

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2009 - 168

A RESOLUTION TO AUTHORIZE THE EXECUTION OF A SUB-GRANT AGREEMENT WITH METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH FEDERAL TRANSIT ADMINISTRATION GRANTS FOR C-TRAN WILL BE ADMINISTERED; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE SUB GRANT AGREEMENT; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO PROVIDE FOR AN APPROPRIATE REVENUE SOURCE AND EXPENSE FOR THE PAYMENT OF ALL OBLIGATIONS SET FORTH IN SAID SUB GRANT AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION AND FOR OTHER PURPOSES.

WHEREAS, Metropolitan Atlanta Rapid Transit Authority ("MARTA") and Clayton County entered into an Agreement dated April 9, 2007 and expiring on March 31, 2010 for MARTA to provide management functions for C-TRAN, the fixed route and paratransit bus service established and funded by Clayton County, said Agreement being identified as County RFP #06-50 ("the C-TRAN Management Agreement"); and

WHEREAS, MARTA and Clayton County entered into an Intergovernmental Agreement dated September 27, 2007 and expiring on June 30, 2010 ("the C-TRAN Operations Agreement") whereby MARTA has agreed to provide for the operation of C-TRAN; and

WHEREAS, the funding for such management and operations is provided by the County as well as federal grant funds awarded by the Federal Transit Administration; and

WHEREAS, from April 9, 2007 MARTA to the present MARTA has initiated and managed certain FTA grants by virtue of its status as the manager of C-TRAN; and

WHEREAS, MARTA and Clayton County have identified the need to amend the C-TRAN Operations Agreement and terminate the C-TRAN Management Agreement so that all activities undertaken by MARTA on behalf of the County for the provision of C-TRAN services will be performed under the terms of the C-TRAN Operations Agreement; and

WHEREAS, the requirements of the Federal Transit Administration necessitate the execution of a Sub-Grant Agreement between MARTA and the County for the administration of existing and future grants with MARTA as the FTA designated recipient and the County as the sub-recipient, each with rights and responsibilities as set forth in the sub-grant agreement and;

WHEREAS, the County will work to become a direct designated grant recipient and MARTA and the County will cooperate to transfer FTA grants from MARTA to the County; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County and the County will best be served by entering into the above referenced sub-grant agreement to provide for the administration of existing and future grants until such time as the County becomes a direct grant recipient;

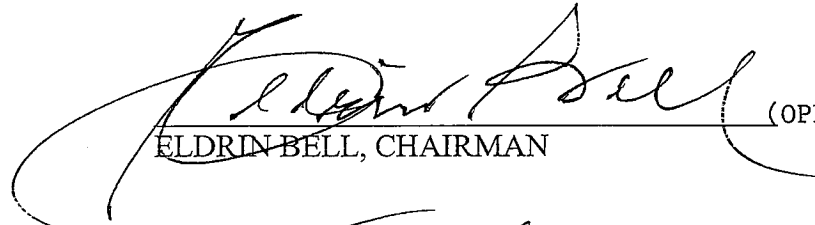
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY
RESOLVED AS FOLLOWS:

SECTION 1. The Board of Commissioners hereby authorizes Clayton County to enter into a sub-grant agreement with the Metropolitan Atlanta Rapid Transit Authority in substantially the form attached as Exhibit A. The Board of Commissioners authorizes the Chairman to execute said agreement and otherwise perform all acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, and all as may be necessary under the terms of said agreement.

SECTION 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this 13th day of October, 2009.

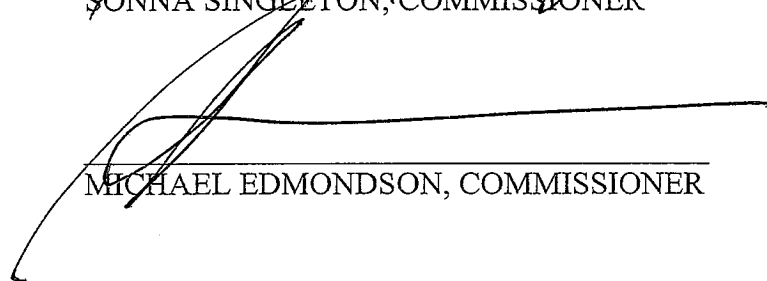
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN (OPPOSED)

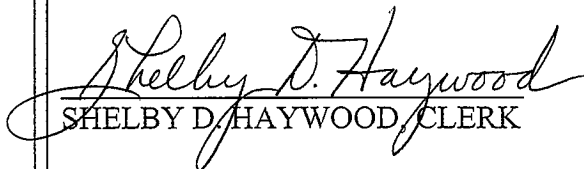

WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK