amendment will not become binding upon the City, and the City will incur no liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to ADA.

Attachment: DDA PARKING (13-R-3255 : RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO

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

<p>A. To be completed by Legislative Counsel:</p> <p>Committee of Purview:</p> <p>Caption:</p> <p>Council Meeting Date:</p> <p>Requesting Dept.:</p>
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B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation? The purpose of this Resolution is to authorize the Mayor amend the lease agreement with the Downtown Development Authority for the purpose of adding additional 100 parking spaces to the subsidized public employee parking at the parking deck leased by the City of Atlanta located at 270 Central Avenue.

2. Please provide background information regarding this legislation.

The City of Atlanta and the Downtown Development Authority entered into a lease Agreement dated July 1, 2006 whereby the City leased a multistory parking facility located at 270 Central Avenue. The City and the Downtown Development Authority desires to amend the lease and revise Section 8.7 (c) to allow for an additional 100 subsidized public employee parking spaces.

3. If Applicable/Known:

- (a) **Contract Type: Lease Agreement**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**

- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:** N/A
- 4. **Fund Account Center:** N/A
- 5. **Source of Funds:** N/A
- 6. **Fiscal Impact:**
- 7. **Method of Cost Recovery:** N/A

This Legislative Request Form Was Prepared By:

(Do Not Write Above This Line)

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First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION

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

CERTIFIED

MAYOR'S ACTION

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Committee

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

Committee

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

Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____
Date Referred: _____
Referred To: _____

Refer To _____

Refer To _____