

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 13, 2024
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, February 13, 2024 at 9:00 a.m. in the second-floor public meeting room at 100 Cherokee Street, Cobb County Building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 9:04 a.m.

PRESENTATIONS

1. **To recognize the Cobb County Public Safety Foundation for their in-kind donation of six storm sticks to Cobb County Fire and Emergency Services.**

Commissioner Birrell recognized the Cobb County Public Safety Foundation for their in-kind donation of six storm sticks valued at \$13,440.00 to Cobb County Fire and Emergency Services for use in decontamination of firefighters' safety gear.

2. **To present a proclamation honoring the service of two members of the Cumberland Community Improvement District Board.**

This item was withdrawn from the agenda.

3. **To present a proclamation to Anthony Coleman recognizing his contributions to the Lemon Street Elementary School project.**

Chairwoman Cupid presented a proclamation to Anthony Coleman recognizing the Lemon Street Elementary School that is being recognized by the National Register of Historic Places.

Clerk's Note: Commissioner Birrell and Commissioner Gambrill requested the following statements that are on file in the County Clerk's office be attached to each vote and made a part of these minutes.

Commissioner Birrell's statement

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Board of Elections on November 15, 2022.

In addition, I do support the Order on Cross Motions for Summary Judgment (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024 which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.

Commissioner Gambrill's statement

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002).

In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, " you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues " it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

PUBLIC HEARING

4. **To conduct a public hearing prior to expending \$100,000.00 or more for engineering design services for Powers Ferry Road Bridge and Interstate North Parkway Bridge over Chattahoochee River, State P.I. No. M006531, Cobb County Project Nos. AR15/B2115.**

Drew Raessler, Transportation Agency Director, requested a public hearing prior to expending \$100,000.00 or more for engineering design services for Powers Ferry Road Bridge and Interstate North Parkway Bridge over Chattahoochee River, State P.I. No. M006531, Cobb County Project Nos. AR15/B2115.

Chairwoman Cupid opened the public hearing and asked those wishing to speak to come forward to address the Board. Following two speakers, the public hearing was closed.

No official action was taken by the Board.

PUBLIC COMMENT

1. Joel Gilmer addressed the Board regarding the Lower Roswell Rd. project.
2. Tom Hennigan addressed the Board regarding Mobility SPLOST.
3. Anthony Raffa addressed the Board regarding the Lower Roswell Rd. project.
4. Virginia Choate addressed the Board regarding the Lower Roswell Rd. project.
5. Hill Wright addressed the Board regarding the Lower Roswell Rd. project.
6. Christine Rozman addressed the Board regarding the Lower Roswell Rd. project.

Chairwoman Cupid called for a brief recess from 9:55 a.m. to 10:00 a.m.

MOTION FOR NON-AGENDA ITEMS

Motion by Cupid, second by Richardson, to approve the addition of the following agenda item to be added to the end of Consent: (See item 48 of these minutes)

- *To authorize the settlement of workers' compensation claim on behalf of Quadriyah Williams.*

VOTE: ADOPTED 5-0

Motion by Cupid, second by Richardson, to approve the addition of the following agenda item to be added to the end of Consent: (See item 49 of these minutes)

- *To authorize the settlement workers' compensation claim on behalf of Richard Owens.*

VOTE: ADOPTED 5-0

Motion by Cupid, second by Richardson, to approve the addition of the following agenda item to be added to the Appointments tab: (See item 75 of these minutes)

- *To announce the appointment of John Noe to the Transit System Advisory Board.*

VOTE: ADOPTED 5-0

Motion by Cupid, second by Richardson, to approve the addition of the following agenda item to be added to the Appointments tab: (See item 76 of these minutes)

- *To announce the appointment of Connor Manthey to the Transit System Advisory Board.*

VOTE: ADOPTED 5-0

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Motion by Cupid, second by Richardson, to approve the addition of the following agenda item to be added to the Presentations tab: (See item 77 of these minutes)

- *To approve the appointment of Matthew Teague to the Cumberland Community Improvement District Board.*

VOTE: **ADOPTED 5-0**

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following items on the Consent Agenda, *as revised*; and **authorize** execution of the necessary documents by the appropriate County personnel.

Prior to the consent vote, Commissioner Birrell requested Item 43 be heard as a Regular item and the following substitute motion was made:

MOTION: Motion by Cupid, second by Richardson, to **approve** the following items on the Consent Agenda, *as revised*; with the exception to Item 43, *which was heard as a Regular Item following the Consent vote*; and **authorize** execution of the necessary documents by the appropriate County personnel.

District Attorney

5. To authorize acceptance of awarded funds from the Criminal Justice Coordinating Council, Metro Atlanta Cold Case Sexual Assault Task Force (SAKI), for the grant period of October 1, 2023 - September 30, 2026.

To **authorize** acceptance of awarded funds from the Criminal Justice Coordinating Council, Metro Atlanta Cold Case Sexual Assault Task Force (SAKI), for the grant period of October 1, 2023 - September 30, 2026; establish new unit F085 in the Grant Fund; **authorize** the transfer of all personnel associated with the unit F060 into unit F085; **authorize** the corresponding budget and personnel transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available in the Grant Fund with the following transactions:

Increase Revenue:	270-170-F085-4467	CJCC	\$656,995.84
Increase Expenditure:	270-170-F085-6012	Salaries-Regular	\$430,538.09
Increase Expenditure:	270-170-F085-6032	Disability Insurance	\$ 871.90
Increase Expenditure:	270-170-F085-6034	FICA	\$30,237.40
Increase Expenditure:	270-170-F085-6036	Medical	\$64,524.01
Increase Expenditure:	270-170-F085-6038	Life Insurance	\$ 937.12
Increase Expenditure:	270-170-F085-6044	Retirement	\$97,684.81
Increase Expenditure:	270-170-F085-6045	Defined Contributions	\$ 7,615.39
Increase Expenditure:	270-170-F085-6052	Workers Comp	\$ 5,338.97
Increase Expenditure:	270-170-F085-6054	Dental	\$ 2,247.18
Increase Expenditure:	270-170-F085-6400	Travel - Training	\$ 3,430.97
Increase Expenditure:	270-170-F085-6532	Rental - Equipment	\$13,570.00

Superior Court Administration

6. **To authorize the application for grant funds from the Criminal Justice Coordinating Council (CJCC) for the Cobb County Veterans Accountability and Treatment Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Cobb County Veterans Accountability and Treatment Court.

7. **To authorize the application for grant funds from the Criminal Justice Coordinating Council (CJCC) for the Cobb County Mental Health Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Cobb County Mental Health Court.

8. **To authorize the application for grant funds from the Criminal Justice Coordinating Council (CJCC) for the Cobb County Drug Treatment Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Cobb County Drug Treatment Court.

Juvenile Court

9. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the Juvenile Drug Treatment Court.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the Cobb County Juvenile Drug Treatment Program.

10. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the Family Treatment Court Program.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for Cobb County Family Treatment Court.

State Court Administration

11. **To authorize the application for grant funding from the Criminal Justice Coordinating Council for the Cobb County DUI Court Program.**

To **authorize** the application for grant funding from the Criminal Justice Coordinating Council for the Cobb County DUI Court Program; and **authorize** the Chairwoman to execute and necessary documents.

Water System

12. To approve Change Order No. 1 (final) to the construction contract with Insituform Technologies, LLC for the FY20 Sanitary Sewer Rehabilitation, Program No. S1136.

To **approve** Change Order No. 1 (final) to the construction contract with Insituform Technologies, LLC, a savings to the project in the amount of \$707,821.35, for FY20 Sanitary Sewer Rehabilitation, Program No. S1136; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's FY20 Sanitary Sewer Rehabilitation, Program No. S1136.

Decrease Encumbrance:

GAE 51008252005	510-500-5755-8260	S1136-C	\$707,821.35
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Transfer from:

FY20 Sanitary Sewer Rehabilitation

Construction	510-500-5755-8260	S1136-C	\$707,821.35
Interest Expense on Retainage	510-500-5755-6613	S1136-A	\$ 2,720.96
Easement & Right-of-Way	510-500-5755-8020	S1136-R	\$ 5,000.00
Materials & Supplies	510-500-5755-8265	S1136-M	\$ 5,000.00
Contingency	510-500-5755-8810	S1136-T	\$ 72,800.00
Total			\$793,342.31

Transfer to:

Unidentified New/Replacement Sewer Lines

Preliminary Estimates	510-500-5755-8005	S2503-Z	\$793,342.31
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13. **To approve final funding for the work order under the FY23 Stormwater Management Unit Price Contract with Ray Campbell Contracting Company, Inc. for 2167 Tully Wren, Program No. SW2230.**

To **approve** final funding for the work order under the FY23 Stormwater Management Unit Price Contract with Ray Campbell Contracting Company, Inc., a savings to the work order in the amount of \$65,085.00, for 2167 Tully Wren, Program No. SW2230; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's 2167 Tully Wren, Program No. SW2230.

Decrease Encumbrance:

GAE 51001242313	510-500-5758-6496	SW2230-C	\$65,085.00
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Transfer From:

2167 Tully Wren

Drainage Contract R&M Service	510-500-5758-6496	SW2230-C	\$65,085.00
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Transfer To:

Stormwater Multi-Year Budget

Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$65,085.00
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14. **To approve Change Order No. 1 (final) to the construction contract with Wade Coots Company, Inc. for the stormwater system replacement project known as 4497 Kinvarra Circle, Program No. SW1819.**

To **approve** Change Order No. 1 (final) to the construction contract with Wade Coots Company, Inc., a savings to the project in the amount of \$11,135.00, for 4497 Kinvarra Circle, Program No. SW1819; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's 4497 Kinvarra Circle, Program No. SW1819.

Decrease Encumbrance:

GAE 51007142016	510-500-5758-6496	SW1819-C	\$11,135.00
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Transfer from:

4497 Kinvarra Circle

Drainage Contract R&M Service	510-500-5758-6496	SW1819-C	\$11,135.00
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Transfer to:

Stormwater Multi-Year Budget

Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$11,135.00
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15. To approve Change Order No. 1 (final) to the construction contract with K.M. Davis Contracting Co., Inc. for the 2019 Stormwater Management Mowing Contract, Program No. SW1963.

To **approve** Change Order No. 1 (final) to the construction contract with K.M. Davis Contracting Co., Inc., a savings to the project in the amount of \$5,485.00, for 2019 Stormwater Management Mowing Contract, Program No. SW1963; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's 2019 Stormwater Management Mowing Contract, Program No. SW1963.

Decrease Encumbrance:

GAE 51008131906	510-500-5758-6496	SW1963-C	\$5,485.00
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Transfer from:

2019 Stormwater Management Mowing Contract

Drainage Contract R&M Service	510-500-5758-6496	SW1963-C	\$5,485.00
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Transfer to:

Stormwater Multi-Year Budget

Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$5,485.00
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Transportation

16. To approve an Agreement for Transit Trust Fund Program with the Atlanta-Region Transit Link Authority for implementation of a CobbLinc Microtransit Pilot Project in South Cobb County.

To **approve** an Agreement for Transit Trust Fund Program with the Atlanta-Region Transit Link Authority, in an amount not to exceed \$3,450,000.00, for implementation of a CobbLinc Microtransit Pilot Project in South Cobb County; **authorize** the corresponding budget transactions; **authorize** the Department's Director to be the official representative to act in connection with the executed Agreement; and **further authorize** the Chairwoman to execute the necessary documents.

Appropriate receipt of Federal Transit Administration Section 5307 Grant Program funding and Georgia Transit Trust Fund Program funding to the Transit Grant Fund, as follows:

Increase Revenue:	203-050-T088-4442	FTA 5307 - Operating	\$1,380,000.00
	203-050-T088-4496	State Grants	\$1,035,000.00
Increase Expenditure:	203-050-T088-8005	Preliminary Estimate	\$2,415,000.00

Local match funding is available in the Transit Grant Fund, with the following interfund transactions:

Decrease Expenditure:	200-050-4802-8005	Preliminary Estimate	\$1,000,000.00
	200-050-4802-6491	Annual Maintenance Contracts	\$ 35,000.00
Increase Expenditure:	200-050-4802-6594	Interfund Transfer - Expense	\$1,035,000.00
Increase Revenue:	203-050-T088-4960	Interfund Transfer - Revenue	\$1,035,000.00
Increase Expenditure:	203-050-T088-8005	Preliminary Estimate	\$1,035,000.00

17. **To approve a multi-year Contract for Professional Services with Avail Technologies, Inc., for procurement, installation, and support services of a Computer Aided Dispatch/Automated Vehicle Locating System for CobbLinc, CCDOT Contract No. 002275.**

To **approve** a five-year Contract for Professional Services with Avail Technologies, Inc., in an amount not to exceed \$2,032,134.00, with two one-year renewal options, for procurement, installation, and support services of a Computer Aided Dispatch/Automated Vehicle Locating System for CobbLinc, CCDOT Contract No. 002275; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Federal and local match funding is available in the Transit Grant Fund for CAD/AVL System implementation, with the following budget transfer:

Transfer from:	203-050-T071-8005	Preliminary Estimate	\$1,642,366.00
Transfer to:	203-050-T071-8410	Communications Equipment	\$1,642,366.00

Federal and local match funding is available in the Transit Grant Fund for CAD/AVL System annual hosting and maintenance support, with the following budget transfer:

Transfer from:	203-050-T083-8005	Preliminary Estimate	\$389,768.00
Transfer to:	203-050-T083-6491	Annual Maintenance & Support Contracts	\$389,768.00

18. **To approve the Transit Division's CobbLinc Agency Safety Plan.**

To **approve** the Transit Division's CobbLinc Agency Safety Plan. A copy of the approved Transit Division's CobbLinc Agency Safety Plan is attached and made a part of these minutes.

Public Services Agency

PARKS

19. **To approve two easements with the Marietta Board of Lights and Water for the replacement of a water transmission main across PARKS property, located at 548 South Marietta Pkwy SE, Marietta, Georgia 30060.**

To **approve** two easements with the Marietta Board of Lights and Water to install ductile iron pipe across PARKS property, and **further authorize** the Chairwoman to execute the necessary documents.

20. **To authorize acceptance of a donation from the North Georgia State Fair (NGSF) Board for improvements at Al Bishop Complex.**

To **authorize** acceptance of the donation from the North Georgia State Fair, in the amount of \$175,000.00, for improvements at Al Bishop Complex; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue: 010-105-	(Gifts & Donations)	\$175,000.00
3200-4920		

21. **To approve a contract with Meriwether Site Solutions Inc. for the construction of a grassed overflow parking lot located behind Al Bishop Softball Complex.**

To **approve** a contract with Meriwether Site Solutions Inc. for the construction of a grassed overflow parking lot at Al Bishop Softball Complex, in an amount not to exceed \$362,277.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in PARKS Capital Funding as follows:

Decrease Expenditure: 010-105-3200-8852	(Fund Balance – Reserve App.)	\$362,277.00
Increase Expenditure: 010-105-3200-8024	(Land Improvements or Development)	\$362,277.00

Library System

22. **To authorize the acceptance of the 2024 Library Services and Technology Act (LSTA) Grant from the Board of Regents of the University System of Georgia, Georgia Public Library Service.**

To **authorize** the application for and acceptance of the 2024 Library Services and Technology Act (LSTA) Grant for Prime Time Family Reading Time in the amount of \$6,525.00 from the Board of Regents, Georgia Public Library Service; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman or Library Director to execute the necessary documents.

Increase Revenue:	270-080-LI41-4455	(Department of Education)	\$6,525.00
Increase Expenditure:	270-080-LI41-6154	(Library Materials)	\$6,525.00

23. **To approve the allocation of District 2 Capital Contingency funding within the FY2024 budget, for the renovation of Vinings Library.**

To **approve** the allocation of District 2 Capital Contingency funding, in the amount of \$270,000.00, within the FY2024 budget; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following transactions:

Decrease Expenditure: 010-001-0122-8820 Undesignated District 2 Contingency	\$270,000.00
Increase Expenditure: 010-080-1800-8005 Preliminary Estimates	\$270,000.00

Senior Services

24. **To approve the 2024 Second Amendment Contract AG2334.2 with the Atlanta Regional Commission, the designated Area Agency on Aging, for American Rescue Plan Act (ARPA) funded services to provide additional support to older adults in Cobb County for Case Management, Assistive Technology, Home Delivered Meals, and Transportation for the period of July 1, 2022, to June 29, 2024.**

To **approve** the 2024 Second Amendment Contract AG2334.2 with the Atlanta Regional Commission, the designated Area Agency on Aging, for American Rescue Plan Act (ARPA) funded services to provide additional support to older adults in Cobb County for Case Management, Assistive Technology, Home Delivered Meals, and Transportation for the period of July 1, 2022 to June 29, 2024, in the amount of \$1,463,616.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following increase in budget appropriations:

Increase Revenue:

277-300-F075-4510	Title III B-State	\$ 14,449.68
277-300-F075-4512	Title III B-Federal	\$ 136,469.20
277-300-F075-4510	Title III C2-State	\$ 18,000.00
277-300-F075-4512	Title III C2-Federal	\$ 170,000.00
277-300-L009-4960	Interfund Transfer - Revenue	\$ 21,633.12
Total Revenue		\$ 360,552.00

To approve the 2024 Second Amendment Contract AG2334.2 with the Atlanta Regional Commission, the designated Area Agency on Aging, for American Rescue Plan Act (ARPA) funded services to provide additional support to older adults in Cobb County for Case Management, Assistive Technology, Home Delivered Meals, and Transportation for the period of July 1, 2022, to June 29, 2024.(CONT.)

Increase Expenditures:

277-300-F075-6012	Salaries	\$ 193,744.00
277-300-F075-6166	Food and Food Supplies	\$ 34,178.00
277-300-F075-6204	Other Supplies	\$ 9,300.00
277-300-F075-6258	Accountable Equipment	\$ 29,000.00
277-300-F075-6326	Professional Services	\$ 61,000.00
277-300-F075-6500	Equipment Outside R&M	\$ 11,696.88
277-300-L009-6012	Salaries	\$ 21,633.12
Total Expenditures		\$ 360,552.00

Support Services Agency

Information Technology Services

25. To approve Equipment Lease Agreement Number 20240213-00.35 with Novatech, Inc. for lease/rental of multifunctional digital copiers pursuant to an existing Master Lease Agreement.

To **approve** Equipment Lease Agreement Number 20240213-00.35 and accompanying Equipment Schedules with Novatech, Inc. from an existing Master Lease Agreement, in an amount not to exceed \$265,236.56 (60 months of lease/rental payments in FY 24 - FY 29) to finance the leasing of thirty-five (35) copiers, which includes eight new copiers and replacement of twenty-seven (27) aging copiers in the second quarter of FY 24; **authorize** the corresponding budget transactions; and **further authorize** the Director of Procurement to execute the necessary documents as approved by the County Attorney's Office.

Funding for the FY 24 lease payments is available as follows:

ITS Printing & Records	010-035-0915-6532 (Equipment Lease)	\$31,692.22
Stormwater	500-500-5600-6532 (Equipment Lease)	\$ 1,600.20
Water Communications	500-500-5100-6532 (Equipment Lease)	\$ 800.10
Law Library	250-225-0050-6532 (Equipment Lease)	\$ 962.50
Sheriff's Office	010-210-9220-6532 (Equipment Lease)	\$ 535.15
Elections	010-235-9750-6532 (Equipment Lease)	\$ 1,248.24
Total		\$36,838.41

26. To ratify previous action by the County Manager authorizing emergency purchase of specialized network troubleshooting and engineering services for the data center.

To **ratify** previous action by the County Manager authorizing emergency services in the amount of \$98,800.00 to purchase specialized network troubleshooting and engineering services for the data center from Prosys Information Systems; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in following Information Technology Services Capital Projects:

380-035-4679-6326	Server Replacement, Virtualization & Storage	\$44,000.00
380-035-4735-6326	Replace Wireless Controllers & Access Points	\$44,000.00
380-035-4535-6326	Network Edge-Switches & Routers	<u>\$10,800.00</u>
Total		\$98,800.00

Public Safety Agency

Police Department

27. To approve a renewal of a Vehicle Use Agreement between Cobb County Police Department and Nationwide Mutual Insurance Company.

To **approve** a renewal of the Vehicle Use Agreement with Nationwide Mutual Insurance Company for a 2013 Honda Accord and authorize the Chairwoman to execute all necessary documents and **further authorize** the Chief of Police to execute any necessary documents including subsequent Vehicle Use Agreements between Cobb County and Nationwide Mutual Insurance Company which extends the use of this vehicle, in substantially similar form as reviewed by the County Attorney.

28. To authorize the appropriation of District 2 Contingency funding for the purchase of safety equipment for District 2.

To **authorize** the appropriation of District 2 Contingency funding in the amount of \$27,000.00 for the purchase of safety equipment for District 2; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Decrease Expenditure:	010-001-0122-8820	District 2 Contingency	\$27,000.00
Increase Expenditure:	010-130-2100-6258	Accountable Equipment	\$27,000.00

Fire and Emergency Services

29. To authorize the purchase of HVAC equipment for the Cobb County Safety Village, 1220 Al Bishop Dr. Marietta, a capital improvement project.

To **authorize** purchase of HVAC equipment, in the amount of \$186,914.00, from Carrier for Cobb County Safety Village, located at 1220 Al Bishop Dr., Marietta, a capital improvement project; **approve** a purchase order with Carrier; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute any necessary documents.

Funding is available with the following transfers:

Transfer From:	230-130-1000-8605	Autos, Vans, Trucks, Motorcycles	\$186,914.00
Transfer To:	230-130-1000-8435	HVAC Equipment	\$186,914.00

30. To approve a contract with Maxair Mechanical, Inc. for installation of 21 RTUs at The Cobb County Safety Village, 1220 Al Bishop Dr. Marietta, a capital improvement project.

To **approve** a contract with Maxair Mechanical, Inc., in the amount of \$337,155.00 for installation of 21 RTUs, at The Cobb County Safety Village, located at 1220 Al Bishop Dr., Marietta; authorize a contingency, in the amount of \$33,715.00; **authorize** execution by Purchase Order through the Procurement Department; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute any necessary documents.

Funding is available with the following transfers:

Transfer From:	230-130-1000-8605	Autos, Vans, Trucks, Motorcycles	\$370,870.00
Transfer To:	230-130-1000-8435	HVAC Equipment	\$337,155.00
Transfer To:	230-130-1000-8135	Other Capital Exp - Contingency	\$ 33,715.00

31. To authorize an in-kind donation from Cobb County Public Safety Foundation of six storm sticks.

To **authorize** the acceptance of an in-kind donation from the Cobb County Public Safety Foundation of six storm sticks valued at \$13,440.00.

32. To authorize the reappointment of M. Eric Nix, MD and Division Chief Nick Adams to the Georgia Region III EMS Council.

To **authorize** the reappointment of M. Eric Nix, MD and Division Chief Nick Adams for a three-year term to expire on June 30, 2026, to the Georgia Region III EMS Council.

Emergency Management

33. **To approve additional funding as part of the Memorandum of Understanding between Cobb County and Must Ministries, Inc. to provide warming shelter services for the homeless community in Cobb County on designated cold weather days.**

To **approve** the additional funding, which will bring the total cost to date of \$208,000.00, as part of the Memorandum of Understanding between Cobb County and Must Ministries; to provide warming shelter services for the homeless community in Cobb County on designated cold weather days; **authorize** any necessary budget transactions; and **further authorize** the Chairwoman to execute necessary documents.

Funding is available in the EMA FY24 budget:

010-130-0260-6574	(Contributions)	\$100,000.00
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Community Development

34. **To approve an Intergovernmental Agreement for Zoning Verifications with the City of Mableton.**

To **approve** an Intergovernmental Agreement for Zoning verifications with the City of Mableton. A copy of the City of Mableton Intergovernmental Agreement is attached and made a part of these minutes.

35. **To review a summary of the appeal hearing conducted by the License Review Board on January 25, 2024, for Jerez Mexican Taqueria, LLC d/b/a Jerez Mexican Taqueria.**

To **affirm** the decision of the License Review Board, following the review of the summary of the appeal hearing of January 25, 2024, to approve the application for a liquor, beer, wine and Sunday sales pouring license for Jerez Mexican Taqueria, LLC d/b/a Jerez Mexican Taqueria, 4968 Austell Rd., Ste. 124, Austell, GA 30106, Nancy Martinez, licensee.

36. **To review a summary of the appeal hearing conducted by the License Review Board on January 25, 2024, for Jerez Mexican Market, LLC d/b/a Jerez Mexican Market.**

To **affirm** the decision of the License Review Board, following the review of the summary of the appeal hearing of January 25, 2024, to approve the application for a beer, wine and Sunday sales package license for Jerez Mexican Market, LLC d/b/a Jerez Mexican Market, 4968 Austell Rd., Ste. 126, Austell, GA 30106, Nancy Martinez, licensee.

Economic Development

37. **To adopt a resolution approving the issuance by the Development Authority of Cobb County of its Revenue Bonds for the purpose of assisting Nobis Works, Inc., a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Company").**

To **adopt** a resolution approving, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the Development Authority of Cobb County of its Revenue Bonds, in a maximum principal amount not to exceed \$4,250,000.00 to finance the new headquarters facility for use and operation by the Company, and **authorize** the Chairwoman to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

Communications

38. **To authorize the expenditure of Public, Educational, & Governmental (PEG) funds and to authorize the Procurement Director to purchase a new Master Control Room setup and studio camera system, including installation, for the CobbTV Studio.**

To **authorize** the expenditure of PEG funds and authorize the Procurement Director to purchase a new Master Control Room setup and studio camera system, including installation, for the CobbTV Studio for an amount not to exceed \$419,227.87, under provisions of TIPS Purchasing Cooperative Contract #200904; and **authorize** the corresponding budget transactions.

Funding in the amount of \$419,227.87 is available in 010-021-0258-0262 and will have no immediate or ongoing impact on the county's General Fund.

Risk and Safety

39. **To create a full-time Commercial Driver's License (CDL) Trainer position, Grade 111, within the Risk and Safety Department, and delete three vacant positions, Grade 111P.**

To **authorize** the creation of a full-time CDL Trainer position, Grade 111, in FY2024 Risk and Safety Department, delete three part-time CDL positions #8016-001, #8016-002, #8016-003; Grade 111P; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the FY2024 Risk Management personnel budget.

40. To approve all interfund transfers and payments for claims and safety equipment purchases to allow the Risk and Safety Department to reimburse the appropriate departments.

To **approve** all interfund transfers for claims and safety equipment purchases, and authorize the Risk and Safety Department to reimburse the appropriate department.

Cobb EMA - Property Damage - 24 00257

Decrease Expenditure:	710-055-8011-6605	Property Loss	\$30,788.00
Increase Expenditure:	710-055-8011-6594	Interfund Expense	\$30,788.00
Increase Revenue:	010-130-0260-4960	Interfund Revenue	\$30,780.00
Increase Expenditure:	010-130-0260-8480	Safety Equipment	\$30,788.00

Police - Total Loss - 23 01190 - Vehicle 7372

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$10,000.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$10,000.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$10,000.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Trucks	\$10,000.00

Police - Total Loss - 23 01451 - Vehicle 7445

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Trucks	\$8,226.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$8,226.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$8,226.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Trucks	\$8,226.00

Police - Total Loss - 23 00940 - Vehicle 9562

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Trucks	\$11,263.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$11,263.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$11,263.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Trucks	\$11,263.00

Magistrate Court - Casualty & Liability - 16 01436

Available Funding	710-055-8011-6608		\$80,360.00
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Finance

41. **To authorize the creation of a unique department code within the County's Financial and Human Resources System and approve the transfer of all Risk Management activities thereto.**

To **authorize** the creation of a unique department code within the County's Financial System; **approve** the transfer of all personnel assigned to units 8011 and 8018, from Department 055 to Department 023; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents.

All personnel, accounting, and budget activity within units 8011 and 8018, for fiscal year 2024 and beyond will be transferred from Department 055 (Finance Department) to Department 023 (Risk Management Department).

42. **To adopt a resolution adopting all budget amendments set forth in agenda items on this date.**

To **adopt** a resolution adopting all budget amendments set forth in agenda items on this date. A copy of said resolution is attached and made a part of these minutes.

CobbWorks

43. **To approve a Dislocated Worker Program grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide funding for education, training, and employment services for the Dislocated Worker Program.**

To **approve** the Dislocated Worker Program grant award in the amount of \$51,006.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services to the Dislocated Worker Program; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Inc Rev 276-120-23RR-4430	(Federal Grant Revenue)	\$51,006.00
Total Grant Revenue		\$51,006.00
Inc Exp 276-120-23RR-WP23RR-P-4430/vary (Program)		\$51,006.00
Total Expense		\$51,006.00

44. **To approve a Dislocated Worker Program grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide funding for education, training, and employment services for the Dislocated Worker Program.**

To **approve** the Dislocated Worker Program grant award in the amount of \$38,994.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services to the Dislocated Worker Program; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Inc Rev 276-120-24RR-4430	(Federal Grant Revenue)	\$38,994.00
Total Grant Revenue		\$38,994.00
Inc Exp 276-120-24RR-WF24RR-P/vary	(Program)	\$38,994.00
Total Expense		\$38,994.00

45. **To approve a Dislocated Worker Program grant award from the Technical College System of Georgia for CobbWorks, Inc. to provide funding for education, training, and employment services for the Dislocated Worker Program.**

To **approve** the Dislocated Worker Program grant award in the amount of \$1,121,207.00 from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, to provide training and employment services to the Dislocated Worker Program; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Inc Rev 276-120-24DA-4430	(Federal Grant Revenue)	\$112,121.00
Inc Rev 276-120-24DP-4430	(Federal Grant Revenue)	\$1,009,086.00
Total Grant Revenue		\$1,121,207.00
Inc Exp 276-120-24DA-WF24DA-A-4430/vary	(Admin)	\$112,121.00
Inc Exp 276-120-24DP-WF24DP-P-4430/vary	(Program)	\$1,009,086.00
Total Expense		\$1,121,207.00

County Attorney

46. To authorize the settlement of Jesus Castro v. Cobb County, Georgia, Civil Action File No. 22-A-1577, in the State Court of Cobb County, Georgia.

To **authorize** the settlement of Jesus Castro v. Cobb County, Georgia, Civil Action File No. 22-A-1577, in the State Court of Cobb County, Georgia, as discussed in Executive Session on January 22, 2024; and **further authorize** the corresponding budget transactions.

Funding is available in account: 7100 55801 16608

County Clerk

47. To approve minutes.

To **approve** the minutes from the following meetings:

- January 22, 2024 - Agenda Work Session
- January 23, 2024 - BOC Regular Meeting
- January 30, 2024 - Comp Plan Hearing

Human Resources

48. To authorize the settlement of workers' compensation claim on behalf of Quadriyah Williams.

To **authorize** the settlement of the Workers' Compensation claim W004037333 for Quadriyah Williams in the amount of \$6,000.00, pursuant to the direction and within the terms discussed in Executive Session on February 12, 2024; and **further authorize** the Chief Human Resources Officer and the Workers' Compensation Administrator to execute the necessary settlement documents.

Funding is available in the Workers' Compensation Claims Fund.

49. To authorize settlement of workers' compensation claim on behalf of Richard Owens.

To **authorize** settlement of the Workers' Compensation, claim W003862371 for Richard Owens in the amount of \$85,000.00, pursuant to the direction and within the terms discussed in Executive Session on February 12, 2024; and **further authorize** the Chief Human Resources Officer and the Workers' Compensation Administrator to execute the necessary settlement documents.

Funding is available in the Workers' Compensation Claims Fund.

CONSENT VOTE: **ADOPTED 5-0**, Commissioners Birrell and Gambrill in opposition to Item 16, Commissioner Gambrill in opposition to Item 33

REGULAR AGENDA

Finance

50. To approve the reallocation of funding within the Chairwoman's FY2024 Budget from Contingency to Operating.

During discussion of this item, a "Call the question" was made prior to a motion or second being made. County Attorney, Bill Rowling, stated that a motion to "end the discussion" could be made; thereafter, the following motion was made:

MOTION: Motion by Gambrill, second by Birrell, to end the discussion on agenda item #43.

VOTE: **FAILED 2-3**, Chairwoman Cupid, Commissioners Sheffield and Richardson opposed

Discussion ensued, and the following motion was made:

MOTION: Motion by Cupid, second by Richardson, to **approve** the allocation of Capital Contingency funding within the FY2024 budget; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following transactions:

Decrease Expenditure:	010-001-0120-8820	Undesignated Chair Contingency	\$200,000.00
Increase Expenditure:	010-001-0120-6326	Professional Services	\$100,000.00
Increase Expenditure:	010-001-0120-6601	Other Miscellaneous Expenses	\$75,000.00
Increase Expenditure:	010-001-0120-6400	Travel Expense	\$10,000.00
Increase Expenditure:	010-001-0120-6116	General Office Supplies	\$10,000.00
Increase Expenditure:	010-001-0120-6438	General Printing Charges	\$5,000.00

As more appropriate, specific expense classifications are determined, funding within the miscellaneous (6601), travel (6400), General Office Supplies (6116), and General Printing Charges (6438) categories may be reallocated. The approved purpose of appropriated funding will not change.

Prior to the vote, Chairwoman amended her motion to state that all expenditures would follow Procurement policy and agreed to share with the Board what her expenditures are being used for in the Professional Services category, prior to expenditure.

VOTE: **ADOPTED 4-1**, Gambrill opposed

Chairwoman Cupid called for a brief recess at 11:06 a.m. through 11:11 a.m. Commissioner Sheffield returned at 11:14 a.m.

Water System

51. To approve a construction contract with Reeves Young, LLC for the Effluent Filter Replacement for Noonday Creek and Northwest Cobb Water Reclamation Facilities, Program No. T4024, and Supplemental Agreement No. 1 to the agreement with Black and Veatch Corporation for FY22 Effluent Filters Upgrade, Program No. T4025.

Motion by Gambrill, second by Birrell, to **approve** a construction contract with Reeves Young, LLC, in the amount of \$22,650,000.00, for the Effluent Filter Replacement for Noonday Creek and Northwest Cobb Water Reclamation Facilities, Program No. T4024, and Supplemental Agreement No. 1 to the agreement with Black and Veatch Corporation, in the amount of \$1,489,861.00, for FY22 Effluent Filters Upgrade, Program No. T4025; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's CIP Budget as follows:

Transfer from:

Noonday Creek Water Reclamation Facility Miscellaneous Improvements

Preliminary Estimates	510-500-5753-8005	T1503-Z	\$ 7,000,000.00
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Northwest Cobb Water Reclamation
Facility Miscellaneous Improvements

Preliminary Estimates	510-500-5753-8005	T4501-Z	\$16,159,625.00
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Total			\$23,159,625.00
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Transfer to:

Effluent Filter Replacement for Noonday Creek and Northwest Cobb Water Reclamation Fac.

Construction	510-500-5753-8260	T4024-C	\$22,650,000.00
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Interest Expense on Retainage	510-500-5753-6613	T4024-A	\$ 56,625.00
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Contingency	510-500-5753-8810	T4024-T	\$ 453,000.00
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Total			\$23,159,625.00
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Increase Encumbrance:

GAE 51006142213	510-500-5753-8225	T4025-E	\$ 1,489,861.00
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Transfer from:

Noonday Creek Water Reclamation Facility Miscellaneous Improv.

Preliminary Estimates	510-500-5753-8005	T1503-Z	\$ 744,930.50
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Northwest Cobb Water Reclamation Facility Miscellaneous Improvements

Preliminary Estimates	510-500-5753-8005	T4501-Z	\$ 744,930.50
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Total			\$ 1,489,861.00
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Transfer to:

FY22 Effluent Filters Upgrade

Engineering-Basic Fees	510-500-5753-8225	T4025-E	\$ 1,489,861.00
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VOTE: **ADOPTED 4-0**, Commissioner Sheffield not present

Transportation

Clerk's Note: Prior to the motion and vote, Commissioner Richardson read a statement (attached and made a part of these minutes) regarding Items 50 and 51.

Motion by Richardson, second by Birrell, to **refer** Items 50 and 51 back to the department (See items 52 and 53 of these minutes).

VOTE: **ADOPTED 5-0**

52. **To determine that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et. seq., on six parcels on Lower Roswell Road, Project No. E6020.**

This item was referred to the Department per previous motion.

53. **To approve a contract with Baldwin Paving Company, Inc., for roadway safety and operational improvements on Lower Roswell Road, Project No. E6020, CCDOT No. 000672.**

This item was referred to the Department per previous motion.

54. **To approve Resurfacing Contract 2024-1 Local Roads (Northwest) with Bartow Paving Company, Inc., for resurfacing of County-maintained streets, Project No. B2910, CCDOT Contract No. 001914.**

Motion by Gambrill, second by Richardson, to **approve** Resurfacing Contract 2024-1 Local Roads (Northwest) with Bartow Paving Company, Inc., in an amount not to exceed \$7,243,550.00, for resurfacing of County-maintained streets, Project No. B2910, CCDOT Contract No. 001914; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B290-B290-8005-B2910-C	Preliminary Estimate	\$7,243,550.00
Transfer to:	348-050-B290-B290-8762-B2910-C	Turnkey Construction	\$7,243,550.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Resurfacing.

Resurfacing 2024-1 Local Roads (Northwest) is an eligible project/program under the Transportation – Roadway Resurfacing Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 12). SPLOST funds will be used for resurfacing activities, including milling, patching, leveling, and resurfacing of various roadways throughout the county.

SPLOST Component Summary as of January 2, 2024: Roadway Resurfacing

Budget:	\$224,392,391.15	Encumbered/Expended:	\$109,713,865.58
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VOTE: **ADOPTED 5-0**

55. To approve Resurfacing Contract 2024-2 Local Roads (Northeast) with Bartow Paving Company, Inc., for resurfacing of County-maintained streets, Project No. B2911, CCDOT Contract No. 002133.

Motion by Richardson, second by Gambrill, to **approve** Resurfacing Contract 2024-2 Local Roads (Northeast) with Bartow Paving Company, Inc., in an amount not to exceed \$7,004,209.96, for resurfacing of County-maintained streets, Project No. B2911, CCDOT Contract No. 002133; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B290-B290-8005-B2911-C	Preliminary Estimate	\$7,004,209.96
Transfer to:	348-050-B290-B290-8762-B2911-C	Turnkey Construction	\$7,004,209.96

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Resurfacing.

Resurfacing 2024-2 Local Roads (Northeast) is an eligible project/program under the Transportation – Roadway Resurfacing Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 12). SPLOST funds will be used for resurfacing activities, including milling, patching, leveling, and resurfacing of various roadways throughout the county.

SPLOST Component Summary as of January 2, 2024: Roadway Resurfacing

Budget:	\$224,392,391.15	Encumbered/Extended	\$109,713,865.68
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VOTE: **ADOPTED 5-0**

56. To approve Resurfacing Contract 2024-3 Local Roads (South) with Baldwin Paving Company, Inc., for resurfacing of County-maintained streets, Project No. B2912, CCDOT Contract No. 002135.

Motion by Richardson, second by Sheffield, to **approve** Resurfacing Contract 2024-3 Local Roads (South) with Baldwin Paving Company, Inc., in an amount not to exceed \$7,837,921.90, for resurfacing of County-maintained streets, Project No. B2912, CCDOT Contract No. 002135; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B290-B290-8005-B2912-C	Preliminary Estimate	\$7,837,921.90
Transfer to:	348-050-B290-B290-8762-B2912-C	Turnkey Construction	\$7,837,921.90

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Resurfacing.

Resurfacing 2024-3 Local Roads (South) is an eligible project/program under the Transportation – Roadway Resurfacing Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 12). SPLOST funds will be used for resurfacing activities, including milling, patching, leveling, and resurfacing of various roadways throughout the county.

SPLOST Component Summary as of January 2, 2024: Roadway Resurfacing

Budget:	\$224,392,391.15	Encumbered/Expended:	\$109,713,865.68
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VOTE: **ADOPTED 5-0**

57. **To approve Resurfacing Contract 2024-4 Countywide Major Thoroughfares (Local Maintenance and Improvement Grant) with C.W. Matthews Contracting Company, Inc., for resurfacing of County-maintained streets, Project No. B2913, CCDOT Contract No. 002137.**

Motion by Cupid, second by Richardson, to **approve** Resurfacing Contract 2024-4 Countywide Major Thoroughfares (Local Maintenance and Improvement Grant) with C.W. Matthews Contracting Company, Inc., in an amount not to exceed \$11,424,641.48, for resurfacing of County-maintained streets, Project No. B2913, CCDOT Contract No. 002137; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfers:

Transfer from:	348-050-B290-B290-8005-B2913-C	Preliminary Estimate	\$ 4,982,714.19
	348-050-B290-B290-8761-B2913-C	Preliminary Estimate	\$ 6,441,927.29
Transfer to:	348-050-B290-B290-8762-B2913-C	Turnkey Construction	\$11,424,641.48

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Roadway Resurfacing.

Resurfacing 2024-4 Countywide Major Thoroughfares (LMIG) is an eligible project/program under the Transportation – Roadway Resurfacing Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 12). SPLOST funds will be used for resurfacing activities, including milling, patching, leveling, and resurfacing of various roadways throughout the county.

SPLOST Component Summary as of January 2, 2024: Roadway Resurfacing

Budget:	\$224,392,392.15	Encumbered/Expended:	\$109,713,865.68
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VOTE: **ADOPTED 5-0**

58. To approve a contract with Excellere Construction, LLC for safety and operational improvements on Circle 75 Parkway at Herodian Way, Project No. X2316, CCDOT Contract No. 001113.

Motion by Richardson, second by Gambrill, to **approve** a contract with Excellere Construction, LLC, in an amount not to exceed \$133,900.00, for safety and operational improvements on Circle 75 Parkway at Herodian Way, Project No. X2316, CCDOT Contract No. 001113; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfers:

Transfer from:	347-050-X230-X230-8761-X2316-C	Preliminary Estimate	\$125,000.00
	347-050-X230-X230-8005-X2300-A	Preliminary Estimate	\$ 8,900.00
Transfer to:	347-050-X230-X230-8762-X2316-C	Turnkey Construction	\$133,900.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Circle 75 Parkway at Herodian Way is an eligible project/program under the Safety and Operational Improvements - Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 16). SPLOST funding for Safety and Operational Intersection Improvements includes typical safety and operational intersection improvements or roundabout construction. Specific locations have been determined by analysis.

SPLOST Project Summary as of January 2, 2024: Circle 75 Parkway at Herodian Way

Budget:	\$126,611.66	Expended:	\$126,611.66
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Adjusted SPLOST Project Summary, following approved revised budget as of January 9, 2024:

Adjusted Budget:	\$251,611.66
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$260,511.66
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VOTE: ADOPTED 5-0

59. **To approve Change Order No. 3 (final) to the contract with Glosson Enterprises, LLC for Davis Road Sidewalk, Project No. X2752, CCDOT Contract No. 001795.**

Motion by Birrell, second by Sheffield, to **approve** Change Order No. 3 (final) to the contract with Glosson Enterprises, LLC, a savings to the project in the amount of \$49,782.63, for Davis Road Sidewalk, Project No. X2752, CCDOT Contract No. 001795; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease Encumbrance

GAE 34708232232: 347-050-X270-X270-8762-X2752-C Turnkey Construction \$44,182.63

Transfer from: 347-050-X270-X270-8762-X2752-C Turnkey Construction \$44,182.63

Transfer to: 347-050-X270-X270-8761-X2752-C Preliminary Estimate \$44,182.63

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalks.

Davis Road Sidewalk is an eligible project/program under the Pedestrian Improvements – Sidewalks Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 14).

SPLOST Project Summary as of January 2, 2024: Davis Road Sidewalk

Budget:	\$922,287.95	Expended:	\$788,585.20
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A savings to the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Decrease Encumbrance

GAE 51008232232:	510-500-5756-8260-W4450-C	Construction	\$5,600.00
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Transfer from:	Davis Road Sidewalk Imprvmnts.		
	510-500-5756-8260-W4450-C	Construction	\$5,600.00
	510-500-5756-8265-W4450-M	Material and Supplies	\$2,832.52
	510-500-5756-8810-W4450-T	Contingency	<u>\$ 580.00</u>
		Total:	\$9,012.52

Transfer to:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$9,012.52

VOTE: **ADOPTED 5-0**

60. To approve Change Order No. 1 (final) to the contract with C.W. Matthews Contracting Company, Inc., for emergency activities on Spring Hill Parkway, Project No. B22101, CCDOT Contract No. 002231.

Motion by Richardson, second by Gambrill, to **approve** Change Order No. 1 (final) to the contract with C.W. Matthews Contracting Company, Inc., a savings to the project in the amount of \$5,742.12, for emergency activities on Spring Hill Parkway, Project No. B22101, CCDOT Contract No. 002231; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease Encumbrance

GAE 34810102351: 348-050-B220-B220-8762-B22101-C Turnkey Construction \$5,742.12

Transfer from: 348-050-B220-B220-8762-B22101-C Turnkey Construction \$5,742.12

Transfer to: 348-050-B220-B220-8005-B2201-A Preliminary Estimate \$5,742.12

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Spring Hill Parkway is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14).

SPLOST Component Summary as of January 2, 2024: Drainage System

Budget:	\$10,053,789.35	Encumbered/Expended:	\$8,848,634.06
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VOTE: **ADOPTED 5-0**

61. **To approve a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of Bells Ferry Road over Noonday Creek, State P.I. No. 0020067, Cobb County Project No. B2101.**

Motion by Birrell, second by Sheffield, to **approve** a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of Bells Ferry Road over Noonday Creek, State P.I. No. 0020067, Cobb County Project No. B2101; **authorize** payment of a preliminary engineering oversight fee to the Georgia Department of Transportation, in the amount of \$30,000.00; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B210-B210-8005-B2101-A	Preliminary Estimate	\$30,000.00
Transfer to:	348-050-B210-B210-8722-B2101-E	Engineering	\$30,000.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Bridges and Culverts.

Bells Ferry Road over Noonday Creek is an eligible project/program under the Bridges and Culverts Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 13). SPLOST funding for bridges and culverts will fund activities to repair, rehabilitate, and replace bridges and culvert structures.

SPLOST Project Summary as of January 2, 2024: Bells Ferry Road over Noonday Creek

Budget:	\$2,380,000.00	Expended:	\$60,240.35
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VOTE: **ADOPTED 5-0**

62. To approve a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of South Cobb Drive (SR 280) Traffic Safety Improvements, State P.I. No. 0019890, Cobb County Project No. B2435.

Motion by Birrell, second by Sheffield, to **approve** a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of South Cobb Drive (SR 280) Traffic Safety Improvements, State P.I. No. 0019890, Cobb County Project No. B2435; **authorize** payment of a preliminary engineering oversight fee to the Georgia Department of Transportation, in the amount of \$40,000.00; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B240-B240-8005-B2430-A	Preliminary Estimate	\$40,000.00
Transfer to:	348-050-B240-B240-8722-B2435-E	Engineering	\$40,000.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Federal/State/Local Match Improvements.

South Cobb Drive (SR 280) is an eligible project/program under the Federal/State/Local Match Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 21). SPLOST funding for the Federal/State/Local Match Improvements will be used to leverage available matching funds to deliver key operational and safety improvements to the county's transportation system.

SPLOST Project Summary as of January 2, 2024: South Cobb Drive (SR 280) Traffic Safety Improvements

Budget:	\$10,000.00	Expended:	\$180.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$50,000.00
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VOTE: **ADOPTED 5-0**

63. To approve Change Order No. 1 (final) to the contract with Lowe Engineers, LLC, for preliminary engineering design of Powder Springs Road Trail, Project No. X2706, CCDOT Contract No. 001640.

Motion by Gambrill, second by Richardson, to **approve** Change Order No. 1 (final) to the contract with Lowe Engineers, LLC, a savings to the project in the amount of \$24,745.00, for preliminary engineering design of Powder Springs Road Trail, Project No. X2706, CCDOT Contract No. 001640; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease Encumbrance	347-050-X270-X270-8722-X2706-E	Engineering	\$24,745.00
GAE 34704272133:			
Transfer from:	347-050-X270-X270-8722-X2706-E	Engineering	\$24,745.00
Transfer to:	347-050-X270-X270-8721-X2706-E	Preliminary Estimate	\$24,745.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalks.

Powder Springs Road Trail is an eligible project/program under the Pedestrian Improvements - Sidewalks Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 14).

SPLOST Project Summary as of January 2, 2024: Powder Springs Road Trail

Budget:	\$1,505,000.00	Expended:	\$134,911.50
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VOTE: **ADOPTED 5-0**

64. To approve Project No. X2706-TO#2 to the 2022 Master Task Order Contract with American Engineers, Inc., for preliminary engineering design of Powder Springs Road Trail, CCDOT Contract No. 002293.

Motion by Gambrill, second by Richardson, to **approve** Project No. X2706-TO#2 to the 2022 Master Task Order Contract with American Engineers, Inc., in an amount not to exceed \$499,236.00, for preliminary engineering design of Powder Springs Trail, CCDOT Contract No. 002293; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	347-050-X270-X270-8005-X2706-C	Preliminary Estimate	\$499,236.00
Transfer to:	347-050-X270-X270-8722-X2706-E	Engineering	\$499,236.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalks.

Powder Springs Road Trail is an eligible project/program under the Pedestrian Improvements - Sidewalks Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 14). Pedestrian Improvements within Commission District 1 include construction of sidewalks and other pedestrian improvements along roadways in the vicinity of schools, activity centers, multi-modal facilities (transit stops/shelters, etc.), and other congested areas, to include pedestrian bridges where needed.

SPLOST Project Summary as of January 2, 2024: Powder Springs Road Trail

Budget:	\$1,505,000.00	Expended:	\$134,911.50
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VOTE: **ADOPTED 5-0**

65. **To approve a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of Powder Springs Road Trail, State P.I. No. 0020108, Cobb County Project No. X2706.**

Motion by Gambrill, second by Richardson, to **approve** a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of Powder Springs Road Trail, State P.I. No. 0020108, Cobb County Project No. X2706; **authorize** payment of a preliminary engineering oversight fee to the Georgia Department of Transportation, in the amount of \$40,000.00; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund with the following budget transfer:

Transfer from:	347-050-X270-X270-8005-X2706-C	Preliminary Estimate	\$40,000.00
Transfer to:	347-050-X270-X270-8722-X2706-E	Engineering	\$40,000.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalks.

Powder Springs Road Trail is an eligible project/program under the Pedestrian Improvements – Sidewalks Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 14). Pedestrian Improvements within Commission District 1 include construction of sidewalks and other pedestrian improvements along roadways in the vicinity of schools, activity centers, multi-modal facilities (transit stops/shelters, etc.), and other congested areas, to include pedestrian bridges where needed.

SPLOST Project Summary as of January 2, 2024: Powder Springs Road Trail

Budget:	\$1,505,000.00	Expended:	\$134,911.50
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VOTE: **ADOPTED 5-0**

66. **To approve a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment, State P.I. No. 0019887, Cobb County Project No. B2436.**

Motion by Gambrell, second by Ricardson, to **approve** a Memorandum of Agreement with the Georgia Department of Transportation for preliminary engineering oversight of Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment, State P.I. No. 0019887, Cobb County Project No. B2436; **authorize** payment of a preliminary engineering oversight fee to the Georgia Department of Transportation, in the amount of \$25,000.00; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B240-B240-8005-B2430-A	Preliminary Estimate	\$25,000.00
Transfer to:	348-050-B240-B240-8722-B2436-E	Engineering	\$25,000.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Federal/State/Local Match Improvements.

Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment is an eligible project/program under the Federal/State/Local Match Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 21, 23). SPLOST funding for the Federal/State/Local Match Improvements will be used to leverage available matching funds to deliver key operational and safety improvements to the county's transportation system.

SPLOST Project Summary as of January 2, 2024: Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment

Budget:	\$10,000.00	Expended:	\$120.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$35,000.00
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VOTE: **ADOPTED 5-0**

67. To approve a Consultant Services Agreement with TranSystems Corporation for preliminary engineering design of Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment, State P.I. No. 0019887, Cobb County Project No. B2436, CCDOT Contract No. 002149.

Motion by Gambrill, second by Richardson, to **approve** a Consultant Services Agreement with TranSystems Corporation, in an amount not to exceed \$800,574.63, for preliminary engineering design of Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment, State P.I. No. 0019887, Cobb County Project No. B2436, CCDOT Contract No. 002149; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B240-B240-8005-B2430-A	Preliminary Estimate	\$800,574.63
Transfer to:	348-050-B240-B240-8722-B2436-E	Engineering	\$800,574.63

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2022, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Federal/State/Local Match Improvements.

Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment is an eligible project/program under the Federal/State/Local Match Improvements Component of the 2022 SPLOST Transportation Improvements, pending sufficient Federal, State, or other grant assistance becoming available (2022 Cobb Renewal, pp. 1, 21, 23). SPLOST funding for the Federal/State/Local Match Improvements will be used to leverage available matching funds to deliver key operational and safety improvements to the county's transportation system.

SPLOST Project Summary as of January 2, 2024: Cobb Parkway (SR 3/US 41) at Black Acre Trail/Third Army Road Intersection Realignment

Budget:	\$10,000.00	Expended:	\$120.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$810,574.63
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VOTE: **ADOPTED 5-0**

68. **To approve an Indemnification and Hold Harmless Agreement with the Georgia Department of Transportation required to obtain an Encroachment Permit for Mableton Parkway Pedestrian Improvements, Phase 2, Project No. X2770.**

Motion by Sheffield, second by Cupid, to **approve** an Indemnification and Hold Harmless Agreement with the Georgia Department of Transportation required to obtain an Encroachment Permit for Mableton Parkway Pedestrian Improvements, Phase 2, Project No. X2770; and **authorize** the Chairwoman to execute the necessary documents.

VOTE: **ADOPTED 5-0**

69. **To amend a previously approved action to approve Project No. X2549-TO#1 to the 2022 Master Task Order Contract with Gresham Smith for Noonday Creek Trail Extension Supplemental Study, and approve a revised Task Order for this project.**

Motion by Birrell, second by Sheffield, to **amend** a previously approved action to approve Project No. X2549-TO#1 to the 2022 Master Task Order Contract with Gresham Smith for Noonday Creek Trail Extension Supplemental Study; approve Project No. X2549-TO#2 to the 2022 Master Task Order Contract with Gresham Smith for said project, as revised, CCDOT Contract No. 002280; and **authorize** the Chairwoman to execute the necessary revised documents.

VOTE: **ADOPTED 5-0**

Public Services Agency

PARKS

70. **To approve a Project Agreement with Controlled Access, Inc. for the installation of the County's enterprise access control and surveillance system in fourteen (14) Cobb PARKS facilities, under the 2016 and 2022 PARKS SPLOST Programs.**

Motion by Cupid, second by Richardson, to **approve** a project agreement with Controlled Access, Inc. in an amount not to exceed \$309,268.00 for furnishing and installing Avigilon security cameras and associated systems at fourteen PARKS facilities; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2016 PARKS SPLOST fund as follows:

347-105-X064-X0642-C-8481 (Technology, Life & Security Improvements) \$295,227.88

Funding is available in the 2022 PARKS SPLOST fund as follows:

348-105-B065-B0652-C-8481 (Technology, Life Safety & Security Improvements) \$14,040.12

SPLOST Project Summary as of January 2, 2024:

2016 Technology Improvements Budget: \$1,360,950.65 Exp. to Date: \$1,065,722.77
2022 Technology, Life Safety & Sec. Improv. Budget \$750,000.00 Exp. to Date: \$ 255,372.71

The 2016 SPLOST, adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Technology Improvements is an eligible project under the 2016 SPLOST (Cobb County 2016 SPLOST, Page 31).

The 2022 SPLOST, adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Technology, Life Safety & Security Improvements is an eligible project under the 2022 SPLOST (Cobb County 2022 SPLOST, Page 27).

The addition of the cameras to the PARKS facilities will provide a tool to aid PARKS and Cobb Public Safety in their efforts to prevent and solve crimes.

VOTE: ADOPTED 5-0

71. **To approve a contract with Bartow Paving Company, Inc. to provide construction services for Big Shanty Park – Parking and Pickleball Additions under the 2022 PARKS SPLOST Program.**

Motion by Gambrill, second by Richardson, to **approve** a contract with Bartow Paving Company, Inc. in an amount not to exceed \$655,003.61 for the construction of additional parking and four pickleball courts at Big Shanty Park, **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2022 PARKS SPLOST and Operating budgets as follows:

348-105-B061-B0614-C-8024	(Big Shanty Park)	\$505,003.61
010-105-3200-8024	(Land Improvements or Development)	\$150,000.00

SPLOST Project Summary as of January 2, 2024:

Big Shanty Park

Budget: \$557,209.61

Expended to Date: \$52,206.00

Capital Improvements

Expended to Date: \$0

Budget: \$150,000.00

The 2022 SPLOST, adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

Big Shanty Park is an eligible project under the 2022 SPLOST (Cobb County 2022 SPLOST, Page 35). Additional parking and added pickleball courts will greatly enhance the enjoyment of patrons using the park.

VOTE: ADOPTED 5-0

Elections

72. To authorize the creation of three full-time positions.

Motion by Cupid, second by Sheffield, to **authorize** the creation of a full time GIS Analyst (pay grade 109), a full time Departmental Communications Specialist II (pay grade 110), and a full time Division Manager Elections & Registration (pay grade 115), **authorize** the corresponding budget transaction, and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue:	010-014-0140-4980	Fund Balance Approp.	\$167,145.28
Increase Expenditure:	010-235-9750-6012	Salaries	\$ 62,948.50
Increase Expenditure:	010-235-9750-6032	Disability	\$ 226.50
Increase Expenditure:	010-235-9750-6034	Fica	\$ 4,815.50
Increase Expenditure:	010-235-9750-6036	Medical	\$ 22,092.00
Increase Expenditure:	010-235-9750-6038	Life Insurance	\$ 441.00
Increase Expenditure:	010-235-9750-6044	Retirement	\$ 16,366.50
Increase Expenditure:	010-235-9750-6045	Defined Contribution	\$ 2,517.50
Increase Expenditure:	010-235-9750-6052	Worker's Comp	\$ 825.50
Increase Expenditure:	010-235-9750-6054	Dental	\$ 403.00
Increase Expenditure:	010-235-9720-6012	Salaries	\$ 26,790.00
Increase Expenditure:	010-235-9720-6032	Disability	\$ 96.50
Increase Expenditure:	010-235-9720-6034	Fica	\$ 2,049.50
Increase Expenditure:	010-235-9720-6036	Medical	\$ 11,046.00
Increase Expenditure:	010-235-9720-6038	Life Insurance	\$ 187.50
Increase Expenditure:	010-235-9720-6044	Retirement	\$ 6,965.50
Increase Expenditure:	010-235-9720-6045	Defined Contribution	\$ 1,071.50
Increase Expenditure:	010-235-9720-6052	Worker's Comp	\$ 351.50
Increase Expenditure:	010-235-9720-6054	Dental	\$ 201.50
Increase Expenditure:	010-235-9750-6258	Accountable Items	\$ 3,874.89
Increase Expenditure:	010-235-9720-6258	Accountable Items	\$ 3,874.89

VOTE: **ADOPTED 4-1**, Commissioner Gambrell opposed

PUBLIC COMMENT

1. Pam Rearden addressed the Board regarding warming centers, ARPA and maps.

Chairwoman called a brief recess from 11:54 a.m. – 11:55 a.m.

2. Kevin Redman addressed the Board regarding getting involved.
3. TJ Adams addressed the Board regarding the Lower Roswell Rd. project.
4. Jacquelyn Bettadapur addressed the Board regarding the Lower Roswell Rd. project.
5. Mindy Seger addressed the Board regarding Election positions support.
6. Craig Harfoot addressed the Board regarding the Lower Roswell Rd. project.

APPOINTMENTS

73. **To announce the appointment of Judesther Marc to the Neighborhood Safety Commission.**

Commissioner Gambrell **announced** the appointment of Judesther Marc to the Neighborhood Safety Commission for a three year term to expire on September 30, 2026. This appointment will replace Brett Brubaker.

74. **To approve the appointment of Lisa Brown to the Public Library Board of Trustees.**

Motion by Cupid, second by Richardson, to **approve** the appointment of Lisa Brown to the Public Library Board of Trustees for a three year term to expire on December 31, 2026. This appointment will replace Anthony Le.

VOTE: **ADOPTED 5-0**

75. **To announce the appointment of John Noe to the Transity System Advisory Board.**

Commissioner Richardson **announced** the appointment of John Noe to the Transit System Advisory Board for a term balance to expire on December 31, 2024. This appointment fills a vacant position.

76. To announce the appointment of Connor Manthey to the Transit System Advisory Board.

Commissioner Richardson **announced** the appointment of Connor Manthey to the Transit System Advisory Board for term balance to expire on December 31, 2024. This appointment fills a vacant position.

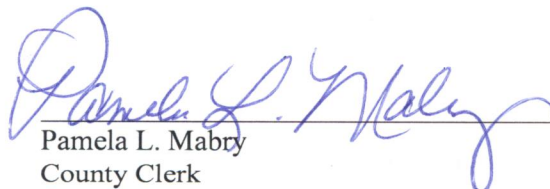
77. To approve the appointment of Matthew Teague to the Cumberland Community Improvement District Board.

Motion by Richardson, second by Birrell, to **approve** the appointment of Matthew Teague to the Cumberland Community Improvement District Board. This appointment will replace Barry Teague.

VOTE: **ADOPTED 5-0**

ADJOURNMENT

The meeting was adjourned at 12:34 p.m.



Pamela L. Mabry
County Clerk
Cobb County Board of Commissioners

Commissioner Birrell's statement

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Board of Elections on November 15, 2022.

In addition, I do support the Order on Cross Motions for Summary Judgment (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024 which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.

Commissioner Gambrill's statement

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002). In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board's actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.

In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.

Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."

While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.



CobbLinc Agency Safety Plan

1. Transit Agency Information

Transit Agency Name	Cobb County (CobbLinc)		
Transit Agency Address	463 Commerce Park Drive, Suite 112, Marietta, GA 30080		
Name and Title of Accountable Executive	Theophalas Letman, Cobb County DOT Transit Division Manager		
Name of Chief Safety Officer or SMS Executive	Robert Zuco, Chief Safety Officer		
Mode(s) of Service Covered by This Plan	Commuter Bus, Motor bus, Demand Response	List All FTA Funding Types (e.g., 5307, 5310, 5311)	5307, 5337, and 5339
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)	CobbLinc is the bus public transportation system in Cobb County and provides commuter bus, motor bus, and demand response services. CobbLinc operates 9 local and 3 express bus routes, 2 Circulator routes, 3 FLEX zones, and paratransit service. All express routes connect with MARTA rail stations and downtown employment centers. CobbLinc also offers 2 transfer centers (Marietta and Cumberland) and 8 park-and-ride lots. CobbLinc has an average annual ridership of more than eight hundred thousand passenger trips (FY2023). As of 2023, CobbLinc's total fleet consists of 113 buses: 70 local route buses, 19 express buses, 19 paratransit buses, and 5 Flex buses. CobbLinc is operated through a contracted service agreement with Transdev, a private operator providing fixed route operations, paratransit operations, maintenance, safety, and customer service.		



2. Plan Development, Approval, and Updates

Name of Entity That Drafted This Plan	Cobb County (CobbLinc)	
Signature by the Accountable Executive	Signature of Accountable Executive	Date of Signature
Approval by Safety Committee	Safety Committee Chair Signature	Date of Approval/Signature
Approval by the Board of Directors or an Equivalent Authority	Name of Individual/Entity That Approved This Plan	Date of Approval
	Cobb County Board of Commissioners	
	Relevant Documentation (title and location)	
Certification of Compliance	Name of Individual/Entity That Certified This Plan	Date of Certification
	Robert Zuco, Chief Safety Officer	1/5/2024
	Relevant Documentation (title and location)	
	Resolution, Board of Commissioners Meeting	

Version Number and Updates

Record the complete history of successive versions of this plan.

Version Number	Section/Pages Affected	Reason for Change	Date Issued
Original	All pages are original version	First Official version of CobbLinc Agency Safety Plan	June 2020



1	Safety Management Policy Safety Performance Targets Corporate Communication of Safety Concerns Hazard Tracking Competencies and Training	Agency Informational Changes Bipartisan Infrastructure Law Requirements Safety Committee Additions	December 2022
2	Full Document Safety Performance Targets	Agency Informational Changes Bipartisan Infrastructure Law Requirements	December 2023

Annual Review and Update of the Public Transportation Agency Safety Plan

Describe the process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.

The Cobb County Transit Division ASP Annual Review is conducted via a four-step review process initiated by the Transit Operations Manager and the Chief Safety Officer or his/her designee.

- Step 1 – Establish a timeline for the update. The process typically begins on or around October 1st of each year and is planned/scheduled to be completed by January 31st of the following year. Prior to the beginning of each fiscal year, Transdev's Safety Plan is reviewed by Executive management and revised based on the safety data collected and analyzed and changes to policies and procedures made throughout the year.
- Step 2 – Review the County's Transit Agency personnel information to ensure leadership changes are incorporated and the signature pages and approvals are updated to reflect the current leadership. Furthermore, each section and element of the plan is reviewed in detail and changes are included in the review documentation. Transdev's review of safety practices is an ongoing process, not one limited to scheduled reviews. As policies/procedures and training techniques change throughout the year, they are updated and communicated throughout the organization. All changes are reviewed and approved by the Senior Director of Safety and the Vice President of Safety.
- Step 3 - The Transit Operations Manager and Chief Safety Officer coordinate an ASP review team meeting with Transdev's local team to review and comment on the changes recommended for incorporation into the updated ASP document.
- Step 4 – Cobb Transit Division staff will review the PTASP to reflect new leadership, practices, policies, and procedures.



3. Safety Performance Targets

Among the various KPIs that CobbLinc uses are the four safety performance measures that are required by the National Public Transportation Safety Plan: Fatalities, Injuries, Safety Events, and System Reliability, as defined below:

- Fatalities – Total number of reportable¹ fatalities and rate per total vehicle revenue miles (VRM) by mode;
- Injuries – Total number of reportable injuries and rate per total VRM by mode;
- Safety Events – Total number of reportable events and rate per total VRM by mode; and
- System Reliability – Mean distance between major mechanical failures by mode.

These safety performance targets (SPT) are based on data submitted to the National Transit Database (NTD). The SPTs were identified based on a three-year rolling average of data from 2020 to 2022. The annual performance targets for these measures for FY 2024 are as below. Additionally, these SPTs are reviewed and assessed by the Safety Committee to ensure consistency with risk reduction programs. These SPTs will be shared with Atlanta Regional Commission (ARC) Metropolitan Planning Organization (MPO) and GDOT to aid in the planning process. CobbLinc will coordinate with GDOT and ARC in the selection of state and regional performance targets as requested.

In accordance with 49 U.S.C 5329(d)(1)(i), these SPTs are set to works towards a reduction of vehicular and pedestrian accidents involving buses. In order to reduce such events, CobbLinc will utilize the safety risk management process. Mitigations that may be taken to reduce events may include measures to reduce visibility impairments for bus operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments.

Additionally, per 49 U.S.C. 5329(d)(1)(ii), CobbLinc will also continue to take further measures to mitigate assaults on transit workers, including the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and objects into the workstations of bus operators. To conduct this review, the Safety Committee will conduct risk analyses to determine if such physical mitigations are necessary to reduce assaults and injuries to transit workers.

2023 Safety Performance Targets

Motorbus (per 100,000 VRM)							
Mode - MB	Fatalities	Rate* of Fatalities	Injuries	Rate* of Injuries	Safety Events	Rate* of Safety Events	System Reliability**
2020 Actual	0	0.00	5	0.16	4	0.13	38,612
2021 Actual	0	0.00	6	0.20	5	0.17	249,081
2022 Actual	0	0.00	6	0.20	5	0.17	118,756
Average	0.00	0.00	5.67	0.19	4.67	0.15	135,483
2024 SPT (MB)	0.00	0.00	6.00	0.19	5.00	0.15	135,483

¹ The thresholds for "reportable" fatalities, injuries, and events are defined in the NTD Safety and Security Reporting Manual.



Demand Response (per 100,000 VRM)							
Mode - DR	Fatalities	Rate* of Fatalities	Injuries	Rate* of Injuries	Safety Events	Rate* of Safety Events	System Reliability**
2020 Actual	0	0.00	1	0.21	2	0.42	36,868
2021 Actual	0	0.00	0	0.00	0	0.00	25,340
2022 Actual	0	0.00	0	0.00	0	0.00	19,424
Average	0.00	0.00	0.33	0.07	0.67	0.14	27,210
2024 SPT (DR)	0.00	0.00	1.00	0.07	1.00	0.14	27,210

*rate = events per 100,000 vehicle revenue miles / **System Reliability = miles between major mechanical failures

Safety Performance Target Coordination

Describe the coordination with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets.

Cobb County coordinates with the Atlanta Regional Commission.

Targets Transmitted to the State	State Entity Name	Date Targets Transmitted
	Georgia Department of Transportation	Annually, following the annual FTA assurances and certifications submission
Targets Transmitted to the Metropolitan Planning Organization(s)	Metropolitan Planning Organization Name	Date Targets Transmitted
	Atlanta Regional Commission	Annually, following the annual FTA assurances and certifications submission

4. Safety Management Policy

Safety Management Policy Statement

Include the written statement of safety management policy, incorporating safety objectives.

Safety management is one of our core business functions. CobbLinc is committed to developing, implementing, maintaining, and constantly improving processes to ensure that all our transit service delivery activities take place under a balanced allocation of organizational resources, aimed at achieving the highest level of safety performance and meeting established standards. All levels of management and all employees are accountable for the delivery of this highest level of safety performance.

CobbLinc's commitment is to:

- Support the management of safety through the provision of appropriate resources, that will result in an organizational culture that fosters safe practices, encourages effective employee safety reporting and



communication, and actively manages safety with the same attention to results as the attention to the results of the other management systems of the organization;

- Integrate the management of safety among the primary responsibilities of all managers and employees;
- Clearly define for all staff, managers and employees alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of our safety management system;
- Establish and operate hazard identification and analysis, and safety risk evaluation activities, including an employee safety reporting program as a fundamental source for safety concerns and hazard identification, in order to eliminate or mitigate the safety risks of the consequences of hazards resulting from our operations or activities to a point which is consistent with our acceptable level of safety performance;
- Ensure that no action will be taken against any employee who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures;
- Comply with, and wherever possible exceed, legislative and regulatory requirements and standards;
- Ensure that sufficient skilled and trained human resources are available to implement safety management processes;
- Ensure that all staff are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills;
- Establish and measure our safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- Continually improve our safety performance through management processes that ensure that appropriate safety management action is taken and is effective; and,
- Ensure externally supplied systems and services to support our operations are delivered meeting our safety performance standards.
- Ensure that the strategies and guidelines to address infectious disease planning and response are consistent with the Centers for Disease Control and Prevention (CDC) and the Georgia Department of Public Health and local health authorities in order to minimize exposure to infectious diseases in accordance with 49 United States Code (U.S.C) 5329 (d)(1)(D).

This Agency Safety Plan describes our safety efforts and programs, and through our thorough implementation of such efforts and programs we explicitly show our commitment to system safety based on SMS principles as per 49 CFR Part 673 and requirements dictated in 49 U.S.C 5329.

Signature

Transit Division Manager (Accountable Executive)

Date 1/5/2024



Safety Management Policy Communication

Describe how the safety management policy is communicated throughout the agency's organization. Include dates where applicable.

Training for new transit operations employees includes classroom instruction/discussion and a comprehensive review of the County's and Transdev's policies and procedures.

Cobb County Transit Division's Operations Contractor - Transdev

Communication of Local Safety Concerns

The Location Safety Manager is at the center of the local safety communication process and is responsible for compiling safety reports to include the following:

- Accident and injury data for previous month
- Security incident data
- Safety and security audit data and recommendations
- Safety Committee meeting minutes
- Web Risk near miss and hazard reporting

The Location Safety Manager reports directly to the Location General Manager (LGM) and routinely meets formally with the LGM, one-on-one, to provide updates on safety issues, safety priorities, and hazard management. The Location Safety Manager (LSM) also meets informally with the LGM to provide updates on safety issues on an as-needed basis.

The Location Safety Manager also participates in the Safety Committee meetings to discuss safety priorities, safety issues, and hazard management, and to communicate safety-related information across all departments.

- The LSM and the LGM have the authority to correct or suspend work for conditions determined to be unsafe, or pose a hazard to customers, employees, contractor employees, the general public, or endangers the safe passage of vehicles, until the unsafe condition or hazard can be mitigated or corrected.

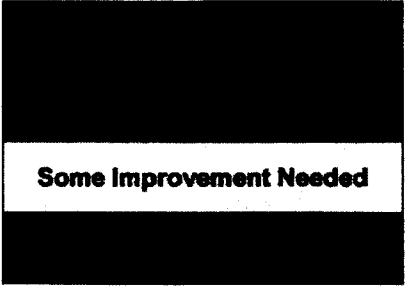
The Region Safety Managers also conduct regular internal reviews of local operations. They are to ensure that each location is audited at least every two to three years, with high-risk locations audited annually for compliance using the risk-based **Location Safety Review**.

Location Safety Review

Category

Description



Scope of Safety Reviews	Transdev locations are selected based upon risk-based criterion. Individual locations are reviewed every 2-3 years
Risk-Based Selection Criterion	Locations selected based on declining 3-year reviews; sites with new location managers; high collision/injury Accident Frequency Rate (AFR); prior year failing score
Review Format	More narrow and focused audit template which includes a balance of compliance assurance as well as location-specific risks and safety performance.
Findings and Follow-Up	Action plans are developed in conjunction with location staff and use a red/yellow/blue/green method to prioritize. All action items are entered and incomplete action items are tracked within the Safety Toolbox. 
Escalation Process	Items requiring escalation to Senior Director of Safety/Vice President of Safety – Transdev remain intact. Through the use of the Safety Toolbox, unresolved actions are designed to escalate to the Location General Manager/Region Safety Manager.
Visibility	Review results and action items are routinely shared with the Location General Manager/Region Safety Manager/Executive Management. This is augmented by the escalation process for unresolved action items as noted above.

Corporate Communication of Safety Concerns

Executive Safety Meetings are routinely held where each department discusses their concerns and progress in the area of safety and safety-related concerns. Recommendations are considered, and necessary changes implemented. All complaints by departments are addressed immediately.



Minutes from the Executive Safety meeting are distributed to and posted at each location. Action items are addressed at the following meeting.

Executive safety meetings are conducted in the following formats:

Executive Safety Committee (ESC)

- Consists of President, COO, and Safety Vice President of each operating group
- Discussions include safety performance, trend analysis, program oversight

Safety Council

- Consists of Vice Presidents of Safety for all operating divisions
- Discussions include safety performance, trend analysis, and safety oversight

Performance Review Management (PRM)

- Consists of Senior Region Vice Presidents, Region Vice Presidents, Region Directors of Operations, Region Director of Maintenance, Region Directors of Safety and Region Safety Managers
- Discussions include regions safety performance

Safety Advisory Committee

- Consists of a sampling of Location General Managers, Region Directors of Operations, Region Safety Directors and Region and Local Safety Managers
- Discussions include review of policy and procedures, training, and safety awareness

Safety Committee

Pursuant to the Bipartisan Infrastructure Law (BIL) updates to 49 U.S.C Section 5329(d), CobbLinc Transit has created a Safety Committee composed of an equal representation of frontline employees and management representatives. The Safety Committee at a minimum, is responsible for:

- Conduct annual review of the PTASP to recommend for approval by the County Commission;
- Identify and recommend risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment;
- Identify mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended; and,
- Identify safety deficiencies for purposes of continuous improvement.

CobbLinc established the Safety committee on January 1, 2022. The CSO will periodically convene meetings of the Safety Committee to discuss safety program issues, safety data/performance indicators, Safety and Transit Asset Management (TAM) Plan updates, among various other issues that pertain to overall agency safety matters. The Safety Committee is a group of executive and frontline staff function, with a 50% split of frontline CobbLinc staff, and will be chaired by the CSO. The objectives of regular meetings of the Safety Committee are to ensure that the Transit Director is well-versed in the implementation of the Safety Plan, Key Performance Indicators (KPI) and other important data, and that executive-level staff have a regular multi-disciplinary forum to discuss pertinent safety issues and policy, including risk reduction activities.

Monthly safety committee meetings and minutes are on file and the Safety Risk Management log and tracking spreadsheet are on file and available upon request.

The Safety Committee consists of the following:

- Robert Zuco (CSO CobbLinc)



- Meka Phillips (Safety Manager)
- Blanca Peralta (GM)
- Nelson Castro (Maintenance Manager)
- Union Representative/Bus Operator
- Two Frontline Employees (bus operators)



Authorities, Accountabilities, and Responsibilities

Describe the authorities, accountabilities, and responsibilities of the following individuals for the development and management of the transit agency's Safety Management System (SMS).

Accountable Executive	Theophalas Letman, Cobb County DOT Transit Division Manager As the Accountable Executive: - Carry out the goals and objectives of the SMS - Control or direct the human and capital resources needed to develop and maintain both the SMS and TAM plans - Ensure that the SMS is effectively implemented throughout the system in close coordination with the Chief Safety Officer - Assume accountability for sustainable outcomes - Ensure departments are performing required SMS operations
Chief Safety Officer or SMS Executive	Robert Zuco, Chief Safety Officer As the Chief Safety Officer: - Responsible for reviewing safety and reports prepared and provided by the contractor's Location Safety Manager - Oversees hazard management practices - Serves as SMS subject matter expert - Oversees accident investigations - Communicates with executive leadership - Oversees safety certification - Manages internal safety audit programs.
Agency Leadership and Executive Management	Transit Operations Manager – VACANT Transit Operations Specialist – Roderick Cockerham
Key Staff	Cobb County Transit Division staff and its Contractor use the Safety Committee, as well as the monthly Driver's Meeting and monthly All-Staff meetings, to support its SMS and safety programs: - Safety Committee: Any safety hazards reported will be jointly evaluated by the Safety Committee and the Chief Safety Officer during the monthly meeting. The Safety Committee members include the Chief Safety Officer, the county's Transit Operations Manager and Transit Operations Specialist, the contractor's Location General Manager, the contractor's Location Maintenance Manager, and the contractor's Location Safety Manager, frontline staff assigned to the committee, and any others who meet monthly to review issues and make recommendations to improve safety. - Drivers' Meetings: A permanent agenda item in all monthly meetings is dedicated to safety. Safety issues are discussed and documented. - Monthly All-Staff Meetings: Hazard reports and mitigations will be shared, safety topics will be brought up for open discussion, further feedback solicited, and



	hazard self-reporting further encouraged. Information discussed in these meetings will be documented.
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Additional Accountability	To ensure safety and responsibility and accountability throughout the organization, the following Safety Responsibility and Task Matrix assigns safety responsibilities for the tasks listed. This process ensures that the pertinent safety items are covered and that each person knows his or her areas of responsibility.							
	AE: Accountable Executive							
	CSO: Chief Safety Officer							
	OPS: Operations							
	MNT: Maintenance							
	HR: Human Resources							
	AL: Agency Leadership							
	KS: Key Staff							
	Safety Responsibility and Task Matrix							
	Responsibilities and Tasks	AE	CSO	OPS	MNT	HR	OTHER	Responsible Personnel
	Establish annual safety objectives for submission at the beginning of each fiscal year	☒	☒	AL: ☒ KS: ☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Transit Division Manager
	Submit a report on the safety performance at the end of each fiscal period	☒	☒	AL: ☒ KS: ☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Transit Division Manager
	Submit the following: period operations and safety data; accident and incident reports; and site safety review results	☐	☒	AL: ☒ KS: ☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	General Manager
	Direct that work or conditions have been determined to be unsafe or pose a hazard to customers, employees, contractor	☐	☐	AL: ☒ KS: ☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	General Manager



	employees, the general public, or endangers the safe passage of buses be suspended or restricted until the unsafe condition or hazard can be mitigated or corrected							
	Management of system safety, occupational health and safety, accident and incident investigation, environmental protection and monitoring the implementation of the Safety Management System (SMS) Program Plan	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Review of all safety aspects of departmental procedures including: Transdev policies/instructions; Standard Operating Procedures; HR policies; safety and health policies	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	SMS Review and Modification	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Safety Committee Meetings	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Daily Safety & Health Walkthrough	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Transdev Maintenance Manager
	Safety related reports to external agencies	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Transdev General Manager



	Near miss and route hazard report investigations	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Transdev Road Supervisors
	Investigation of safety related trends	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Safety Manager
	Coordination with United States and State Departments of Labor and Occupational Safety and Health Administration (OSHA)	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Safety Manager
	Environmental Management Oversight	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Maintenance Manager
	Hazard Management Process	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Safety Manager
	Managing Safety Validation of Change Process	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	General Manager
	Safety Data Reporting	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Investigations	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Advise to update SOPs, Rules, and Emergency Plans	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Safety Manager
	Emergency Response	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Fire Protection	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Maintenance Manager
	Shop Safety Hazardous Tools Inspections	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Maintenance Manager



	Review Vehicle Maintenance and Failure Data	☐	☒	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Maintenance Manager
	Perform Vehicle Maintenance Inspections/Audits	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Maintenance Manager
	Training, Certification, Review, and Audit	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Safety Manager
	Personal Protective Equipment Review	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Maintenance Manager
	Hazardous Materials Management	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Maintenance Manager
	Drug and Alcohol Abuse Program	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	Safety Manager
	Procurement	☐	☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☐	AL: ☐ KS: ☒	Transit Contracts Manager



Employee Safety Reporting Program

Describe the process and protections for employees to report safety conditions to senior management. Describe employee behaviors that may result in disciplinary action (and therefore, are excluded from protection).

Cobb County Transit Division staff and their transit operations and maintenance contractor, Transdev, are committed to conducting business with honesty and integrity. Employees are encouraged to speak up and raise questions and concerns promptly about any situation that may violate our safety protocols, policies, procedures, laws, rules, and regulations that govern our business operations.

Employees are expected to tell others when witnessing unsafe work practices or conditions. When employees are not comfortable discussing these unsafe conditions with fellow employees, they are encouraged to discuss the situation with management or report it in writing.

However, where the matter is more serious, or the employee feels that management has not addressed the concern, or they are not comfortable reporting to their immediate manager, they can report it to the next level manager, or the Region Safety Manager or Human Resources Manager. Employees may also directly file a written or verbal complaint by calling the confidential Ethics and Compliance.

Retaliation against anyone who, in good faith, reports observations of unsafe or illegal activities; or who cooperates in any investigation of such report, is strictly prohibited and is not tolerated, regardless of the outcome of the complaint.

In other words, employees are protected for speaking up in good faith under this Policy. Any manager or co-worker who retaliates against a complaining employee or anyone involved in an investigation of a complaint is subject to discipline and/or termination.





Managers are charged with assuring that they and their staff comply with the whistleblower protections and that no retaliation occurs because of a reported safety related issue. **Reporting Options**

Cobb County Transit Division and Transdev staff reporting of unsafe practices, policy violations, violations of the law, etc. is encouraged, and in some instances required, of all employees. The primary goal is to be able to identify areas where risk of injury to personnel or customers, or destruction of property may exist; and develop measures to mitigate those risks.

Unless the employee's action or in-action is egregious, disciplinary action is not warranted.

Employees that fail to report mandatory items, such as:

- Failure to report defective equipment
- Failure to report a safety hazard
- Failure to procure necessary information for an accident report or
- Submitting an inaccurate or incomplete report

that could lead to serious harm, are subjected to the disciplinary process described later in this section.

Hazard Tracking

More complex hazards may require the use of a tracking log that may consist of the following information:

- Assigned hazard number;
- Date hazard identified;
- Hazard title;
- Hazard description;
- Sources from which a hazard was identified;
- The element of operation affected by the hazard;
- Initial hazard classification;
- Current hazard classification; and
- Corrective Action Plan (CAP).

Employees are **encouraged** to report:

Near Miss and Hazard Reporting

Near miss and hazard reporting



Date / / Near miss report ☐ Hazard report ☐

Name

Location

Observation(s)

Action(s) required

Who is to complete the action(s)?

Contractor ☐ Employee ☐ Visitor ☐ Other ☐



If an employee is involved in a near miss or determines something they see to be a hazard, we ask for their help in reporting the event so we all may learn the lessons from it and perhaps prevent a collision or injury from occurring in the future.

Near miss: An event you witnessed where no harm was caused, but there was the potential to cause injury or ill health; a dangerous occurrence

Hazard: Anything that may cause harm in the near future

If the safety or security hazard requires immediate attention, dispatch is notified immediately. If immediate attention is not required, the employee is encouraged to submit the information to management by the end of their workday. Our managers then initiate conversations with employees about their observations of both safe and unsafe behaviors.

The employee's contribution to the cause of the injury or collision is considered in disciplinary action, up to and including termination. If after analysis it has been determined that the incident resulted from an overt decision, disciplinary action is indicated. If not, then the appropriate counseling and/or training is indicated.

SOP #806 – Near Miss & Hazard Reporting describes the reporting process

Threatening or Suspicious Activity

Transdev encourages anyone who sees, hears, or learns of any conduct or statement that seems threatening or suspicious, and/or any weapons on company premises or in company vehicles, to immediately report such conduct or statement, either to his/her Supervisor or Manager and/or to the Human Resources Department.

If there is an immediate risk or imminent threat of violence, serious harm, or life-threatening conduct, employees should immediately call 911, local police, or other law enforcement.

Duty to Report Wrongdoing

Transdev is committed to investigating all good faith claims of wrongdoing so that corrective action may be taken. To that purpose, Transdev encourages any employee, contractor, or vendor to report wrongdoing or illegal acts to location management so long as they are not believed to be involved in the fraud, waste or abuse being reported. Management within Transdev ensures the matter is reported to Group Security and Transdev will investigate and take appropriate steps to correct the wrongdoing or potential violation.

Self-Reporting

Self-reporting is also encouraged. Anyone who reports his/her own violation will receive due consideration regarding disciplinary action that may be taken.

Open-Door Policy



A workplace where employees are treated with respect and one that is responsive to their concerns is important to each of us. At Transdev, we recognize that employees may have suggestions for improving our workplace, as well as complaints about the workplace. We feel that the most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with an employee's manager. Each employee is encouraged to do so.

If the matter cannot be resolved with one's immediate manager, the employee may:

- Speak with their Location General Manager or Region Safety Manager who will attempt to facilitate a solution.
- If an employee is unable to resolve the matter through the management chain of command in their location, the employee may choose to speak directly to anyone in division management or Human Resources.

Transdev's Open-Door Policy also allows employees to voice their concerns anonymously.

- If an employee would like to submit an anonymous concern, they may contact the Ethics and Compliance Toll-free Hotline

This Open-Door Policy applies to every employee not covered by a collective bargaining agreement. It also extends to contractors and subcontractors.

In situations involving discrimination or harassment, employees should follow the Complaint Procedure described in the Discrimination, Harassment and Retaliation Reporting Procedure section of their Transdev Employee Handbook without fear of reprisal and should not follow this Open-Door Policy complaint process.

In situations requiring immediate attention, an employee may bypass the chain of command, which begins with his or her manager, and contact any level of management or Human Resources directly, without fear of reprisal, and without the need to follow this Open-Door Policy complaint process.

- This may be done in person, by direct contact, phone call, letter, or email message or by utilizing the Ethics and Compliance Hotline.

Employees are REQUIRED to report the following. Failure to do so WILL lead to disciplinary action.

Accidents/Incidents

Transdev finds accidents and incidents to be a very serious matter and a valuable learning opportunity to improve safety. **SOP #700 – Accident & Safety Data Acquisition and Reporting**, and the supporting **SOP's, 700a – Auto and General Liability Claim Form; 700b – Courtesy Card; 700c – Operator Incident Report**; ensure that the appropriate actions happen at the scene for the safety and security of Transdev passengers and employees; and that the appropriate data is collected to evaluate the incident, determine culpability; and develop actions to limit or eliminate the possibility of the incident occurring in the future.

Accidents

Accidents are considered to be any collision that occurs while an Operator is on duty. Operators are to report all accidents and collisions to Dispatch immediately upon occurrence. When reporting to Dispatch, the



employee must state that he or she is reporting an accident and then answer any questions asked by Dispatch.

Additionally, **SOP #700c – Operator Incident Report** and **SOP #700a – Auto & General Liability Claim Form**, must be completed by the Operator involved and location management for accidents, possible claims of accidents, damage to equipment, injury and possible injury not later than one hour after completion of shift on the day of occurrence. Any vehicle defects that may have contributed to an accident shall be included in the report. To help ensure that this deadline is met, employees are paid to complete the form.

Employees who fail to report an accident may be subject to disciplinary action up to and including termination.

Employees must provide transit management with any additional accident information immediately upon request.

Incidents

Incidents with passengers involving slips and falls on or near the vehicle, fights, police action, or removal of a passenger, must be reported to Dispatch immediately; and require a **SOP #700a – Auto & General Liability Claim Form** to be completed by management before going off duty for the workday.

All other incidents and occurrences out of the norm, no matter how slight, are to be reported to Dispatch upon return to the yard.

The following are examples of incidents that must be reported:

- Broken or cracked windows from unknown causes,
- Cut seats,
- Service delays,
- Passing up passengers,
- Insufficient or excessive running time in schedule,
- Overloads, etc.

If in doubt, immediately contact Dispatch.

Operators Witnessing an Accident shall notify Dispatch immediately, even though their vehicle may not be involved.

Required Courtesy Cards

In the event of an accident or an incident, Operators must distribute **SOP #700b – Courtesy Cards** then retrieve as many as possible from passengers and persons in the immediate area of the accident or incident who may have witnessed the event.

Duty to Report Law Enforcement Actions

Employees are required to report any arrests, indictments or convictions to their immediate manager or Human Resources immediately, but no later than prior to the next scheduled work shift, to the extent permitted by applicable law. If the circumstances and the offense charged, in our judgment, present a potential risk to the safety and/or security of our customers, employees, premises and/or property, such events may result in disciplinary or other appropriate action to the extent permitted by applicable law.

Operators and safety sensitive employees are required to report all Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) related charges, vehicular collisions, and any moving violation citations



received in any vehicle immediately, if possible, but no later than prior to their next scheduled work shift, consistent with applicable law.

Possible Disciplinary Actions

Transdev uses a tiered approach to determine possible disciplinary actions. Infractions that lead to disciplinary action are categorized into four categories;

- Class 1 – Dischargeable Offenses, the most serious and unacceptable behavior
- Class 2 – Serious violations of the Transdev performance code
- Class 3 – Secondary violations of the Transdev performance code
- Class 4 – Lesser violations of the Transdev performance code that may result in disciplinary action depending on the circumstances or repeated violations

Examples of **Class 1 Dischargeable Offenses** include:

- Convictions and imprisonment for such offenses as DUI, DWI, child abuse, etc.
- Safety; some offenses are of such a serious nature that termination is appropriate for the first offense. Those include but are not limited to:
 - Failure to properly secure mobility devices
 - Cell phone use while operating a company vehicle
 - Striking a pedestrian
 - Colliding into the rear of another vehicle or stationary object
 - Running a red light or stop sign
 - Entering a railroad crossing when the lights are flashing
- Violation of the Drug & Alcohol Policy
- Dishonesty
- Stealing/Theft
- Unauthorized Use or Removal of Company / Client Property or Vehicle
- Violence / Fighting / Threats
- Harassment
- Insubordination
- Security
- Sleeping on the Job
- Destruction of Property
- Failure to Return to Work
- Leaving Bus or Passengers
- Failure to Follow Sleeping Passenger Rules

Examples of **Class 2 Infractions** considered to be serious violations of the Transdev performance code include:

- Abusing or misusing sick leave
- Exchanging work assignments (trade) without proper authority
- Stopping work prior to the end of any shift without management's permission
- Excessive absenteeism, tardiness, starting work late after on the clock, or a pattern of unexcused absences unless otherwise permitted by law
- Reporting for work in an unfit condition
- Failing to obtain permission to leave work during normal working hours



- Discourteous or inappropriate attitude or behavior toward passengers or other members of the public
- Failure to comply with PPE directives
- Failure to wear a High Visibility Safety Vest, Reflective Safety Vest, or Company issued High Visibility Uniform Shirt according to Company policies
- Failure to wear Safety Glasses in compliance with PPE directives
- Failure to wear Company Assigned Shoe Grips when directed to do so
- Violation of vehicle operating regulations
- Failure to observe safety, sanitation, or disciplinary policies of the client or Company, or laws and regulations of Local, State, or Federal governments
- Failure to comply with the Risk Assessment policy
- Working more than an employee's regularly scheduled hours without advance approval of the Company
- Failure to operate a Company vehicle according to assigned route or timetable
- Failure of any Operator, Safety Sensitive Employee or employee required to be licensed for driving, to renew and maintain a valid, appropriate driver's license with required endorsements and a medical certificate for driving a Company vehicle
- Failure to wait for connections or passing up passengers
- Transport of unauthorized persons
- Attempting to enter, entering or assisting any person to enter, or attempt to enter a Company location or restricted areas without proper authority

Examples of **Class 3 Infractions**, considered to be secondary violations of the Transdev performance code, include:

- Mandatory Reporting failure including:
 - Failure to report defective equipment
 - Failure to report a safety hazard
 - Failure to procure necessary information for an accident report or submitting an inaccurate or incomplete report
 - Failure to report law enforcement actions
- Posting, circulating or distributing written or printed material during working times and in working areas
- Failure to adhere to the Company Reverse Parking policy for Company vehicles and personal vehicles
- Use of a Company-owned radio or cell phone for non-Company business during working time
- Failure of any Operator to have in his or her possession a valid, appropriate driver's license with required endorsements and a medical certificate while driving a Company vehicle

Examples of **Class 4 Infractions**, considered to be lesser violations of the Transdev performance code that may result in disciplinary action depending on the circumstances or repeated violations, include:

- Failure to comply with the dress code, uniform policy, cleanliness, personal hygiene, personal grooming habits, or other requirements established by the client or Company
- Reporting for duty in an improper uniform, presenting an untidy, unkept or dirty appearance of person or uniform, or improperly displaying uniform articles, Company emblem, or authorized pins and badges
- Parking a personal vehicle in a restricted area at a Company location
- Neglect of job duties and responsibilities, or lack of application or effort on the job



- Incompetence or failure to meet reasonable standards of efficiency or effectiveness
- Failure to provide Transdev with a current address or telephone number
- Failure to inform Transdev of changes in status of dependents for insurance coverage
- Littering the employee lounge area, restrooms, or any other company property
- Failure to read notices and bulletins and not making an effort to stay informed

Applying Disciplinary Actions

Although employment may be terminated at-will by either the employee or Transdev at any time in accordance with applicable law, without following any formal system of discipline or warning, Transdev may exercise discretion to utilize forms of discipline that are less severe than termination.

Whenever an employee is subject to discipline, the employee's work record, including violations occurring in the relevant time period, is reviewed before determining penalty. The chart below describes how disciplinary actions are applied.

Class of Infraction	Discharge	Suspension	Written Warning
1	1st Offense	_____	_____
2	2nd Offense*	1st Offense	_____
3	3rd Offense*	2nd Offense*	1st Offense
4	4th Offense*	3rd Offense*	1st & 2nd Offense*

*Within 12 months of first offense, 36 months for safety

Additionally, Transdev may use the following criteria to determine discipline specific to any type of traffic violation or preventable accident.



Major Offenses

One violation

Action

Discharge

Serious Violations

One violation

Action

Written warning

Two violations within any 36-month period

Discharge

Moving Violations

Action

Two violations within any 36-month period

Three-day Suspension

Three violations within any 36-month period

Discharge

Two violations within any 12-month period

Discharge

Preventable Vehicle Accidents

Action

One preventable accident

Written warning

Two preventable accidents within any 36-month period

Five-day Suspension

Three preventable accidents within any 36-month period

Discharge

Two preventable accidents within any 12-month period

Discharge

Details of Transdev's reporting requirements, infractions of company policy, and disciplinary actions that may be taken are described in more detail in the **Transdev Employee Handbook**.

5. Safety Risk Management

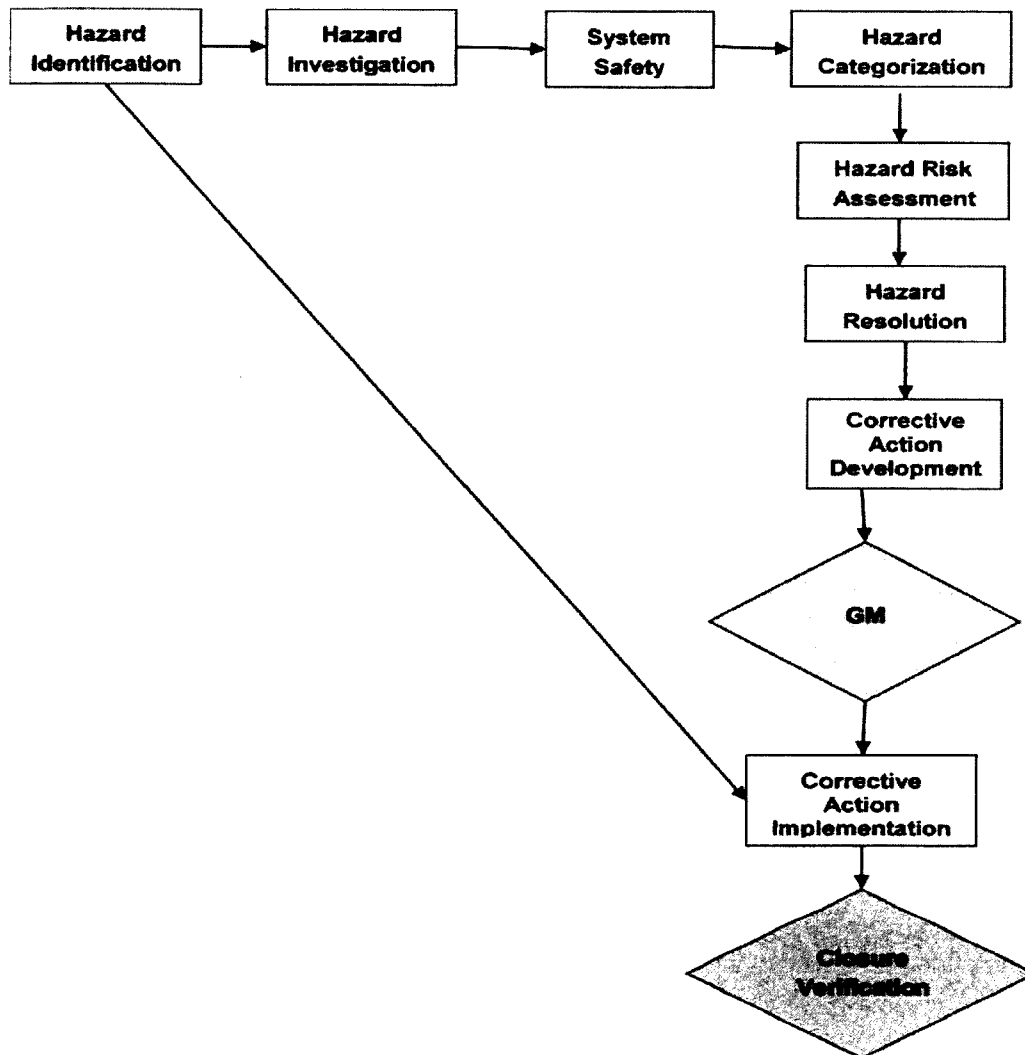
Safety Risk Management Process

Describe the Safety Risk Management process, including:

- *Safety Hazard Identification: The methods or processes to identify hazards and consequences of the hazards*
- *Safety Risk Assessment: The methods or processes to assess the safety risks associated with identified safety hazards*
- *Safety Risk Mitigation: The methods or processes to identify mitigations or strategies necessary as a result of safety risk assessment*



Safety management is at the core of everything done at Transdev. All employees are responsible for performing their jobs in a safe manner, which includes identifying safety risks and participating in developing and implementing effective mitigation techniques. The process for managing hazards, from identification through corrective action and closure, is illustrated by the following flowchart.



As described earlier, a corporate structure exists to address all safety concerns. To ensure safety at the local levels, each location is required to form a Safety Solutions Team (SST), Accident Review Committee (ARC), and a Local Client Liaison Committee. To ensure consistency at each location, **SOP's #803; #803a; #803b Safety Solutions Team**, and **SOP #702 – Accident Review Committee** describe the procedures which are to be followed in creating and operating a Safety Solutions Team and Accident Review Committee.

These groups are responsible for reviewing safety related accidents and incidents to determine culpability; identify the causes associated with each event; and develop mitigation measures to reduce the risk of the



events occurring in the future. Having these groups at each location provides a way for employees to report safety risks in a timely manner and to teams that understand the conditions associated with each specific location. Additionally, the opportunity exists for more timely, appropriate, and effective mitigation measures.

Several tools are used by the Region Safety Managers, Region Safety Directors, and the Senior Director of Safety to monitor the local risks and risk management. Among them are Safety Data Reports which outline the monthly and Year to Date safety performance statistics. Also used is a Target & Goal Worksheet to track and analyze the data collected and to target reactive and proactive performance improvement measures.

Safety Hazard Identification

This process is a vital component in Transdev's efforts to reduce safety risks and improve overall delivery of service. Safety Hazard Identification data from internal sources such as employee reporting, customer feedback, maintenance records; and external sources such as the Federal Transit Administration and local oversight authority is used to implement immediate corrective actions and to proactively identify hazards and potential consequences before they cause future accidents or incidents.

The objective of hazard identification is to identify those conditions that can cause an accident or create an unsafe condition and determine possible consequences if the unsafe condition is not corrected. Transdev routinely analyzes records from our operation and external sources as they become available to identify accident causation based on history. Current traffic conditions are periodically analyzed, and management inspection of established prevention processes are routinely performed.

Transdev also takes an additional proactive step with its **SOP #208 – Safety Validation of Change** to identify hazards and consequences **PRIOR** to implementing any changes to operations.

Transdev relies on employees to assist in the hazard identification and resolution process. Working with the location safety personnel and through a structured process, employees help:

- Identify Critical Factors in Mitigation of safety risk
- Develop and Recommend an Action Plan
- Implement Action Plan
- Measure Performance Against Safety Objectives
- Monitor the Process
- Modify the Process
- Secure Outside Assistance (when needed)
- Audit for Compliance

Several tools exist for hazard identification. Among them are:

- **SOP #802 and #802a - Daily Safety & Health Walkthrough and Checklist**
 - A routine safety and health check walkthrough to promptly identify hazardous conditions at our facilities and notify employees of the hazards identified and mitigation measures to help protect them from personal injury.
- **SOP #804 - Positive Check-In Procedures & Reasonable Suspicion**
 - Positive Check-In procedures are to ensure our operators reporting to work are fit-for-duty.
- **SOP #900 – Facility Hazard Recognition Manual**



- This Hazard Recognition Manual is intended to be a tool for recognizing potential hazards that may be present at Transdev facilities. Although it does not represent all conditions that could exist, the photos and narrative provide:
 - A reference guide for conducting safety inspections at a facility, and
 - A training document to educate and train employees to conduct effective safety inspections.
- **Vehicle Maintenance Risk Assessment**
 - All employees who perform maintenance and repairs to vehicles within transit centers and bus yards or on road calls complete a risk assessment using **SOP #503a – Vehicle Maintenance Risk Assessment Form** prior to performing any work on a vehicle.
 - The Risk Assessment process, **SOP #503 – Vehicle Maintenance Risk Assessment**, requires employees about to perform a maintenance task to confirm they possess the training, skills, knowledge, abilities, tools, and equipment to safely perform the task at hand. The assessment includes determining the following.
 - Are You Properly Trained to Perform the Task?
 - If Task Requires Lifting, Are Lifts Secured, Are Jack Stands Used Correctly?
 - Are You Wearing the Appropriate Personal Protective Equipment (PPE)?
 - Have You Performed the Proper Lock-Out/Tag-Out (LOTO) procedures?
 - Are You Aware of the Potential Risks of Performing this Repair?
 - If the answer is “NO” to any of the above assessments the technician is to immediately contact their manager.
- **Pre-Survey Job Hazard Analysis**
 - Prior to beginning a job hazard analysis, a pre-survey of the working conditions, using **SOP #503b – Pre-Survey Job Hazard Analysis Form**, under which the job is performed is conducted to evaluate the general conditions. A few of the potential hazards being considered include:
 1. Are there tripping hazards in the job vicinity?
 2. Is the lighting adequate for work conditions?
 3. Are there explosive hazards associated with the job?
 4. Are there electrical hazards associated with the job?
 5. Are tools associated with the job in good condition?
 6. Is the noise level excessive (below 85-dba)?
- **Facility Parking Risk Management Assessment**
 - Inadequate turning areas, blind corners, uneven walking surfaces can all cause collisions or employee injury in parking areas. **SOP #501 - Facility Parking Risk Assessment** will help identify and prevent these types of collisions for both buses and personal vehicles.
 - The Location Manager must ensure compliance with all provisions of this SOP.
 - The risk of each facility is assessed as follows:
 - Annually
 - Unscheduled – Whenever a significant vehicle collision or a pedestrian strike occurs in the bus yard or on company premises
 - Start-up locations – Before operating out of the new location.
 - **SOP #501a – Facility Parking Risk Assessment Guide**, and
 - **SOP #501b – Facility Parking Risk Assessment Form** are tools to help with this assessment.

Accident/Incident Hazard Identification



Procedures exist and are followed regarding resolution of accidents and incidents and capturing data. Although this information is used proactively, Transdev takes advantage of these opportunities to determine which, if any hazards existed that may have contributed to the accident or incident and develop mitigation measures to reduce the risk of a recurrence.

There are five main areas reviewed in this Hazard Identification process:

1. Environment

- a. Weather
- b. Road Surface Condition
- c. Visibility

2. Transit Service Characteristics and Agency Policies

- a. Incentives for Safe Driving
- b. Equipment Maintenance Policies
- c. Stop Intervals
- d. Route Design
- e. Driver Scheduling
- f. Passenger Demand Schedules

3. Operator

- a. Experience
- b. Physical Ability
- c. Personality
- d. Psychological Condition
- e. Physical Condition

4. Road Layout

- a. Width
- b. Speed Limit
- c. Geometric Design
- d. Traffic Volume
- e. Capacity
- f. Parking
- g. Adjacent Lane Use
- h. Street Lighting
- i. Pedestrian Volume

5. Hazard Identification – Accident Prevention/Resolution

- 1st: Identify the Hazard
- 2nd: Remove the Hazard
- 3rd: When the Hazard cannot be removed, Train for the Hazard as a "known condition"

▪ On-Board Video Technology

- **SOP #704 – On-Board Video Technology** provides a summary of the on-board video system and Company standards that all Transdev employees must follow when operating a company or customer vehicle equipped with onboard video technology.
- This technology is a valuable resource and another tool that helps Transdev instill positive driving behaviors by providing opportunities to view recorded driving events, driver history and company trends.



- The goal of this in-cab camera technology is to proactively identify unsafe behaviors and improve those identified behaviors through coaching, retraining and, if necessary, disciplinary measures in accordance with the provisions of the Employee Handbook and applicable Collective Bargaining Agreements.

Information learned from this identification process is used to improve training and reduce or eliminate the underlying causes.

Safety Risk Assessment

Once the hazard has been identified, they are categorized into the following severity levels. The categorization of hazards is consistent with risk-based criteria for severity; it reflects the principle that not all hazards pose an equal amount of risk to personal safety.

Category 1 – Catastrophic: operating conditions are such that human error, design deficiencies, element, subsystem or component failure, or procedural deficiencies may cause death or major system loss and require immediate termination of the unsafe activity or operation.

Category 2 – Critical: operating conditions are such that human error, subsystem or component failure, or procedural deficiencies may cause severe injury, severe occupational illness, or major system damage and require immediate corrective action.

Category 3 – Marginal: operating conditions are such that they may result in minor injury, occupational illness or system damage and are such that human error, subsystem or component failures can be counteracted or controlled.

Category 4 – Negligible: operating conditions are such that human error, subsystem, or component failure or procedural deficiencies will result in less than minor injury, occupational illness, or system damage.

The next step in assessing the hazard is to determine the likelihood of it occurring. Likelihood of occurrence is determined based on the analysis of transit system operating experience, evaluation of Transdev safety data, the analysis of reliability and failure data, and/or from historical safety data from other passenger bus systems. The following chart describes the likelihood of occurrence categories.

Probability of Occurrence of a Hazard			
Description	Probability Level	Frequency for Specific Item	Selected Frequency for Fleet or Inventory
Frequent	A	Likely to occur frequently	Continuously experienced
Probable	B	Will occur several times in the life of the item	Will occur frequently in the system
Occasional	C	Likely to occur sometime in the life of an item	Will occur several times in the system
Remote	D	Unlikely but possible to occur in life of an item	Unlikely but can be expected to occur



Improbable	E	So unlikely, it can be assumed occurrence may not be experienced	Unlikely to occur but possible
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Identified hazards are placed into the following Risk Assessment Matrix to enable the decision makers to understand the amount of risk involved in accepting the hazard in relation to the cost (schedule, cost, operations) to reduce the hazard to an acceptable level.

Hazard Frequency	Severity Category 1	Severity Category 2	Severity Category 3	Severity Category 4
Frequent (A)	1A	2A	3A	4A
Probable (B)	1B	2B	3B	4B
Occasional (C)	1C	2C	3C	4C
Remote (D)	1D	2D	3D	4D
Improbable (E)	1E	2E	3E	4E

Based on company policy and the analysis of historical data, Transdev has made the following determinations regarding risk acceptance.

Hazard Risk Index	Criteria by Index
1A, 1B, 1C, 2A, 2B, 3A	Unacceptable
1D, 2C, 2D, 3B, 3C	Undesirable (Management decision)
1E, 2E, 3D, 3E, 4A, 4B	Acceptable with Management Review
4C, 4D, 4E	Acceptable without Management Review

Safety Risk Mitigation

Mitigation Determination

After the assessment has been completed, the follow-up actions will be implemented as follows.



- **Unacceptable:** The hazard must be mitigated in the most expedient manner possible before normal service may resume. Interim corrective action may be required to mitigate the hazard to an acceptable level while the permanent resolution is in development.
- **Undesirable:** A hazard at this level of risk must be mitigated unless the Location General Manager and Location Safety Manager issue a documented decision to manage the hazard until resources are available for full mitigation.
- **Acceptable with review:** The Location General Manager and Location Safety Manager must determine if the hazard is adequately controlled or mitigated as is.
- **Acceptable without review:** The hazard does not need to be reviewed by the management team and does not require further mitigation or control.

Mitigation of safety risk

Mitigation of safety risk consists of reducing the risk to the lowest practical level. Not all safety risks can be eliminated completely. Resolution of hazards will utilize the results of the risk assessment process. The objectives of the mitigation of safety risk process are to:

1. Identify areas where mitigation of safety risk requires a change in the system design, installation of safety devices or development of special procedures.
2. Verify that hazards involving interfaces between two or more systems have been resolved.
3. Verify that the resolution of a hazard in one system does not create a new hazard in another system.

The Safety Committee, who was identified earlier in this plan as the team responsible for local safety review, uses the following methodologies to assure that system safety objectives are implemented through design and operations, and hazards are eliminated or controlled:

1. Design to eliminate or minimize hazard severity. To the extent permitted by cost and practicality, identified hazards are eliminated or controlled by the design of equipment, systems and facilities
2. Hazards that cannot reasonably be eliminated or controlled through design are controlled to the extent practicable to an acceptable level through the use of fixed, automatic, or other protective safety design features or devices.
3. Provisions are made for periodic functional checks of safety devices and training for employees to ensure that system safety objectives are met.
4. When design and safety devices cannot reasonably nor effectively eliminate or control an identified hazard, safety warning devices are used (to the extent practicable) to alert persons to the hazard.
5. Where it is impossible to reasonably eliminate or adequately control a hazard through design or the use of safety and warning devices, procedures and training are used to control the hazard.
6. Precautionary notation is standardized, and safety-critical issues require training and certification of personnel

Mitigation of Safety Risk Management and Tracking

Resolution of identified hazards are managed by the Location General Manager and/or the Location Safety Manager. The mitigation of safety risk process is managed through “**WebRisk**”.



- Contacts (e.g., Near Misses, Hazard reports, Commendation, Safety Issue)
 - **Near Misses.** Reporting an event that occurred and could have caused injury.
 - **Hazard Reports.** Reporting an event that occurred and could have caused injury.
 - **Commendation.** A report of commendable safety actions/conduct performed by a colleague within the business.
 - **Safety issues.** A report on any safety issue that has a specific cause – i.e. maintenance, housekeeping, environment and behavior etc.
- Safety Leadership Activities (e.g., Participate in safety meetings, risk assessment, section observation)
 - **Participation in a Safety meeting.** Actively leading or participating in the location in-service safety meeting.
 - **Intersection observation or risk assessment.** Risk assessment or driver observations conducted at nearby intersections, and delivery of positive reinforcement or coaching as indicated.
 - **Rail section observation or risk assessment.** Risk assessment or driver observations conducted at rail crossing(s), and delivery of positive reinforcement or coaching as indicated.
 - **Planned general inspections.** A systematic inspection where a location is forewarned.
 - **High Interest driver.** A report of a driver's performance that has indicated a level of risk taking through observations, review scores, and skills evaluations.

CobbLinc tracks hazards through a tracking log. The hazard tracking log, when used, is updated regularly until the hazard has been closed out. All captured data is analyzed for the identification of developing trends to ensure future safety risks/hazards can be mitigated and/or eliminated. A sample log is displayed below:

Hazard ID	Hazard Type	Source	Identification Date	Description	Hazard Rating (Likelihood and Consequence)	Mitigation	Status of feedback with reporter (if applicable)	Updated Hazard Rating (after mitigation)
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-



Additional documentation, such as corrective action plans, are developed for those hazards requiring complex and multifaceted resolutions.

6. Safety Assurance

Safety Performance Monitoring and Measurement

Describe activities to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.

As discussed in Section 1 of this plan, Transdev employs a Resident Management Team at each operation location. This team consists of a Location General Manager and a Location Safety Manager, who oversee the safety of the operation.

Additionally, each location employs Street Supervisors, Dispatchers, and Instructors; all of whom are responsible for oversight of the daily operations and training. All safety risks identified are reported to the Location General Manager and Location Safety Manager. Any risks that can be addressed immediately are corrected but still reported. Each location also establishes a Safety Committee, described in Section 5: Safety Risk Management of this plan, which uses the following methodologies to ensure a proactive approach to safety at each location.

- Routine hazard management
- Accident and incident investigation
- Safety data collection and analysis
- Routine internal safety audits
- Facility, equipment, systems and vehicle inspections
- Routine proficiency checks for all vehicle operators and maintenance employees
- Compliance evaluations including onsite inspections
- Regularly communicating safety and hazard data to all employees

A higher level of oversight is conducted by Region management, which includes the Region Safety Manager, Region Safety Director, Region Maintenance Director, and the Region Vice President. From this level, any identified risks and mitigations are shared with other Region local operations as a proactive means to reduce risks.

The last “local level” review comes from the Vice President of Safety and the Vice President of Maintenance. These are corporate level positions that share the identified risks and mitigations throughout the organization as a proactive means to reduce risks. Additionally, the Vice President of Safety and Vice President of Maintenance assist executive level management in using this information to impact operational and budget decisions.

Describe activities to conduct investigations of safety events to identify causal factors.



Transdev has a “zero” tolerance for preventable injuries and collisions. Elimination of preventable injuries and collisions is our number one goal.

Any injury, collision or incident that occurs is investigated to determine preventability or non-preventability. Investigations include all instances in which:

- a vehicle was damaged
- a vehicle leaves the traveled roadway
- a passenger is injured or
- an employee is injured

SOP #700-Accident & Safety Data Acquisition describes the data collection process including

- Defining the Event & What to Do
- Accidents – Defining the Accident
- “Five Cardinal Rules That Apply to an Accident”
- Operator Responsibility
- Dispatcher on Duty Accident Investigation Responsibility

SOP #700 also describes the Operators and the Dispatchers responsibilities for protecting the customers and managing the scene.

The groups described in **SOP #702 – Accident Review Committee (ARC)**, and **SOP #803 – Safety Solutions Team (SST)**, review the data collected to determine if the accident/incident was preventable or non-preventable, (ARC); and identify measures to reduce the risk of the accident/incident occurring in the future (SST).

Describe activities to monitor information reported through internal safety reporting programs.

The Location Safety Manager (LSM) and/or Location General Manager (LGM) routinely reviews all location safety and hazard data, which includes searching for repetitive events that might have safety implications. When accident/incident reports and statistics indicate repetitive accidents/incidents, the LSM and LGM investigate to determine the root cause.

Additionally, in 2021, CobbLinc unveiled the employee safety reporting program for employees to anonymously report safety and security concerns. Reports of these safety concerns are reviewed by CobbLinc CSO monthly and may also require review(s) by the Safety Committee as a part of the risk reduction and safety risk management program.

The following chart describes how the hazard data flows and is monitored by Transdev; from each operating location, to Region management, to corporate and parent company management.

Risk/Safety Data Flow					
Weekly Data Review					
Information Collected Daily	Location	Third-Party Data Collected	Risk Dept	Safety Dept	Location



Collisions/ Injuries/ Workers Comp	Incident Occurs, claim report created, then sent to Third Party Data Collector via website, phone, fax.	Report received from Location.	Information from Third Party Data Collector created as weekly report then sent to Region Safety.	Weekly reports are reviewed and distributed for weekly management oversight conference calls.	Review data with Senior Region Leadership during weekly teleconference.
Period Data Review (e.g. Quarterly/Monthly)					
	Risk Dept	Shared Services Dept	Region Safety Managers	Shared Safety Services Dept	
Collisions/ Injuries/ Workers Comp	Send all raw risk data gathered from weekly reports to the Shared Safety Services Dept.	Reorganizes raw data regionally then distributes to Region Safety Dept.	Review period data and distribute to locations.	Develops company, region, and location specific performance measures and distributes through Target & Goal Spreadsheet.	



Period Data Analysis						
	Shared Services Dept	Safety Dept	Executive Safety Committee (ESC)	Safety Council	Performance Review Management (PRM)	Safety Advisory Committee
Collisions/ Injuries/ Workers Comp	Final reports sent to Directors of Safety for each business group.	Processes data; analyzes; creates reports; categorizes risk factors; and creates commentary for trend analysis.	This committee consists of President, COO, and Safety Vice President of each operating group. Discussions include safety performance, trend analysis, program oversight.	This committee consists of Vice Presidents of Safety for all operating divisions. Discussions include safety performance, trend analysis, and safety oversight.	This review consists of Senior Region Vice Presidents, Region Vice Presidents, Region Directors of Operations, and Region Safety Managers. Discussions include regions safety performance.	This committee consists of Local General Managers, Region Directors of Operations, and Region and Local Safety Managers. Discussions include review of policy and procedures, training, and safety awareness.



Management of Change

Describe the process for identifying and assessing changes that may introduce new hazards or impact safety performance.

Transdev employs a proactive process, **SOP #208 – Safety Validation of Change**, that addresses the procedures to be followed to evaluate the risk of any changes proposed at all levels of the organization. The overall purpose of this process is to provide assurance that any proposed changes which impact operations will not increase safety risk; or where additional risk is identified that controls are put in place **prior to the changes being implemented**.

Changes to organizational structure; the nature or extent of operations; or to facility or equipment assets; as well as mergers and acquisitions of new businesses are proactively managed through this process to avoid introducing or increasing safety risks.

- The resources required to complete the validation process, in terms of people, finance and materials is included in this validation process.
- The allocation of responsibilities considers the competence of the individuals that are required to carry out the safety validation roles.
- All employees who may be affected by the proposed changes are consulted as part of the process.

The extent and scope of safety validation applied to any change proposal is proportional to the risks (safety, operational, and other risks) associated with its introduction. *(For example, a major change, such as a reorganization of Region Executive roles and responsibilities or start-up of a large new bus operation, requires a more rigorous safety validation than a minor change.)*

In the case of smaller, less complex or well understood changes, the safety validation of change process may be implemented as part of normal operations, using existing organizational arrangements and meeting structures to deliver the required level of assurance.

The process is generally described in the following chart.

Safety Validation of Change Process			
Main Steps	Key Activities	Checklists & Guidance	Completed By
1. Identify Proposal for Change	• Raise change proposal (including Capital Expenditure Approval) • Inform relevant functional Director(s) and Manager(s)	• Complete SOP #208a – Safety Validation of Change Form, Section A1	Change proposer

2. Determine Classification of Change Significance	- Classify level of safety validation required - Ensure the extent and scope of validation is proportional to the level of risk	Complete SOP #208a – Safety Validation of Change Form, Section A2	Category A: Group Safety Director Category B: Divisional head of Safety Category C: Location head of Safety
3. Allocate Roles & Responsibilities	- Formally allocate change sponsor and change authorizer - Identify other required resources and roles for consultation	Complete SOP #208a – Safety Validation of Change Form, Section A3	Change proposer (with guidance)
Submit Change Proposal Form			Change proposer
Decide whether safety validation should proceed			Change proposer
4. Prepare Safety Validation of Change Case	- Prepare safety validation documentation - Complete risk assessment of proposed change - Submit for review - Revise and finalize documentation	- Complete risk assessment and document findings - Complete Safety Validation of Change as described in SOP #208 – Safety Validation of Change - Complete SOP #208a – Safety Validation of Change Form	Change proposer
Submit Safety Validation Checklist with supporting documentation			Change proposer
Approve and Implement, or Reject Change			Change authorizer (or delegated representative)



5. Monitoring and Review	• Monitor implementation of change and safety performance • Review performance process	• Check compliance as part of Region Safety Monitoring • Review effectiveness of the process as part of Region oversight	Location Safety Manager Corporate Safety Management Vice President of Safety
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Changes proposed at the Corporate level typically have an impact on the Region and Local levels. To ensure the risks associated with any change consider all levels of the organization, each level must complete **SOP #208 – Safety Validation of Change** as part of the process to ensure specific safety concerns have been identified and addressed.

Similarly, changes proposed at the Region level will typically have an impact on the Local level. Consequently, the Local level must also complete **SOP #208 – Safety Validation of Change** as part of the process to ensure specific safety concerns have been identified and addressed.

Additional responsibilities in the Safety Validation of Change process include:

- The Region Safety Management team provides safety expertise/support to those carrying out the safety validation.
- The Senior Director of Safety:
 - Reviews and approves each Region's safety validation of change process
 - Decides on the level of safety validation required (consulting with other functional heads as necessary) for Category A changes
 - Is consulted on any Category B change proposal
 - Provides safety expertise/support to Region Safety Managers and Vice President of Safety during safety validation activities as required.
 - Provides safety expertise/support to those carrying out the safety validation for Category A changes.

An electronic log of all proposed changes, whether approved or not, are maintained by the Region Safety Director.

Communication of changes to policies/procedures regarding safety issues comes from Executive Leadership. This information is then carried down through the Vice President of Safety, Senior Director of Safety, Region Safety Directors, Region Safety Managers, Location General Managers, Location Safety Managers, and employees. Notification to the client is communicated through the Location General Manager.

Continuous Improvement

Describe the process for assessing safety performance. Describe the process for developing and carrying out plans to address identified safety deficiencies.



The process described previously in this section for monitoring safety data incorporates continuous improvement. As safety risk is identified, then reported on, a determination is made as to whether the risk can be mitigated immediately or requires more time and resources.

Risk mitigations that can address the safety concerns immediately are carried out but still reported. The reporting of these concerns includes the mitigation steps that have been taken. Monitoring of the risk continues to ensure that the mitigation strategy is effective.

Section 5 of this plan, Safety Risk Management, describes the risk assessment and mitigation procedures used that determine how to proceed with improvement strategies that require more time and resources. Which improvement strategies to implement for longer term issues is based on severity and probability of risk occurrence. Additionally, safety hazard identification data is used to implement immediate corrective actions and to proactively identify hazards before they cause future accidents or incidents.

The objective of hazard identification is to distinguish those conditions that can cause an accident or create an unsafe condition. Transdev routinely analyzes records from our operation to identify accident causation based on history. Current traffic conditions are periodically analyzed, and management inspections of established prevention processes are routinely performed.

The Risk/Safety Data Flow Chart previously described in this section, illustrates how this information is shared throughout the organization.

7. Safety Promotion

Competencies and Training

Describe the safety training program for all agency employees and contractors directly responsible for safety.

In accordance with 49 USC Section 5329 (d)(H)(i)(II), Transdev will provide all pertinent safety training, refresher training, and de-escalation training for operations and maintenance personnel. Moreover, Transdev maintains a comprehensive training program with elements directly identified regarding safety.

The education and training process at Transdev is a highly regimented and professionally developed program built around a curriculum featuring learning opportunities in two major domains:

- Knowledge (education)
- Skills (training)

Various delivery mechanisms such as classroom, multimedia presentations, closed course, observation and behind-the-wheel skills building are used to support the learning process. Learning is evaluated through written quizzes, driving tests and customer service skills evaluations.

Instructors

Successful new operator training starts with selecting and certifying good instructors.

1. Classroom Instructor:

The classroom instructor is responsible for facilitating the classroom portion of New Operator Training. Classroom training requires the development of lesson plans.



2. Behind-the-Wheel Instructor:

The Behind-the-Wheel (BTW) Instructor is responsible for conducting closed course exercises and behind the wheel instruction. The New Operator Training program consists of instructional DVDs, which are accompanied by facilitator guides and participant study guides. The BTW Instructor uses the Operator Proficiency Workbook to document each trainee's progress.

**New Instructor Candidates can obtain certification as both a Classroom Instructor and a Behind-the-Wheel Instructor.*

3. Master:

The Master Instructor, along with the Regional Director of Safety and Region Safety Manager(s), is responsible for training the Safety Supervisors. The Master Instructor is also responsible for the certification programs for Behind-the-Wheel and Classroom Instructors and the ongoing Train-the-Trainer workshops.

Training the Instructor is a process by which a Certified Instructor works with the selected New Instructor Candidate. During this time, the Certified Instructor conducts a review of all state laws, Transdev policies and procedures, local policies, and client-specified programs and requirements.

The Certified Instructor also provides a review of the Behind-the-Wheel Manual, Classroom Manual, and all Transdev video-based courses.

In addition to the above training, the New Instructor Candidate must complete the Instructor Development Curriculum, which includes the following three self-directed courses:

1. How to Train
2. Coaching the Adult Learner
3. Learning Basics

There are three types of Instructor Certification:

1. Temporary
2. Certified
3. Master

1. Temporary (Silver)

Temporary certificates are issued at the local level. A temporary certificate is issued to a New Instructor Candidate upon successful completion of the New Instructor training program at his or her location, conducted by a certified trainer at that location. Certificates are issued throughout the year prior to the annual Train-the-Trainer program.

Temporary certificates are valid for one year, and one year only, from the date of issue. Temporary certification is accompanied by silver achievement emblems for Classroom, BTW or both.

To continue in the program, a New Instructor must obtain Gold Certification.

2. Certified (Gold)

The Certified Instructor certificate is issued to a New Instructor who has successfully completed the annual Train-the-Trainer program, conducted by a Master Trainer. The annual Train-the-Trainer program combines all elements of the temporary certification, with the exception of the classroom evaluation. At



the annual Train-the-Trainer program, Classroom Instructor Candidates are required to develop a lesson plan and give a presentation.

Prior to attending the annual Train-the-Trainer program, all New Instructors must complete the "Safety Leadership" course and pass the final exam with a grade of 90% or above.

The Senior Director of Safety is the only person authorized to approve and issue a Certified Instructor certificate with gold achievement emblems for Classroom, BTW, or both.

3. Master

The Master Instructor Certification program ensures that Transdev Policies and Procedures are correctly implemented throughout the company.

Master Instructor Certification is required for all area safety managers and above.

The Master Instructor:

- Provides support to the Location General Manager and the Region Safety Manager,
- Is involved with training new Safety and Training Supervisors, and re-training current Safety and Training Supervisors if required,
- Conducts the annual Train-the-Trainer program for BTW and Classroom Instructor Certification
- Conducts Safety and Training audits in the region and reports the findings to the Region Safety Manager, if required.

Employee Training

Training employees to assess risks and recognize and avoid hazards in the workplace is critical to the overall safety of the workplace. Every Transdev employee is trained in "**Safe Work Methods**", which are described later in this section.

Transdev's "Safe Work Methods" is designed to educate employees on how to identify conditions and actions posing risks to their well-being and that of their coworkers. This training is to be used:

1. In training new hire employees
2. In leading supervisors in identifying root causes of workplace injuries
3. In retraining injured workers so that re-occurrences are avoided
4. To supplement Transdev's First Occupational Rehabilitation Management (F.O.R.M.) light duty and return to work management program, in controlling workers compensation losses

The "Safe Work Methods" training curriculum includes:

- New hire training is designed to educate the new employee to the hazards commonly found in the transportation environments including in vehicle maintenance shops, bus yards, fuel islands, wash bays,



and office environments. The program also makes employees aware of injuries that can result from physical activities such as entering and exiting vehicles, assisting persons with disabilities, and handling mobility devices.

- PPE program including requirements for appropriate
 - Safety eyewear
 - Safety footwear
 - Safety hand wear
 - Hi-Vis vests
 - Disposal contaminated materials
- Risk Assessment and Injury Avoidance
 - Walking & Climbing
 - Lifting, Carrying, Holding, and Lowering Objects
 - Pushing, Pulling, & Twisting
 - Burns, Scalds
 - Exposed Fluids, Chemicals, Smoke
 - Cuts, Punctures, Abrasions, Lacerations
 - Mobility Device Lifts/Ramps

1. Requirements for Operator Training

Applicants are required to successfully complete a comprehensive training program prior to transporting passengers. Trainees are continually evaluated and tested throughout the training program. Trainees who do not demonstrate the required level of proficiency are provided additional training or are removed from training. The Operator training program combines instructor-led sessions, video instruction, facilitated discussion, and opportunities for the trainees to practice what they have learned. Training topics include:

Classroom Training

The first part of Operator training at Transdev, classroom training, begins the process of instilling the safety culture into each Operator. Helping the student Operators understand the importance of keeping themselves and each passenger safe; and their responsibilities in maintaining a safe environment, is a theme integrated throughout.

- **Unit 1 - Introduction**
 - Welcome and Introduction
 - Title VI Civil Rights Act 1964
 - Employee Handbook
 - Be Safe - Making Safety Personal
 - Hazardous Communication
 - Bloodborne Pathogens
- **Unit II - Fundamentals**
 - Safe Work Methods
 - Basics of Safety
 - Managing Emergencies
 - Security Awareness
 - Map Reading
 - Communication Devices
 - Navigation and Fare Policies
 - Smith System

- **Unit III - The Operator**
 - Drug and Alcohol Awareness
 - Distracted Driving
 - Fatigue and Sleep Apnea Awareness
- **Unit IV - Transporting Passengers with Disabilities**
 - Transporting Passengers with Disabilities
 - Interacting with Passengers
 - Diffusing Conflict
 - Passenger Care While Loading and Unloading
 - Mobility Aids and Devices
- **Unit V - Driving Fundamentals**
 - Driving Fundamentals, I
 - Driving Fundamentals II
 - Roadway Types
 - Railroad Crossings

Behind-the-Wheel Training

Behind-the-Wheel training is conducted in three phases. Since most people coming to work as a Bus Operator have not been exposed to driving the types of vehicle used at Transdev, the first part of behind-the-wheel training takes place on a closed course. This provides the opportunity for the Instructors to evaluate the skill levels of each employee; and gives each employee the opportunity to make and learn from their mistakes in a safe environment.

The next phase of Behind-the-Wheel training takes place on the road, but in a controlled manner. During the road phase of the training, each student Operator works one-on-one with a Transdev Instructor. The road work begins with the basics; intersections, service stops, and backing. The next advanced stage of the road work addresses roadways, highway driving, and continues the instruction on intersections and service stops. The "Smith Driving System" principles are incorporated throughout the entire Behind-the-Wheel training phase.

- **Closed Course (Group Work)**
 - Vehicle Orientation
 - Pre-Trip Inspection
 - Seat Adjustment
 - Mirror Adjustment
 - Braking, Accelerating, and Transmission
 - Wheelchair Securement
 - Reference Points
 - Lane Position
 - Right Side / Left Side
 - Backing Point
 - Forward Stop
 - Pivot Points
 - Turning Points
 - Vehicle Control
 - Straight in Lane
 - Left Turn
 - Right Turn
 - Lane Changing - Moving Right or Left

☐ **One on One Instruction Behind the Wheel**

☐ **Basic Road Work**

- "Smith System"
- Intersections
- Service Stops
- Backing

☐ **Advanced Road Work**

- "Smith System" Commentary Driving
- Roadways
- Expressway / Highway Driving
- Intersections
- Service Stops

☐ **Final Evaluation**

Upon completion of the training program, before an Operator can be placed into service, they must successfully demonstrate their mastery of the skills and practices learned during the training program.

☐ **Cadet Training**

Once a new Operator has been placed into service there is period of observation where an experienced Operator, Instructor, or Supervisor periodically rides-along to ensure the skills learned in training have successfully transferred to providing service. This includes the securement and transportation of a person with a disability.

2. Requirements for Maintenance Training

Maintenance personnel are trained in shop safety, OSHA standards, and vehicle maintenance, in addition to receiving training in driving techniques and safety. Trainees are continually evaluated and tested throughout the training program. Trainees who do not demonstrate the required level of proficiency are provided additional training or are removed from training.

Maintenance training includes:

- ☐ Introduction to Transdev policies & procedures
- ☐ Injury prevention and risk assessment
- ☐ Substance Abuse Policy
- ☐ Defensive Driving
 - "Smith System"
- ☐ NTI - Security Awareness Warning Signs
- ☐ Shop Safety Handbook
- ☐ Maintenance Lift Safety
- ☐ DVI Procedures
- ☐ SafeWork Methods
- ☐ Wheel Torque Specifications
- ☐ Workplace Violence
- ☐ OSHA (R-T-K / MSDS / PPE Training)

3. Requirements for Staff Training

Staff personnel are trained in Safety Leadership (described in item #1)

☐ **Safety Leadership**

Training is provided by the Operations Manager, AGM, LGM, and LSM

Training provided:

- Safety Leadership
 - Accidents
 - Behavior
 - Leadership
- Supervisor Development
 - The Role of the Supervisor
 - Communication
 - Building Trust
 - Conflict Resolution
 - Performance Management
 - Decisions

☐ **Additional Safety Training**

- Reasonable Suspicion
- Supervisor's Report of Reasonable Suspicion
- Code of Conduct
- Customer Service
- OSHA Requirements
- Hazard Abatement FORM – CA Only

4. Requirements for Continuing Training and Evaluations

Transdev provides ongoing employee training and evaluations.

The objective of ongoing evaluations is met through a broad spectrum of regularly scheduled management activities including:

- road observations,
- ride along evaluations, and
- daily safety contacts.

Where evaluations and observations identify unsafe acts or conditions, retraining is provided to improve skill levels in accordance with corporate standards.

In addition to Transdev's formal employee training program, the following safety training is also conducted.

Safety Meetings

- 12 safety meetings are issued to the locations annually with required topics identified by the location and region safety management
- Each meeting is to be a minimum of one hour in length unless otherwise required by state, client or local regulations



- A required topic along with a safety campaign including posters and online material is location for presentation to all employees
- Attendance is a condition of employment and is mandatory for all Operators, Management, Operational staff, and Maintenance personnel. *(Unless stated otherwise in the CBA.)*
 - Failure to attend all meetings will result in disciplinary actions up to and including termination.
- Client/Contract requirements may require safety meetings to be conducted on a more frequent basis than the Transdev minimum standards

Retraining

Transdev has a “zero” tolerance for preventable injuries and collisions, elimination of preventable injuries and collisions is our number one goal.

An employee involved in a preventable injury or collision is placed on administrative leave pending completion of the investigation and completion of any required retraining.

Safety Communication

Describe processes and activities to communicate safety and safety performance information throughout the organization.

- **Individual Motivators – Individual Achievement Awards:** The “cultural carrot” to help affect individual safety improvement through the use of personal recognition awards. Currently established safety awards for Transdev employees are:
 - Annual Safe Driver Awards
 - Safety Committee Recognition
- **A Safety Leadership Group - The Safety Committee:** Four to 10 location teammates dedicated to making safety “top-of-mind” by identifying and resolving safety issues.
 - SC
 - Review the safety concerns they have worked on and improvements that have been implemented
 - Record and distribute SC meeting minutes
 - GM
 - Review “Daily Safety & Health Walkthrough”
 - GM and SC
 - Recognize individuals who have earned years of safe driving
 - Pins and Certificates
 - Include bullets from SC Meeting minutes
- **A Communication Tool:** “Transdev Connect” employee app, a peer-to-peer safety communication tool offering safety tips, best practices, recognition, offering ideas on “What Works”, Safety Happenings, and Safety Pep Rallies



Additional Information

Supporting Documentation

Include or reference documentation used to implement and carry out the Safety Plan that are not included elsewhere in this Plan.

Numerous standard operating procedures (SOP's), in addition to those mentioned in this plan, have been developed and incorporated into the operating practices at each Transdev location.

The SOP's have been designed to create operational consistency, increase awareness of risks and hazards, and provide easily duplicated processes for identifying and mitigating the risks associated with providing transit service. Some of those SOP's are as follows.



- High Interest Driver SOP's #206; #206a; #206b; #206c: #206dSOP #207 - Railroad Crossing Assessment
- SOP #502 – Sub-Contractors Working on Company Property
- Fire Prevention Plan SOP's #504; #504a; #504b; #504c; #504d
- Winter Safety – Snow Removal Action Plan SOP's #505; #505a; #505b; #505c
- Vehicle Fueling Spill Control SOP's #506; #506a; #506b; #506c; #506d
- SOP #507 - Pedestrian Visibility and Movement on Company Property
- SOP # 508 - Service Truck & Service Vehicle Visibility
- Emergency Action Plan SOP's #807; #807a; #807b; #807c
- Shop Safety Handbook
- Safety & Security Planning Manual

Definitions of Special Terms Used in the Safety Plan

Accident: An event that involves any of the following – loss of life; a report of a serious injury to a person; a collision of a public transit vehicle; an evacuation for life safety reasons at any location, at any time, whatever the cause.

Accountable Executive: A single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the Agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the Agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. § 5329(d), and the Agency's Transit Asset Management Plan in accordance with 49 U.S.C. § 5326.

Chief Safety Officer: Means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Event: Means any accident, incident, or occurrence.

Hazard: Means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Fatality: A death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes; a death due to, Collision (including suicides), Fire, Hazardous material spill, Acts of God, System or personal security event (including suicides), and other safety events.

Hazard Likelihood: Probability of a hazard consequence to occur.

Hazard Severity: The effect/damaging result of a hazards consequence.



Incident: An event that involves any of the following – a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Injury: Any damage or harm to persons that requires immediate medical attention away from the scene because of a reportable event. Agencies must report each person transported away from the scene for medical attention as an injury, whether or not the person appears to be injured.

Occurrence: An event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Performance target: A quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration.

Reportable: An event occurring on transit right-of-way, in a transit revenue facility, in a transit maintenance facility, or involving a transit revenue vehicle, excluding occupational safety events occurring in administrative buildings.

Risk: An assessed probability and severity calculation to classify the overall potential consequences of a hazard.

Safety Assurance: A list of defined safety performance indicators for reach priority risk and associated targets the Agency will use to determine if it is achieving the specified safety goals.

Safety Events: Include but are not limited to slips, trips, falls, smoke, power failure, maintenance-related issues, or electric shock. To be reported as a major event, these events must **either** meet the fatality, evacuation, or property damage threshold **or** result in two or more injured persons. Other Safety Events that cause only one person to be immediately transported from the scene for medical attention, and that do not trigger any other reporting threshold, are reported on the Non-Major Monthly Summary Report form. The FTA includes Other Safety Events that occur in a transit maintenance facility and meet a reporting threshold but continues to exclude occupational safety events occurring in administrative buildings.

Safety Performance Target: A performance target related to safety management activities.

Serious injury: Any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second or third degree burns, or any burns affecting more than 5 percent of the body surface.

List of Acronyms Used in the Safety Plan

Acronym	Word or Phrase
ARC	Accident Review Committee
BTW	Behind-the-Wheel
CSO	Chief Safety Officer
DOT	Department of Transportation
DUI	Driving Under the Influence



DWI	Driving While Intoxicated
ESC	Executive Safety Committee
F.O.R.M.	First Occupational Rehabilitation Management
FTA	Federal Transit Administration
GDOT	Georgia Department of Transportation
HR	Human Resources
LGM	Location General Manager
LOTO	Lock-Out/Tag-Out
LSM	Location Safety Manager
MNT	Maintenance
OPS	Operations
OSHA	Occupational Safety & Health Administration
PPE	Personal Protective Equipment
PRM	Performance Review Management
SMS	Safety Management System
SOP	Standard Operating Procedure
SRC	Safety Resource Center
SC	Safety Committee
VP	Vice President

STATE OF GEORGIA
COUNTY OF COBB

INTERGOVERNMENTAL AGREEMENT FOR ZONING VERIFICATIONS

THIS AGREEMENT is made and entered into by and between COBB COUNTY, GEORGIA, a political subdivision of the State of Georgia, (hereinafter the "County"), and the CITY OF MABLETON (the "City"), a municipal corporation of the State of Georgia (hereinafter known as the "City").

RECITALS

WHEREAS, the City is a new municipal corporation duly organized and existing under the laws of the State of Georgia and is in its transition period, as allowed by Section 7.15 of the City Charter, until May 31, 2025;

WHEREAS, until December 13, 2023, the County collected occupation tax for all persons engaged in business in the unincorporated area of the County which included the City;

WHEREAS, as of December 13, 2023 and after notice to the County, the City elected to begin collection of occupation tax for the persons and businesses within the incorporated area of the City;

WHEREAS, the City does not currently provide zoning services in the incorporated area which are necessary when granting a new business an occupation tax certificate to operate;

WHEREAS, in order to maintain the high level of responsiveness to its citizens, the City desires to contract with the County for the provision of zoning information necessary for new businesses;

WHEREAS, the County is willing to continue to provide zoning information to the City throughout the transition period or earlier if so determined by the City; and

WHEREAS, the City and the County are authorized to enter into this agreement pursuant to Georgia Constitution. Article IX, Section III, Paragraph I.

NOW, THEREFORE and in consideration of Ten Dollars and the mutual promises and covenant contained herein, the receipt and sufficiency of which the parties hereby acknowledge, the parties agree as follows:

Section 1. County Responsibilities

- a. Upon the written email request of the City which shall be directed to John Pedersen, the County shall research the zoning of the address via GIS to confirm it is within the City limits and the card file to confirm the proposed business is permitted on the property.

- b. The County will issue a written email response to Emilia Walker with the City as to whether or not the use is permitted and invoice the City \$25.00.
- c. All written requests from the City will be reviewed and responded to within two business days.
- d. The County shall have sole responsibility for all personnel decisions related to County employees. The City shall not have any control regarding the staffing and personnel issues of the Zoning Division of Cobb County Community Development.

Section 2. City Responsibilities

- a. The City shall email to John Peters with the County the address and a brief description of the proposed business with sufficient detail to allow the County to confirm compliance with any zoning stipulation of the proposed property.
- b. Within thirty (30) days of receipt of the County response and the invoice, the City shall authorize and send payment to the address on the invoice.

Section 3. Liability

- a. The City shall bear the responsibility and be liable for any act or omission, on the part of the City, its officers, agents, employees, subcontractors and/or others working at the direction of the City or on the City's behalf, due to the violation of any pertinent federal, state or local law, rule or regulation while carrying out the operations of this Agreement, or due to any breach of this Agreement; provided, that the City and its respective governing body does not waive its sovereign immunity by entering into this Agreement, and the City retains all immunities and defenses provided by law with respect to any action based or occurring as a result of this Agreement.
- b. The County shall bear the responsibility and be liable for any act or omission, on the part of the County, its officers, agents, employees, subcontractors and/or others working at the direction of the County or on the County's behalf, due to the violation of any pertinent federal, state or local law, rule or regulation while carrying out the operations of this Agreement, or due to any breach of this Agreement; provided, that the County and its respective governing body does not waive its sovereign immunity by entering into this Agreement, and the County retains all immunities and defenses provided by law with respect to any action based or occurring as a result of this Agreement.

Section 4. Term

This Agreement shall commence and be effective on the 13th day of February, 2024 and shall continue until May 31, 2025. This agreement may be terminated prior to the termination date upon mutual agreement of both Parties. Either the County or the City may unilaterally terminate this Agreement upon providing advance 30 days written notice to the other Party.

Section 5. Service Delivery Strategy

To the extent that the City is subject to O.C.G.A. § 36-70-20 *et seq.*, it is the intention of the Parties that this Agreement shall comply with those provisions.

Section 6. Severability

If any provision of this Agreement is held as a matter of law to be unenforceable or unconscionable, the remainder of this Agreement shall be enforceable without such provision.

Section 7. Applicable Law and Venue

This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the rules, regulations, statutes and laws of the State of Georgia will control. Any action or suit related to this Agreement shall be brought in the Superior Court of Cobb County, Georgia.

Section 8. Notices

All notices and other communications required or permitted under this Agreement shall be in writing to the address set forth for such Party below and shall be deemed to be effective when actually received or refused. Either Party may change the address to which future notices or other communications shall be sent.

If to City: Michael Owens, Mayor
1400 Veterans Memorial Highway SE, Suite 134-200
Mableton, Georgia 30126

With Copy to:
Susan Hiott, Interim City Clerk
1400 Veterans Memorial Highway SE, Suite 134-200
Mableton, Georgia 30126

If to County: Community Development Director
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064

With Copy to:
Cobb County Manager
100 Cherokee Street, Suite 300
Marietta, Georgia 30090

Section 9. Entire Agreement

The terms and conditions contained herein supersede all prior oral or written

understandings between the Parties and constitute the entire agreement between them concerning the subject matter of this Agreement. This Agreement shall not be modified or amended except by a writing signed by authorized representatives of the Parties.

Section 10. Dispute Resolution

Any claim, controversy or dispute, related directly or indirectly to this Agreement, shall be resolved by a court of competent jurisdiction located in Cobb County, Georgia. The parties agree in good faith to participate in a mediation process if requested by the other party with all costs of mediation to be borne equally between the parties.

Section 11. Force Majeure

Neither County nor City shall be liable for their respective non-negligent or non-willful failure to perform or shall be deemed in default with respect to the failure to perform (or cure a failure to perform) any of their respective duties or obligations under this Agreement or for any delay in such performance due to: (i) any cause beyond their respective reasonable control; (ii) any act of God; (iii) any change in applicable governmental rules or regulations rendering the performance of any portion of this Agreement legally impossible; (iv) earthquake, fire, explosion, or flood; (v) strike or labor dispute, excluding strikes or labor disputes by employees and/or agents of Parties; (vi) delay or failure to act by any governmental or military authority; or (vii) any war, hostility, embargo, sabotage, civil disturbance, riot, insurrection, or invasion. In such event, the time for performance shall be extended by an amount of time equal to the period of delay caused by such acts, and all other obligations shall remain intact.

Section 12. Counterparts

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

Section 13. Headings

All headings herein are intended for convenience and ease of reference purposes only and in no way define, limit, or describe the scope or intent thereof, or of this Agreement, or in any way affect this Agreement.

WHEREFORE, the parties have read and understood the terms of this Agreement, they do hereby agree to such terms by execution of their signatures below.

CITY OF MABLETON

COBB COUNTY, GEORGIA

See attached

By: Michael Owens
Title: Mayor

See attached

By: Lisa N. Cupid
Title: Chairwoman, Cobb County Board of
Commissioners

Michael Owens
Michael Owens (Feb 3, 2024 00:45 EST)
By: Michael Owens
Title: Mayor

[Signature]
By: Lisa N. Cupid
Title: Chairwoman, Cobb County Board of Commissioners

Date: 2-3-2024

Date: 3/12/24

Attest: [Signature]
City Clerk

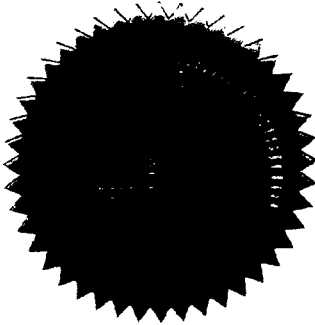
Attest: [Signature]
County Clerk

Approved as to form:

[Signature]
Emilia Walker-Ashby Esq (Feb 3, 2024 09:20 EST)
City Attorney

Approved as to form:

[Signature]
County Attorney



APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS
2/13/24

100

100

100

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
COBB COUNTY, GEORGIA APPROVING THE ISSUANCE
OF THE DEVELOPMENT AUTHORITY OF COBB COUNTY
BONDS (NOBIS WORKS, INC. PROJECT), SERIES 2024**

WHEREAS, on at least seven days' notice published in the *Marietta Daily Journal*, a public hearing was held at the Cobb Chamber of Commerce, 1100 Circle 75 Parkway, Suite 1000, Atlanta, Georgia 30339 on Tuesday, January 16, 2024 at 10:30 a.m. on behalf of Cobb County, Georgia, regarding the proposed issuance by the Development Authority of Cobb County (the "**Issuer**") of its Revenue Bonds (Nobis Works, Inc. Project), Series 2024 (the "**Bonds**"), in a maximum aggregate principal amount of \$4,250,000, in one or more series, subseries or issuances as a part of a plan of finance; and

WHEREAS, the proceeds of the sale of the proposed Bonds, when and if issued, are to be used, along with other funds, for the benefit of Nobis Works, Inc. (the "**Company**"), a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "**Code**"), for the following purposes: (a) financing or refinancing (including through reimbursement) (i) the acquisition and construction of capital improvements to a new headquarters building for use by the Company located at 240 Interstate North Parkway, Atlanta, Georgia, (the "**Facility**"), and (ii) the costs of certain renovations, expansions or improvements of or to the Facility; and (b) paying the costs of issuance of the Bonds (collectively, the "**Project**"); and

WHEREAS, the Company will own and operate the Facility; and

WHEREAS, all or a portion of the proposed Bonds, when and if issued, are expected to be qualified Section 501(c)(3) bonds as described in Section 145 of the Code; and

WHEREAS, the proposed Bonds, when and if issued, will not be an obligation of Cobb County (the "**County**"), or of the State of Georgia or of any county, municipality, or political subdivision of the State of Georgia; the proposed Bonds will not be paid from taxes, but will be payable by the Issuer solely from amounts to be paid or provided by the Company; and no performance audit or performance review shall be conducted with respect to such bond issue; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "**Code**"), provides, in effect, that in order for the interest on the proposed Bonds to be excluded from the holders' gross incomes for federal income tax purposes, the "public approval" requirements of said section must be complied with; and

WHEREAS, the location of the Project is entirely within the County, and the Board of Commissioners of the County (the "**Board**") constitutes the elected legislative body of the County and is a proper body for granting the necessary public approval; and

WHEREAS, the Issuer has requested that the Board approve the issuance of the Bonds for the purposes stated above, the nature and location of the Project, and the plan of financing for the Project with the Bonds; and

WHEREAS, the Board finds and determines that it is in the public interest of the County to grant such approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Cobb County as follows:

Section 1. The issuance of the Bonds by the Issuer for the benefit of the Company in a maximum aggregate principal amount not to exceed \$4,250,000 for the above-described purposes, the nature and location of the Facility, and financing for the Project, described above, are hereby approved for purposes of Section 147(f) of the Code.

Section 2. Such approval by the Board does not constitute any representation by the County to the prospective purchasers of the Bonds as to the creditworthiness of the Company or the Charter School, the accuracy or completeness of any information supplied to the Beneficial Owner of the Bonds, or the economic feasibility of the Project nor does it create, either expressly or by implication, any obligation on the part of the County for the payment of the Bonds or debt service thereon, such Bonds and debt service thereon being payable solely from the sources described above.

Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 13th day of February, 2024.

By: _____

Chairwoman of the Board of Commissioners
of Cobb County, Georgia



ATTEST:

Clerk of the Board of Commissioners
of Cobb County, Georgia

[SEAL]

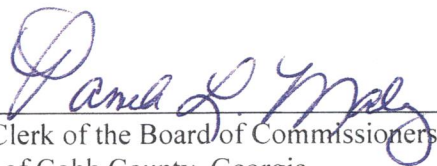
APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

2/13/24

CLERK'S CERTIFICATE

I, the undersigned Clerk of the Board of Commissioners of Cobb County, Georgia (the "Board"), **DO HEREBY CERTIFY** that the foregoing pages of typewritten matter pertaining to the approval of the issuance of Development Authority of Cobb County Revenue Bonds (Nobis Works, Inc. Project), Series 2024, constitute a true and correct copy of the resolution adopted on February 13, 2024, by the Board at a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of such resolution appears of record in the Minute Book of the Board which is in my custody and control.

GIVEN under my hand and the official seal of Cobb County, Georgia, this 13th day of February, 2024.



Clerk of the Board of Commissioners
of Cobb County, Georgia

[SEAL]

COBB COUNTY BOARD OF COMMISSIONERS

RESOLUTION

ADOPTING ALL BUDGET AMENDMENTS SET
FORTH IN AGENDA ITEMS ON THIS DATE

WHEREAS, Georgia Law, O.C.G.A. § 36-81-3 (b), requires each unit of government to operate under an annual balanced budget adopted by ordinance or resolution; and

WHEREAS, Cobb County Code 2-49 provides for revisions to the adopted budget during the year only by formal action of the commission in a regular meeting; and

WHEREAS, in official opinion date February 24, 1999, the Attorney General of the State of Georgia concluded that all amendments to the budgets of local government must be adopted by ordinance or resolution;

NOW, THEREFORE, BE IT RESOLVED the Cobb County Board of Commissioners does hereby adopt all such budget amendments as are set forth in agenda items which are adopted by the Board of Commissioners without change this date, as well as other such budget amendments as shall be specifically detailed in motions adopted by the Board of Commissioners this date.

This 13th of February 2024



Considering the heightened interest and awareness of this project in our community, I wanted to take a moment to provide some remarks before offering up a motion.

Since 2004, there have been numerous public meetings, and discussions regarding this project. When this project came to my desk, it was noted as a safety and operational improvement project that needed attention as it outpaced the average for similar roads for crashes and injuries. Yet, it had been delayed due to calls for redesign or just an overall lack of appetite to advance what was seemingly unpopular. This is a road that presents a danger to drivers and pedestrians currently, which is not lost on many residents.

I want to be clear. I absolutely trust our DOT engineers, however, during our first public meeting, several issues were identified related to the adjacent property owners, and the implementation of bike lanes as a part of the first draft which was initially designed in 2017. This feedback was also countered with local residents desiring greater pedestrian and cyclist safety. Another concern was brought up regarding the impact of construction to local businesses, and a voiced concern of a medium design causing a permanent impact. Since then, there have been several redesigns to capture this feedback and identify compromises with property owners, and those that have participated in public outreach.

What is irrefutable, however, is that our DOT engineers are highly skilled, technical problem solvers who have done their absolute best to identify solutions not just for this road, but intersections throughout the County. Their final design concluded with operational improvements for traffic flow in turning lane designs, and a median to restrict left turns.

It was also brought up by our DOT engineers the similarities between this project, and the one that occurred on Sandy Plains. I understand that similar concerns about impacts to businesses were also brought up during the planning of that project as well, yet according to the data those worries have not come to fruition.

Being assured of both the efficacy of the engineering design and the actual outcome on a similar road, I approved the project to move forward and to incorporate the design changes as suggested by the community.

Now, here we are, and over the last few days, the community has become increasingly vested in the decision regarding this project. It's the last two approvals to be issued with one of the agenda items permitting construction to begin. However, many have reached out to ask questions about the details of this project and voice their respective concerns. Many have also indicated their desire to be partners in both understanding this project and participating in the solution. After meeting with the businesses yesterday, I wanted to do some additional research regarding the impact of medians to local businesses. I was able to read through nearly 100 pages of several studies all affirming what was brought up by our engineers- medians tend to have a neutral to positive impact on business sales and patronage, with most seeing an increase in 5-100% of sales post-construction. The businesses that have shown to be negatively impacted are gas stations and auto repair shops.

Despite being assured yet again by staff and data, I also can understand the concerns voiced by the community. There are certain elements of data that are being requested, and I would like to see them too.

So, I have decided I will table both agenda items 50 and 51 to allow space for the creation of a project fact sheet that can be widely distributed and the early engagement of a construction ambassador to ensure that we factor in all considerations for our business owners and nearby residents for an impact mitigation plan during a construction period.

What I am asking for from my community is to know that I am making this decision despite the trust I have in the expertise and care of our DOT and because I am trusting that the community will be operating in good faith as partners to come to an agreeable solution. I am asking that we stay focused on the facts and not inject external influences into this conversation. I have heard remarks/conspiracies about ARC which, for the record, is a regional organization that both administers grants, and identifies ways that jurisdictions can accommodate the natural growth that occurs in a State whose economy is growing. I've heard accusations of foul play or payoffs, and other strange things-- this keeps us off the main point- which is safety and operational improvements.

I am asking that the community really partner with us over the next several weeks to better understand this project and stay focused, because what I do NOT want to do is yet again kick the can down the road knowing the road situation will continue to get worse. Someone will get seriously hurt, and we will be left wondering why something wasn't done sooner. So, I will table this to accomplish what I stated earlier, and I am trusting that my community will partner in accomplishing this.

Here is a summary of public involvement for this project:

Public Information Open House held 11/13/2012

Public Information Open House held 1/8/2013

Stakeholder Meeting 11/7/2017

Stakeholder Meeting 7/12/2019

Virtual & Library Public Outreach during April 2021

Virtual Comment Submissions after concept drawings were proposed 2022

Stakeholder Meeting 6/10/2022

Presentation to East Cobb Civic Association 8/31/2022

D2 Hosted Event: East Cobb Library 10/27/2022

Presentation to Indian Hills Civic Association 9/15/2023

D2 Hosted Event: Small group 02/06/2024

D2 Hosted Event: Business Owners 02/12/2024