

A RESOLUTION BY COUNCILMEMBER C. T. MARTIN AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AIRPORT USE AND LEASE AGREEMENTS WITH PARTICIPATING AIRLINES OPERATING AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT FOR USE OF THE AIRFIELD AND THE CENTRAL PASSENGER TERMINAL COMPLEX FOR A TERM OF FIVE (5) YEARS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") owns and operates Hartsfield-Jackson Atlanta International Airport ("Airport"), located in the counties of Fulton and Clayton, Georgia, on which there exist certain improvements, including runways, terminal buildings and concourse buildings and related facilities for the use of airlines engaged in the transportation of persons and property by scheduled and unscheduled air service, which buildings and facilities are described in a proposed Airport Use and Lease Agreement ("AULA") as the Central Passenger Terminal Complex ("CPTC"); and

WHEREAS, airlines currently providing transportation of persons and property to the Airport and occupying space within the CPTC are parties to either the Agreement and Lease for the Central Passenger Terminal Complex for the Airport ("CPTC Agreement"), the Airport Use and License Agreement, Agreement and Lease of Premises Central Passenger Terminal Complex ("CPTC Lite") or the Hartsfield Jackson Atlanta International Airport Agreement and Lease ("H-JAIA Lease"); and

WHEREAS, the CPTC Agreement, the Airport Use and License Agreement, the CPTC Lite and the H-JAIA Lease each expire on September 20, 2017; and

WHEREAS, certain airlines currently operating at the Airport have expressed a desire to continue providing transportation of persons and property pursuant to the AULA for an initial term of five (5) years, while the City remains in negotiations with other airlines to determine the term and scope of their continued service at the Airport; and

WHEREAS, the City and the airlines have been in negotiations since 2010 to create a single successor agreement to the CPTC Agreement, the Airport Use and License Agreement, the CPTC Lite and the H-JAIA Lease; and

WHEREAS, in an effort to provide uninterrupted transportation services of persons and property at the Airport, the City desires to enter into AULAs effective July 1, 2016 with those airlines desiring to continue service at the Airport ("Participating Airlines") for an initial term of five (5) years ending on June 30, 2021 with the option to renew for successive five (5) year periods through June 30, 2036, by notifying the City in writing at least six (6) months prior to the end of the five (5) year term, and with the option to renew for additional successive five (5) year periods through June 30, 2046 in the event that the City and the Participating Airlines executing the AULAs for a twenty (20) year term mutually agree to extend the AULA for an additional ten (10) years; and

WHEREAS, the AULAs shall set forth, among other things, the terms and conditions governing the financial and operational relationships between the City and the Participating Airline at the Airport; and

WHEREAS, the Aviation General Manager believes that it is in the best interest of the Airport and the City to enter into the AULAs with the Participating Airlines as identified by the Department of Aviation; and

WHEREAS, the Aviation General Manager shall provide a quarterly report to the Transportation Committee of all AULAs entered into by the City and the Participating Airlines effective on July 1, 2016 with an initial term of five (5) years ending on June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, that the Mayor be and hereby is authorized to execute on behalf of the City, AULAs with the Participating Airlines as identified by the Department of Aviation effective as of July 1, 2016, substantially in the form to the document attached hereto as Exhibit A without any further action by the Atlanta City Council.

BE IT FURTHER RESOLVED, that the Aviation General Manager shall provide a quarterly report to the Transportation Committee of all AULAs entered into by the City with Participating Airlines effective on July 1, 2016 with an initial term of five (5) years ending on June 30, 2021.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare for execution by the Mayor the final form of AULA to be entered into with the Participating Airlines.

BE IT FURTHER RESOLVED, that the term of the AULAs with Participating Airlines shall be effective July 1, 2016 for an initial term of five (5) years ending on June 30, 2021 with the option to renew for successive five (5) year periods through June 30, 2036, by notifying the City in writing at least six (6) months prior to the end of the five (5) year term, and with the option to renew for additional successive five (5) year periods through June 30, 2046 in the event that the City and the Participating Airlines executing the AULA for a twenty (20) year term mutually agree to extend the AULA for an additional ten (10) years.

BE IT FINALLY RESOLVED, that the AULA shall not become binding on the City, and the City shall incur no obligation or liability thereunder until the same has been approved as to form by the City Attorney, signed by the Mayor, attested to by the Municipal Clerk and delivered to the Participating Airline.

**CITY COUNCIL
ATLANTA, GEORGIA**

16-R-3522

SPONSOR SIGNATURES

Clarence T Martin Jr

Clarence "C. T." Martin, Councilmember, District 10

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ATLANTA, GEORGIA**

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Workflow List:

Clerk of Council	Completed	05/04/2016 10:40 AM
Atlanta City Council	Completed	05/02/2016 1:00 PM
Transportation Committee	Completed	05/11/2016 10:30 AM
Atlanta City Council	Completed	05/16/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

05/02/16 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 5/11/2016 10:30 AM
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05/11/16 Transportation Committee FAVORABLE

RESULT:	FAVORABLE [5 TO 0]	Next: 5/16/2016 1:00 PM
AYES:	Adrean, Martin, Bottoms, Hall, Moore	
AWAY:	Joyce Sheperd, Carla Smith	

05/16/2016 Atlanta City Council ADOPTED

RESULT:	ADOPTED BY CONSENT VOTE [13 TO 0]
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd
ABSENT:	Natalyn Mosby Archibong
AWAY:	Kwanza Hall

LEGISLATION HISTORY – BLUE BACK

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