

**CITY COUNCIL
ATLANTA, GEORGIA**

20-R-4125

A RESOLUTION BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE DEPARTMENT OF TRANSPORTATION, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AGREEMENT (“MOU”) WITH THE WESTSIDE/HOWELL MILL COMMUNITY IMPROVEMENT DISTRICT D/B/A UPPER WESTSIDE CID (“CID”) FOR THE PURPOSE OF GRANTING A PERMIT TO THE CID, ITS EMPLOYEES, CONTRACTORS AND REPRESENTATIVES (COLLECTIVELY, “CID REPRESENTATIVES”) TO HAVE CERTAIN RIGHTS TO THE PROPERTY DESCRIBED HEREIN, FOR THE PURPOSES OF PRESERVING, RESTORING, DEVELOPING, ENHANCING, REHABILITATING, OPERATING AND MAINTAINING THE PROPERTY AS A POCKET PARK FOR THE GENERAL PUBLIC’S USE (THE “PARK”); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is the owner of the real property, located in Fulton County, Georgia, tax parcel ID: 17 015000050411 (the “Property”); and

WHEREAS, the Property is located within the boundaries of the CID; and

WHEREAS, the CID desires to enter into a MOU with the City of Atlanta ("City") for the purpose of granting a permit to the CID, and the CID Representatives to have certain rights with respect to the Property for the purposes of preserving, restoring, developing, enhancing, rehabilitating, operating, and maintaining the Property as a Park for the general public’s use; and

WHEREAS, the Department of Transportation shall maintain ownership of the Property including basic maintenance, litter control, and utility commitments; and

WHEREAS, CID shall have the right to organize, design, implement, or support programming activities consistent with the MOU for the Park and the Property; and

WHEREAS, the MOU will commence as of the effective date and shall continue in effect for five (5) years, unless earlier terminated by either party.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor, or her Designee, is authorized to execute a MOU with the CID for the purpose of granting a permit to the CID and its Representatives to have certain rights with respect to the Property for the purposes of preserving, restoring, developing, enhancing, rehabilitating, operating, and maintaining the Property as a Park for the general public’s use.

BE IT FURTHER RESOLVED, that the City Attorney is hereby directed to negotiate, prepare and review an appropriate MOU for execution by the Mayor and the CID.

BE IT FINALLY RESOLVED, that the MOU will not become binding upon the City, and the City will incur no obligation or liability under it until the MOU is approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to the CID.

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ATLANTA, GEORGIA**

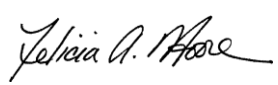

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Workflow List:

Kajara Anderson	Completed	07/01/2020 2:02 PM
Mayor's Office	Completed	07/02/2020 3:34 PM
Office of Research and Policy Analysis	Completed	07/09/2020 12:29 AM
Community Development/Human Services Committee	Completed	07/14/2020 1:30 PM
Atlanta City Council	Completed	08/03/2020 1:00 PM

<p>RESULT: FAVORABLE [UNANIMOUS]</p> <p>MOVER: Matt Westmoreland, Chair, Post 2 At-Large</p> <p>SECONDER: Carla Smith, District 1</p> <p>AYES: Westmoreland, Bond, Smith, Farokhi, Brown, Archibong, Sheperd</p>
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Certified by Presiding Officer	Certified by Clerk
<p style="font-size: 2em; font-weight: bold;">CERTIFIED</p> <p>7/14/2020</p> <p>ATLANTA CITY COUNCIL PRESIDENT</p> 	<p style="font-size: 2em; font-weight: bold;">CERTIFIED</p> <p>7/14/2020</p> <p>MUNICIPAL CLERK</p> 
<p>Mayor’s Action</p> <p><i>See Authentication Page Attachment</i></p>	