

**TRANSMITTAL FORM FOR LEGISLATION
MAYOR'S OFFICE
OFFICE OF THE CHIEF OF STAFF**



DS
JGK

PART 1.**Type of Request:**

<input checked="" type="checkbox"/> Cycle submission indicate cycle number: 7	<input type="checkbox"/> Committee Walk-in indicate the name of the committee and meeting date:	<input type="checkbox"/> Personal Paper indicate the name of the committee and meeting date:
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If requesting a committee walk-in or personal paper, please provide an explanation why this legislation was not introduced via the regular cycle and why it is needed.

This City Monument is currently located on private property near the Woodruff Arts Center and the property owner needs to remove the Samuel Spencer monument as quickly as possible because the Norfolk Southern corporate headquarters has moved and the new owner of the property requires it's removal. Norfolk Southern will remove and store the monument at their expense so that the City has time to plan a proper relocation process and select a new site.

Originating Department: Mayor's Office of Cultural Affairs	Name of Commissioner of Department: Executive Director, Camille Russell Love	
Chief of Staff Deadline: 3/3/2021	Date Submitted to Chief of Staff:	
Department Legislative Liaison: Robert Witherspoon	Contact Number: 404-274-1509	Email Address: rwitherspoon@atlantaga.gov
Staff Presenter at Committee: Robert Witherspoon	Contact Number: 404-274-1509	Email Address: rwitherspoon@atlantaga.gov

To Be Completed by the Originating Department

Please provide a summary (Justification statement) of the purpose of this legislation and why it is needed, including background data. Describe operational concerns that will be addressed with the approval of this legislation. Please attach accompanying documents, if applicable.

This City Monument is currently installed on private property near the Woodruff Arts Center under a previous loan agreement. The property owner needs to remove the monument as quickly as possible because the Norfolk Southern corporate headquarters has moved, and the new owner of the property requires it's removal. Norfolk Southern will remove and store the monument at their expense so that the City has more time to plan a proper relocation process and select a new site. The anticipated cost for the safe removal and temporary storage of the monument is considered a gift to the City that the Mayor's Office of Cultural Affairs would like to accept.

Insert Caption of Legislation: A RESOLUTION AUTHORIZING THE CITY OF ATLANTA, ON BEHALF OF THE MAYOR'S OFFICE OF CULTURAL AFFAIRS, TO ACCEPT A DONATION OF SERVICES FROM NORFOLK SOUTHERN CORPORATION (NSC) TO RELOCATE THE SAMUEL SPENCER STATUE FROM THE DAVID R. GOODE BUILDING LOCATED AT 1200 PEACHTREE STREET AND TO STORE THE STATUE IN A WAREHOUSE OWNED BY NSC ON AN INTERIM BASIS UNTIL SUCH TIME AS A THE CITY SHALL IDENTIFY A NEW, PERMANENT LOCATION AT WHICH TO HOUSE THE STATUE; TO AUTHORIZE THE MAYOR TO ENTER INTO ANY NECESSARY AGREEMENT IN CONNECTION WITH THIS DONATION; AND FOR OTHER RELATED PURPOSES.

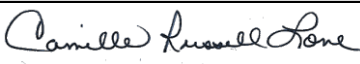
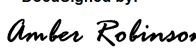



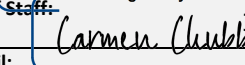

Is this a COVID-19 related request? If yes, please explain. No

Please identify any financial or schedule impacts if this legislation is not approved for the current cycle? If yes, please explain. Please describe how the timeline for approval may impact the execution or renewal of a contract.

This monument could become imperiled if not removed quickly. This monument was designed by Daniel Chester French who is better known for the creation of the Lincoln Memorial at the National Mall. Norfolk Southern has made an offer to cover the monument removal and storage costs which are a significant savings to the City. This monument is now deemed controversial because it was recently published that the railroad founder had served in the Confederate Calvary. Because the historical narrative has changed recently, the best plan is to store the monument until a permanent solution for displaying the monument can be determined.

Please indicate whether this legislation financially impacts other Departments/Offices? If yes, please list the departments:

Yes _____ No

Anticipated Council Committee(s) of Purview:	
<input type="checkbox"/> City Utilities <input type="checkbox"/> Community Development/Human Services <input type="checkbox"/> Public Safety <input type="checkbox"/> Zoning	<input type="checkbox"/> Transportation <input checked="" type="checkbox"/> Finance/Executive <input type="checkbox"/> Committee on Council
For Ordinances, Anticipated Committee Meeting Date for First Read:	
For Ordinances, Anticipated Committee Meeting Date for Second Read:	
For Resolutions, Anticipated Committee Meeting Date for First Read: March 24, 2021 <i>(Resolutions only require one read)</i>	
Anticipated Full Council Date for Adoption: April 19, 2021	
Signatures/Dates	
Originating Department's Commissioner/Chief: Executive Director Camille Russell Love	 Date: 2/22/21
Department of Law/Attorney of Record:	DocuSigned by:  Date: 3/1/2021
Chief Financial Officer:	43430051B8A442E... DocuSigned by:  Date: 3/1/2021
Chief Information Officer (Required ONLY for technology review/impacts):	852AD6F3A634489... Date:
Chief Procurement Officer (Required ONLY for purchase of any goods or services):	Date:
Chief Operating Officer:	Date:
If approval from Procurement or AIM is not required, please indicate the reasons below: This is a resolution to accept a donated monument.	
Mayor's Office Only	
Date Received/Staff Person:  3/3/2021 DocuSigned by:	Date Reviewed/Staff Person:  3/3/2021 DocuSigned by:
Final Approval by Chief of Staff:  3/4/2021 DocuSigned by:	Signature/Date:  3/4/2021 DocuSigned by:
Date Submitted to Council: B2A38C3E4F324FE...	

PART 2.

To be completed by the Law Department
Please identify any legal impacts/conflicts if this legislation is approved. If yes, please explain:
To be completed by AIM
Please identify any technology impacts/conflicts if this legislation is approved. If yes, please explain:
To be completed by the Originating Department
Procurement-related information:
<ul style="list-style-type: none"> • Indicate Contract Type: This is an amendment to a loan agreement that does not financially impact the city of Atlanta _____ • Describe the Source Selection: _____ • Have Invitations/Request for Proposals been issued? _____ • Indicate the number of invitations issued _____ • What is the term of the contract? _____

To be completed by the Originating Department and Verified by the Department of Finance

Fund Account Center: NA

Source of Funds: NA

Fund Account Center (Please answer):

- Cost will be covered by the Department's Current Year budget
- Budget Neutral-No Monetary Impact
- Budget Neutral-Requiring a BA or TR
- Cost not anticipated in the Department's Current Year Budget
- Amendment to the Current Budget
- Please indicate if there is a method of cost recovery. If so, please describe in detail. _____

A RESOLUTION

BY FINANCE EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE CITY OF ATLANTA, ON BEHALF OF THE MAYOR'S OFFICE OF CULTURAL AFFAIRS, TO ACCEPT A DONATION OF SERVICES FROM NORFOLK SOUTHERN CORPORATION (NSC) TO RELOCATE THE SAMUEL SPENCER STATUE FROM THE DAVID R. GOODE BUILDING LOCATED AT 1200 PEACHTREE STREET AND TO STORE THE STATUE IN A WAREHOUSE OWNED BY NSC ON AN INTERIM BASIS UNTIL SUCH TIME AS A THE CITY SHALL IDENTIFY A NEW, PERMANENT LOCATION AT WHICH TO HOUSE THE STATUE; TO AUTHORIZE THE MAYOR TO ENTER INTO ANY NECESSARY AGREEMENT IN CONNECTION WITH THIS DONATION; AND FOR OTHER RELATED PURPOSES.

WHEREAS, Samuel Spencer, the first President of Southern Railway, now named Norfolk Southern Railway Company, a 100% owned subsidiary company of Norfolk Southern Corporation, a Virginia corporation (NSC), is memorialized by a bronze sculpture created by renowned American sculptor Daniel Chester French; and

WHEREAS, a statue of Samuel Spencer, including the statue's base and associated lamp posts (the Statue) was originally located at Atlanta's downtown passenger train station and rededicated to the Brookwood Station in 1970; and

WHEREAS, the Statue was relocated again by the Corporation for Olympic Development of Atlanta to downtown's Hardy Ivy Park in 1996; and

WHEREAS, in 2009 NSC and the City entered into an agreement, which was authorized by the Atlanta City Council pursuant to 09-R-0387, by which the Statue was moved from Hardy Ivy Park to the David R. Good Building, 1200 Peachtree Street, Atlanta Georgia (the Goode Building), where NSC maintained corporate offices; and

WHEREAS, in 2019 the Goode Building and the property upon which it is built were sold to Cousins Properties in preparation of NSC moving to a new corporate headquarters on West Peachtree Street in 2021; and

WHEREAS, NSC's plans for its new headquarters do not include a site for the Statue, and once NSC leaves the Goode building, the Statue's current placement will no longer be appropriate; and

WHEREAS, accordingly, the City of Atlanta and NSC desire to enter into an agreement by which the Parties shall ensure the Statue is dealt with in an appropriate manner; and

WHEREAS, in accordance therewith NSC shall donate services to the City to arrange and pay for the interim relocation of the Statue to a warehouse location owned by NSC at 5330 Webb Pkwy NW, Lilburn, Georgia (the Warehouse) until such time as the City identifies a new, permanent location; and

WHEREAS, the Warehouse, which houses other NSC historical documents, has restricted access to only NSC employees and has ample space to house the Statue given its 20-foot ceiling height; and

WHEREAS, the ownership of the Statue, including all copyright and title thereto shall remain with the City, and the City shall have the right to relocate the Statue at such time by which the City shall identify a new, permanent location; and

WHEREAS, at such time that the City shall identify a new, permanent location for the Statue, NSC shall coordinate the relocation of the Statue to the location identified by the City with the Executive Director of the Mayor's Office of Cultural Affairs and the relocation to this location shall be at NSC's sole expense; and

WHEREAS, pursuant to Section 1-102(c)(7) of the City of Atlanta Charter, the City of Atlanta is authorized to accept donations from any source for any purpose related to the powers and duties of the city; and

WHEREAS, it is the desire of the City of Atlanta to accept, on behalf of the Mayor's Office of Cultural Affairs, a donation of services from NSC to relocate the Statute from the Goode Building, and to store the Statue in the Warehouse on an interim basis until such time as the City shall identify a new, permanent location at which to house the Statue;

WHEREAS, it is the desire of the Atlanta City Council to authorize the Mayor or her designee to enter into any necessary agreement in connection with this donation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor, or her designee, is authorized, on behalf of the City of Atlanta, to accept the donation of services from Norfolk Southern Corporation, a Virginia corporation (NSC) to relocate the statue of Samuel Spencer, including the statue's base and associated lamp posts (the Statue) from the David R. Good Building, 1200 Peachtree Street, Atlanta Georgia (the Goode Building), and to store the Statue in a warehouse location owned by NSC at 5330 Webb Pkwy NW, Lilburn, Georgia (the Warehouse) on an interim basis until such time as the City shall identify a new, permanent location at which to house the Statue.

BE IT FURTHER RESOLVED, that the Mayor or her designee, on behalf of the City, is hereby authorized to enter into any necessary agreements in connection with the donation authorized pursuant to this Resolution.

BE IT FINALLY RESOLVED, that any resolution in conflict with this resolution is hereby waived to the extent of the conflict.

<p>(Do Not Write Above This Line)</p>	<p>First Reading</p> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Referred To _____</p>		<p>FINAL COUNCIL ACTION</p> <p><input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd</p> <p style="text-align: center;">Readings</p> <p><input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote</p>
<p>A RESOLUTION</p> <p>BY FINANCE/EXECUTIVE COMMITTEE</p> <p>A RESOLUTION AUTHORIZING THE CITY OF ATLANTA, ON BEHALF OF THE MAYOR'S OFFICE OF CULTURAL AFFAIRS, TO ACCEPT A DONATION OF SERVICES FROM NORFOLK SOUTHERN CORPORATION (NSC) TO RELOCATE THE SAMUEL SPENCER STATUE FROM THE DAVID R. GOODE BUILDING LOCATED AT 1200 PEACHTREE STREET AND TO STORE THE STATUE IN A WAREHOUSE OWNED BY NSC ON AN INTERIM BASIS UNTIL SUCH TIME AS A THE CITY SHALL IDENTIFY A NEW, PERMANENT LOCATION AT WHICH TO HOUSE THE STATUE; TO AUTHORIZE THE MAYOR TO ENTER INTO ANY NECESSARY AGREEMENT IN CONNECTION WITH THIS DONATION; AND FOR OTHER RELATED PURPOSES.</p>	<p style="text-align: center;">Committee</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Chair</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Action</p> <p style="text-align: center;">Fav, Adv, Hold (see rev. side)</p> <p style="text-align: center;">Other</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Members</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Refer To</p> <p style="text-align: center;">_____</p>	<p style="text-align: center;">Committee</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Chair</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Action</p> <p style="text-align: center;">Fav, Adv, Hold (see rev. side)</p> <p style="text-align: center;">Other</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Members</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Refer To</p> <p style="text-align: center;">_____</p>	<p>CERTIFIED</p>
<p><input type="checkbox"/> CONSENT REFER</p> <p><input type="checkbox"/> REGULAR REPORT REFER</p> <p><input type="checkbox"/> ADVERTISE & REFER</p> <p><input type="checkbox"/> 1ST ADOPT 2ND READ & REFER</p> <p><input type="checkbox"/> PERSONAL PAPER REFER</p> <p>_____</p> <p>Date Referred _____</p> <p>Referred To: _____</p> <p>_____</p> <p>Date Referred _____</p> <p>Referred To: _____</p> <p>_____</p> <p>Date Referred: _____</p> <p>_____</p> <p>Date Referred: _____</p> <p>Referred To: _____</p>	<p style="text-align: center;">Committee</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Chair</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Action</p> <p style="text-align: center;">Fav, Adv, Hold (see rev. side)</p> <p style="text-align: center;">Other</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Members</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Refer To</p> <p style="text-align: center;">_____</p>	<p style="text-align: center;">Committee</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Chair</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Action</p> <p style="text-align: center;">Fav, Adv, Hold (see rev. side)</p> <p style="text-align: center;">Other</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Members</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Refer To</p> <p style="text-align: center;">_____</p>	<p>MAYOR'S ACTION</p>

DEPARTMENTAL AUTHORIZATION