

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
March 28, 2017**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, March 28, 2017, at 6:37 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Moses Wilkins presiding.

City of Dallas

Sue S. Bauman
Richard Carrizales – **Vice-Chair**
Jerry L. Christian– **Assistant Secretary**
Amanda Moreno
Pamela Dunlop Gates
Patrick J. Kennedy
Michele Wong Krause

City of Garland

Jonathan R. Kelly

City of Irving

Rick Stopfer

City of Plano

Paul N. Wageman

City of Cockrell Hill and Dallas

William M. Velasco, II

Cities of Carrollton and Irving

Tim Hayden

Cities of Farmers Branch and Plano

Faye Moses Wilkins – **Chair**

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– **Secretary**

General Items:

1. Approval of Minutes: March 7, 2017

Hearing no objection, Chair Moses Wilkins stated the March 7, 2017, Board of Directors' meeting Minutes were entered into record as prepared.

2. Texas Outstanding Civil Engineering Achievement Award

Mr. Kennedy and Mr. Wageman entered the meeting at 6:38 p.m.

Mr. Frank E. Pugsley, President of the Dallas Branch of the American Society of Civil Engineers (ASCE), introduced Mr. Frank Honeycutt, with the City of Dallas, Mr. Curtis Beitel, Immediate Past President of ASCE Texas Section, and Mr. Ramon Miguez, Senior Vice President of HDR Engineers, who all helped make this presentation possible.

Ms. Bauman entered the meeting at 6:39 p.m.

Mr. Pugsley turned the mic over to Mr. Miguez, who addressed the Board on behalf of the Stacy and Witbeck, CARCON Industries, and HDR Design-Build Team, stating they were extremely happy, and thankful, for the opportunity to have worked on the Union Station to Oak Cliff Dallas Streetcar Project. He congratulated the Board on a project that was most exciting and is facing the face of the areas that it touches.

Mr. Miguez turned the mic over to Mr. Beitel, who stated, in addition to winning the State-wide award for the Texas Outstanding Civil Engineering Achievement Award, the project also made the five finalist, this year, that was unveiled at a gala, in Washington D.C., a couple of weeks prior. He stated, although the project did not win the top award, however, simply being nominated as one of the top five engineering achievements around the globe, is truly a tremendous honor. This being said, Mr. Beitel presented the 2016 Texas Civil Engineering Outstanding Achievement Award to the Dallas Area Rapid Transit. Chair Moses Wilkins and Mr. Gary Thomas, President/Executive Director, accepted the award.

3. Regional Hispanic Contractor Association Cornerstone Circle Award

Ms. Carmen Garcia, Assistant Vice President Diversity, introduced Mr. John Martinez, President of the Regional Hispanic Contractor Association. She then stated DART was awarded the 2016 Pillars Award for the DART Union Station Streetcar Oak Cliff Southern Extension and also the brand new Cornerstone Circle Award. Mr. Martinez provided a summary of the two awards. Mr. Ruben Landa, Vice Chair of WSP/Parsons Brinckerhoff, Mr. Martinez and Ms. Garcia presented the awards to Chair Moses Wilkins and Mr. Thomas.

Chair Moses Wilkins stepped out of the meeting at 6:47 p.m., transferring chair duties to Vice-Chair Carrizales.

4. CAC Report on the March 16, 2017 Meeting

Ms. Kay Schecht, Chair of the Citizens Advisory Committee (CAC), provided an overview of the CAC meeting, which convened on Thursday, March 16, 2017 (Copy on file with the Office of Board Support).

Chair Moses Wilkins reentered the meeting at 6:48 p.m., resuming the chair responsibilities.

5. **Public Comments**

Chair Moses Wilkins 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).

Individuals, to address the Board, were as follows:

Ms. Amanda Bowen; Forney, TX:

Ms. Bowen addressed the Board regarding the homeless situation in Downtown Dallas. She stated she has experienced situations, especially at the West End Station, regarding being harassed.

Chair Moses Wilkins referred Ms. Bowen to Lieutenant Jim Foster, DART Police.

Ms. Tami Shelton; Dallas, TX:

Ms. Shelton voiced her concern regarding an issue she experienced, with a bus operator, in regards to the use of her bicycle and the bus bicycle rack.

Chair Moses Wilkins referred Ms. Shelton to Mr. Tim Newby, Vice President of Transportation.

Consent Items:

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

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

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

Mr. Enoch moved to approve Agenda Items 9 through 16.

9. **Approval of a Contract for an Information Technology (IT) Managed Security Services Provider**

Moved for approval of Resolution 170034, stating the President/Executive Director, or his designee, is authorized to award a contract for an IT managed security services provider with Critical Start, LLC, for a total authorized amount not to exceed \$4,138,033.

10. **Exercise Contract Options for Workers' Compensation Third-Party Administrator (TPA) Services**

Moved for approval of Resolution 170035, stating the President/Executive Director, or his designee, is authorized to exercise two, one-year contract options for workers' compensation third-party administrator (TPA) services using the Dallas County Schools 504 Doctor Panel, with ESIS, Inc. [Contract No. C-1022108-01] to:

Section 1: Exercise two, one-year options.

Section 2: Increase the not-to-exceed amount by \$1,123,880, for a new total authorized amount not to exceed \$3,684,242.

11. **Resolution of Jacqueline Freeman's Claims in Jacqueline Freeman v. Dallas Area Rapid Transit, Cause No. CC14-02958B, Pending in the County Court at Law Number 2, Dallas County, Texas**

Moved for approval of Resolution 170036, stating:

Section 1: Resolution of Jacqueline Freeman's claims in Jacqueline Freeman v. Dallas Area Rapid Transit, Cause No. CC14-02958B, pending in the County Court at Law Number 2, Dallas County, Texas, is a compromise of a doubtful and disputed claim, and this resolution is not to be construed as an admission of liability by Dallas Area Rapid Transit or the agents or employees of Dallas Area Rapid Transit.

Section 2: The 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 resolution of all aspects of Jacqueline Freeman's claims in this case in accordance with the terms and conditions presented to and hereby approved by the Board of Directors.

12. Contract for Light Rail Vehicle (LRV) Window Film Installation

Moved for approval of Resolution 170037, stating the President/Executive Director, or his designee, is authorized to award a two-year contract for light rail vehicle window film installation to Graffiti Shield, Inc., for a total authorized amount not to exceed \$684,366.

13. Contract for Engine Rebuild Kits for NABI CNG Buses

Moved for approval of Resolution 170038, stating the President/Executive Director, or his designee, is authorized to award a three-year contract to Cummins Southern Plains, LLC, for engine rebuild kits for North American Bus Industries compressed natural gas bus fleets, for a total authorized amount not to exceed \$7,189,678.

14. Contract for CNG Allison Bus Transmission Parts

Moved for approval of Resolution 170039, stating the President/Executive Director, or his designee, is authorized to award a three-year contract to Transtar Industries for CNG Allison Bus transmission parts for a total authorized amount not to exceed \$1,325,700.

15. Contract for Bus and Light Rail Vehicle (LRV) Paints

Moved for approval of Resolution 170040, stating the President/Executive Director, or his designee, subject to legal sufficiency review, is authorized to execute a three-year contract for bus and light rail vehicle (LRV) paints with Lusid Technologies, Inc. for a total amount not to exceed \$399,965.

16. Approval of Sale of 12 Rail Diesel Cars

Moved for approval of Resolution 170041, stating the President/Executive Director, or his designee, is authorized to:

Section 1: Declare that the 12 Rail Diesel Cars (RDCs) owned exclusively by DART are surplus equipment.

Section 2: Execute the sale of 12 RDCs to AllEarth Rail, LLC, for \$3,606,000, plus \$400,000 for associated spare parts, for a total of \$4,006,000.

Mr. Velasco seconded and the items were approved unanimously.

Individual Items:

17. **+Support for Maintaining the Integrity of the DART Sales Tax Within the DART Service Area**

Mr. Wageman moved for approval of Resolution 170042, stating DART's current level of sales tax collection as set forth in the successful 1983 vote and re-affirmed in the 2000 DART debt issuance vote should be respected and maintained:

Section 1: To preserve the integrity of service delivery for the thousands of North Texas commuters and taxpayers that depend on DART for reliable transportation and quality of life.

Section 2: To provide continuing assurance to our bondholders that the Board will protect their interests and respect the covenants agreed to in the master debt resolution and articulate for the benefit of other members of our community the legal and moral obligations associated with those commitments.

Section 3: To continue to assist in the provision of regional mobility and congestion mitigation for the fast growing and robust region of North Texas.

Section 4: To maintain a commitment to continued high level of economic and transit oriented development.

Mr. Enoch seconded and the item was approved unanimously.

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

Other Items:

7. **Public Comments**

There were no further individuals to address the Board.

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

9. **Adjournment**

There being no further business to discuss, the meeting was adjourned at 7:00 p.m.



Josefina Chavira, CAP
Board Committee Secretary

/jc

+ Same Night Item

* Briefing Item