

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2010 - 59

A RESOLUTION EXPRESSING CLAYTON COUNTY'S INTENT TO AMONG OTHER THINGS TRANSFER THE COUNTY'S INTEREST IN ASSETS USED FOR C-TRAN TO THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY AND THE GEORGIA REGIONAL TRANSPORTATION AUTHORITY; TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE AUTHORITY TO CARRY OUT THE TERMS AND CONDITIONS EXPRESSED HEREIN; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County (the "County") has determined that it is in the best interest of the County to terminate C-Trans fixed Route and Complementary Para Transit services effective March 31, 2010; and

WHEREAS, there are a number of C-Tran assets that were funded by grants from the Federal Transportation Administration ("FTA") of which the FTA maintains an interest in due to grant requirements; and

WHEREAS, it is possible to transfer the County's interest in those assets to other agencies recognized by FTA upon certain conditions; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority ("MARTA") and the Georgia Regional Transportation Authority (the "GRTA") are agencies that the FTA may permit the County to transfer its interest in those assets; and

WHEREAS, MARTA and GRTA are interested in obtaining those assets subject to certain conditions; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by transferring the assets as contemplated therein.

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

Section 1. The Board of Commissioners hereby authorizes the County to express its intent to transfer its interests in the following C-Tran assets and comply with the following conditions:

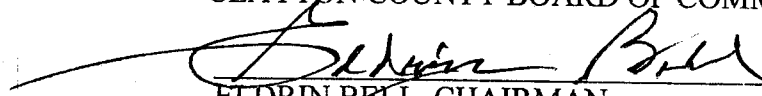
- Approve the transfer of county and federal interest in five (5) buses acquired in 2009 to MARTA;
- Authorize an intergovernmental agreement with GRTA to provide that:
  1. Clayton County will pay GRTA \$2,400,000 prior to March 31, 2010 to compensate GRTA for the County's federal interest obligation remaining in various C-Tran assets.
  2. Clayton County will transfer ownership of twenty-four (24) FTA funded buses and fair collection equipment, with GRTA becoming responsible for the FTA grant requirements for this equipment.
  3. Using funds from FTA grant GA-90-X234, State funds designated to match grant GA-90-X234, the Clayton County funds listed in paragraph 1 above, and no other GRTA or State of Georgia funding, GRTA will establish three (3) new Xpress routes serving Clayton County beginning April 1, 2010.
  4. Clayton County will permit GRTA to use and/or sublease the service facility located at 7535 Southlake Parkway, Jonesboro, Georgia subject to the approval of the lessor, provided GRTA will be responsible for monthly lease payments through the end of the lease term of the contract.
  5. GRTA will pay the FTA for the un-depreciated federal interest in the three service vehicles.

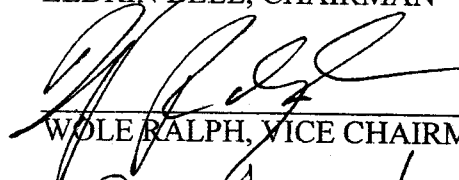
6. Clayton County will direct the Atlanta Regional Commission and MARTA to make available to GRTA, Clayton County's current and future allocation of 5307 formula funds to be used for the maintenance and capital equipment for Xpress routes operated through Clayton County by GRTA.


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


SO RESOLVED, this the 16<sup>th</sup> day of February 2010.

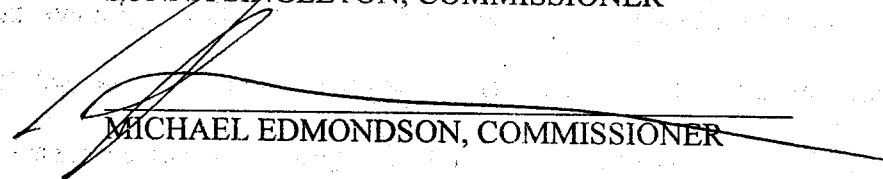
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN (OPPOSED)

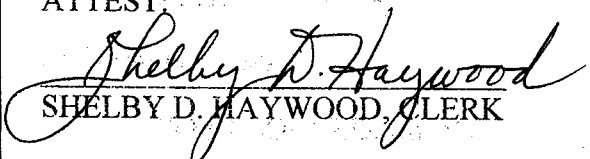
  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK