

A RESOLUTION BY COUNCILMEMBER H. LAMAR WILLIS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A SERVICE AGREEMENT BETWEEN THE CITY OF ATLANTA AND ATLANTA BELTLINE, INC. ON BEHALF OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA FOR THE ATLANTA STREETCAR EXPANSION STRATEGY; AND FOR OTHER PURPOSES

Review List:

Atlanta City Council
Finance/Executive Committee

Completed 07/03/2013 11:59 AM
Pending

HISTORY:

07/01/13 Atlanta City Council

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

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

13-R-3314

SPONSOR SIGNATURES

A handwritten signature in black ink, appearing to read "H.L. Williams". The signature is written in a cursive, stylized font. Below the signature is a horizontal line.

H. Lamar Williams, Councilmember, Position 3 At-Large

**A RESOLUTION
BY COUNCILMEMBER(S) WILLIS**

A RESOLUTION BY COUNCILMEMBER H. LAMAR WILLIS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A SERVICE AGREEMENT BETWEEN THE CITY OF ATLANTA AND ATLANTA BELTLINE, INC. ON BEHALF OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA FOR THE ATLANTA STREETCAR EXPANSION STRATEGY; AND FOR OTHER PURPOSES

WHEREAS, the Atlanta Development Authority, d/b/a Invest Atlanta ("Invest Atlanta") has been duly created and is existing under and by virtue of the Constitution and laws of the State of Georgia, in particular the Development Authorities Law of Georgia (O.C.G.A. §36-62-1 *et seq.*, as amended) (the "Act") and Resolution 97-R-0716 adopted by the City Council of the City of Atlanta (the "City") and approved by the Mayor on May 19, 1997 (the "Authorizing Resolution"), and is now existing and operating as a public body corporate and politic and instrumentality of the State of Georgia; and

WHEREAS, pursuant to the Redevelopment Powers law, O.C.G.A. S 36-44-1 *et seq.* and Ordinance -5-0-1733 (the "Beltline Ordinance") adopted by the City Council of the City of Atlanta (the "City Council") on November 7, 2005 and approved by the Mayor of the City on November 9, 2005, The Atlanta Development Authority d/b/a Invest Atlanta ("The Authority") was designated as the redevelopment agency with respect to the City's Tax Allocation District Number Six -Beltline (the "BeltLine TAD") and the Beltline Ordinance further authorized and approved the Beltline Redevelopment Plan (the "Redevelopment Plan") to be implemented within the BeltLine TAD; and

WHEREAS, ABI has been formed by The Atlanta Development Authority to perform certain of The Authority's redevelopment responsibilities with respect to the BeltLine TAD and to serve as the implementation agent of The Authority pursuant to that certain Services Agreement between The Atlanta Development Authority d/b/a Invest Atlanta ("The Authority") and Atlanta Beltline, Inc. dated May 27, 2008 as amended, (the "ADAIABI Agreement");

WHEREAS, Invest Atlanta has provided redevelopment services for the benefit of the City and desires to continue to provide such services to the City and any future services that may be requested from time to time by the City; and

WHEREAS, the City has committed to provide local funds to complete transit portions of the Connect Atlanta Plan and the City has applied for and anticipates receiving future federal funds to help complete the Atlanta Streetcar Expansion Strategy, including the Atlanta BeltLine Transit Element (collectively referred to herein as the "Project"); and

WHEREAS, the City desires to engage ABI as its agent to oversee and contract for the planning and design of the Project; and

WHEREAS, ABI and the City (the "Parties") negotiated the terms of a Service Agreement amongst the parties regarding the Atlanta Streetcar Expansion Strategy and the Atlanta BeltLine Transit Element (the "Service Agreement");

WHEREAS, ABI desires to authorize the execution and delivery of a Service Agreement between ABI and the City regarding the Atlanta Streetcar Expansion Strategy and the Atlanta BeltLine Transit Element, the Service Agreement, the form of which is attached hereto as Exhibit A; and

WHEREAS, the City and Invest Atlanta desire to enter into a Services Agreement (the "Intergovernmental Agreement"), in substantial form as attached in Exhibit A.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to enter into "The Agreement" with ABI for the provision of planning services to the City, in substantially the form attached as Exhibit A.

BE IT FURTHER RESOLVED, that the City Attorney is directed to negotiate, prepare, and/or review the Service Agreement to affect the intent of this ordinance provided that such agreement is in compliance with the conditions set forth herein.

BE IT FINALLY RESOLVED, that the Agreement (and any additional amendments to the Agreement) will not become binding upon the City and the City will incur no obligation or 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 the Parties.