



**A RESOLUTION BY COUNCILMEMBER CLAIR MULLER
AS AMENDED BY COUNCILMEMBER MARY NORWOOD**

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A LEASE / MANAGEMENT AGREEMENT WITH THE NORTH ATLANTA SWIM ASSOCIATION, INC., A 501(C)(3) ORGANIZATION, FOR A PERIOD OF TWO-HALF (2 1/2) YEARS WITH AN OPTION TO RENEW FOR AN ADDITIONAL TWO (2) YEAR PERIOD, FOR THE MANAGEMENT, OPERATION, AND MAINTENANCE OF THE CHASTAIN PARK POOL AND GROUNDS.

WHEREAS, the North Atlanta Swim Association, Inc. is currently working with the City of Atlanta to facilitate the repair and timely opening of the Chastain Park Pool and grounds for the 2002 season and beyond for the enjoyment of the neighborhood and the public; and

WHEREAS, the City of Atlanta has already provided initial funds for the repair of Chastain Park Pool and grounds; and

WHEREAS, the North Atlanta Swim Association, Inc. desires to manage the soon to be re-opened Chastain Park Pool and grounds so that it may be professionally and properly maintained and operated for the safety and enjoyment of the community.

WHEREAS, the North Atlanta Swim Association, Inc. will make available to the public aquatic sports and safety education.

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section One: That the Mayor is hereby authorized on behalf of the City of Atlanta to enter into a lease / management agreement with the North Atlanta Swim Association, Inc. for a period of two-and-half (2 1/2) years from the date of execution with an option to renew for an additional two (2) year period, which agreement shall authorize said North Atlanta Swim Association, Inc. to operate, manage, and maintain the Chastain Park Pool and grounds.

Section Two: That the Association and City hereby enter into this lease / management agreement to staff and operate the Chastain Park Pool as a public-private partnership. The Association recognizes the need for community groups and citizens to take an active part in recreational activities and facilities that promote health and livable family-oriented neighborhoods. By this Agreement, the Association seeks to assist the City in the management and operation of the Pool by providing and paying for management services, lifeguards, expanded pool hours and organizing volunteers and community groups to pre-serve and improve the Chastain Park Pool and grounds. This shall free City resources, staff, and funds for other activities.

Section Three: That in its management and operation of the Pool, the Association shall honor all existing requirements of the City including, but not limited to: free swim periods, access for the Camp Best Friends Summer Program, and other guidelines required by the City. The Association will enter into a management contract with a licensed, insured and experienced pool management company to oversee the day-to-day operation of the Pool, including maintaining water quality and provision of certified lifeguards and staffing levels required by the City. The Association shall be solely responsible for paying for the management company out of membership dues, daily fees, and other sources as set forth in this Agreement.

Section Four: That the terms of the Agreement between the City of Atlanta and the North Atlanta Swim Association, Inc. for the management, operation and maintenance of the Chastain Park Pool and grounds, a copy of which agreement is attached hereto as Exhibit "A" to this resolution.

Section Five: *That the terms of this Agreement are based upon the Fulton County Health Department issuing the required permit for pool operation.*