



2817 Canal Street
New Orleans, LA 70119

New Orleans Regional Transit Authority Board of Commissioners

Meeting Minutes - Draft

Thursday, January 9, 2025

12:30 PM

RTA Board Room

SPECIAL MEETING

The New Orleans Regional Transit Authority (RTA) hereby declares that, in accordance with La. R.S. 42:17.1 (A)(2)(a)-(c), a meeting will be held in person on Thursday, January 9, 2025 at 12:30 p.m. Meetings start at the scheduled time, but may be delayed until a quorum of the Commissioners is present. The agency's website will stream the in-person meeting live, and wearing masks in the boardroom is optional.

Written comments on any matter included on the agenda will be accepted in the following ways: 1) Submission of a Speaker Card on meeting day; 2) Electronically by email sent to: rtaboard@rtaforward.org prior to the meeting; or 3) By U.S. Mail send to 2817 Canal Street, Attention: Office of Board Affairs, New Orleans, LA 70119.

This meeting is accessible to persons with disabilities. To help assure availability, modifications or accommodations linked to a disability must be requested 72 hours before the meeting or hearing. Please direct requests for public meeting accommodations to the Office of Board Affairs, 2817 Canal Street, NOLA 70119, or call 504-827-8341 or by email (rtaboard@rtaforward.org).

1. Call to Order

Present: Chairperson Fred Neal, Vice-Chairman Art Walton,
Commissioner Timolyn Sams, Flozell Daniels, Louis Colin,
and Mitchell Guidry

Absent:

2. Roll Call

Commissioners Present: Commissioner Colin, Commissioner Daniels, Commissioner Guidry, Commissioner Neal, Commissioner Sams and Commissioner Walton

3. Executive Session (2/3RDS VOTE TO CONSIDER)

In response to Mr. Haley, Commissioner Neal stated that Executive Session was related to the RTA not to him.

Sundiata Haley stated that the Board of Commissioners were going into Executive Session regarding a report on allegations brought before the Board by Katherin Felton against him.

Sundiata Haley stated that while he is still the Board's General Counsel. The RTA has the right to choose a General Counsel. As of 12:51 pm he is still the General Counsel of the agency and it is his job to advise the Board of a violation. The Personnel Matter Provision of Executive Session provides that written notice is provided to the individual that is being addressed in Executive Session and that written notice must be sent 24 hours before the meeting and that individual has the opportunity to state if they would like that discussion in an open meeting or in Executive Session and he has not received any notice of this Executive Session.

Mr. Haley stated that the resolution that was provided to him regarding his termination specifically states that Wright, Gray and Harris, LLC submitted a proposal for Outside Legal Counsel, the Board needs to be aware that this firm has two outstanding litigations against the RTA and has a structure settlement payment with the agency regarding another client.

Commissioner Neal stated that he was granting Mr. Haley an opportunity to speak and what the Board was going into Executive Session was not regarding the agenda.

Tracy Tyler stated that Executive Session was not to discuss the character of an individual which is Louisiana Revised Statute 4217 Subsection A1. The basis for going into Executive Session is subsection 4 which relates to Investigating Proceeding Relating to Allegations of Misconduct that was raised by a personnel.

Commissioner Neal stated that in Executive Session the Resolution would not be discussed until after the Executive Session.

Mr. Haley would like his objection to be noted for the record and the representations made to Mr. Haley by Commissioner Neal as it relates to the purpose of Executive Session.

Commissioner Daniels moved and Commissioner Walton seconded to go into Executive Session. The motion was approved unanimously.

Commissioner Sams moved and Commissioner Daniels seconded to come out of Executive Session. The motion was approved unanimously.

Commissioner Neal would like the record to reflect that No Action was taken in Executive Session.

Personnel Matter

A motion was made by Daniels, seconded by Vice-Chairman Walton and approved. The motion carried by the following vote:

Aye: Chairperson Neal, Vice-Chairman Walton,
Commissioner Sams, Daniels, Colin, and Guidry

Absent:

4. Resolution for General Counsel Services

[Resolution-General Counsel Services]

25-001

William Most - Attorney Representing Mr. Haley - He acknowledge that this was an awkward situation and the Open Meeting Law provides specific bases for Executive Sessions and one is to discuss Personnel Matters and if that's the bases for Executive Session that person gets a 24 hours' notice and that person should have a choice to discuss in Executive Session or in an open forum. The Board put on the agenda Executive Session Personnel Matters.

Mr. Most stated that another base for Executive Session was Investigating Proceedings that Ms. Tyler noted. Mr. Most cited a case with a nurse that states that the Board can't do what they did. The court rules that what the Board did was inappropriate because there was an investigation and the Board was taking action on that investigation and the Board was going to take action on a resolution based on the investigation and the Board should rethink taking this matter up on today because this action would be inappropriate.

Mr. Haley stated that Wright, Gray and Harris, LLC has two litigation cases open with the RTA and this was not brought to the Commissioners attention and a structure settlement payment. The Louisiana Rules of Professional Conduct provides guideless at 1.7A1 Conflict of Interest. This is an internal conflict that can't be waived, and you can't represent a person that you have active litigation against.

Mr. Haley stated that the RTA being a Political Subdivision of the State is not subject to the Louisiana Procurement Code by piggyback off of state contracts, so now the RTA has to adhere to the guidelines of the Louisiana Procurement Code Louisiana Revised Statue 1598, which defines what an emergency is and the action taken today don't define an emergency. The Board has created an emergency by terminating its attorney.

Mr. Haley recommended to the Board to get an Attorney General Opinion and/or an Ethic Board Opinion as a Dual Office Statue for the firm of Wright, Gray and Harris, LLC. Mr. Harris also votes on legislation regarding the RTA.

Commissioner Daniels stated that all these things will be considered.

Commissioner Daniels moved and Commissioner Walton seconded to approve Wright, Gray and Harris, LLC as the new General Council. The motion was adopted unanimously.

A motion was made by Daniels, seconded by Vice-Chairman Walton and

adopted. The motion carried by the following vote:

Aye: Chairperson Neal, Vice-Chairman Walton, Commissioner Sams, Daniels, Colin, and Guidry

Absent:

5. New Business (UNANIMOUS VOTE REQUIRED TO CONSIDER)

6. Audience Questions and Comments

Commissioner Neal read a statement into the record thanking Mr. Haley for his commitment and contributions to the RTA.

7. Adjournment

A motion was made by Daniels, seconded by Commissioner Sams and adjourned. The motion carried by the following vote:

Aye: Chairperson Neal, Vice-Chairman Walton, Commissioner Sams, Daniels, Colin, and Guidry

Absent: