

A RESOLUTION BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A RENEWAL OF THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOL, INC., AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Workflow List:

Amy Phuong	Completed	05/30/2014 4:12 PM
Mariangela Corales	Completed	05/30/2014 4:14 PM
Mayor's Office	Completed	06/02/2014 1:46 PM
Office of Research and Policy Analysis	Completed	06/03/2014 9:54 AM
Community Development & Human Resources Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

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

LEGISLATION HISTORY – BLUE BACK

A RESOLUTION BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A RENEWAL OF THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOL, INC., AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) owns Chastain Park located at 135 West Wieuca Road, N.W. (the “Park”) and the building known as Chastain Park Pool Concession Building in the Park; and

WHEREAS, The Galloway School, Inc., is a Georgia non-profit corporation that operates a private school near the Park; and

WHEREAS, The Galloway School, Inc., has leased portions of the Chastain Park Pool Concession Building for the past twenty-one years for the sole purpose of conducting school activities; and

WHEREAS, the City and The Galloway School, Inc., (collectively the “Parties”) entered into a Lease Agreement as authorized by Ordinance 09-O-1119, adopted by the City Council on July 20, 2009 and approved by the Mayor on July 28, 2009; and

WHEREAS, the initial term of the Lease Agreement was five years commencing on August 27, 2009 and included an additional five year renewal option by mutual consent of the Parties; and

WHEREAS, the initial term will expire on August 26, 2014; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has reviewed and is satisfied with The Galloway School’s performance under the Lease Agreement and desires that the Lease Agreement be extended for an additional five years.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or his designee, on behalf of the City, is hereby authorized to enter into a renewal to the Lease Agreement with The Galloway Schools, Inc., in substantially similar form to the document attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the City Attorney, or her designee is hereby authorized to prepare the renewal for execution by the Mayor.

BE IT FINALLY RESOLVED, that the renewal shall not become binding on the City, and the City shall incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to The Galloway School.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Trina Horton

Contact Number: 404-546-6795

Originating Department: Department of Parks and Recreation

Committee(s) of Purview: Community Development/Human Resources Committee

Chief of Staff Deadline: May 23, 2014

Anticipated Committee Meeting Date(s): June 10, 2014

Anticipated Full Council Date: June 16, 2014

Legislative Counsel's Signature: _____

Commissioner's Signature: _____

Chief Financial Officer: _____

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

**A RESOLUTION BY
COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A RENEWAL OF THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOL, INC., AND THE CITY OF ATLANTA; 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: ADG 5-21-14
(date)

Reviewed by: _____
(date)

Submitted to Council: _____ (date)

FIRST RENEWAL AGREEMENT
TO THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOLS, INC.
AND THE CITY OF ATLANTA

This First Renewal Agreement (“First Renewal Agreement”) is entered into this _____ day of _____, 2014, between the City of Atlanta (“City”) and The Galloway School, Inc., (collectively, the “Parties”).

WHEREAS, the City owns Chastain Park located at 135 West Wieuca Road, N.W. in which there is a building known as Chastain Park Pool Concession Building (collectively referred to as the “Park”); and

WHEREAS, The Galloway School, Inc., is a Georgia non-profit corporation (“Galloway”) that operates a private school near the Park; and

WHEREAS, the Parties entered into a Lease Agreement as authorized by Ordinance 09-O-1119, adopted by the City Council on July 20, 2009 and approved by the Mayor on July 28, 2009; and

WHEREAS, the initial term of the Lease Agreement was for five years commencing on August 27, 2009 and included an additional five year renewal option by mutual consent of the Parties; and

WHEREAS, the initial term will expire on August 26, 2014; and

WHEREAS, Galloway has occupied and maintained its leased portion of the Chastain Park Pool Concession Building in a fashion that has been highly satisfactory to the City; and

WHEREAS, the City of Atlanta and Galloway have agreed to an increase of rental payment from \$175.00 to \$190.00 per month for use of the Building as provided within the agreement. All rental payments shall be made to the City on a monthly basis

no later than the 1st day of each month, beginning the first full month after the agreement is executed; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has reviewed the performance of Galloway under the terms of the Lease Agreement and recommends renewal for an additional five (5) year term, commencing effective _____, 2014; and

WHEREAS, this First Renewal Agreement was approved pursuant to Resolution 14-R-_____, adopted by the Atlanta City Council on _____, 2014 and approved by the Mayor on _____, 2014.

Now, therefore, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. The Lease Agreement is renewed for one additional five (5) year term, commencing _____ and ending on _____.
2. All of the terms and provisions of the Lease Agreement shall remain in full force and effect.
3. The Parties agree that this First Renewal Agreement will not become binding on the City, and the City will incur no liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal clerk and delivered to The Galloway Schools, Inc.

IN WITNESS WHEREOF, the City and The Galloway School have caused this First Renewal Agreement to be executed by their duly authorized officials, the day and year first above written.

Signature Lines on Next Page

Attachment: Galloway School Attachments (14-R-3732 : Galloway School Lease Agreement Renewal)

CITY OF ATLANTA:

THE GALLOWAY SCHOOL, INC.:

MAYOR

PRESIDENT

ATTEST:

MUNICIPAL CLERK (SEAL)

RECOMMENDED:

COMMISSIONER,
DEPARTMENT OF PROCUREMENT

COMMISSIONER, DEPARTMENT
OF PARKS AND RECREATION

APPROVED AS TO FORM:

SR. ASSISTANT CITY ATTORNEY

Attachment: Galloway School Attachments (14-R-3732 : Galloway School Lease Agreement Renewal)

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: Community Development/ Human Resources Committee

Caption: A RESOLUTION BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A RENEWAL OF THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOL, INC., AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Council Meeting Date: June 16, 2014

Requesting Dept.: Department of Parks and Recreation

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 MAYOR TO ENTER INTO A RENEWAL OF THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOL, INC.

2. Please provide background information regarding this legislation.

The City owns Chastain Park located at 135 West Wieuca Road, N.W. in which there is a building known as Chastain Park Pool Concession Building. The Galloway School has leased portions of the Chastain Park Pool Concession Building for the past twenty-one years, and uses such portions of the Chastain Park Pool Concession Building for the sole purpose of conducting school activities.

3. If Applicable/Known:

- (a) **Contract Type:**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center: n/a

5. Source of Funds: n/a

6. Fiscal Impact: n/a

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Trina Horton, Departmental Contracting Officer

<p>(Do Not Write Above This Line)</p> <p>A RESOLUTION BY COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE</p>	<p>Committee _____ Date _____ Chair _____ Referred To _____</p>	<p>First Reading _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>FINAL COUNCIL ACTION <input type="checkbox"/> 2nd Reading <input type="checkbox"/> 1st & 2nd Reading <input type="checkbox"/> 3rd Reading <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote</p> <p>CERTIFIED</p> 
<p>A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A RENEWAL OF THE LEASE AGREEMENT BETWEEN THE GALLOWAY SCHOOL, INC., AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>MAYOR'S ACTION</p>
<p><input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1ST ADOPT 2ND READ & REFER <input type="checkbox"/> PERSONAL PAPER REFER</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>MAYOR'S ACTION</p>
<p>Date Referred _____ Referred To: _____</p>	<p>Date Referred _____ Referred To: _____</p>	<p>Date Referred _____ Referred To: _____</p>	<p>Date Referred _____ Referred To: _____</p>