



BOARD OF DIRECTORS

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

THURSDAY, JULY 14, 2022

ATLANTA, GEORGIA

MEETING MINUTES

CALL TO ORDER AND ROLL CALL

Chair Rita Scott called the meeting to order at 1:30 P.M.

Board Members

Present:

Roberta Abdul-Salaam
Robert Ashe III
Jim Durrett
William Floyd
Roderick Frierson
Freda Hardage
Al Pond
Rita Scott
Reginald Snyder
Heather Aquino¹

Board Members

Absent:

Stacy Blakley
Russell McMurry¹
Kathryn Powers
Thomas Worthy
Roderick Mullice

Staff Members Present:

Collie Greenwood
Melissa Mullinax
Ralph McKinney
Raj Srinath
Luz Borrero
Rhonda Allen

¹Russell McMurry is Commissioner of the Georgia Department of Transportation (GDOT) and Heather Aquino is the Interim Executive Director of the Georgia Regional Transportation Authority (GRTA). Per the MARTA Act, both are non-voting members of the Board of Directors.

Manjeet Ranu
Peter Andrews
George Wright

Also in Attendance:

Justice Leah Ward Sears
Kirk Talbott
George Wright
Jonathan Hunt
Colleen Kiernan
Paula Nash
Kenya Hammond
Colleen Kiernan
Donna DeJesus
Jacqueline Holland
Tyrene Huff

Presentation by Commissioner Tim Echols – MARTA - Award of the Best Sustainability by a Transportation Company

PUBLIC COMMENTS (SUBMITTALS VIA TELEPHONE, U.S. MAIL AND IN PERSON)

Ed Williams [via email]
Vincent Fort [in person]
Brian Sumlin [in person]
Moona Mohammed [in person]
Sherry Williams [in person]
Rev. Reddy Washington [in person]
Derrick Blassingame [in person]

1. APPROVAL OF THE MINUTES

Minutes from June 9, 2022

Approval of the minutes from June 9, 2022. On a motion by Board Member Pond, seconded by Board Member Durrett, the motion passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

2. PLANNING & CAPITAL PROGRAMS COMMITTEE

Committee Chair Al Pond reported that the Committee met on June 30, 2022, and approved the following resolutions:

Vice-Chair Abdul-Salaam requested to vote on Resolution 2a separately. On a motion by Vice-Chair Abdul-Salaam, seconded by Board Member Ashe, the motion passed by a vote of 5 to 4 with 1 abstention and 10 members present.

Approval of Resolutions, 2b and 2c. On a motion by Board Member Snyder, seconded by Board Member Hardage, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

Vice Chair Abdul-Salaam made a motion to table Resolution 2a. No one seconded. Motion failed.

Approval of Resolution 2a. On a motion by Board Member Pond, seconded by Board Member Ashe, the resolution passed by a vote of 8 to 0 with 1 member against, 1 member abstaining, and 10 members present.

The Committee received the following briefing: Station Rehabilitation Program Update

3. OPERATIONS & SAFETY COMMITTEE

Committee Chair W. Thomas Worthy reported that the Committee met on June 30, 2022, and approved the following resolution:

Approval of Resolutions 3a, 3b and 3c. On a motion by Board Member Pond, seconded by Board Member Durrett, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

The Committee received the following briefing: Rail Operations Performance and Initiatives

4. BUSINESS MANAGEMENT COMMITTEE

Committee Chair Roderick Frierson reported that the Committee met on June 30, 2022, and approved the following resolutions:

Approval of Resolution 4a. On a motion by Board Member Snyder, seconded by Board Member Ashe III, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

5. OTHER MATTERS

Approval of Resolution Authorizing Execution of an Amendment to Ground Lease Agreement Between MARTA and Abernathy Development Partners. On a motion, seconded by Board Member Durrett, the resolution passed by a vote of 9 to 0, with 1 member abstaining and 10 members present.

6. COMMENTS FROM THE BOARD

None

7. ADJOURNMENT

The Board meeting adjourned at 2:35 PM.

Respectfully submitted,



Tyrene L. Huff
Assistant Secretary to the Board
YouTube link: <https://youtu.be/49EBA37m11A>

July 14th, 2022 Board Meeting Public Comments

Received via (404) 848-6000, marta.board@itsmarta.com, public@itsmarta.com

Summary: One customer provided a public comment
1 – E-mail
0 – Voice Messages

1.) Message Date: Thursday July 14th, 2022

8:01 a.m. (Via MARTA Board Email) &
8:45 a.m. (Via Public Email)

Dr. Ed. Williams

Truthcrushtheearth@gmail.com

Good Afternoon Directors:

My Name is Ed Williams, I have lived in unincorporated south DeKalb for over twenty years. I am the chair of the group Concerned Citizens for Effective Government.

In 1971, the citizens in DeKalb and Fulton counties voted to levy a one-percent sales tax for 50 years to fund MARTA transit services. I was 7 years old at the time and was not old enough to vote or petition the courts.

The sales tax funding mechanism came about because homeowners did not want transit funding done as part of their property taxes. The Board of Commissioners in Fulton, DeKalb, Clayton and DeKalb, as well as the City of Atlanta authorized the Rapid Transit Contract and Assistance Agreement (RTCAA) with MARTA, setting it to expire on Aug. 31, 2021. The contract, however, remains in place today—illegally.

I am challenging the contract in the public's interest and now the transit authority is retaliating against me by seeking \$166K for filing a so-called "frivolous" lawsuit. MARTA, in its April 7, 2022 motion for legal fees, asserts that I must be held accountable for attorneys' fees and costs, even though MARTA has not shown that I have acted in bad faith.

My complaint seeks to do two things: prevent MARTA from illegally continuing to extend its contract and illegally continuing to levy a sales tax beyond Aug. 31, 2021, without a new referendum.

There is no law in Georgia that allows MARTA to extend the service contract beyond 50 years. The Georgia Constitution specifically prohibits a government contract to be more than 50 years, according to Article 9, Section 3, Paragraph I. In addition, the 50-year limitation was specifically included as part of the terms of the RTCAA contract.

MARTA has asked the court to make it where citizens would have to ask for permission first to file a lawsuit. Every citizen and organization should be outraged and speak out about this clearly unconstitutional act. The right to free speech, association, protest and peacefully assemble, religious freedom, and petition the government shall not be abridged.

The MARTA Board should not permit the law firm Holland and Knight to continue to pursue attorney fees against me and other citizens who are acting in the public's interests and who are exercising their constitutional right to petition the government for redress and grievances.

Citizens in Georgia have a right to seek justice, equity, due process, and equal justice in a court of law. This right is at the heart of our democracy and the first and arguably the most important right. The government should not be able to use taxpayer money to deny citizens the right to

petition their government and to intimidate and retaliate against citizens from seeking justice. It is imperative that we demand a new referendum for the one percent sales tax that MARTA is receiving and have a say in prioritizing transit projects and services that we want to be funded for our communities.

Thank You

Ed Williams Attachment: (4 Pages)

Entitled – Citizen Rights MARTA Op ED Public Comment-July 14 2022

P.O. Box 361626
Decatur, Georgia 30036
(678) 304-7736
14 July 2022

MARTA Board of Directors
Metropolitan Atlanta Rapid Transit Authority
2424 Piedmont Road
Atlanta, Georgia 30324
(404) 848-5000
marta.board@itsmarta.com
public@itsmarta.com

Re: **MARTA SEEKS TO RUNOVER CITIZEN RIGHTS**

From Dr. Ed Williams

[Begin Public Comment]

Good Afternoon Directors:

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“frivolous” lawsuit. MARTA, in its April 7, 2022 motion for legal fees, asserts that I must be held accountable for attorneys’ fees and costs, even though MARTA has not shown that I have acted in bad faith.

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It is imperative that we demand a new referendum for the one percent sales tax that MARTA is receiving, and have a say in prioritizing transit projects and services that we want to be funded for our communities.

Thank You

[Public Comment End]

References

Long Version MARTA Seeks To Runover Citizen Rights

https://drive.google.com/file/d/147Iq-xSiO7EFWII2TEQgwfqi_YM5oljF/view?usp=sharing

Plaintiff's Reply Brief Williams v. MARTA

https://drive.google.com/file/d/1tPgt0Y9t9p66tYy0Z5dy7n7rSRzH_pI0/view?usp=sharing

Plaintiff's Response to Motion for Attorney Fees

https://drive.google.com/file/d/1r7x0cIgg_zu70W81OQ_B_Hiv4zuj-x4/view?usp=sharing

Plaintiff Complaint / Petition

<https://drive.google.com/file/d/1k62tKun6JCRn3mwaQbrvKJgrAQlrvZae/view?usp=sharing>

Plaintiff Complaint / Petition with full Exhibits

<https://drive.google.com/file/d/1UrrNzkdA0Ptxiok3FNIDaVn8dyR89-b0/view?usp=sharing>

MARTA LEGAL ISSUES

<https://drive.google.com/file/d/1pNYteisTHpUFLIvjpFeWcHIJCLkHP5pf/view?usp=sharing>

Issues with Metropolitan Area Transit

<https://ccegov.blogspot.com/2019/08/metropolitan-area-transit-and-issues-of.html>

Ed Williams. Ed.D. Chair

Concerned Citizens For Effective Government

<https://www.facebook.com/groups/ccegov/>

<http://ccegov.blogspot.com>

(678) 304-7736

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Resolution Authorizing Approval of Center-Running Bus Rapid Transit (“BRT”) as the Locally Preferred Alternative (“LPA”) for the Campbellton Community Investment Corridor Project

WHEREAS, the subsequent 15th Amendment to the Rapid Transit Contract and Assistance Agreement (“RTCAA”) set forth various capital projects, including a City of Atlanta High-Capacity Transit (“HCT”) option connecting Oakland City Station to Greenbriar Mall; and

WHEREAS, the City of Atlanta and MARTA agreed in the 15th Amendment to the RTCAA that the Campbellton Road HCT project shall be funded by the additional one-half penny sales tax and/or other non-sales tax funding sources; and

WHEREAS, the City of Atlanta and MARTA entered into the More MARTA Intergovernmental Agreement (“IGA”) for the planning, design, construction, and operations of the expansion and enhancement of the rapid transit system in accordance with the 15th Amendment More MARTA program; and

WHEREAS, Route 83 is MARTA’s second highest ridership route, serving 4,300 customers, respectively, on an average weekday and warranting higher capacity service in the form of Bus Rapid Transit; and

WHEREAS, the Oakland City rail station, Ft. McPherson, and Greenbriar Mall are significant job and activity centers, and additional economic development potential exists along the corridor; and

WHEREAS, the Campbellton Community Investment Corridor Project has gone through the necessary planning, public engagement and preliminary project development processes and has the requisite local matching funding required for the FTA Small Starts program; and

WHEREAS, The Campbellton Corridor Community Investment Corridor is estimated to cost over \$300 million and is the intention for MARTA to apply for Small Starts via FTA’s CIG Program of up to \$150 million in federal discretionary funds, with the required non-federal local match coming from the More MARTA half-penny sales tax; and

WHEREAS, from the public engagement process based in large part due to the need for additional infrastructure to support the core center-running BRT facility, the City of Atlanta and MARTA have agreed to make additional improvements, resulting in the aforementioned overall estimated cost of the project inclusive of these supporting features to be approximately \$300 million, to the Campbellton Community Investment Corridor that would benefit the community and the riders of the system; and

WHEREAS, pursuant to the IGA, the MARTA Board of Directors is the official policy making entity and will have the ultimate responsibility for decisions affecting the transit component of the program; and

WHEREAS, pursuant to the IGA the Program Governance Committee (“PGC”), at the request of the Program Management Team (“PMT”), will review all LPAs and recommend them to be forwarded to the City of Atlanta Subcommittee of the MARTA Board of Directors for recommendation prior to going before the full MARTA Board for approval; and

WHEREAS, consistent with the application by the City of Atlanta for funding through the National Infrastructure Program Assistance Program (“MEGA”), it is recommended that BRT is the LPA transit mode for the Campbellton Road HCT project; and

WHEREAS, the Office of the Mayor and affected council members are provided notice of the of the recommended LPA; and

RESOLVED THEREFORE, the MARTA Board of Directors selects the proposed BRT route that connects the Oakland City MARTA station located at 1400 Lee St, SW, Atlanta, GA 30310 to the Barge Road park-n-ride lot as the LPA for the Campbellton Community Investment Corridor Project, more particularly depicted on the map exhibit and corresponding narrative description in Exhibit “A” to this Resolution.

BE IT FURTHER RESOLVED that this LPA is transmitted to the Federal Transit Administration, Atlanta-Region Transit Link and the Atlanta Regional Commission for incorporation into their programs and plans.

BE IT FURTHER RESOLVED that the MARTA Board of Directors approves the Campbellton Road Bus Rapid Transit Community Investment Corridor Project cost estimate and funding plan.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0FE047927B94DA

**Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION TITLE

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
CONSULTING SERVICES FOR INDIAN CREEK AND H.E. HOLMES STATIONS MASTER PLAN
REQUEST FOR PROPOSALS NUMBER P48713**

WHEREAS, the Authority's Office of Transit Oriented Development has identified the need for the Procurement of Consulting Services for Indian Creek and H.E. Holmes Stations Master Plan, Request for Proposals Number P48713; and

WHEREAS, On November 24, 2021 the Metropolitan Atlanta Rapid Transit Authority duly sent to potential offerors notice of its Request for Proposals for the Procurement of Consulting Services for Indian Creek and H.E. Holmes Stations Master Plan, RFP P48713; and

WHEREAS, notice of the said Request for Proposals was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to the proposal deadline; and

WHEREAS, all Proponents were given the opportunity to protest the proposal instructions, specifications, and/or procedures; and

WHEREAS, on February 16, 2022 at 2:00 p.m., local time, six (6) proposals were received; and

WHEREAS, the Authority's staff determined that HKS, Inc. and WSP USA Inc submitted the most advantageous offer and other factors considered, and is technically and financially capable of providing the services.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/Chief Executive Officer or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Request for Proposals Number P48713, for the procurement of HKS, Inc. and WSP USA Inc between the Authority and HKS, Inc. and WSP USA Inc in the amount of \$833,500.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION AUTHORIZING THE SOLICITATION OF PROPOSALS FOR A TRANSIT ORIENTED DEVELOPMENT (TOD) AT THE INDIAN CREEK STATION, RFP P50194

WHEREAS, the Office of Transit Oriented Development and Real Estate has identified a need for Joint Development of Parcel D1211 at Indian Creek; and

WHEREAS, Staff is authorized by Section 14(m) of the MARTA Act to procure goods and services without competitive bidding if it is impracticable to prepare adequate specifications or an adequate description on the basis of which to solicit competitive bids; and

WHEREAS, the Interim General Manager/CEO has certified, in accordance with Section 14(m)(1) of the MARTA Act, that the procurement of Joint Development of Parcel D1211 at Indian Creek Station is impracticable through the solicitation of competitive bids; and

WHEREAS, award of a Contract for Joint Development Parcel D1211 at Indian Creek Station after the solicitation of proposals and selection of a preferred proponent pursuant to Section 14(m) of the MARTA Act, is subject to approval by the Board of Directors.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that, the Interim General Manager/CEO or his delegate be, and hereby is, authorized to solicit for proposals for Joint Development of Parcel D1211 at Indian Creek Station by means other than competitive bidding, in accordance with Section 14(m) of the MARTA Act, through the use of Requests for Proposals.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

A0FE047927B94DA

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
NEW AND REMANUFACTURED TRANSMISSIONS AND OVERHAUL/REPAIRS,
IFB B46990**

WHEREAS, the Authority's Office of Bus Maintenance has identified the need for the Procurement of New and Remanufactured Transmissions and Overhaul/Repairs, Invitation for Bids Number B46990; and

WHEREAS, on March 10, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on April 19, 2022 at 2:00 p.m., local time, three (3) bids were publicly opened and read aloud; and the bid submitted for Group 1 by Jasper Weller LLC was non-responsive and the bid for Group 2 by Associated Fuel Systems, Inc., was non-responsive.

WHEREAS, the bid submitted for Group 1 - New and Remanufactured Transmissions and Group 2 – Overhaul/Repairs by The W. W. Williams Company, LLC, is responsive and responsible and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B46990, Procurement of New and Remanufactured Transmissions and Overhaul/Repairs between the Authority and The W. W. Williams Company, LLC, in the overall amount of \$7,286,132.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
DIESEL EXHAUST FLUID, IFB B48662A**

WHEREAS, the Authority's Office of Bus Maintenance has identified the need for the Procurement of Diesel Exhaust Fluid, Invitation for Bids Number B48662A; and

WHEREAS, on February 18, 2022 the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on March 24, 2022 at 2:00 p.m., local time, five (5) bids were publicly opened and read aloud; and

WHEREAS, the bid submitted by The McPherson Companies, is responsive and responsible and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B48662A, Procurement of Diesel Exhaust Fluid between the Authority and The McPherson Companies, in the amount of \$540,600.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PROCUREMENT
OF NON-REVENUE VEHICLES RFPP P50146**

WHEREAS, the Authority's Office of Bus Maintenance has identified a need for Non-Revenue Vehicles; and

WHEREAS, the Authority's staff has determined that Non-Revenue Vehicles may be purchased utilizing the State of Georgia Contract; and

WHEREAS, Section 14(l) of the MARTA Act permits the Authority to purchase without competitive bidding, any goods, supplies, equipment, other property, or services from any vendor who, at the time of such purchase, has in effect a contract or schedule with the State of Georgia or the United States Government, provided that such purchase is made pursuant to the price, terms and conditions of such contract or schedule and the Authority receives all of the benefits thereof.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract utilizing the State of Georgia Contracts that are valid at the time the Authority procures the Non-Revenue Vehicles in the amount of \$1,342,550.00.

Approved as to Legal Form:



**Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACTUAL
AUTHORIZATION FOR PROFESSIONAL SERVICES FOR A CONSULTANT FOR
4DX IMPLEMENTATION, LOA L38628**

WHEREAS, on October 12, 2016 the General Manager entered into a Contract with Franklin Covey Client Sales, Inc. for a Consultant for 4DX Implementation, Letter of Agreement L38628; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the department of Internal Audit will be requested to perform a price and cost analysis to determine fair and reasonable pricing, and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. L38628 Professional Services for a Consultant for 4DX Implementation from \$1,112,300.00 to \$1,373,300.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING EXECUTIONG OF AN AMENDMENT TO GROUND LEASE
AGREEMENT BETWEEN MARTA AND ABERNATHY DEVELOPMENT PARTNERS**

WHEREAS, on August 1, 2002 the Metropolitan Atlanta Rapid Transit Authority (“MARTA”) and Abernathy Development Partners, LLC entered into the Lease Agreement (“Lease Agreement”) for the mixed-use development of the Abernathy Road Park and Ride lot; and

WHEREAS, on June 3, 2003 MARTA and Abernathy Development Partners, LLC modified the Lease to acknowledge and agree to the replacement of “Exhibit A” to the Lease (“First Amendment”); and

WHEREAS, on September 22, 2006 MARTA and Abernathy Development Partners, LLC amended legal descriptions to remove and sever the Modified Residential Facility Site from the Leased Property and deleted the Modified Residential Facility Site from the definition of the Lease Property under the Lease, pursuant to Section 2.20 of the Lease (“Second Amendment”); and

WHEREAS, on June 8, 2007 MARTA and Abernathy Development Partners, LLC amended Lease to reserve, for the benefit of MARTA, certain rights, easements, and restrictions over, under and cross the Facility Site and the Hotel Facility (“Third Amendment”); and

WHEREAS, on June 11, 2007 MARTA and Abernathy Development Partners, LLC amended Lease to reconvey Fee Simple Area to MARTA by Quitclaim Deed and to reincorporate the Fee Simple Area into the Leased Property and to effect certain other purposes (“Fourth Amendment”); and

WHEREAS, on August 9, 2016 MARTA and Abernathy Development Partners, LLC amended the Lease to remove the proposed hotel site from the remaining ground leased property ("Fifth Amendment"); and

WHEREAS, Abernathy Development Partners, LLC has requested modifications to the Lease Agreement ("Sixth Amendment") to accelerate development with an affordable housing component.

RESOLVED THEREFORE, that the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority hereby authorizes the Interim General Manager / CEO, or his authorized delegate, as provided for in the By-Laws of the Authority, to execute the Sixth Amendment to Ground Lease with Abernathy Development Partners, LLC.

Approved as to Legal Form:



**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**