

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS’
May 25, 2021**

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, May 25, 2021, at 7:16 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

Mr. Ray Jackson and Ms. Dominique P. Torres were absent.

General Items:

1. Roll Call

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

2. Approval of Minutes: May 11, 2021

Mr. Kelly moved to approve the May 11, 2021, Board of Directors' meeting Minutes, and entered into record, as written.

Mr. Ruiz seconded.

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

3. *CAC Report on May 20, 2021 Meeting

Mr. Aaron Gougis, newly elected Chair of the Citizens Advisory Committee (CAC), read into record the report of the May 20, 2021 Meeting (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, May 25, 2021. All comments received were read into the public record during the Board meeting by Chair Wageman.

Chair Wageman read into record a total of 7 Public Comments received via email (Copy on file with the Office of Board Support).

Mr. Michael W. Nichols:

Mr. Nichols wrote in reference to a proposed changes to the bus Route 347, noting that he takes this route to his job for the past 3 years and would cause issues for his transportation if it is changed.

Ms. Phyllis Silver:

Mr. Hans-Michael Ruthe, Project Manager 1 in Service Planning, submitted comments from Ms. Phyllis Silver for the June 8, 2021 Public Hearing. Ms. Silver noted several concerns on the following proposals: 1) Proposed Route 72, 2) Central Richardson and proposed GoLink, 3) Elimination of service on Arapaho east of Coit, and 4) Proposed Route 64.

Ms. Kristal Gay, Employee:

Ms. Gay voiced concern regarding employee issues with dental providers, as well as the FSA/HRA cards and having accounts frozen when the healthcare provider has questions concerning valid purchases. She requested someone look into this issue.

Ms. Rebecca Bellamy, Employee:

Ms. Bellamy voiced concern about an unfair policy in the current employee health insurance benefits, in reference to sleep apnea.

Mr. Diego Garcia, Employee:

Mr. Garcia wrote, on behalf of DART employees represented by the Amalgamated Transit Union Local 1338, regarding workplace morale and hiring processes.

Mr. Kennedy left the meeting at 7:31 p.m.

Mr. Kenneth Day, Employee:

Mr. Day wrote on behalf of DART Employees represented by The Amalgamated Transit Union Local 1338, noting his surprise that most employees are well informed or notified about upcoming changes, and provide input regarding these changes. He stated, with the exception of a few upper management, communication is slim to none.

Ms. Sarah De Leon:

Ms. De Leon requested that before implementing the Draft New Network, the DART Board takes more time to include more of the ridership experience of people on this network, by extending the timing, public engagement and strategy for the Draft New Network. She further requested staff provide the public additional notice and reword the notification pamphlets that are currently misleading as to when the Public Hearing will take place.

Chair Wageman requested Mr. Leininger work with the appropriate staff member to address the issue Ms. De Leon noted concerning the pamphlet and perhaps propose an alternate option on how to get that information out to the public.

Consent Items:

Chair Wageman stated that agenda item 12, Approval to Extend the Southern Methodist University (SMU) Site-Specific Shuttle Agreement, would be moved to Individual Items to allow for his recusal, as well as, Mr. Kennedy's recusal of this item.

Mr. Stopfer moved to approve Consent Items 5 through 11, and 13.

Customer Service, Safety and Mobility:

5. Contract for Light Rail Vehicle (LRV) Brake Disc and Hardware Kits

Moved for approval of Resolution 210059 stating the Interim President & Chief Executive Officer, or his designee, is authorized to award a two-year contract to WABTEC Passenger Transit for LRV Disc Brake and Hardware Kits for a total authorized amount not to exceed \$1,199,000.

6. Addition of Contingency Funding to Bi-Level and Coach Car Overhaul Contract to Cover Hidden and Latent Damage Identified During Overhaul Due to Age/Condition

Moved for approval of Resolution 210060 stating the Interim President & Chief Executive Officer, or his designee, is hereby authorized to add contingency funding to the contract with CAD Railway Industries, Ltd. [Contract C-2046256-01], for Bi-Level Overhaul & Side Sill Repair for additional costs to cover hidden and latent damage identified during overhaul in TRE coach and cab cars due to age and condition of the vehicles, in the amount of \$781,362 for a new total authorized amount not to exceed \$16,672,388.

Planning and Capital Programs:

7. Approval to Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcels DE1-005 and DE1-006 Located in the City of Coppell, Texas, for the Silver Line Regional Rail Project, and Authorize Eminent Domain Proceedings for These Parcels, if Necessary

Moved for approval of Resolution 210061 stating:

Section 1: There is a public necessity for the acquisition of Parcel DE1-005 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Coppel for DE1-005. 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 2: There is a public necessity for the acquisition of Parcel DE1-006 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 2 without approval of such acquisition by the City Council of the City of Coppel for DE1-006. 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.

8. **Approval to Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcels CB2-010, DE2-008, DE2-012, DE2-013 and DE2-014 Located in the City of Carrollton, Texas, for the Silver Line Regional Rail Project, and Authorize Eminent Domain Proceedings for These Parcels, if Necessary**

Moved for approval of Resolution 210062 stating:

Section 1: There is a public necessity for the acquisition of Parcel CB2-010 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Carrollton for CB2-010. 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 2: There is a public necessity for the acquisition of Parcel DE2-008 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 2 without approval of such acquisition by the City Council of the City of Carrollton for DE2-008. 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 Parcel DE2-012 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President

& Chief Executive Officer 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 Carrollton for DE2-012. 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 Parcel DE2-013 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 4 without approval of such acquisition by the City Council of the City of Carrollton for DE2-013. 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 5: There is a public necessity for the acquisition of Parcel DE2-014 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Carrollton for DE2-014. 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.

9. **Approval to Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcels CB3-010, CB3-011 and DE3-008 in the City of Plano, Texas, for the Silver Line Regional Rail Project, and Authorize Eminent Domain Proceedings for All Parcels, if Necessary**

Moved for approval of Resolution 210063 stating:

Section 1: There is a public necessity for the acquisition of Parcel CB3-010 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Plano for CB3-010. 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 2: There is a public necessity for the acquisition of Parcel CB3-011 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 2 without approval of such acquisition by the City Council of the City of Plano for CB3-011. 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 Parcel DE3-008 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer 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 Plano for DE3-008. 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.

10. **Approval to Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcels DE3-004 and DE3-005 Located in the City of Dallas, Texas, for the Silver Line Regional Rail Project**

Moved for approval of Resolution 210064 stating:

Section 1: There is a public necessity for the acquisition of Parcel DE3-004 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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

Interim President & Chief Executive Officer or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy.

Section 2: There is a public necessity for the acquisition of Parcel DE3-005 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 Real Estate Appraiser and reviewed by a Texas State Certified Real Estate Appraiser. In the event the property owner accepts the payment of just compensation, the Interim President & Chief Executive Officer 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 Interim President & Chief Executive Officer or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy.

11. Approval to Declare Property Surplus and Authorize the Conveyance of the Surplus Property Known as Parcel CB3-019A Located Near the Intersection of Shiloh Road, in the City of Plano, Texas, to Oncor Electric Delivery Company LLC, in Exchange for Parcels CB3-018 and CB3-032 for the Silver Line Regional Rail Project

Moved for approval of Resolution 210065 stating:

Section 1: The interest of DART in and to Parcel CB3-019A described in Exhibit 1 is hereby declared surplus to DART's needs.

Section 2: The Interim President & Chief Executive Officer or his designee is authorized to take such action and execute such documents as shall be necessary to convey Parcel CB3-019A, as described in Exhibit 1, to Oncor Electric Delivery Company, LLC, and acquire Parcels CB3-018 and CB3-032, as described in Exhibits 2-3, as an exchange, subject to legal review and approval by the Federal Transit Administration, if necessary.

13. Authorize Administrative Settlement for Parcels CB1-021 and CB1-025 for the Silver Line Regional Rail Project

Moved for approval of Resolution 210067 stating:

Section 1: The Interim President & Chief Executive Officer or his designee is hereby authorized and directed to negotiate the purchase of Parcels CB1-021 and CB1-025 for an administrative settlement as approved by the Board.

Section 2: The Interim President & Chief Executive Officer or his designee is hereby authorized to execute all necessary legal instruments and to pay any necessary relocation costs expenses, including title policy expenses,

closing costs, and other such costs as may be required by law to close the purchase of Parcels CB1-021 and CB1-025.

Section 3: If the Interim President & Chief Executive Officer or his designee is unable to close the purchase and obtain clear title, negotiate the purchase of these parcels for just compensation, the General Counsel is hereby authorized and directed to proceed and prosecute the completion of eminent domain proceedings for the acquisition of these parcels for the Silver Line Regional Rail Project.

Mr. Dye seconded.

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

Individual Items:

Chair Wageman recused himself at 7:40 p.m., delegating the presiding officer's responsibilities to Vice-Chair Wong Krause.

12. Approval to Extend the Southern Methodist University (SMU) Site-Specific Shuttle Agreement

Mr. Schlosser moved for approval of Resolution 210066 stating the Interim President & Chief Executive Officer, or his designee, is authorized to execute an extension for the Southern Methodist University (SMU) Site-Specific Shuttle Service Agreement, substantially in the form shown as Exhibit 1 to the Resolution, for the joint provision of a site-specific shuttle service, with a cost to DART not to exceed \$381,924 per year for a three-year period.

Mr. Slagel seconded.

Vice-Chair Wong Krause took a Roll Call vote and the item was approved unanimously.

Chair Wageman rejoined the meeting at 7:42 p.m., resuming the presiding officer's responsibilities.

14. +Approval of a Limited Waiver of DART Personnel Policy and Non-Disclosure Agreement for Gary C. Thomas

This item was not discussed.

15. +Approval to Pay Premium for Professional and Cyber Liability Insurance Policy

Mr. Enoch moved for approval of Resolution 210068 stating the Interim President & Chief Executive Officer, or his designee, is authorized to pay \$235,998 in premium and \$12,421 in surplus lines fees for a total of \$248,419 for the purchase of the Professional and Cyber Liability insurance policy for the period beginning June 9, 2021.

Ms. Wong Krause seconded.

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

16. **+Approval of Financial Plan Amendment for the Silver Line Corridor Regional Rail and D2 Subway Projects**

Mr. Enoch moved for approval of Resolution 210069 stating the FY 2021 Twenty-Year Financial Plan is amended, as shown in Exhibit 1 to the Resolution, in the total amount of \$1,113,000,000 for the following projects:

Section 1: The Silver Line Corridor Regional Rail Project for an amount of \$633,000,000, for a new total project cost not to exceed \$1,899,000,000.

Section 2: The D2 Subway Project for an amount of \$480,000,000, for a new total project cost not to exceed \$1,940,000,000.

Mr. Slagel seconded.

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

17. **This item will be discussed at Committee-of-the-Whole only.**

18. **+Approval to Increase Contract Value for the Design-Build Contract for the Silver Line Regional Rail Project to Establish an Allowance to Provide for Negotiation of Owner Requested and Other Third Party Scope Changes**

Mr. Stopfer moved for approval of Resolution 210070 stating the Interim President & Chief Executive Officer, 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 establish an allowance in the amount of \$237,403,589 to provide for negotiation of each Owner requested or third party change request, plus a supplemental work contingency of \$35,795,345 for unanticipated expenses, for a total amount of \$273,198,934, and a new total Board-authorized amount not to exceed \$1,294,567,655.

Mr. Schlosser seconded.

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

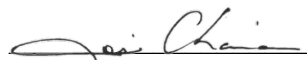
19. **This item will be discussed at Committee-of-the-Whole only.**

Other Items:

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

21. **Adjournment:**

There being no further business to discuss, the meeting was adjourned at 7:47 p.m.


Josefina Chavira, CAP
Board Committee Secretary

/jc

+ Same Date Item

* Briefing Item