

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
March 26, 2019**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, March 26, 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

Doug Hrbacek

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

Ms. Amanda Moreno, Ms. Lissa Smith, Mr. Paul N. Wageman, Mr. Mark Enoch and Mr. Gary Slagel were absent.

General Items:

1. **Approval of Minutes: March 12, 2019**

Ms. Wong Krause moved to approve the March 12, 2019, Board of Directors' meeting Minutes, and entered into record, as written.

Mr. Kelly seconded and the item was approved unanimously.

2. **CAC Report on March 21, 2019 Meeting**

Mr. Charles Gillette, Chair of the Citizens Advisory Committee (CAC), provided an overview of the CAC meeting, which convened on March 21, 2019 (Copy on file with the Office of Board Support).

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. Benton Payne; Dallas, TX:

Mr. Payne noted he has attended many DART stakeholder meetings, particularly in the eastern end. He voiced concern regarding the interpretations given of the refinement of the Locally Preferred Alternative (LPA) alternative of the Second CBD Light Rail Alignment (D2) falling within the parameters of the City of Dallas resolution, passed in September 2017. He noted the interpretations being provided by DART staff, City of Dallas staff and others were conflicting interpretations and he hoped they could come to a unified conclusion very quickly.

Mr. Bernard Pertree; Dallas, TX:

Mr. Pertree requested an update on a previous concern he had presented to the Board regarding an issue with a bus operator's actions and the ongoing investigations.

Ms. Sherlyn Samuel; Dallas, TX:

Ms. Samuel noted she was no longer a DART employee, however, since her release of service, she has been more active in her community.

Consent Items:

Administrative:

4. **Addition to President/Executive Director's FY 2019 Goals and Performance Measures**

Mr. Stopfer moved for approval of Resolution 190034 stating the President/Executive Director's FY 2019 Goals and Performance Measures are revised to include a mid-year addition as shown in Exhibit 1 to the Resolution.

Mr. Kelly seconded and the item was approved unanimously.

Individual Items:

5. **+Approval of a Limited Suspension of DART Board Rule of Procedure 20.3**

Mr. Jackson moved for approval of Resolution 190035 stating:

Section 1: DART Board Rule of Procedure 20.3 requiring the preparation and execution of a certified agenda is suspended for closed meetings authorized under Section 551.074 of the Texas Open Meetings Act and conducted for the purpose of interviewing candidates for the positions of Director of Internal Audit and General Counsel.

Section 2: The use of video recording is authorized to comply with Section 551.103 of the Texas Open Meetings Act for closed meetings conducted for the purpose of interviewing candidates for the positions of Director of Internal Audit and General Counsel.

Section 3: The procedures contained in Rule 20 describing custody, control over, maintaining, authorizing access, preservation, and disposition of certified agendas shall apply to the video recordings authorized in this resolution.

Section 4: The limited suspension of Rule 20.3 authorized by this resolution shall expire upon completion of the hiring process for the positions of Director of Internal Audit and General Counsel, which are currently vacant.

Ms. Wong Krause seconded and the item was approved unanimously.

6. **+Ratification of Master Lease Agreement Between DART and LD FLEXGRID Dallas LLC Signed on October 18, 2018 for the Installation of Intelligent Digital Kiosks and Cell Towers at or Near Rail Stations and Transit Centers and Rescission of DART Resolution No. 180086**

Mr. Killen moved for approval of Resolution 190036 stating:

Section 1: Execution of the Master Lease Agreement signed on October 18, 2018 by the President/Executive Director for a ten-year and six-month term, between DART and LD FLEXGRID DALLAS LLC, as lessee, and Smart City Media, LLC, or another SCM affiliated entity approved by DART Executive Management, as sublessee, for access to multiple locations at or near DART rail stations and transit centers for the provision, installation, and support of intelligent digital kiosks and for the installation of cell tower facilities is hereby ratified and approved by the DART Board.

Section 2: Resolution No. 180086 is hereby rescinded.

Mr. Stopfer seconded and the item was approved unanimously.

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

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

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

Other Items:

10. Public Comments

The following individuals addressed the Board:

Ms. Shay West Jones; DART Employee:

Ms. West Jones provided an update regarding an issue she presented to the Board at a previous Board meeting. She also provided a copy of her Polygraph test results (on file with the Office of Board Support.)

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

General Items:

12. Adjournment::

There being no further business to discuss, the meeting was adjourned at 6:54 p.m.



Josefina Chavira, CAP
Board Committee Secretary

/jc

+ Same Night Item

* Briefing Item