

AN ORDINANCE BY COUNCILMEMBER(S)

Handwritten signatures of Councilmembers, including one that appears to be 'A. Dill' and another that says 'Kwanza HA1'.

AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A THIRD AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF ATLANTA, THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA AND THE ATLANTA INDEPENDENT SCHOOL SYSTEM IN CONNECTION WITH THE BELTLINE TAX ALLOCATION DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta City Council, by Ordinance 05-0-1733 (the "**BeltLine Ordinance**"), adopted on November 7, 2005, as approved by the Mayor of the City on November 7, 2005, created Tax Allocation District Number Six- BeltLine (the "**BeltLine TAD**"); and

WHEREAS, the City of Atlanta ("**City**"), The Atlanta Development Authority d/b/a Invest Atlanta ("**Invest Atlanta**"), and the Atlanta Independent School System ("**APS**") entered into that certain Intergovernmental Agreement dated December 31, 2005 (the "**Intergovernmental Agreement**") governing matters related to the BeltLine TAD; and

WHEREAS, the City, Invest Atlanta and APS entered into a First Amendment to the Intergovernmental Agreement, which amendment was effective August 17, 2009; and

WHEREAS, the City, Invest Atlanta and APS entered into a Second Amendment to the Intergovernmental Agreement, which amendment was effective November 9, 2009; and

WHEREAS, Atlanta BeltLine, Inc. ("**ABI**") was formed by Invest Atlanta to perform certain of Invest Atlanta's redevelopment responsibilities with respect to the BeltLine TAD; and

WHEREAS, ABI is organized and operated to have primary and overall responsibility for the planning and execution of BeltLine TAD projects and as such, ABI's authority includes without limitation construction, development, redevelopment, operation, management and financing for the benefit of Invest Atlanta or the City related to the BeltLine TAD, and performance of any or all other acts necessary or incidental to one or more projects related to the Atlanta BeltLine Program; and

WHEREAS, due to ABI's implementation, governance and oversight over certain aspects of the BeltLine TAD in its role as an agent for Invest Atlanta, the City, Invest Atlanta and APS desire to add ABI as a party to the Intergovernmental Agreement as amended and ABI desires to be added as a party to the Intergovernmental Agreement for certain purposes; and

WHEREAS, the City, Invest Atlanta and APS desire to revise certain terms of the Intergovernmental Agreement as amended by executing a Third Amendment to the Intergovernmental Agreement ("**Third Amendment**").

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: That the Mayor, or his designee, is hereby authorized to enter into a Third Amendment to the Intergovernmental Agreement that will be in substantially similar form to the document attached hereto as Exhibit A.

Section 2: That the Mayor's, the Atlanta City Council's and City's actions in furtherance of the Third Amendment are hereby ratified and affirmed.

Section 3: That the Third Amendment will not become binding upon the City and the City shall incur no obligation or liability thereunder until the amendment has been approved by all parties to the Third Amendment, approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk and delivered to the contracting parties.

Section 4: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict only.



First Reading

Committee

FINAL COUNCIL ACTION

Date

2nd

1st &

(Do Not Write Above This Line)

2nd Chair

3rd

Referred To

Readings

Consent

V Vote

RC Vote

AN ORDINANCE BY COUNCILMEMBER(S)

Committee

Committee

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Date

Date

CERTIFIED

Chair

Chair

Action

Action

Fav, Adv, Hold (see rev. side)

Fav, Adv, Hold (see rev. side)

Other

Other

Members

Members

AND FORO **FB**

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Refer To

Refer To

Committee

Committee

Date

Date

Chair

Chair

Action

Action

Fav, Adv, Hold (see rev. side)

Fav, Adv, Hold (see rev. side)

Other

Other

Members

Members

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

MAYOR'S ACTION

Date Referred

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Referred To:

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Date Referred

Referred To:

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