

**MINUTES  
DALLAS AREA RAPID TRANSIT  
BOARD OF DIRECTORS'  
February 12, 2019**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, February 12, 2019, at 6:30 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Bauman presiding.

**City of Dallas**

Sue S. Bauman – **Chair**  
Ray Jackson  
Patrick J. Kennedy  
Jon-Bertrell Killen  
Michele Wong Krause– **Secretary**  
Amanda Moreno  
Dominique P. Torres

**City of Garland**

Jonathan R. Kelly – **Assistant Secretary**

**City of Irving**

Rick Stopfer

**City of Plano**

Paul N. Wageman – **Vice-Chair**

**City of Cockrell Hill and Dallas**

Eliseo Ruiz, III

**Cities of Carrollton and Irving**

Tim Hayden

**Cities of Farmers Branch and Plano**

Lissa Smith

**Cities of Garland, Rowlett, and Glenn Heights**

Mark C. Enoch

**Cities of Richardson and University Park; Towns of Addison and Highland Park**

Gary A. Slagel

Mr. Mark C. Enoch, and Mr. Jonathan R. Kelly were absent.

**General Items:**

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1. **Approval of Minutes:**      **January 22, 2019**

Mr. Killen moved to approve the January 22, 2019, Board of Directors' meeting Minutes, and entered into record, as written.

Mr. Slagel seconded and the item was approved unanimously.

2. **This item will be discussed at Committee-of-the-Whole Only.**

3. **Public Comments**

Chair Bauman reviewed the rules that govern the Public Comments portion of the meeting, including the Code of Conduct for Citizens, News Media, and Visitors at DART Board Meetings (on file with the Office of Board Support).

The following individuals addressed the Board:

**Mr. William Dockery; Dallas, TX:**

Mr. Dockery reported an issue with Route #19.

Chair Bauman referred Mr. Dockery to Mr. Herold Humphrey, Vice President of Bus Operations.

**Consent Items:**

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Ms. Moreno moved to approve Agenda Items 4 and 5.

***Public Affairs & Communication:***

4. **Approval of the Second Amendment of the University of Texas at Dallas and Dallas Area Rapid Transit (UTD-DART) Site-Specific Shuttle Interlocal Funding Agreement**

Moved for approval of Resolution 190018 stating the President/Executive Director, or his designee, is authorized to execute the Second Amendment of the University of Texas at Dallas and Dallas Area Rapid Transit (UTD-DART) Site-Specific Shuttle Agreement, substantially in the form shown in Exhibit 1 to the Resolution, to increase the contract value for the 10-year agreement by \$6,099,275, for a new not-to-exceed amount of \$29,886,213, which includes a 7.5% contingency as may be needed to accommodate future ridership growth.

***General Counsel Search Ad Hoc***

5. **Approval of Job Description for General Counsel**

Moved for approval of Resolution 190019 stating the job description for the General Counsel as shown in Exhibit 1 to this Resolution is approved.

Mr. Slagel seconded and the item was approved unanimously.

**Individual Items:**

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6. **Approval of Nineteenth Supplemental Debt Resolution for Issuance of Series 2019 Senior Lien Sales Tax Revenue Refunding Bonds**

Mr. Wageman moved for approval of Resolution 190020 stating the Nineteenth Supplemental Debt Resolution, including all documents and agreements contained

therein, for issuance of Series 2019 Senior Lien Sales Tax Revenue Refunding Bonds, in substantially the form shown in Exhibit 1 to this Resolution, is approved.

Mr. Slagel seconded and the item was approved unanimously.

7. **Contract Modification to Increase Contract Value for Design-Build Services for the Cotton Belt Corridor Regional Rail Project**

Mr. Wageman moved for approval of Resolution 190021 stating the President/Executive Director, or his designee, is authorized to increase the contract value for design-build services for the Cotton Belt Corridor Regional Rail Project (Cotton Belt) with Archer Western Herzog 4.0, Joint Venture, in an amount not to exceed \$108,760,839 to completely Double Track the Cotton Belt between DFW International Airport and Shiloh Road, for a new total contract amount not to exceed \$923,835,858.

Mr. Slagel seconded and the item was approved unanimously.

8. **Approval of Settlement in Litigation Styled Amalgamated Transit Union Local No. 1338 vs. Dallas Area Rapid Transit and Nancy Johnson**

Ms. Moreno moved for approval of Resolution 190022 stating:

**Section 1:** Settlement of ATU vs. DART and Nancy Johnson, Case No.: 05-17-01051-CV is a compromise of a disputed claim in litigation, and this settlement is not to be construed as an admission of liability by Dallas Area Rapid Transit, Nancy Johnson, or any other agents or employees of Dallas Area Rapid Transit.

**Section 2:** The Interim General Counsel is hereby authorized to draft and the President/Executive Director or his designee is hereby authorized to execute on behalf of DART such documents as may be required to effect settlement of the monetary aspects of this case in an amount not to exceed \$225,918.21.

Mr. Slagel seconded and the item was approved unanimously.

9. **This item will be discussed at Committee-of-the-Whole Only.**

10. **This item will be discussed at Committee-of-the-Whole Only.**

11. **This item will be discussed at Committee-of-the-Whole Only.**

**Other Items:**

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12. **Public Comments**

The following individuals addressed the Board:

**Mr. Charles May; Dallas, TX:**

Mr. May stated he had an issue with bus route #428, on February 11, 2019, in the evening, due to this bus not arriving at their scheduled time. He then noted other issues he has experienced with buses being late.

Chair Bauman referred Mr. May to Mr. Humphrey.

**Coach Johnson; Dallas, TX:**

Coach Johnson thanked the DART Police, and Security, Officers for their assistance. He then voiced concern for the police officers' safety in reference to an incident that occurred at the West End Station.

**Ms. Shay Jones; DART Employee:**

Ms. Jones voiced deep concern regarding her safety after the occurrence of an alleged incident at a DART facility. She stated upper management had an obligation to keep her safe regarding this incident.

Chair Bauman stated Mr. Gary Thomas, President/Executive Director, would be looking into this situation personally and would provide a response.

**Mr. Barnard Purtee; Dallas, TX:**

Mr. Purtee voiced concern with an incident that occurred to him on Route #516. He stated the Bus Operator showed a lack of concern for him, as a passenger with a sight disability, and would not stop at his designated stop where he had assistance waiting for him.

Chair Bauman thanked Mr. Purtee for speaking to the Board and noted Mr. Humphrey had the information of this incident and would be responding in a timely manner.

**Mr. DeBoss Christian; DART Employee:**

Mr. Christian voiced concern regarding the Mobility Management contract.

13. **This item will be discussed in Committee-of-the-Whole only.**

14. **Adjournment**

There being no further business to discuss, the meeting was adjourned at 6:55 p.m.



Josefina Chavira, CAP  
Board Committee Secretary

/jc

+ Same Night Item

\* Briefing Item