

MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
January 24, 2023

The Dallas Area Rapid Transit **Board of Directors'** meeting came to order on Tuesday, January 24, 2023, at 6:00 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Vice-Chair Slagel presiding.

City of Dallas

Carmen Garcia
Flora M. Hernandez
Patrick J. Kennedy
Jon-Bertrell Killen
Michele Wong Krause – **Chair**
Rodney Schlosser – **Secretary**
Hosanna Yemiru

City of Garland

VACANT

City of Irving

Rick Stopfer

City of Plano

Paul N. Wageman

City of Cockrell Hill and Dallas

Eliseo Ruiz, III

Cities of Carrollton and Irving

Doug Hrbacek

Cities of Farmers Branch and Plano

M. Nathan Barbera

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 – **Vice-Chair**

VACANT – **Assistant Secretary**

Chair Michele Wong Krause and Mr. Mark C. Enoch were absent.

General Items:

1. **Approval of Minutes:** December 13, 2022

Mr. Schlosser moved to accept the December 13, 2022, Board of Directors' meeting Minutes into record as written.

Ms. Garcia seconded and the Minutes were accepted as written unanimously.

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

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

4. **Recognition of Special Guest Speakers**

There were no special speakers.

5. **Public Comments**

Mr. Gamez, General Counsel, read the rules that govern the Public Comments portion of the meeting, including the DART Board Code of Conduct, for News Media and Visitors during DART Board Meetings, that are on file with the Office of Board Support and posted outside the Board Room.

Ms. Yemiru left the meeting at 5:54 p.m.

The Public Comments were as follows:

Mr. Darnyn Harwell; Mesquite, TX:

Mr. Harwell spoke about the smell of odors on the train and requested security officers be placed back on the train.

Ms. Marsha Gale Hampton; Richardson, TX:

Ms. Hampton, a Paratransit rider and disable United State Navy veteran, had concerns about the drivers time management and odors in the vehicles.

Ms. Nadine S. Lee, President & Chief Executive Officer, referred Ms. Hampton to Mr. Doug Douglas, Vice President of Mobility Management Administration.

Mr. Luis Fuentes; No location indicated:

Mr. Fuentes, Member of the Sunrise Movement Dallas, spoke in regards to free transit for students and how the program would be beneficial.

Mr. Kidus Girma; Dallas, TX:

Mr. Girma, Member of the Sunrise Movement Dallas, spoke in regards to free transit for low income areas. He requested the DART Board make transit more accessible for students.

Mr. James Perkins, No location indicated:

Mr. Perkins, Member of the Sunrise Movement Dallas, requested the DART Board to sign a pledge in regards to free transit for K-12 students.

Mr. Bryon McCane, Ft. Worth, TX:

Mr. McCane voiced his concerns regarding a bus operator from the Northwest Division in reference to allegations of a screenshotted bus pass that a DART Police Officer confirmed was valid.

Ms. Lee referred Mr. McCane to Mr. Bernard Jackson, Senior Executive Vice President/Chief Operations Officer.

Ms. Angela Tran, Garland, TX:

Ms. Tran asked a question regarding whether DART published its General Transit Feed Specification (GTFS) in Real Time Data.

Ms. Lee referred Ms. Tran to Mr. Greg Elsborg, Vice President/Chief Innovation Officer.

Mr. Hexel Colorado, Dallas, TX:

Mr. Colorado, a Citizens Advisory Committee member and a Sunrise Movement Dallas member, spoke in reference to the overcrowding and impact on riders that was occurring on DART bus routes No. 883 West and 883 East. He also spoke in support for free transit for K-12 students.

Ms. Lee referred Mr. Colorado to Ms. Jenny Barket, Chief of Staff.

Consent Items:

Mr. Stopfer moved to approve Consent Items 6 through 10.

Administration:

6. Appointment of Directors to the Dallas Area Rapid Transit Mobility Service, LGC Board of Directors

Moved for approval of Resolution 230000 stating that Gary Slagel, Nadine S. Lee, Rob Smith, and Elizabeth Reich are hereby appointed to the Dallas Area Rapid Transit Mobility Service, LGC Board of Directors for terms commencing on the date hereof and ending on December 31, 2024, or until a replacement director is appointed.

Customer Service, Safety and Mobility:

7. Approval of Contract for East Dallas Bus Operating Facility Bus Lifts - Phase 2

Moved for approval of Resolution 230001 stating the President & Chief Executive Officer, or her designee, is authorized to award an eighteen-month contract with no options to Reeder Distributors, Inc., for nine bus lifts for the East Dallas Bus Operating Facility [Contract No. C-2073045-01], for a total authorized amount not to exceed \$2,261,845.

Planning and Capital Programs:

8. Approval of an Interlocal Cooperation Agreement (ILA) between the North Central Texas Council of Governments (NCTCOG) and DART for Implementation of Electric Vehicle (EV) Charging Station Call for Projects

Moved for approval of Resolution 230002 stating the President & Chief Executive Officer, or her designee, is authorized to execute an Interlocal Cooperation Agreement, subject to legal review, between the North Central Texas Council of Governments (NCTCOG) and DART, substantially in the form shown as Exhibit 1 to the Resolution, for the Implementation of Electric Vehicle Charging Station Call for Projects.

9. Approval to Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcel CB2-010A Located at or near 1500 Cecil Drive in the City of Carrollton, Texas, for the Silver Line Regional Rail Project, and Authorize Eminent Domain Proceedings for this Parcel, if Necessary

Moved for approval of Resolution 230003 stating:

Section 1: There is a public necessity for the acquisition of Parcel CB2-010A 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.

Section 2: In the event the property owner accepts the payment of just compensation, the President & Chief Executive Officer or her 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 & Chief Executive Officer or her designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy.

Section 3: If the 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 CB2-010A. 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 of an Agreement for Anland North Commercial, L.P. to Repurchase Parcel 2A, Griffin Tract, Located at or near North Houston Street and Broom Street, in Dallas, Texas

Moved for approval of Resolution 230004 stating the President & Chief Executive Officer, or her designee, is authorized to execute a Repurchase Agreement with Anland North Commercial, L.P., for Parcel 2A of the Griffin Tract, as described in Exhibit 1.

Mr. Schlosser seconded and the items were approved unanimously.

Individual Items:

Planning and Capital Programs:

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

12. Approval to Increase the Contract Value for the Design-Build Contract for the Silver Line Regional Rail Project to Increase the Franchise Utilities Relocation Allowance

Mr. Schlosser moved for approval of Resolution 230005 stating the President & Chief Executive Officer, or her designee, is authorized to execute a contract modification 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:

Section 1: Increase the Franchise Utility Relocation Allowance by \$20,350,020, to be funded from existing contract contingency.

Section 2: Increase the contract value by a total amount of \$20,350,020, for a new contract amount not to exceed \$1,259,751,939. The total Board-authorized amount remains the same at \$1,294,567,655.

Mr. Stopfer seconded and the item was approved unanimously.

Other Items:

13. Public Comments

Mr. Jed Ulldrich, Dallas, TX:

Mr. Ulldrich, Member of the Sunrise Movement Dallas, requested the DART Board sign a pledge in regards to free transit for K-12 students.

Mr. Ricardo Allen, DART Employee:

Mr. Allen, Minister and employee at Northwest division, voiced concern regarding a director at the Northwest Division and requested to speak with someone regarding issues at that site.

Mr. Bryan Blanks, DART Employee:

Mr. Blanks talked about issues riding the train with homeless population, and spoke about the safety of riders and safety of mechanics. He also spoke about salary concerns.

Ms. Lee referred Mr. Blanks to Mr. Jackson.

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

15. Adjournment

There being no further business to discuss, the meeting was adjourned at 6:45 p.m.



Josefina Chavira, CAP
Assistant Board Administrator

/jc