

## MINUTES

### SPECIAL MEETING OF THE BOARD OF DIRECTORS

#### METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

July 2, 2014

The Board of Directors of the Metropolitan Atlanta Rapid Transit Authority held a Special meeting on July 2, 2014 at 10:07 a.m. in the Board Room on the 6th Floor of the MARTA Headquarters Building, 2424 Piedmont Road, Atlanta, Georgia.

#### **Board Members Present**

Robert L. Ashe III  
Harold Buckley, Sr.  
Frederick L. Daniels, Jr.  
Jim Durrett  
Roderick E. Edmond  
Noni Ellison-Southall  
Kirk Fjelstul\*  
Freda B. Hardage  
Barbara Babbit Kaufman

MARTA officials in attendance were: General Manager/CEO Keith T. Parker, AICP; C-Suite Team Members – Chief Operating Officer Richard A. Krisak, Chief of Staff Rukiya Eaddy, Chief Counsel Elizabeth O'Neill, Chief Financial Officer Gordon L. Hutchinson and Chief Administrative Officer Edward L. Johnson; AGMs LaShanda Dawkins (Acting), Wanda Dunham, James Siebert (Acting), Ming His, Cheryl King, Ryland McClendon and Terry Thompson; Executive Director Ferdinand Risco; Sr. Directors Rhonda Briggins, Amanda Rhein, David Springstead and Donald Williams; Directors John Bayalis, Charlotte Harris, Lyle Harris, Jonathan Hunt and Jennifer Jinadu-Wright; Managers Donna DeJesus and Alisa Jackson; Sr. Executive Administrator to the MARTA Board of Directors Kellee Mobley; Finance Administrative Officer Tracy Kincaid. Others in attendance Ricky Chambers, Carlos Dixon, Alphonse Eugene, Garetha Frank, Robert Glore, Louis Grisgolio, Saba Long, Angela McCray, Anthony Pines, Chris Pitts, Toni Thornton and Tuan Vo.

Also in attendance was Charles Pursley, Jr. of Pursley, Lowery & Meeks; Roberta Abdul-Salaam of Friends of Clayton Transit; Lee Biola of Citizens for Progressive Transit; Peter Bruno; Paul Crawley of *WXIA-TV*; Diana Davis and Alan Hand of *WSB-TV*; Jack Hancock and Ed Wall of Clayton County; Dominique Huff of TAMG; Coleen Kiernan of Sierra Club; Maggie Lee of *Creative Loafing*; Nia Marshall; Brionte McCorkle of Sierra Club; Helen McSwain and Matt Pollack of MATC; Cailin O'Brien of *Clayton Daily News*; Maria Saporta of *The Saporta Report*; Deborah Scott; Jonathan Shapiro of *WABE*; Andria Simmons of *The AJC*; Grady Smith of MPE.

\* Kirk Fjelstul is Executive Director of Georgia Regional Transportation Authority (GRTA) and is therefore a non-voting member of the MARTA Board of Directors

**Public Comment**

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Lee Biola. Citizens for Progressive Transit have been working for years for a full penny sales tax to pay for rail and bus. Mr. Biola urged MARTA to approve the half penny sales tax. The Clayton County Commission can then amend it to a full penny.

Coleen Kiernan. The Sierra Club has been an advocate for MARTA for years. Over the past years we have been working with Clayton County. MARTA has an opportunity to vote on the half penny. The contract is amendable.

Brionte McCorkle. As Transportation Organizer for the Sierra Club. Talked to the people of Clayton County for well over a year and have heard stories of hardship from the residents there. A study of Clayton County revealed there is a need for transit. She asked the MARTA Board vote 'yes' on the contract before them.

**A Resolution Rejecting A Rapid Transit Contract Between the Authority and Clayton County Which is Limited to Financial Participation by Clayton County at Sales and Use Tax Rate of One-Half of One Percent**

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Chairman Ashe read the resolution into the record.

On motion by Dr. Edmond seconded by Mr. Durrett, the resolution was unanimously approved by a vote of 8 to 0, with 9\* members present. A copy of the resolution, **AS APPROVED, IS ATTACHED TO AND MADE PART OF THE OFFICIAL RECORD COPY OF THESE MINUTES.**

Mrs. O'Neill discussed the actions taken by Clayton County. The contract adopted by Clayton County calls for a 50-year term for a levy of one-half penny. Where the contract differs significantly from the current Rapid Transit Contracts and Assistance Agreements that the Authority has with its jurisdictions is that Clayton County would retain control of the funds that would be generated by the one-half cent tax. There was no commitment or mention of a rail extension in the half- penny RTC adopted by Clayton County.

Dr. Edmond said the MARTA Board collectively supports a regional approach towards transportation. The MARTA Board welcomes other jurisdictions to come and grow with MARTA; but, it cannot be ignored that other jurisdictions have for the last 35-years put in a full penny sales tax. He said he wants Clayton County to join MARTA. An option may be for Clayton to put in a half-penny for the first five years to at least get bus service going. He said he hope Clayton comes back in the next few days with a penny (or a half-penny for five years only). He noted that he could not in good conscience support a half-

**Special Board Meeting**

**7/2/14**

**Page 3**

penny indefinitely because he would not be representing his constituency or regional transportation in Atlanta.

Mr. Buckley said Clayton County needs to be a part of MARTA, but not at the expense of others. The citizens of Clayton County have spoken and said they are interested in joining MARTA at one penny. In order to have a first-class system, we must have rail. MARTA needs those participating counties to help maintain and improve the infrastructure. MARTA needs the full one-penny sales tax. In light of that, Mr. Buckley noted that he is opposed to allowing Clayton County to come into the system at one-half penny.

Chairman Ashe said he feels MARTA have a tremendous opportunity to bring a world class, robust, multi-modal transit system into Clayton County. This Board has a strong desire to bring Clayton County into the system and it is the Board's responsibility to do it right. Today, the Board voted on a resolution rejecting Clayton's proposal for a half-penny, because it is not equitable to Clayton County, it is not equitable to Fulton County, it is not equitable to DeKalb County, it is not good public policy. Subject to the Board's approval, the MARTA Board will vote to offer Clayton County a contract to levy a one-cent sales tax on the same terms of the other jurisdictions. We will also add language that gives Clayton County the protection it's been asking for in negotiations. This language will take the marginal half-cent and place it in an escrow account. We will give Clayton County the opportunity to move forward.

Mr. Buckley asked about the time period for the escrow account.

Chairman Ashe said Mr. Krisak is working with Norfolk Southern. The language does not have a hard stop year, but it does say we will be building commuter rail or an alternative high speed transit option.

Dr. Edmond said there should be a trigger point. He suggested that such language be added.

**A Resolution Authorizing Approval of a Rapid Transit Contract Between the Authority and Clayton County**

Chairman Ashe read the resolution into the record.

On motion by Mrs. Kaufman seconded by Mr. Daniels, the resolution was unanimously approved by a vote of 8 to 0, with 9\* members present. A copy of the resolution, **AS APPROVED, IS ATTACHED TO AND MADE PART OF THE OFFICIAL RECORD COPY OF THESE MINUTES.**

Chairman Ashe asked Mrs. O'Neill for proposed language that would address Dr. Edmond's concern.

Mrs. O'Neill responded, noting that language can be added to the effect that once the monies were utilized for construction of a high capacity transit option, future monies would no longer be placed in a separate account.

Dr. Edmond expressed concern noting that he wants to see Clayton County as a part of the MARTA system. Irrespective of the lack of political will on the part of the Commissioners, the people of Clayton need some type of transit – even if it's only bus at this time. The notion of a five-year, half-penny sales tax may be doable. He asked for Board input on this idea. He noted that he wanted to give the Commission some type of option to provide service to the people of Clayton County.

Dr. Edmond suggested the MARTA Board present two options: the full penny or the half-penny for five years.

Chairman Ashe stated this is the last opportunity for the MARTA Board to meet on this matter. MARTA needs to present an option.

Mr. Daniels said he spoke with the DeKalb Commissioners. They would turn down a half-penny.

Mr. Buckley, Mrs. Hardage, Mr. Durrett and Mrs. Kaufman all concurred that MARTA should propose a full penny.

**Motion to Amend Resolution with Language Proposed by General Counsel**

Mr. Durrett moved to accept the proposed amendment. Mrs. Kaufman seconded. The Board unanimously agreed by a vote of 8 to 0, with 9\* members present.

**Amended Resolution (offer Clayton County the one-cent sales tax, with the escrow language that was discussed)**

On motion by Mr. Durrett seconded by Dr. Edmond the resolution was unanimously approved by a vote of 8 to 0, with 9\* members present.

**Special Board Meeting**  
**7/2/14**  
**Page 5**

**Adjournment**

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The Special meeting of the MARTA Board of Directors adjourned at 10:49 a.m.

Respectfully submitted,