

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2020-19

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO APPROVE AND EXECUTE A FIFTEENTH AMENDMENT TO THE RAPID TRANSIT AGREEMENT AND ASSISTANCE AGREEMENT; TO AUTHORIZE THE CHAIRMAN OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AS REQUIRED UNDER THE TERMS OF THE AGREEMENT; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE ALL AS MAY BE REQUIRED BY THE TERMS OF THE AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority (the "Authority") has previously entered into a Rapid Transit Agreement and Assistance Agreement (hereinafter the "Agreement") with the City of Atlanta and Fulton, DeKalb and Clayton Counties (hereinafter called the "Local Governments") which was approved by referendum on November 9, 1971, and which incorporates the Engineering Report setting forth and describing the rapid transit system contemplated by the Parties; and

WHEREAS Section 4(d) of the Agreement recognizes and contemplates that amendments to the Agreement may from time to time be desirable and makes provision pursuant to Section 5 of the Agreement for procedures to effectuate such amendments; and

WHEREAS the Authority and the Local Governments, in accordance with Sections 4(d) and (5) of the Agreement, have previously made fourteen amendments to the Agreement; and

WHEREAS, the Agreement currently provides for the collection of the tax authorized by the MARTA Act at the rate of one penny until and including June 30, 2047 at

which time it will revert to one-half penny; and

WHEREAS, pursuant to an Act of the General Assembly approved May 15, 2015, the MARTA Act, Section 25, was amended to authorize the collection of the maximum rate of the MARTA tax at one percent until June 30, 2057; and

WHEREAS, the Board of Directors of the Authority has expressed its desire and commitment to work cooperatively with Clayton County regarding transit-oriented developments in Clayton County; and

WHEREAS, in the spirit of continued cooperation, the Authority's Board of Directors and the Clayton County Board of Commissioners have worked together to identify and reaffirm the inclusion of certain projects within Clayton County which such project lists are annexed as Appendix D; and

WHEREAS, the Clayton County Board of Commissioners desires to approve the 15<sup>th</sup> amendment to the Agreement and believes it is in the best interests of the citizens of Clayton County to approve the Agreement.

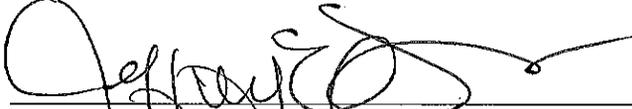
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS  
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

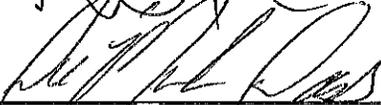
Section 1. The Board of Commissioners hereby authorizes the Chairman of the Board of Commissioners or his designee to execute the attached Fifteenth Amendment to the Agreement as provided in the Agreement and further authorizes the Chairman to otherwise perform all acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners authorizes the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement.

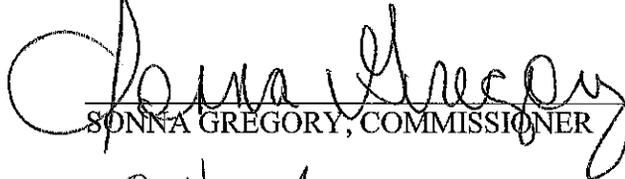
Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 4 day of February 2020.

CLAYTON COUNTY BOARD OF COMMISSIONERS

  
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JEFFREY E. TURNER, CHAIRMAN

  
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DEMONT DAVIS, VICE CHAIRMAN

  
\_\_\_\_\_  
SONNA GREGORY, COMMISSIONER

  
\_\_\_\_\_  
GAIL HAMBRICK, COMMISSIONER

  
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FELICIA FRANKLIN WARNER, COMMISSIONER

ATTEST:

  
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BRENDA B. JAMES, CLERK