



BOARD OF DIRECTORS

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

THURSDAY, SEPTEMBER 8, 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:

Stacy Blakley
William Floyd
Freda Hardage
Russell McMurry¹
Al Pond
Kathryn Powers
Rita Scott
Reginald Snyder
Heather Aquino¹

Board Members

Absent:

Roberta Abdul-Salaam
Robert Ashe III
Jim Durrett
Roderick Frierson
Thomas Worthy
Rod 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) 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
Keri Lee
Colleen Kiernan
Donna DeJesus
Jacqueline Holland

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

Moona Mohammed [in person]
Ed Williams [via email]

1. APPROVAL OF THE MINUTES

Approval of the August 11, 2022 Board of Directors Meeting Minutes.

Approval of the August 11, 2022, Board of Directors Meeting Minutes. On a motion by Board Member Pond, seconded by Board Member Hardage, the motion passed by a vote of 7 to 0 with 2 members abstaining and 9 members present.

2. PLANNING & CAPITAL PROGRAMS COMMITTEE REPORT

Committee Chair John Pond reported that the Committee met on August 25, 2022, and approved the following resolutions:

Committee Chair Report Planning & Capital Programs

Resolution 2A requires a supermajority vote. The resolution was tabled until the October 13, 2022, Board meeting due to not enough Board members present for a supermajority vote.

Approval of Planning & Capital Programs committee resolutions 2b. On a motion by Board Member Blakley, seconded by Board Member Hardage, the resolutions passed by a vote of 7 to 0 with 2 members abstaining and 9 members present.

The Committee received the following briefings:

SummerHill Bus Repaid Transit [BRT] Significant Change – Cost and Schedule Briefing
Clayton County Justice Center Transit Hub

3. OPERATIONS & SAFETY COMMITTEE REPORT

Committee Chair W. Thomas Worthy reported that the Committee met on August 25, 2022, and received the following briefings:

Operations Planning and Control Overview
Transit Master Version 19 Update

4. BUSINESS MANAGEMENT COMMITTEE REPORT

Committee Chair Roderick Frierson reported that the Committee met on August 25, 2022, and approved the following resolutions:

Committee Chair Report Business Management

Approval of Business Management Committee resolutions 4a & 4b. On a motion by Board Member Pond, seconded by Board Member Blakley, the resolution passed by a vote of 7 to 0 with 2 members abstaining and 9 members present.

The Committee received the following briefing:

FY2022 Year-End Financial Highlights

5. OTHER MATTERS

Chief Legal Counsel, Peter Andrews, read into the record the following resolutions and settlements emanating from the Executive Session:

1. Resolution Authorizing the Execution of a Lease Agreement with the Owner of 575 Morosgo Drive, NE, Atlanta, GA 30324 for Short-Term Relocation of Annex Employees. On a motion by Board Member Pond, seconded by Board Member Hardage, the motion passed by a vote of 7 – 0, with 2 members abstaining and 9 members present.
2. Settlement – Shawn Gonzales, Georgia Works Compensation Board Claim No. 2013-002612 – \$235,000. On a motion by Board Member Hardage, seconded by Board Member Floyd, the motion passed by a vote of 7 – 0, with 2 members abstaining and 9 members present.
3. Settlement - Delvin Samuels v. Metropolitan Atlanta Rapid Transit Authority and Gary Broyles, Fulton County Superior Court Civil Action Number 2021CV352209 - \$800,000 On a motion by Board Member Pond, seconded by Board Member Hardage, the motion passed by a vote of 7 – 0, with 2 members abstaining and 9 members present.

6. COMMENTS FROM THE BOARD

None

7. ADJOURNMENT

The Board meeting adjourned at 1:46 P.M.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tyrene L. Huff". The signature is written in a cursive style with a large initial 'T'.

Tyrene L. Huff
Assistant Secretary to the Board

YouTube link: <https://youtube.com/live/4l6g48K8thc?feature=share>

September 8th, 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 September 8th, 2022 9:38 a.m. (Via MARTA Board Email) &
9:38 a.m. (Via Public Email)

Dr. Ed. Williams

Truthcrushtheearth@gmail.com

Good Afternoon Board of Directors:

I am a citizen and taxpayer. MARTA has committed several Open Meetings Act violations. Recently the MARTA Board voted on a contract for acting CEO Collie Greenwood. However, this item was not on the July or August Board Meeting Agendas. The Board had expected to vote on the matter during the meeting however, it failed to place the items on the agenda

In another inequity practice, Why is it that you are giving Clayton County a designated GM to oversee Clayton County's projects and funding, while Fulton and DeKalb Counties' taxpayers who have been parties to the RTCA for more than 50 years continue to be treated and neglected and taken advantage of?

During the summer the MARTA Board voted to approve the Deputy Assistant GM/CEO Maria Anderson-Bomar for Transit to leave to go to the City of Atlanta and replace her with the Director of Transportation from the City of Atlanta Josh Rowan. I assume that there were waivers granted since Ms. Bomar did not wait a year before going to work for the City of Atlanta and had an interest in the MARTA. This action continues the practice of rotating employees, contractors, and government employees from the City of Atlanta, Fulton, and DeKalb Counties to MARTA.

This is one of the main reasons that taxpayers' interests are not being protected because instead contractors are in bed with the government employees, so the contractors and MARTA have an interest in extending the one percent sales tax and the RTCAA contract beyond the 50 years it was intended.

As you know I have a lawsuit related to one percent sales tax and the RTCAA contract. The case is on appeal before the Georgia Court of Appeals, I am seeking to enjoin illegal sales tax levy extension actions regarding the collection and spending of taxpayer funds beyond the authorized RTCAA contract expiration date consented to by voters in 1971.

All citizens have a right to expect those who practice law or hold an office of trust and who take an oath to faithfully follow the law. It is the right of all citizens to hold their government accountable within the provisions of the Constitution through a petition, and the use of the courts, and that is what I am doing.

MARTA should stop violating the law, write a new RTCAA contract and hold a new referendum. I am open and ready for a real settlement discussion, not the big bad wolf approach. I will fight with every fiber of my being to exercise my rights as a citizen and taxpayer. I will fight the good fight and get into good trouble. I will not surrender my rights as a citizen.

Respectfully,

Ed Williams,

Ed Williams Attachment: (4 Pages)

Entitled –Concerned Citizens For Effective Government MARTA Board Meeting Sep 8, 2022

Edward E. Williams, Ed.D.
P.O. Box 361626
Decatur, Georgia 30036
8 September 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: Open Meetings Act Violations and Conflicts of Interests and Violations of the Law

[Begin Public Comment]

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Respectfully,

Ed Williams,

[End Public Comments]

References

MARTA seeks \$166K in attorneys' fees for 'frivolous' lawsuit against its operating contract

<https://saportareport.com/marta-seeks-166k-in-attorneys-fees-for-frivolous-lawsuit-against-its-operating-contract/sections/reports/johnruch/>

OP/ED: Public must demand new referendum for MARTA sales tax, speak out against retaliatory actions

<https://ocgnews.com/op-ed-public-must-demand-new-referendum-for-marta-sales-tax-speak-out-against-retaliatory-actions/>

Long Version MARTA Seeks To Runover Citizen Rights

[https://drive.google.com/file/d/147Iq-xSiO7EFWII2TEQgwfqi_YM5oljF/view?](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/1tPgt0Y9t9p66tYv0Z5dy7n7rSRzH_pI0/view?usp=sharing

Plaintiff's Response to Motion for Attorney Fees

https://drive.google.com/file/d/1r7x0cIqg_zu70W81OQ_B_Hiy4zuj-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/1UrrNzkdA0Ptxiok3FNIDaVn8dvR89-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

email: truthcrushtheearth@gmail.com

Twitter: <http://Twitter.com/@truthcrushthee2>

Resolution Authorizing the Disposal of Permanent Easements to the Georgia Department of Transportation (GDOT) in the amount of \$49,900.00 for Traffic Signal Upgrades at SR 154/Lee Street at three locations, Fulton County, Atlanta GA

WHEREAS, the Board of Directors (Board) of the Metropolitan Atlanta Rapid Transit Authority (MARTA) adopted on August 9, 1982 a policy regarding the disposition of MARTA property rights; and

WHEREAS, GDOT has requested permanent easements from MARTA in order to support traffic signal upgrades at various locations; and

WHEREAS, the Board has determined that permanent easements on the Parcels C4186B will not interfere with rapid transit system construction, operation or maintenance; and

WHEREAS, section 8(r) of the MARTA Act of 1965 as amended permits MARTA to dispose of property to municipalities and government agencies without seeking competitive bids, provided that the Authority receives consideration at least equal in value to the disposed interest, as established by independent appraisal; and

WHEREAS, Parcels have been appraised for a total fair market value of \$49,900.00 for C4186B; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate is hereby authorized to do all acts, perform all things, and execute on behalf of the Authority all instruments of conveyance, other instruments and agreements as necessary to effectuate the disposal of permanent easements on Parcel C4186B to the Georgia Department of Transportation upon receipt of \$49,900 equal to the appraised value of the property rights.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING RENEWAL OF AUTHORITY'S NETWORK
AND CYBER SECURITY LIABILITY INSURANCE COVERAGE 2022-23**

WHEREAS, MARTA has privacy and network security liability (cyber) insurance coverage with limits of \$ 5 million dollars with an expiration date of September 15, 2022, and

WHEREAS, negotiations by MARSH have resulted in proposals for replacing this policy, effective September 15, 2022 for one-year, to September 15, 2023, and

WHEREAS, such privacy and network security liability (cyber) insurance coverage is available for a one-year period and includes limits of \$ 5 million dollars excess of a self-insured retention of \$ 1 million dollars at a total not to exceed cost of \$ 442,500, and

RESOLVED THEREFORE, that the General Manager/CEO or his designee is hereby authorized and directed to affect the placement of privacy and network security liability (cyber) insurance coverage, effective September 15, 2022 to September 15, 2023 at a total not to exceed cost of \$ 442,500.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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

**RESOLUTION AUTHORIZING A MODIFICATION IN CONTRACTUAL AUTHORIZATION FOR THE
MASTER SERVICES AGREEMENT, LOA L50057 WITH TALENT CONNECTIONS, LLC AND
HEADWAY WORKFORCE SOLUTIONS, INC.**

WHEREAS, on October 21, 2021 MARTA entered a contract with Talent Connections, LLC and Headway Workforce Solutions, Inc. under a single Letter of Agreement L50057 (“Contract”) for a variety of human resource needs; and

WHEREAS, on May 26, 2022 the Contract was extended by four months and the value of the Contract was increased to \$228,500.00; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to further extend the term of the Contract by six months and increase the Contract value by an additional \$180,000.00 to allow Talent Connections, LLC and Headway Workforce Solutions, Inc. to continue providing services under the Contract; and

WHEREAS, the Department of Internal Audit will be requested to perform a price 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 by six months and increase the authorization for Contract No. L50057 from \$228,500.00 to \$ 408,500.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0FE047927B94DA...

**Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing the Execution of a Lease Agreement with the Owners of 575 Morosgo Drive NE, Atlanta, GA 30324, for Short Term Relocation of Annex Employees

WHEREAS, employees are currently located in the MARTA Annex facility at 2400 Piedmont Road NE, Atlanta, GA 30324, an obsolete building in need of significant investment; and

WHEREAS, the Staff has determined that MARTA employees need to be relocated on a short term basis; and

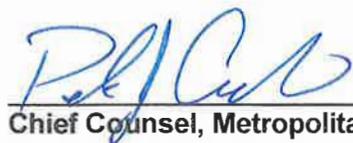
WHEREAS, section 16(g) of the MARTA Act of 1965 as amended permits MARTA the power to acquire property, both real and personal, or rights of easement therein, or franchises necessary or convenient for the purposes of the Authority, by gifts, purchase, lease (as lessee) or contract; and

WHEREAS, lease terms are being negotiated to house employees at 575 Morosgo Drive, Atlanta, GA 30324 for a three (3) year initial term with three (3) one-year extension options for total gross rental payments equal to \$13,065,000 for the initial term; and

WHEREAS, the MARTA Board of Directors approved the FY23 Capital Project List which includes a line item for Facilities Master Plan, and it will be used for tracking expenses of this effort.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/CEO or his delegate is hereby authorized to do all acts, perform all things, and execute on behalf of the Authority all instruments of conveyance, other instruments and agreements as necessary to effectuate the execution of lease documents with the Owners of 575 Morosgo Drive, Atlanta, GA 30324 on behalf of the Metropolitan Atlanta Rapid Transit Authority in the amount of \$13,065,000 gross rental payments for the initial three (3) year term.

Approved as to Legal Form:



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