



**BOARD OF DIRECTORS**

**METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY**

**MEETING OF THE BOARD OF DIRECTORS**

**THURSDAY, NOVEMBER 10, 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:**

Jim Durrett  
William Floyd  
Freda Hardage  
Al Pond  
Kathryn Powers  
Rita Scott  
Reginald Snyder  
Thomas Worthy

**Board Members**

**Absent:**

Robert Ashe III  
Roberta Abdul-Salaam  
Stacy Blakley  
Roderick Frierson<sup>1</sup>  
Russell McMurry  
Heather Aquino<sup>1</sup>  
Rod Mullice

**Staff Members Present:**

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

<sup>1</sup>Russell McMurry is the 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.

Peter Andrews  
George Wright  
Michael Kreher  
Josh Rowan

**Also in Attendance:**

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

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

Chairman Jeffrey Turner, Clayton County Board of Commissioners [in person]  
Angelyne Butler, Mayor, City of Forest Park [in person]  
Ricky Clark, City Manager, City of Jonesboro [in person]  
Valencia Williamson, President, Clayton County Chamber of Commerce [in person]  
Marvin Smith, Jr. [in person]  
Judith Sullivan [in person]  
Ed Williams [via email]

**1. APPROVAL OF THE MINUTES**

**Minutes from October 13, 2022 Board of Directors Meeting and October 27, 2022, Special Called Board of Directors Meeting**

Approval of the Minutes from October 13, 2022, Board of Directors Meeting Minutes and October 27, 2022, Special Called Board of Directors Meeting Minutes. On a motion by Board Member Pond, seconded by Board Member Hardage, the motion passed by a vote of 8 to 0 with 8 members present.

**2. PLANNING & CAPITAL PROGRAMS COMMITTEE REPORT**

Committee Chair John Pond reported that the Committee met on October 27, 2022, and approved the following resolution:

Approval of the Planning and Capital Programs Committee Resolutions 2a and 2b. On a motion by Board Member Worthy, seconded by Board Member Durrett, the resolution passed by a vote of 8 to 0 with 8 members present.

The Committee received the following briefing:

- South Fulton County Capital Projects Update

**3. OPERATIONS & SAFETY COMMITTEE REPORT**

Committee Chair W. Thomas Worthy reported that the Committee met on October 27, 2022 and received the following briefings:

- CQ400 Project Update
- 2022 Crime Update

**4. BUSINESS MANAGEMENT COMMITTEE REPORT**

Committee Vice-Chair Jim Durrett reported that the Committee met on October 27, 2022, and approved the following resolution:

Approval of the Business Management Committee Resolution 4a. On a motion by Board Member Worthy, seconded by Board Member Hardage, the resolution passed by a vote of 8 to 0 with 8 members present.

The Committee received the following briefing:

- FY2023 1<sup>st</sup> Quarter Financial Highlights and Financial Performance Indicators

**5. OTHER MATTERS**

- Chief Legal Counsel, Peter Andrews, read into the record a Resolution Authorizing the Execution of a Non-Exclusive Permanent Access and Maintenance Easement with Decatur East Phase II, LP (Decatur East), a Georgia limited partnership and DeKalb County GA for the relocation of the DeKalb County Access Easement from Sams Street to E Freeman Street, DeKalb County, Decatur GA. On a motion by Board Member Worthy, seconded by Board Member Durrett, the resolution passed by a vote of 8 to 0 with 8 members present.
- Litigation Settlement – Cedric Shaffiers v. MARTA and Zina Tucker, Superior Court of Fulton. On a motion by Board Member Worthy, seconded by Board Member Durrett, the motion passed by a vote of 8 to 0, with 8 members present.
- Recognition and presentation for Bus Operator Coy Dumas for 50 years of service with MARTA.

**6. COMMENTS FROM THE BOARD**

None

**7. ADJOURNMENT**

The Board meeting adjourned at 2:15 P.M.

Respectfully submitted,



Tyrene L. Huff  
Assistant Secretary to the Board

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
STRUCTURAL INSPECTION ENGINEERING SERVICES, AE50149**

**WHEREAS**, the Metropolitan Atlanta Rapid Transit Authority has identified a need for Structural Inspection Engineering Services; and

**WHEREAS**, the Authority conducted a qualifications-based selection process in accordance with its established policy and procedure for Structural Inspection Engineering Services; and

**WHEREAS**, notice of the Request for Expression of Interests was advertised in the local newspaper of the largest circulation in the Atlanta Metropolitan area once in each of the two (2) weeks prior to the submission deadline; and

**WHEREAS**, all offerors were given an opportunity to protest the instructions, specification and/or procedures; and

**WHEREAS**, the Authority Staff has determined that the Qualification Statement submitted by Volkert-CERM JV represents the most advantageous offer; and

**RESOLVED THEREFORE**, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/CEO, or his designee be, and hereby is, authorized to enter into a contract with Volkert-CERM JV to provide Structural Inspection Engineering Services and is authorized to assign tasks by negotiated work orders that will not exceed \$3,000,000.00.

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
STRUCTURAL INSPECTION ENGINEERING SERVICES, AE50149**

**Approved as to Legal Form:**

DocuSigned by:

*Peter J. Andrews*

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

**Resolution Authorizing the Disposal of Non-Exclusive Permanent Easements to the Atlanta Development Authority d/b/a Invest Atlanta by and through its designated special agent, Atlanta BeltLine Inc, in the Amount of \$198,500.00 for Construction of Segment 4 of the Westside Trail, Fulton County, Atlanta GA**

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

**WHEREAS**, the Atlanta BeltLine Inc has requested permanent easements from MARTA at nine locations in order to support construction of the Westside Trail; and

**WHEREAS**, the Board has determined that permanent easements on the Parcel C5019A 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**, Parcel have been appraised for a total fair market value of \$198,500.00 for C5019A; 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 C5019A to the Atlanta Development Authority upon receipt of \$198,500.00 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 A ONE-TIME COST OF LIVING ADJUSTMENT (COLA)  
FOR THE RETIREES OF THE MARTA NON-REPRESENTED PENSION PLAN**

**WHEREAS**, the MARTA Non-Represented Pension Plan (the “Plan”) requires the Management Pension Committee (the “Committee”) for the Plan to annually review and consider the adequacy of retirees’ pension benefits under the Plan with respect to a cost-of-living adjustment (“COLA”) and MARTA’s financial condition and ability to fund a COLA, and, if warranted, recommend a COLA to the Board of Directors for consideration.

**WHEREAS**, the Committee adopted a Cost-of-Living Adjustment (COLA) Policy (the “Policy”), effective October 12, 2017, to establish procedures and guidelines for such review by the Committee.

**WHEREAS** the Committee during its annual review, in accordance with the Plan and with the guidance of the Plan’s actuary, considered, among other items, the rate of return for the plan year ended December 31, 2021, the funding position of the Plan, and Consumer Price Index (CPI) data for the most recent preceding twelve month period, and determined that a COLA would be appropriate.

**WHEREAS**, the Committee has recommended a COLA for Retirees and Beneficiaries in pay status as of January 1, 2022 in the Plan as of January 1, 2022 (collectively, “Eligible Participants”) in the form of a one-time lump sum of \$750, payable or deferred, as applicable, by January 2023.

**WHEREAS** the Plan’s actuary has determined that this action will have an approximate one-time cost of \$1,056,750 to the Plan.

**RESOLVED THEREFORE**, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority hereby authorizes and approves a COLA for Eligible Participants (as described above) in the form of a one-time lump sum payment of \$750, payable or deferred as applicable by January 2023.

**RESOLVED FURTHER**, that the Chair of the Committee of her delegates are hereby authorized and directed to take all actions, and to execute and deliver all agreements, instruments, indentures, forms, notices, powers of attorney, and other documents as they shall respectively deem necessary to carry out the intent of the foregoing resolutions.

**SO, PASSED AND ADOPTED** this 28 day of September 2022.

**Approved as to Legal Form:**

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



**Resolution Authorizing the Execution of a Non-Exclusive Permanent Access and Maintenance Easement with Decatur East Phase II, LP (“Decatur East”), a Georgia limited partnership and Dekalb County GA for the relocation of the Dekalb County Access Easement from Sams Street to E Freeman Street, Dekalb County, Decatur GA**

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

**WHEREAS**, Dekalb County currently holds a permanent access easement from Sams Street for ingress and egress into the County’s parking lot for the Shirley A Trussell Office Building, located at 178 Sams Street; and

**WHEREAS**, Decatur East desires to abandon the existing access road from Sams Street in support of their 80-unit senior affordable multifamily housing project; and

**WHEREAS**, Dekalb County has requested to relocate their permanent access easement from Sams Street via a new curb cut from E Freeman, a private road owned by MARTA. The relocated easement will provide MARTA with access thru the County’s parking lot to MARTA’s landlocked Radio Tower; and

**WHEREAS**, Decatur East has agreed to execute a Memo of Understanding with Dekalb County for Decatur East to construct at their sole expense a curb cut from E Freeman St. to facilitate this construction. MARTA has agreed to execute an Access and Maintenance Easement with Decatur East with the understanding that the Easement will be assigned to Dekalb County upon completion of construction; and

**WHEREAS**, the Board has determined that a permanent easement on Parcel C1210D 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

**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 a non-exclusive permanent easement on Parcel C1210D to Decatur East Phase II, LP.

**Approved as to Legal Form:**

A handwritten signature in blue ink, appearing to be 'F. J. C.', is written over a horizontal line.

Chief Counsel, Metropolitan Atlanta  
Rapid Transit Authority