

DeKalb County Government

*Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030*



Meeting Minutes

Thursday, December 9, 2021

9:00 AM

Manuel J. Maloof Auditorium

Special Called Meeting

*Commissioner Steve Bradshaw, Presiding Officer, District 4
Commissioner Lorraine Cochran-Johnson, Deputy, District 7*

*Commissioner Robert Patrick, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Edward "Ted" Terry, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7*

This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) on DCTVChannel23.TV

I. Committee of the Whole

A. November General Assembly Session Recap

B. Law Department Overview

C. GIS Overview

II. Public Comment at 10:00 AM

Public Comment may be submitted by sending an email no longer than one page to PublicComment@dekalbcountyga.gov which must be received between 9:00 a.m. and 10:00 a.m. on the day of the meeting. Only those emails received during the allotted time may be read aloud and broadcast. Emails received outside of the allotted time will be included in the Public Comments record for the next meeting after the receipt of those emails. The body of your email must include your first and last name, followed by your address. By submitting an email at any time for public comment, you agree to have your name, address, and email broadcast on the teleconference (Zoom) and entered in the record/minutes. Abusive, profane or derogatory language will not be permitted. The Public Comment segment will not exceed 30 minutes and individual emails will be read by the Clerk for no more than 3 minutes each. The County reserves the right, at the County's sole discretion, to (1) add your email to the record/minutes without reading any of it into the broadcast or (2) add your email to the record/minutes and read all or a portion of your email into the broadcast.

1. Dr. Ed Williams (No Address) - MARTA has granted the MARTA CEO authority that was intended only to be exercised by the MARTA Board. MARTA has incorrectly found that its actions were allowed under its Bylaws, contrary to the MARTA Act provision, and that also because its actions were temporarily taken to protect the riders it incorrectly believes that it does not have to comply with the law. MARTA asserts that because the CEO acted based on its authority granted under the Board Bylaws that the MARTA Board was not required to vote or hold public hearings. MARTA believed that it could delegate the authority to determine routes, fares, and schedules to a single person, the CEO, to avoid the MARTA Act requirement that the MARTA Board hold hearings and a vote. How can this kind of conduct continue to be allowed by MARTA without any questions by board members and law makers? The MARTA Act is clear that the Board shall determine routes, fares, and schedules. MARTA continues to change bus routes and schedules without a MARTA Board vote. There has been no such public declaration by any government that the pandemic is over. MARTA continues to suspend and reduce bus routes throughout the MARTA system including DeKalb County without public hearings and a MARTA Board vote contrary to the MARTA Act and Open Meetings Act requirements which began on April 20, 2020. The MARTA Board has met more than 19 times since the pandemic began yet it has never voted to approve routes, fares or schedules changes. On December 18th MARTA plans to permanently reduce transit services. MARTA continues to act unlawfully violate the Open Meetings Act and the MARTA Act. MARTA added the 188 Oakley Industrial bus route without a MARTA Board vote and it continues to operate today. MARTA does not have the power to suspend the law during a pandemic, as it continues to change bus and train routes and schedules without a MARTA Board vote. The unlawful actions of MARTA impact tens of thousands of citizens in the metropolitan Atlanta area. MARTA has failed to perform their public duty under the law to hold public hearings and for the MARTA Board to approve changes in routes, fares, and schedules. MARTA has negatively impacted the lives and livelihood of tens of thousands of everyday hard-working citizens. MARTA claims they would be harmed if they followed the law. The COVID-19 pandemic is not over. MARTA based its reason for modifying services in terms of routes, fares, and schedules on the pandemic which continues. Many are concerned with how MARTA continues to violate the law as it reduced services in regards to routes, fares, and schedules. Not all bus routes and schedules were restored to pre-pandemic service, MARTA began restoring services on April 20, 2021, however, it has never completed the action. MARTA is seeking to permanently reduce bus services as it has made recent public announcements. MARTA plans a major redesign of its bus routes next year, and it's about to reduce bus service amid staffing shortage starting December 18, 2021. MARTA claims "that the number of bus drivers had dropped from 1,366 to 1,179 – a 14% decrease." MARTA officials said the COVID-19 pandemic had played a large part in the staffing issues, with 921 employees testing positive for the virus, causing high absenteeism. MARTA may have to terminate 60 more drivers in the coming days if they refused to get the COVID-19 vaccine or submit to weekly testing. The MARTA Board did not vote on these changes. The Board is required to vote on changes. Georgia is a Dillon's rule state, if there is any doubt then the power is not conferred. The MARTA Act and MARTA's By-Laws do not give MARTA's CEO the discretion to temporarily suspend certain MARTA services in the face of the coronavirus pandemic. There is no language in the MARTA Act or the By-Laws that specifically grants the CEO the authority to determine routes, fares, or schedules. MARTA claimed that on April 24, 2021, that it had restored all services that had been suspended in April 2020, I do not challenge the reason why MARTA reduced services but how it did it. MARTA's actions have negatively impacted seniors, and everyday citizens who depend on MARTA are not able to go to work, go to the doctor, go to vote, go to grocery store, go to the bank, go to pay bills, go to school, go to court, or to take care other government business. I thought MARTA was supposed to be an essential

transportation service. Instead it is operating like a private business with a board that has failed to control the CEO actions Thank You

2. Lynn Ganim, 893 Gaylemont Circle Decatur, GA 30033 - On behalf of the DeKalb Citizens Advocacy Council: We appreciate the Board's Presiding Officer calling for two public meetings concerning the redistricting of county commission districts. It is unfortunate that the public process did not start sooner, but at least you are attempting now to engage citizens in this process. We hope the DeKalb legislative delegation takes notice. We are concerned about both the maps themselves and the ongoing process of educating and engaging the public. For that reason, we offer the following recommendations: 1. Increase the number of districts to accommodate the population increase. 2. Respect cities and other communities of interest by keeping them within the same district. 3. Avoid using interstate highways or major thoroughfares as district boundaries that perpetuate perceptions of division. 4. As done in 2012, avoid a complete turnover of commissioners by respecting current term expirations and staggering the elections of commissioners by districts. 5. Pursue a transparent process of review and decision-making. a. Employ the County's GIS department to make available to the public on the County website versions of the map during the entire review process and provide a mechanism for providing public comment. The Athens-Clarke County Commission and GIS department have been providing this to their citizens since October. b. Employ the County's Communications department to report on the redistricting process now and during the legislative session using the DeKalb Relay and other public and social media to keep citizens informed. 6. Provide a written timetable of the approval process used by the Commission and the State Legislative Delegation. 7. Provide a written explanation of the major consequences arising from the proposed maps as well as the final map. 8. Hold a special referendum to vote on the districts. Since the DeKalb Organization Act has not been modified by the appointed Charter Review Commission, Section 23 of the Act is still valid. This section states that any "law adopted that affects the DeKalb County government in changing the number of members, terms of office, or the manner of electing the members of the governing body of DeKalb County" shall be conditioned on the "approval of a majority of the qualified electors of DeKalb County voting at elections held for such purpose."

3. Stephen Binney (No Address) - Good Morning Commissioners, The two maps that I have seen in the last few weeks are quite different. One of them had seven individual districts with no super districts. This one appears to be the same as we have had over the last 10 years with adjustments here and there to accommodate for population movement and increases. Both of these plans have their positive and negative aspects and I would like to suggest a hybrid compromise plan that will take the positive points of both plans and help us towards making Dekalb County a better place for it's citizens and businesses. The concept of seven individual districts is a very positive idea. Currently each of the commissioners is serving over 150,000 constituents. That adds up to a lot of phone calls. Under seven individual districts this number would drop down to a little over 100,000 constituents, dropping the number of commissioners phone calls by a third and providing the opportunity for more effective client services. The negative to this is that it would require each commissioner to lower the size of their districts and have to share power with two additional commissioners. Once an individual is used to power it is often difficult to share that power with others even though in their hearts they know it will be the better thing to do for all involved. The City of Atlanta's population is half of Dekalb County's population and they have over twice as many district members. Perhaps Dekalb County does not need that many individual districts but in could use a couple more. If the seven individual districts are combined with two Super Districts for a total of nine we could have the best of both worlds. On the positive

side, the super districts would help facilitate and encourage the working of commissioners together when it comes to community and county wide projects. While the over 350,000 constituents in each super district is a lot of people, the concept is still valid. With the super districts running north to south the entire social economic strata of the county is included in each district. This will allow each super district commissioner to evaluate the potential effects on the entire county of the individual projects proposed by other commissioners in their districts and to improve them for the betterment of the entire county. This works for the other way around also, as it will allow individual commissioners to find allies when they believe a county policy is not being fair to their district's people. Two heads can be better than one if used correctly. I believe a compromise of seven individual districts combined with two super districts will bring us the best of both worlds. Better constituent services while also allowing all commissioners more time to work on the long range planning for the great future of DeKalb County. Thank you for your time and consideration,

4. Janet Grant, 239 Greenwood Circle Decatur, GA 30030 - Dekalb County Commissioners, I appreciate the opportunity to submit comments today. I am a resident of the City of Decatur and a redistricting advocate. I serve as the vice chair of Fair Districts GA and directly witnessed the highly partisan redistricting process during the special session. The local redistricting process should follow demands heard from the public in the hearings this summer and written comments to the legislature—which overwhelmingly asked for (1) fair maps without partisan intent (2) a transparent process (3) the opportunity for public comments after the proposed maps are made public and (4) preserving cities/communities of interest. I would also ask that additional opportunities be made for public engagement in this Dekalb redistricting process to include prominent posting of the proposed maps, evening meeting times and written comments outside of this one hour meeting public comment process. And finally, while the LCRO may allow up to 10% deviation, best practice is less than 3%. Thanks for the opportunity to comment today. I am also interested in working with you in the future on advocating for redistricting reforms here in Georgia including the concept of an independent redistricting commission.

5. Mayor John Ernst, City of Brookhaven Ga - Spoke in reference to redistricting.

A. Commissioner Discussion