

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2009-213

A RESOLUTION; AUTHORIZING AN AMENDMENT TO THE SUBGRANT AGREEMENT BETWEEN CLAYTON COUNTY AND THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY UNDER WHICH FEDERAL TRANSIT ADMINISTRATION GRANTS FOR C-TRAN WILL BE ADMINISTERED; TO AUTHORIZE A SECOND AMENDMENT TO THE OPERATIONS AGREEMENT WITH THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY; TO AUTHORIZE THE OPERATION OF C TRAN FIXED ROUTE AND PARATRANSIT SERVICES THROUGH JUNE 30, 2010; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AMENDMENTS TO THE SUBGRANT AND OPERATIONS AGREEMENTS; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO PROVIDE FOR AN APPROPRIATE REVENUE SOURCE AND EXPENSE; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS RESOLUTION AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners voted to end C-Tran fixed route and Paratransit services effective 11:59 p.m. March 31, 2010 due to the lack of funding available to continue said operations; and

WHEREAS, at that time the Board of Commissioners voted and requested that the Chairman of the Board of Commissioners continue to seek sources of revenue to fund the operations of C-Tran; and

WHEREAS, the Board indicated that should permanent revenue sources be identified then the Board would reconsider the decision to terminate the services; and

WHEREAS, the Chairman working with the Metropolitan Rapid Transit Authority ("MARTA"), the Georgia Regional Transit Authority ("GRTA") the Federal Transit Administration ("FTA"), the Atlanta Regional Commission ("ARC"), the Georgia Department of Transportation ("GDOT"), the Clayton County legislative delegation and other elected officials in the county, to identify additional funding sources; and

WHEREAS, potential funding sources have been identified as set forth herein, subject to action being taken by various entities including the Clayton County Board of Commissioners; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County and the County will be best served by entering into the above referenced amended agreements and taking such actions as described below.

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 the Metropolitan Atlanta Rapid Transit Authority (MARTA), pursuant to an amendment to the existing Sub-Grant Agreement between Clayton County and MARTA, to make application to the Federal Transit Administration (FTA) on behalf of Clayton County for the grant of up to \$2.7 million in operating assistance under the provisions of the American Recovery and Reinvestment Act (ARRA) permitting the utilization of up to ten percent of total allocated grant funds for transit operating assistance. The Board of Commissioners authorizes the Chairman to execute all certifications and other documents necessary, and otherwise perform all acts necessary, to accomplish the intent of this Resolution.

SECTION 2. Further, in order to provide the information, certifications and assurances necessary to make application for the grant as above described, the Board of Commissioners authorizes and directs the Finance Director to provide the following information to MARTA not later than December 18, 2009: (1) all information relating to

fiscal year to date collection of revenue from all sources identified as funding the County's FY2010 public transportation budget, (2) all expenditures year to date of every kind and character charged to the County's FY2010 public transportation budget, and (3) any other information requested by MARTA necessary to make the grant application as above described.

SECTION 3. Further, in order to comply with the periodic reporting requirements and additional certifications and assurances required by the FTA, the General Accounting Office, the United States Congress and other federal agencies with oversight of ARRA, the Board of Commissioners hereby authorizes and directs County staff to comply with all requests for information, certifications and other assurances required in connection with the grant described above. The Board of Commissioners further affirms that it will comply with all such requirements and make such assurances as may be required of it as the governing body of Clayton County.

SECTION 4. Further, the Board of Commissioners, subject to the approval of and receipt of the ARRA Grant of \$2.7 million dollars for operation of C-Tran fixed route and paratransit services, hereby amends the effective date of termination of service of C-Tran fixed route and Paratransit service, by extending such service up to the close of the service day June 30, 2010. Further, in order to continue the operation of C TRAN service beyond the termination date of March 31, 2010 as previously established by the Board of Commissioners, pursuant to Resolution No. 2009-169, the Chairman is hereby authorized to enter into a Second Amendment to the Operations Agreement between MARTA and the County to continue performance by MARTA of C TRAN fixed route and paratransit service under the terms of the Operations Agreement, as amended by action of the Board of Commissioners dated October 12, 2009, for the term through and including the close of the service day on June 30, 2010. Further, the total cost of the extended service will be paid for exclusively from the ARRA Grant funds referenced herein.

SECTION 5. Further, the Board of Commissioners hereby authorizes the Director of Finance to amend the budget where necessary to reflect appropriate revenue sources, and expenses relating thereto. The Board further authorizes the Chairman to execute the amendments and any other documents and perform all other acts necessary to accomplish the intent of this resolution.

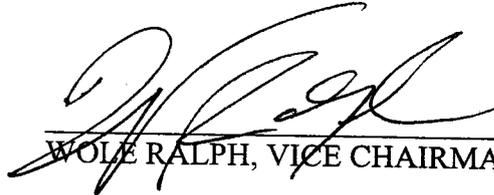
SECTION 6. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

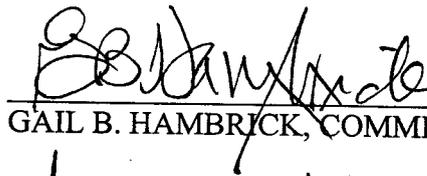
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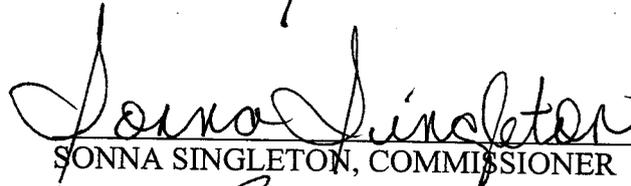
SO RESOLVED, this 14th day of December, 2009.

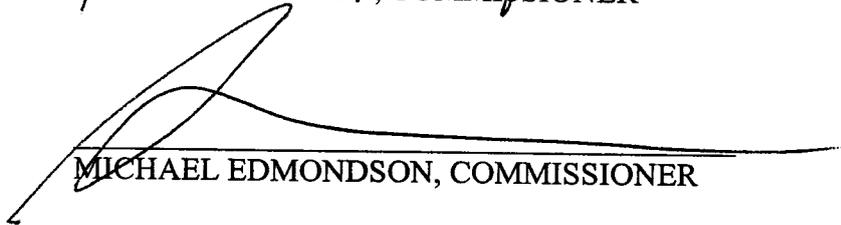
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

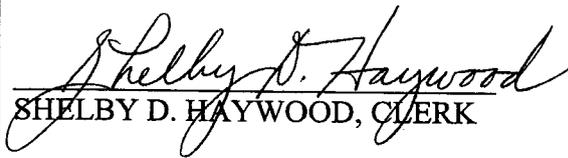

WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK