

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
March 27, 2018**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, March 27, 2018 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

Catherine S. Cuellar

Cities of Carrollton and Irving

Tim Hayden

Cities of Farmers Branch and Plano

Faye Moses Wilkins

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 Enoch and Mr. Rick Stopfer were absent.

General Items:

1. Approval of Minutes: March 13, 2018

Mr. Kelly moved to approve the March 13, 2018, Board of Directors' meeting Minutes, and entered into record, as written.

Mr. Slagel seconded and the item was approved unanimously.

2. CAC Report on March 15, 2018 Meeting

Ms. Kay Schecht, Chair of the Citizens Advisory Committee (CAC), provided an overview of the CAC meeting, which convened on March 15, 2018 (Copy on file with the Office of Board Support).

Ms. Torres entered the meeting at 6:33 p.m.

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:

Ms. Valerie L. Stratford; No Information Provided on Comment Card:

Ms. Stratford voiced concern regarding alleged incidents she noticed occurring on various light-rail trains.

Chair Bauman referred Ms. Stratford to Lieutenant Ronald Lindsey, DART Police.

Mr. Albert Dirla; DART Employee:

Mr. Darla spoke in regards to employee issues.

Mr. Johnny R. Haggery; DeSoto, TX/Mr. Kenneth Day; DART Employee:

Mr. Johnny R. Haggery stated he would give his allotted time to Mr. Day. Mr. Day then addressed the Board concerning employee issues including Agenda Item #5, Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services.

Mr. Nathan Novy; Arlington, TX:

Mr. Novy spoke in regards to the recent fare increases.

Ms. Annette LeVine; DART Employee:

Ms. LeVine spoke in reference to the employee insurance and issues in the department regarding supervisor's overtime.

Ms. Ada Yaeger; Garland, TX:

Ms. Yaegar spoke in reference to recent Board decisions and the discussion behind those decisions concerning the recent fare increase.

Mr. William Sanders Jr.; Dallas, TX:

Mr. Sanders spoke in regards to DART employee concerns.

Ms. Tammy Walton; DART Employee:

Ms. Walton spoke in reference to Agenda Item 5, Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services, and issues with the employee insurance.

Mr. Bryan Blanks; DART Employee:

Mr. Blanks spoke in reference to Agenda Item 5, Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services, and issues with the employee insurance. He also spoke about the numerous bikes in Downtown Dallas.

Ms. Tahaca Wilmore; DART Employee:

Ms. Wilmore voiced her concern regarding the required DART Bus Operator physical testing, including the need for a sleep apnea test she was required to take.

4. Public Hearing for a Service Plan Amendment for the Cotton Belt Corridor Regional Rail Project – Alignment, Grade Separations, Station Locations, and Facility Locations

Chair Bauman established herself as the hearing officer and reviewed the guidelines that would govern the public hearing (on file in the Office of Board Support). She then stated that the public hearing would be divided into two parts: the first part would consist of a brief overview regarding the project provided by DART Technical Staff and the public hearing would follow immediately. Chair Bauman went on to describe specific guidelines that would be followed during the public hearing. She concluded by stating that tonight's hearing would be recorded by a court reporter, so all comments received were a matter of public record.

Ms. Wong Krause stepped out of the meeting at 7:04 p.m. and reentered the meeting at 7:05 p.m.

Chair Bauman introduced Mr. Steve Salin, Vice President of Capital Planning, who provided the technical presentation. Mr. Salin read into the record all pertinent details of the Public Hearing for a Service Plan Amendment for the Cotton Belt Corridor Regional Rail Project – Alignment, Grade Separations, Station Locations, and Facility Locations.

Chair Bauman stated the time was 7:19 p.m., on Tuesday, March 27, 2018, and the public hearing would be held in pursuant to the requirements of DART's enabling legislation.

Mr. Killen joined the Public Hearing and Board meeting at 7:31 p.m.

Chair Bauman stated the time was 8:20 p.m. and the Public Hearing was now closed.

Consent Items:

Ms. Torres requested Agenda Item 5. Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services, be removed from the Consent Agenda Items.

Chair Bauman agreed.

Administrative:

Mr. Kennedy moved for approval of Agenda Items 6 through 13.

6. Contract Modification for Cellular and Data Services

Moved for approval of Resolution 180024, stating the President/Executive Director, or his designee, is authorized to execute a contract modification for Cellular and Data Services with AT&T Mobility II, LLC, d/b/a AT&T Mobility - National Accounts, LLC [Contract No.C-2029795-02] to:

Section 1: Execute a contract modification

Section 2: Increase the contract not-to-exceed amount by \$831,449, plus a growth factor of \$41,572 for a new total authorized amount not to exceed \$1,216,488.

7. Contract Option for Network Upgrade Services

Moved for approval of Resolution 180025, stating the President/Executive Director, or his designee, is authorized to:

Section 1: Exercise a 12 month option for Network Upgrade Consulting Services with True North Consulting Group [Contract No. C-2025923-01].

Section 2: Increase the contract not-to-exceed amount by \$162,000, for a new total authorized amount not to exceed \$411,900.

Capital Construction Oversight:

8. Approval of an Interlocal Agreement (ILA) Between DART and City of Irving for Design Services and Construction of the DART Carpenter Ranch Station in Irving, Texas

Moved for approval of Resolution 180026, stating the President/Executive Director, or his designee, is authorized to execute an Interlocal Agreement with the City of Irving, substantially in the form of Exhibit 1 to the resolution, for design services, construction and other project costs required for the construction of the DART Carpenter Ranch Station in Irving, Texas.

Operations, Safety & Security:

9. Approval of Contract Option for Operating Facility Janitorial Services

Moved for approval of Resolution 180027, stating the President/Executive Director, or his designee, is authorized to:

Section 1: Exercise the two-year option for operating facility janitorial services with CTJ Maintenance, Inc. [Contract No. C-2015006-1], and

Section 2: Increase the not-to-exceed amount by \$1,130,115, for a new total authorized amount not to exceed \$2,732,465.

10. Approval of Contract Option for Trash Pick-Up and Disposal Services

Moved for approval of Resolution 180028, stating the President/Executive Director, or his designee, is authorized to:

- Section 1:** Exercise the two-year option for trash pick-up and disposal services with Progressive Waste Solutions [Contract No. C-2015000-1].
- Section 2:** Increase the not-to-exceed amount by \$251,159, for a new total authorized amount not to exceed \$593,794.

11. Approval of Contract for Grounds Maintenance and Vegetation Control of DART-owned Right-of-Way

Moved for approval of Resolution 180029, stating the President/Executive Director, or his designee, is authorized to award a three-year contract for grounds maintenance and vegetation control of DART-owned right-of-way to Eden's Touch Diversified, LLC, in an amount not to exceed \$1,181,597, plus an additional amount not to exceed \$354,285 for code compliance requirements, illegal dumping, and unforeseen weather conditions on DART property, for a total authorized amount not to exceed \$1,535,882.

12. Approval of a Site-Specific Shuttle Agreement with McKinney Avenue Transit Authority (MATA)

Moved for approval of Resolution 180030, stating the President/Executive Director, or his designee, is authorized to execute a two-year, site-specific shuttle agreement with the McKinney Avenue Transit Authority (MATA), substantially in the form as shown in Exhibit 1 to the Resolution and subject to legal review, in a base amount not-to-exceed \$325,000 per year, for a two-year total amount of \$650,000, plus an amount equal to annual federal formula funds generated by MATA from National Transit Database (NTD) reporting, less the grant local match paid by DART and less a 5% administrative fee.

13. Approval of an Interlocal Agreement Between the City of Rowlett and DART for Reserved Parking at the Rowlett Station

Moved for approval of Resolution 180031, stating the President/Executive Director, or his designee, is authorized to execute an Interlocal Agreement between the City of Rowlett and DART for funding to support the reserved parking program for Service Area residents at Rowlett Station, substantially in the form shown as Exhibit 1 to the Resolution.

Mr. Jackson seconded and the items were approved unanimously.

Individual Items:

Administrative:

5. Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services

Ms. Torres noted due to the public comments from the DART employees concerning this item, she had some concerns regarding this item.

Ms. Torres motioned to defer this item back to the Administrative Committee for further discussion.

Mr. Jackson seconded.

Chair Bauman called for the vote and the motion was approved by a majority vote with Mr. Hayden, Mr. Wageman and Ms. Moreno opposing.

14. Approval of Amendment to: 1) Rule 5 of the DART Board Rules of Procedure, Code of Ethical Conduct; and 2) DART Board Policy V.01, Code of Ethical Conduct, Related to Employment of Former DART Board Members

Ms. Cuellar moved for approval of Resolution 180032, stating:

Section 1: Rule 5 of the DART Board Rules of Procedure, Code of Ethical Conduct is amended as shown in Exhibit 1 to the Resolution.

Section 2: DART Board Policy V.01, Code of Ethical Conduct, related to employment of former DART Board members, is amended as shown in Exhibit 2 to the Resolution.

Mr. Kelly seconded and the item was approved by a majority vote with Mr. Jackson opposing.

Other Items:

15. Public Comments

The following individuals addressed the Board:

Mr. Andrew Moss; Dallas, TX:

Mr. Moss voiced his concern regarding DART Police Department issues related to the July 7, 2016 tragedy.

Ms. Gina McCain; DART Employee:

Ms. McCain spoke in reference to the DART employee insurance and her opposition to Agenda Item #5, Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services.

Mr. Richard Sheridan; Dallas, TX:

Mr. Sheridan spoke about DART using alternate methods instead of implementing fare increases.

Ms. Alex Telecky; McKinney, TX:

Ms. Telecky spoke in reference to the recent fare increase (comments on file with the Office of Board Support). She then questioned the change of padded seats to plastic seats on the buses, specifically Bus Route #571.

Chair Bauman referred Ms. Telecky to Mr. Herold Humphrey, Assistant Vice President of Bus Operations.

Mr. DeBoss Christian; DART Employee:

Mr. Christian voiced concern about the use of non-DART modes. He also voiced concern regarding Agenda Item 5, Approval of Interlocal Agreement for Participation in Grand Prairie Independent School District's 504 Program to Provide Workers' Compensation Medical Services.

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

General Items:

17. Adjournment

There being no further business to discuss, the meeting was adjourned at 8:43 p.m.



Josefina Chavira, CAP
Board Committee Secretary

/jc

+ Same Night Item

* Briefing Item