

MINUTES
MEETING OF THE BOARD OF DIRECTORS
OPERATIONS & SAFETY COMMITTEE
METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

July 31, 2019

The Board of Directors Operations & Safety Committee met on July 31, 2019 at 10:31 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
Jim Durrett
Roderick E. Edmond
William 'Bill' Floyd
Roderick A. Frierson
Jerry Griffin, **Chair**
Alicia M. Ivey
John 'Al' Pond
Rita A. Scott
Christopher S. Tomlinson*
Thomas W. Worthy

MARTA officials in attendance were: General Manager/ CEO Jeffrey A. Parker; C-Suite Team Members Chief of System Safety, Security & Emergency Management/Police Wanda Dunham, Chief of Bus Collie Greenwood, Chief Financial Officer Gordon L. Hutchinson, Chief of Staff Melissa Mullinax, Chief Counsel Elizabeth O'Neill, Chief of Capital Programs Expansion & Innovation Franklin Rucker and Chief of Rail Operations David Springstead; AGMs Marsha Anderson Bomar, Charles Middlebrooks (Acting) and Tom Young (Interim); Chief Information Security Officer Dean Mallis; Executive Director Paula Nash; Senior Directors Colleen Kiernan, Larry Prescott, Jacob Vallo and Don Williams; Directors Joseph Dorsey, David Emory, Jonathan Hunt and William Taylor; Managers Jacquelyn Bentley and Stephany Fisher; Manager MARTA Board of Directors Rebbie Ellisor-Taylor; Sr. Executive Administrator Ashanti Boothe, Sr. Executive Administrator Kenya Hammond; Sr. Executive Administrator Karen Harper and Senior Executive Administrator Olivia Moore. Others in attendance Katherine Dirga, Amar Ganarapu, Abebe Girmay, Terry Ponder and Cassandra Whitfield.

Also in attendance Pam Alexander of LTK Engineering; Jim Schmidt of HNTB; David Wickert of *The AJC*.

* Christopher Tomlinson is Executive Director of Georgia Regional Transportation Authority (GRTA) and is therefore a non-voting member of the MARTA Board of Directors.

Approval of the May 30, 2019 Operations & Safety Committee Meeting Minutes

On motion by Mr. Worthy seconded by Ms. Ivey, the minutes were unanimously approved by a vote of 10 to 0, with 11* members present.

Resolution Authorizing the Award of a Supplemental Contract for the Procurement of Ultra-Low Sulphur Clear Diesel Fuel and Unleaded Gasoline Blended with 10% Ethanol, RFPP P43949

Mr. Taylor presented a resolution authorizing the General Manager/CEO or his delegate to enter into a Contract for the procurement of ultra-low sulphur clear diesel fuel and unleaded gasoline blended with 10% ethanol with Boswell Oil Company.

Boswell Oil Company currently hold a valid State of Georgia Contract utilizing the State of GA State-wide Contract #99999-001-SPD0000128.

The Contract would be a one (1) year base term with a one (1) year option, funded 100% with local operating funds for the proposed FY20 budget. The funds for the subsequent years would be included in the subsequent annual budget.

The Authority's diesel and fuel contract was awarded to James River Solutions (JRS) in August 2017. JRS has not met some of the Authority's Contract specifications such as delivering fuel to MARTA's facilities in a timely manner, resulting in low or no fuel delivery at MARTA facilities. They do not measure the fuel quantity in tanks to confirm the delivery amount from tanker to fuel tanks, resulting in spilled fuel. They are not notifying MARTA when fuel is spilled. They are not setting up the Personal Protective Equipment (PPE) or safety equipment while dispensing fuel into the fuel tanks and they are not wearing the PPE and safety vest while delivering fuel.

As a result, a default letter has been issued to JRS for not meeting the contract specifications.

With these issues, MARTA staff is recommending entirely a supplemental contract in case incidents continue or increase with unleaded and diesel fuel deliveries.

To date, since the default letter was delivered, safety has not received any negative reports concerning diesel or unleaded fuel deliveries.

This supplemental Contract would only be used if JRS does not deliver fuel products jeopardizing the Authority's ability to meet and support MARTA's service delivery.

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This is a State contract, therefore no DBE goal is assigned.

MARTA's staff recommends award of a Contract to Boswell Oil Company in the amount of \$9m.

Dr. Edmond said he has expressed concern over the years regarding utilizing State contractors because State contracts don't have required DBE specifications. There are several minority companies that supply gas and fuel who have potential to meet MARTA's qualifications. There seems to be a trend where the Authority continues to utilize State contracts with no DBE goal. The Authority is better than that and staff could research additional outlets to alleviate State contracts. I encourage staff to work a little harder and not make State contract the only option. He asked who determines when today's vote will go into effect.

Mr. Taylor said if the Authority continues to receive negative delivery of service from JRS, MARTA's Bus Maintenance Department would contact Contracts and Procurement to schedule a meeting with MARTA's Legal Department. Bus Maintenance would suggest recommendations and those recommendations would be forwarded to the Executive Management Team (EMT). EMT would make the final decision.

Dr. Edmond said when you go through the process of identifying and targeting \$9M to pay for something that the Authority has already contracted seems like the decision has already been made. Let's be honest with the process. He expressed concern with the Authority continuing to utilize Georgia State vetted contractors. This eliminates the opportunity to increase minority participation.

Ms. O'Neill said if JRS continues to do well, MARTA would not make a decision to utilize Boswell Oil Company. The Authority would continue the contract with the original approved contractor.

Ms. Ivey expressed understanding that the Authority would not use Boswell Oil Company in the event that JRS continues to do well. She asked if staff communicated the Authority's expectations to Boswell Oil Company.

Mr. Taylor deferred the question to Contracts and Procurement.

Ms. Bentley said staff had a thorough discussion with Boswell Oil Company and they are aware of issues that the Authority has encountered, as well as the expectations.

Ms. Ivey thanked Ms. Bentley for the Contract details and agreed with Dr. Edmond in regard to DBE participation. It is important to look more clearly in making sure the Authority increase the opportunity for minority contractors and small businesses.

Ms. Scott asked does the Authority have a DBE process in place.

Mr. Griffin said yes, the Authority has a DBE process in place.

Ms. Nash said the current contract with JRS does include a DBE goal and has a DBE sub-contractor attached. JRS has been performing and meeting that goal. When the Authority utilizes State contracts, those contracts have already been negotiated with specific terms. This is why the Authority does not add additional DBE goals.

Ms. Ivey thanked Ms. Nash for informing the Board of the performance of JRS. She said it would be helpful for the Board to have an understanding of how contractors are performing with their diversity and inclusion process during Committee meetings.

Ms. Nash said she would provide an update to the Board in future Committee meetings.

Mr. Floyd asked what was the original contract amount.

Mr. Taylor said the original contract amount was \$16M over a three (3) year term.

Mr. Floyd asked if MARTA had any obligation to purchase a minimum amount per year under the original contract.

Mr. Taylor said no, there is no minimum expenses for the Authority to purchase.

On motion by Mr. Ashe seconded by Mr. Durrett, the resolution was unanimously approved by a vote of 10 to 0, with 11* members present.

Resolution Authorizing the Award of a Contract for the Procurement of Fuel Card Services, P44378

Mr. Taylor presented a resolution authorizing the General Manager/CEO or his delegate to enter into a Contract for Procurement of MARTA Fleet Fuel Card Services with WEX Inc., utilizing the State of Georgia Statewide Contract #99999-001-SPD0000112-0001.

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The contact would be a three (3) year contract base with two (2) one (1) year options funded 100% with local operating funds from the proposed 2020 Budget. Funds for subsequent years would be included in the subsequent annual budget at a term amount of \$4,357,635.

This contact is for the off-site fueling of MARTA Revenue and non-revenue vehicles for approximately forty-five (45) Mobility vans.

Fuel cards are issued to each individual vehicle. Approved personnel will utilize a PIN (personal identification number) which must be entered into the fuel pump when fueling to authorize dispensing. This would allow MARTA to monitor who is fueling the vehicle, along with how much fuel is dispensed into each vehicle. Additionally, the WEX system allows multiple controls of fueling functions including maximum quantity, fuel type and fueling location.

The State of Georgia negotiated great terms with WEX. There are no set-up fees and no card or transaction fees. Also, the Authority would pay .25% less per gallon of fuel at the pump.

The service would utilize the State of Georgia contract, for WEX Inc., which is an approved vendor. Being that this is a State contract, there is no DBE goal.

Dr. Edmond said this contract hits more direct and more at home. It seems like staff is taking the convenient route by obtaining pre-made State of Georgia contracts. When State contracts are presented to the Board, explain how these contracts would save the Authority money. As a Board, it's difficult to analyze choices when State contracts are presented as the only option. State of Georgia contracts have zero minority business situations with no DBE goals.

Mr. Tomlinson asked has staff checked to see if specific DBE requirements could be added into State contracts.

Ms. O'Neill said staff would look into the possibility of adding DBE requirements into State contracts.

Mr. Ashe agreed with Dr. Edmond and Ms. Ivey's expression of concern regarding utilizing the market to increase minority participation. He asked is there exigency in this contract to provide fuel solutions for Gresham Transportation (GTS).

Mr. Taylor said this particular Contract would provide fuel solutions for GTS. The Contract would also benefit the Authority's non-revenue fleet when vehicles are far away from MARTA's facilities.

Mr. Ashe asked why didn't MARTA utilize a competitive bid process.

Mr. Taylor said MARTA has used WEX in the past and they provide service to help the Authority secure fuel dispensing procedures. Other fuel card holders did not offer the controls of WEX during the time staff researched.

Mr. Ashe asked if the decision to not do a competitive bid was made based upon an informal comparison of market participants.

Mr. Taylor said that is correct.

Mr. Ashe asked what are the consequences if this resolution is held for a month.

Mr. Taylor said staff would continue to get fuel by direct pay until other solicitations are considered.

Mr. Griffin said security features that WEX offers were mentioned during the presentation. He asked if fuel cards were assigned to specific vehicles.

Mr. Taylor said yes, fuel cards would be assigned specifically to each vehicle. Each employee has their own personal identification number. When an employee fuels up, they would enter the mileage and use the card assigned to that vehicle. WEX would also set custom daily limitations at the discretion of MARTA.

Mr. Worthy said the state of Georgia utilizes WEX and their service works well. He asked if the resolution was tabled for a month would that have direct impact on MARTA's operations while further DBE participation is explored.

Mr. Taylor said no, there would not be direct impact to MARTA.

Mr. Pond asked how are the cost controls for the fuel cards set up.

Mr. Taylor said departments that utilize fuel stations the most, such as MARTA Police, examine fuel stations closest to their work area. Staff decides on the lowest fuel price during that time and that station would be used for service. If any station other than the selected station is used, staff would be notified, and the employee would be questioned.

This allows management to monitor fuel usage and ensure employees are complying with the Authority's fuel card policy.

On motion by Mr. Worthy seconded by Mr. Durrett, the Board unanimously agreed to table the resolution by a vote of 10 to 0, with 11* members present.

Briefing – MARTA Police Department Overview

Chief Dunham presented an overview of system coverage, security initiative, community program and challenges facing the department.

MARTA Police Coverage & System Overview

- The MARTA Police Department is a full-service, nationally accredited and State certified police agency.
- The Department has authorized 394 sworn Law Enforcement personnel.
- MARTA is a Traditional Barrier System

Service Area: 947 square miles

- City of Atlanta
- Clayton, DeKalb and Fulton Counties
- 46 Local Law Enforcement Jurisdictions

Five Precincts

- Dunwoody Station (North)
- Indian Creek Station (East)
- Five Points Station (Central)
- College Park Station (South)
- Clayton County (South Annex)

Police Headquarters (Annex Building)

Candler Park Facility (Police Communication Center (PCC))

MPD Crime Reporting

Part One Crimes:

- Part one crimes are talked about the most and must be reported to the FBI/GBI National Uniform Crime Reporting program

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- Definitions are used by all law enforcement
- Examples
 - Homicides
 - Robbery
 - Aggravated Assault
 - Larceny

Part Two Crimes:

- Examples
 - Other Assaults
 - Fraud
 - Gambling
 - Disorderly Conduct

Part Three Crimes

- Examples
 - Ambulance Calls
 - Lost and Mislaid Property
 - Vehicle Impounds

MPD Crime Reporting

The State of Georgia is moving to the National Incident-based Reporting System (NIBRS)

- Implemented to improve the overall quality of crime data collected
- Captures separate offenses within the same incident
- Helps give context to specific crime problems

The State of Georgia has mandated the migration to the NIBRS by January 1, 2021 in order for the agency to be in compliance.

Part I Crime Totals (FY17-FY20) Year to Date

- FY2017 (452)
- FY2018 (441)
- FY2019 (421)
- FY2020 (32)

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Security Initiatives

- High Visibility Clothing (vests and polo shirts)
- Increased Bus Marshal Presence
- Hybrid Train Patrol Units
- Step On / Step Off Initiative
- Body Cameras
- Utilization of Special Operations
- Officer Vigilance & Engagement
- Information Gathering / Sharing with Local Jurisdictions
- Not on My Shift
- Be an Informer, Not an Enforcer
- Distribution of personal property pamphlets and "See Something, Say Something" flyers

Security Initiative Are Working

Part One Crime Reduction FY2019

- Aggravated Assault – Down 27%
- Motor Vehicle Theft – Down 40%
- Larceny – Down 5%

Looking at the crime reduction for FY2019, Mr. Ashe asked were there any categories that increased.

Chief Dunham said yes arson has increased. There was one (1) reported arson crime last year and (5) reported arson crimes this year.

Mr. Griffin asked if motor vehicle larceny is considered to be snatch and grab or smashing windows in the parking lot.

Chief Dunham said larceny indicates that a vehicle was stolen and moved from a location. Larceny does not include breaking a window and stealing items from the vehicle.

MARTA System Security Framework

- Intelligence & Analysis

MARTA System Security Framework

- Visibility
- Technology, Design and Innovation
- Community Engagement and Best Practices

Step On Step Off Patrol Initiative

- Random patrol on trains, buses and in station where officers
 - Look for signs of trouble
 - Engage customers
 - Distribute informational flyers

Community Outreach Programs

- Community Emergency Response Team (CERT)
- Citizens Police Academy (CPA)
- Seniors and Law Enforcement Working Together (SALT)
- Kids in Transit (KIT)
- Gang Resistance Education and Training (GREAT)
- Youth Leadership Academy

Challenges Ahead

- Recruiting / Retention
- Pay Inequity
- Influx of solicitation on trains
- Increased number of Special Events at the Mercedes Benz Stadium & State Farm Arena

<i>Current FTE Breakdown</i>	<i>Budgeted</i>	<i>Filled</i>	<i>Vacant</i>
- Chief	1	0	1
- Deputy Chief	2	2	0
- Major	5	4	1
- Lieutenant	16	15	1
- Sergeant	43	37	6
- Officers	295	250	45
- Total	362	308	54

Police Recommendation

Phase One: (effective immediately)

- Adjust the pay structure by 5% for a total of 303 sworn police officers below the rank of Major.
 - Reflects market changes and helps alleviate turnover
 - Increases the police entry rate from \$18.16 to \$19.25
 - Officers will still remain below the market rate of \$19.33
- Summary FY20 Budget Impact – Phase One (\$1,552,918)
 - \$1,500,027 (5% increase for ranks of Lieutenants and below)
 - \$52,891 (6% increase for Majors / Deputy Clerks)

Phase Two: (FY20)

- Commission a competitive pay study by an outside group that have extensive experience in assessing Police Departments. This study would include all sworn and civilian MPD positions.

Phase Three (FY20)

- Implement recommendations based on the outcome of the proposed comprehensive pay study (sworn and civilian)

Goodbye Super Bowl, Hello Final Four

- The Authority did a good job with the Super Bowl, now the Final Four will be in April 2020.
- Meeting with the Downtown Host Committee and on-going talks with the Final Four

Mr. Griffin said with the Police Department being a commanding controlling system, there should be hierarchy in place. The current FTE Breakdown indicates there are six vacant (6) Sergeant positions. He asked if potential Sergeants refuse this position due to the pay situation.

Chief Dunham said yes, Sergeant and Lieutenant positions are difficult areas to fill because of the pay grade, as well as, responsibility duties.

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Mr. Griffin said salary was mentioned quite often during the presentation. He asked if a candidate has completed mandated courses, would additional training be needed.

Chief Dunham said officer training consists of eight months of training four (4) months in police academy and an additional four (4) months of field training once hired by the Authority.

Mr. Griffin said it seems that a manpower assessment would be an important measure for the Authority to conduct. He asked what's the timeframe to complete Phase Two.

Chief Dunham said the Authority is expecting to complete the study of Phase Two by FY2020. Once the results are received staff can begin to implement.

Ms. Ivey thanked Chief Dunham for the system coverage overview. There are programs for officers that allow them to live in homes while they provide service for that jurisdiction. She asked is there something the Authority can do to work with partners in TOD that would provide incentives to MARTA employees.

Chief Dunham said recently there was conversation with the Authority's TOD Senior Director, Jacob Vallo and three (3) partners were discovered. These partners must be submitted for approval prior to utilization. Staff has also looked into offering \$3,000 incentives for certified personnel within the State of Georgia and \$3,000 incentives for military personnel. Currently, MPD is seeking to offer \$1800 annually to assist with student loan debt. The Authority is looking at ways to keep current employees and encourage others to work for MARTA.

Ms. Ivey said it's exciting to be able to seek ways of exploring the process of TOD and forming a partnership during the same time. The bulk of what we pay is where we stay. If staff can find a way to work seamlessly, it would be a wonderful story for the entire Agency.

Mr. Pond asked how effective is the See and Say Application.

Chief Dunham said when the See and Say Application was initially launched there was no budget in place. The Authority was able to staff injured officers at the Communication Center. These officers monitor activity on the See and Say Application. This has allowed the application to be effective at no additional cost to MARTA.

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Mr. Frierson said he was unaware of the See and Say Application. It would be a great opportunity to communicate this application to the public via advertising boards in MARTA Train Stations.

Other Matters

Mr. Prescott presented an update on recent incidents at the Peachtree Center and Lakewood Train Stations.

The Authority is seeking to bring in subject matter experts to assist with the existing program.

Objective

- Review the current TPPS and AUX supporting power system conditions
- Prioritize system testing of components based on current condition assessments, equipment importance and probable effects from 7-22-19 PTC event
- Identify Next Steps
- Utilize independent consultant SME review team

System Assessment, Inspections and Testing

- Assessment
- Prioritization
- Inspection
- Testing
- Maintenance

* * *

Adjournment

The meeting of the Operations and Safety Committee adjourned at 11:49 a.m.