Due to the COVID-19 virus, DART Board meeting rooms were closed to the public. All meetings took place by videoconference and are available at https://www.dart.org/about/board/boardvideo.asp.

The Dallas Area Rapid Transit Board of Directors’ meeting came to order on Tuesday, August 25, 2020, at 7:23 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Wageman presiding.

**City of Dallas**
- Ray Jackson – Assistant Secretary
- Patrick J. Kennedy
- Jon-Bertrell Killen
- Michele Wong Krause – Vice-Chair
- Amanda Moreno-Lake
- Rodney Schlosser
- Dominique P. Torres

**City of Garland**
- Jonathan R. Kelly – Secretary

**City of Irving**
- Rick Stopfer

**City of Plano**
- Paul N. Wageman – Chair

**City of Cockrell Hill and Dallas**
- Eliseo Ruiz, III

**Cities of Carrollton and Irving**
- Doug Hrbacek

**Cities of Farmers Branch and Plano**
- Robert C. Dye

**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
General Items:

1. **Roll Call**
   Chair Wageman took Roll Call, confirming a quorum was present.

2. **Approval of Minutes: August 11, 2020**
   Mr. Kelly moved to approve the August 11, 2020, Board of Directors’ meeting Minutes, and entered into record, as written.
   Ms. Wong Krause seconded.
   Chair Wageman took a Roll Call vote and the Minutes were approved unanimously.
   Chair Wageman continued with the agenda items.

3. **CAC Report**
   Chair Wageman read into record an overview, provided by Mr. Charles Gillette, Chair of the Citizens Advisory Committee (CAC), of the CAC meetings that convened on Thursday, July 16, 2020 and Thursday, August 20, 2020, by teleconference (Copy on file with the Office of Board Support).

4. **Public Comments**
   Public comments for the Board of Directors’ meeting were accepted via email at the following address: boardmeetingpubliccomments@dart.org until 6:00 p.m. on Tuesday, August 25, 2020. All comments received were read into the public record during the Board meeting by Chair Wageman.
   Chair Wageman read into record a total of 6 Public Comments received via email (Copy on file with the Office of Board Support).
   Public Comments were as follows:

   **Ms. Denise Durfield:**
   Ms. Durfield wrote, “God bless.”

   **Ms. Vicki Ford:**
   Ms. Ford requested Bus #534 run every 20 minutes during rush hour. She further voiced concern with the inconsistency of the bus size and the tardiness of this bus.

   **Ms. Rebecca Ryan:**
   Ms. Ryan voiced concern with an incident that occurred on the DART rail and the lack of timeliness for response from DART Police.

   **Mr. Franklin Green:**
   Mr. Green requested to be directed to an officer he spoke to named “Greg” that assisted him on Thursday, August 13, 2020, regarding an accident that occurred on Peavy Road and Hermosa Drive.
   Chair Wageman stated a staff member would contact Mr. Green to direct him to the appropriate person.

   **Mr. Dane Cofer:**
   Mr. Cofer submitted a packet of comments regarding the submission of comments for each item at the August 11, 2020 Board meeting. Three minutes of comments were read into record. (This is Mr. Cofer’s first email.)
Consent Items:

Mr. Schlosser moved to forward Consent Items 5 through 7.

Customer Service, Safety and Mobility:

5. Contract Award for Replacement of Automatic Train Announcement System on Trinity Railway Express (TRE) Fleet

Moved for approval of Resolution 200084 stating the President/Executive Director, or his designee, is authorized to award a contract with Mackenzie Laboratories, Inc., to replace the current Automatic Train Announcement System, the Mackenzie DADS-A1191, on the Trinity Railway Express (TRE) fleet with the upgraded Mackenzie DADS-A1392, for a contract value of $1,199,609 plus an additional $2,335 to add Spanish voice messages for a total authorized amount not to exceed $1,201,944.

Planning and Capital Programs:

6. Increase Contract Value for the Design-Build Contract for the Silver Line Regional Rail Project to Include Installation of Foundations and Underground Conduits for LD Dallas Flexgrid LLC (Landmark) to Provide Information Kiosks at Silver Line Stations

Moved for approval of Resolution 200085 stating the President/Executive Director, or his designee, is authorized to increase the contract value for design-build services with Archer Western Herzog 4.0, Joint Venture, for the Silver Line Regional Rail Project to include installation of foundations and underground conduits for LD Dallas FlexGrid LLC (Landmark) to provide information kiosks at Silver Line stations in an amount not to exceed $686,465, funded through a lease agreement with LD Dallas FlexGrid LLC (Landmark), for a new total authorized amount not to exceed $947,695,795.

7. Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcels CB1-015, CB1-016, DE1-016, CB1-017, CB1-017A, CB1-018, CB1-019, CB1-021, and CB1-025 in the City of Coppell, Texas for the Cotton Belt Silver Line Project, and Authorize Eminent Domain Proceedings, if Necessary

Moved for approval of Resolution 200086 stating:

Section 1: There is a public necessity for the acquisition of the Parcel CB1-015 described in Exhibit 1. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the
Section 2:

There is a public necessity for the acquisition of the Parcel CBI-016 described in Exhibit 2. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 1 without approval of such acquisition by the City Council of the City of Coppell for CBI-015. DART’s exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

Section 3:

There is a public necessity for the acquisition of the Parcel DE1-016 described in Exhibit 3. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and
such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 3 without approval of such acquisition by the City Council of the City of Coppell for DEI-016. DART's exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

Section 4:

There is a public necessity for the acquisition of the Parcel CB1-017 described in Exhibit 4. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel
Section 5:
There is a public necessity for the acquisition of the Parcel CB1-017A described in Exhibit 5. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 5 without approval of such acquisition by the City Council of the City of Coppell for CB1-017A. DART's exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

Section 6:
There is a public necessity for the acquisition of the Parcel CB1-018 described in Exhibit 6. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments
and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART’s Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 6 without approval of such acquisition by the City Council of the City of Coppell for CB1-018. DART’s exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

There is a public necessity for the acquisition of the Parcel CB1-019 described in Exhibit 7. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 7 without approval of such acquisition by the City Council of the City of Coppell for CB1-019. DART’s exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.
Section 8: There is a public necessity for the acquisition of the Parcel CB1-021 described in Exhibit 8. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 8 without approval of such acquisition by the City Council of the City of Coppell for CB1-021. DART’s exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

Section 9: There is a public necessity for the acquisition of the Parcel CB1-025 described in Exhibit 9. This property is necessary and proper for construction of the Silver Line Regional Rail Project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose. The amount to be paid represents just compensation for this parcel required for the Silver Line Regional Rail Project as determined by a Texas State Certified Appraiser and reviewed by a Texas State Certified Appraiser. In the event the property owner accepts the payment of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property. Should the property owner decline the payment of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy. If the President/Executive Director or his designee is unable to negotiate the purchase of this parcel for just compensation, the General
Counsel is hereby authorized and directed to initiate and prosecute the completion of eminent domain proceedings for the acquisition of this parcel for the Silver Line Regional Rail Project. DART shall not exercise its power of eminent domain for the acquisition of the parcel described in Exhibit 9 without approval of such acquisition by the City Council of the City of Coppell for CB1-025. DART's exercise of the power of eminent domain in acquiring the herein described parcel will not unduly impair the then existing neighborhood character of property surrounding or adjacent to the property to be condemned, nor unduly interfere with interstate commerce, nor authorize DART to run its vehicles on railroad tracks which are used to transport property.

Ms. Wong Krause seconded.

Chair Wageman took a Roll Call vote and the Consent items were approved unanimously.

Individual Items:

8. Approval of Final Recommendations for October 2020 Service Modifications and Reductions Related to COVID-19 Pandemic

Ms. Enoch moved for approval of a resolution stating:

Section 1: The Service Equity Analysis is approved; and
Section 2: that the President/Executive Director, or his designee, is authorized to implement service modifications on October 19, 2020, as shown in Exhibit 1 to the Resolution, and that the approval includes a process for staged restoration of normal service on other routes and services based upon specified ridership or performance improvements.

Mr. Slagel seconded.

Mr. Killen made an amended motion to strike the amount of $525M and insert $542M with an additional $10M with triggers.

Ms. Wong Krause seconded.

After much deliberation, Mr. Schlosser made a secondary amended motion to the amended motion for approval of Resolution 200087 stating:

Section 1: The Service Equity Analysis is approved; and
Section 2: that the President/Executive Director, or his designee, is authorized to implement service modifications on October 19, 2020, as shown in Exhibit 1 to the Resolution, and that the approval includes process for restoration of normal service on other routes and services based upon the $542M Budget Service Plan, Option 2: $17 Million without triggers (Everything in October).

Mr. Killen accepted the amendment to his amended motion and then seconded the motion.

Chair Wageman opened the floor for comments by using the Roll Call list.

Directing himself to Mr. Schlosser, Mr. Enoch inquired for clarification, if the Board was directing the staff, regarding the additional $17M, to have it put in the budget now, or were
they putting it in the budget for the staff to use on such things such as training, bonuses, and other administrative decisions that the management staff typically makes. Mr. Schlosser responded he was referring to the former, noting that the compromise he was trying to advance was to agree to these levels of service, however, they are not forced to budget for a higher amount dependent on triggers which staff does not think will occur and could put DART in an uncomfortable place from a bond rating perspective.

Chaired Wageman reiterated the secondary motion, made by Mr. Schlosser, seconded by Mr. Killen, stating the motion to include the amount of $542M service plan amendment with the service changes to go into effect immediately.

Chair Wageman then took a Roll Call vote and the item was approved by a majority vote with Mr. Dye, Mr. Enoch, Mr. Hrbacek, and Mr. Slagel opposing.

9. Approval of a Policy To Eliminate The Use Of DART Vehicles For Non-DART Police Department Detainees

Mr. Stopfer moved for approval of Resolution 200088 stating the President/Executive Director or his designee, is authorized to implement a policy to eliminate the use of DART vehicles for Non-DART Police Department detainees.

Mr. Schlosser seconded.

Chair Wageman took a Roll Call vote and the item was approved unanimously.

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

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

Other Items:

12. Public Comments

Public Comments were as follows:

Mr. Dane Cofer:

Mr. Cofer submitted comments regarding his comments for each item at the August 11, 2020 Board meeting. Three minutes of comments were read into record. (This is Mr. Cofer’s second email.)

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 8:37 p.m.

Josefin Chavira, CAP
Board Committee Secretary

/jc

+ Same Night Item
* Briefing Item