

# **BOARD OF DIRECTORS MEETING**

MONDAY FEBRUARY 24, 2020 3:30 P.M.





# **BOARD OF DIRECTORS MEETING**

## **AGENDA**

**MONDAY FEBRUARY 24, 2020 3:30 P.M.**

Fort Worth Central Station  
Downtown Fort Worth  
1001 Jones Street, 2nd Floor Community Room  
Fort Worth, Texas 76102

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. CITIZEN COMMENTS**
- D. COMMITTEE REPORTS**
  - **Commuter Rail Committee Working Session – February 10, 2020 – Charles Edmonds**
  - **Planning/Operations/Marketing Committee Working Session– February 10, 2020 – Nick Genua**
  - **Finance & Audit Committee Working Session – February 10, 2020 – Alan Hooks**
- E. ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**
- F. CONSENT AGENDA**
  - 1. BA2020-34 Metercomm Licensed Purchase**
  - 2. BA2020-35 Advertising Policy and Guidelines**
  - 3. BA2020-36 Dallas/Fort Worth International Airport (DFW) Advertising for TEXRail**
  - 4. BA2020-37 Bus Rapid Transit – Concept Development and Sketch**
  - 5. BA2020-38 Title VI Program and Report**
- G. PRESIDENT’S REPORT**
- H. CHAIR’S REPORT**
- I. OTHER BUSINESS**



**J. EXECUTIVE SESSION**

The Board of Directors may convene in Executive Session under the Texas Open Meetings Act for the consultation with its Attorney pursuant to Section 551.071; deliberation regarding real property pursuant to Section 551.072; deliberation regarding prospective gift pursuant to Section 551.073; deliberation regarding personnel matters pursuant to Section 551.074; deliberation regarding security devices pursuant to Section 551.076 and/or deliberations regarding economic development negotiations pursuant to Section 551.087.

**K. RECONVENE**

**L. VOTE ON ACTION TAKEN ON MATTERS DELIBERATED IN EXECUTIVE SESSION**

**M. ADJOURN**

**NEXT MEETING WILL BE HELD ON MARCH 23, 2020 AT 3:30 PM AT THE FORT WORTH  
CENTRAL STATION, 2<sup>ND</sup> FLOOR COMMUNITY ROOM**

This facility is wheelchair accessible.  
For accommodations for hearing or sight interpretive services, please contact Kelli Shields 48 hours in advance at 817.215.8972.



# CONSENT AGENDA ITEMS



TRINITY  METRO<sup>SM</sup>



# **BOARD OF DIRECTORS**

## **ACTION ITEM**

**Item Number:** BA2020-34

**Meeting Date:** February 24, 2020

**Item Title:** Meteorcomm License Purchase

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### **BACKGROUND**

The U.S. Congress mandated Positive Train Control (PTC) for all railroads with a deadline of December 31, 2020. In order to comply with this mandate, Trinity Railway Express (TRE) and TEXRail needed to purchase radios, equipment and back office software that operate in the 219-222 MHz band. This hardware and software is the communications link for the Regional PTC system. Meteorcomm currently offers the radios, equipment and back office software needed to operate PTC in the 219-22 MHz band. The Meteorcomm system provides interoperability with Amtrak, BNSF, Union Pacific, Kansas City Southern, Fort Worth and Western and Dallas Garland & North Eastern (DGNO). The total annual expense for the equipment lease is \$39,295.00. In February 2017, the Board of Directors approved the cost associated with the purchase of the Meteorcomm system at \$926,295.00 for one-half of the TRE expense and \$1,492,547.00 for the TEXRail expense totaling \$2,418,842.00.

TEXRail has already purchased, and installed the radios and equipment necessary for PTC from Meteorcomm. The TEXRail PTC Implementation Project has now reached the point where it is necessary to purchase and use the back office software license as well. Due to a price increase for the Meteorcomm back office software license, an additional \$85,603.22 is needed to complete the purchase and keep TEXRail on schedule for full PTC implementation by December 31, 2020.

### **FINANCING**

Funding for this \$85,603.22 price increase is included in the TEXRail Project budget.

### **RECOMMENDATION**

The Commuter Rail Committee recommends that Trinity Metro Board of Directors authorize the President/Chief Executive Officer to authorize the additional \$85,603.22 necessary to complete the Meteorcomm back office software license purchase. This would change the current not to exceed amount (\$2,418,842.00) for the Meteorcomm agreement to a new total not to exceed the amount of \$2,504,445.22.

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**Disposition by Board of Directors**

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**Secretary Approval:**

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**DATE**



# BOARD OF DIRECTORS

## ACTION ITEM

Item Number: BA2020-35

Meeting Date: February 24, 2020

Item Title: Advertising Policy and Guidelines

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### **BACKGROUND**

Sales of advertisements on Trinity Metro's fixed route bus fleet, paratransit bus fleet, bus stop benches and transit facilities provide an opportunity for businesses and organizations to utilize Trinity Metro's assets to reach potential audiences in Tarrant County. Trinity Metro historically has contracted a third-party vendor to sell, produce, install and manage these advertisements, and Trinity Metro's advertising guidelines regulate appropriate subject matter. The existing policy was approved on December 15, 2010, and should be updated as noted below.

### **ADVERTISING POLICY AND GUIDELINES**

Advertisements on/in buses, bus benches, Trinity Railway Express (TRE) trains and stations, Trinity Metro TEXRail stations, bus park-and-ride and transfer facilities, and all other Trinity Metro property shall be of reputable character and conform to community standards of decency and acceptability, as determined by Trinity Metro's policy. Advertisements shall follow these guidelines:

- All commercial advertising must be truthful. False, deceptive or misleading commercial advertising is not permitted.
- Advertising must comply with all applicable laws and regulations.
- Advertising containing text and/or art that is legally obscene or sexually explicit is not permitted. Words and/or art that portrays violent acts or other graphic violence, including the depiction of bodies, body parts, and fetuses that are in states of mutilation, dismemberment, disfigurement, and/or decomposition is not permitted.
- Advertisements advocating or proposing transactions that would constitute unlawful discrimination, or that would be illegal for any other reason, are not permitted. Advertisements that are directed to inciting or producing imminent lawless or discriminatory action and that are likely to incite or produce such action are not permitted.
- Advertisements containing profanity (or implied profanity), defamatory or inflammatory statements directed at any individual or group, including but not limited to statements referencing a race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital or parental status, or military discharge status, are not permitted.
- Theist, anti-theist, faith-based, and/or religious and anti-religious messages, witchcraft, voodoo, cult, or other spiritual or anti-spiritual promotions, regardless of viewpoint, are not permitted.

- Defamatory messages, hate speech and/or language that targets or berates individuals or specific groups are not permitted
- Illustrations or references that encourage persons to refrain from using safety precautions are not permitted.
- Advertising for tobacco and/or alcoholic beverage products or products that promote smoking or drinking is not permitted. This also prohibits advertising CBD oil products and services.
- Advertising supporting or opposing a political candidate, issue or cause is prohibited.
- No implied or declared endorsement of any product or service by Trinity Metro is permitted.
- Trinity Metro will not allow advertising that casts public transportation in a negative light, is otherwise contrary to Connect Transit's mission statement, or that might result in public criticism of transportation advertising.
- Advertising promoting contests should ensure the contest is being conducted with fairness to all entrants and complies with all applicable laws and regulations.
- Commercial advertising offering premiums or gifts must not misstate their value.
- Advertisements promoting contests must comply with all applicable laws and regulations. The contest sponsor must indemnify Trinity Metro from any claim or legal action involving any contest advertisement placed in the Trinity Metro system.

Trinity Metro shall be the sole judge of the suitability of all advertisements and products advertised. If Trinity Metro disapproves of an advertisement, the advertising contractor must remove it within 24 hours of written request from Trinity Metro. All advertising content shall be pre-approved by Trinity Metro.

The advertising contractor shall honor and follow any future policies governing advertising content that the Board of Directors may adopt. Any existing advertisement conflicting with the newly adopted advertising policy by Trinity Metro's Board of Directors shall be reviewed immediately and removed within 24 hours of written notice.

### **RECOMMENDATION**

The Planning, Operations & Marketing Committee recommends that Trinity Metro Board of Directors authorize the approval of the Trinity Metro Advertising Policy and Guidelines.

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### **Disposition by Board of Directors**

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**Secretary Approval:**

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**DATE**

# **BOARD OF DIRECTORS**

## **ACTION ITEM**

**Item Number:** BA2020-36

**Meeting Date:** February 24, 2020

**Item Title:** Dallas/Fort Worth International Airport (DFW)  
Advertising for TEXRail

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### **BACKGROUND**

On Jan. 10, 2019, Trinity Metro TEXRail began service between downtown Fort Worth and Dallas Fort Worth (DFW) International Airport's Terminal B. To increase ridership, there is an ongoing need to promote the commuter rail service, particularly at DFW International Airport, where there is a large percentage of potential customers including travelers and airport employees.

In an awareness survey conducted in October and November 2019, 22% of respondents remember seeing marketing about Trinity Metro TEXRail at DFW International Airport. This was the highest response rate out of the available responses confirming that advertising within the airport terminals is an effective way to reach people.

After researching the various options available for advertising at DFW International Airport, it was determined that the digital arrival network screens offer the most flexibility and the most exposure to promote Trinity Metro TEXRail. JCDecaux is the agency that manages advertising opportunities at DFW International Airport. In an agreement with them, Trinity Metro is able to purchase 10-second advertisements across 60 screens in the baggage claim areas in all terminals. The proposed timeline for this agreement is March through August, when estimated airport traffic is 39,512,647. For 60 screens at all terminals, the total agreement cost is \$72,000 for 24 weeks of advertising.

### **PROCUREMENT**

This is a sole source procurement with JCDecaux as it is the only agency to offer advertising sales on the terminal displays. Access to the arrival network is only available to purchase from this provider.

### **FINANCING**

Funds are available in the marketing department's FY2020 Operating Budget.

### **RECOMMENDATION**

The Planning, Operations and Marketing Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to purchase advertising at DFW International Airport from JCDecaux for the total purchase amount of \$72,000.

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**Disposition by Board of Directors**

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**Secretary Approval:**

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**DATE**



# **BOARD OF DIRECTORS**

## **ACTION ITEM**

**Item Number:** BA2020-37

**Meeting Date:** February 24, 2020

**Item Title:** Bus Rapid Transit – Concept Development and Sketch Planning

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### **BACKGROUND**

The East Lancaster corridor is the highest ridership corridor in the Trinity Metro network. This corridor is suitable for implementing a state-of-the-art Bus Rapid Transit system because of high ridership, availability of right-of-way and an opportunity to advance urban design integration and implement latest transit technologies. The project will be developed in a highly collaborative environment between the City of Fort Worth, Trinity Metro, TxDOT, NCTCOG, FTA and FHWA.

This Board Action request would authorize Trinity Metro's President/Chief Executive Officer to issue Task Order Number 9 to Simon Engineering and Consulting, Inc., who will partner with its sub consultant careyBRT, a consulting firm specializing in Bus Rapid Transit Development, to lead and provide planning expertise on the Concept Development and Sketch Planning.

### **PROCUREMENT**

In June 2018, Trinity Metro's Board of Directors approved contracts with six (6) Indefinite Delivery Indefinite Quantity (IDIQ) firms to provide professional engineering services including planning, design and construction management services for Trinity Metro.

Simon Engineering Contract No. 18-016F is one of the six (6) IDIQ firms approved by BA 2018-50. Task Order Number 9 will be issued to Simon Engineering & Consulting, Inc. to provide professional planning and engineering services for Concept Development and Sketch Planning for the BRT project.

### **FINANCING**

The cost for this Task Order was not originally in the FY2020 Capital Budget. There are adequate funds to support this Task Order in the FY2020 Capital Budget.

### **DBE UTILIZATION**

Simon Engineering IDIQ Contract No. 18-016F, has an overall DBE goal of 30%. Their self-performance, as a DBE firm on this Task Order, will contribute to meeting their overall contract goal.

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**Item Title:** Bus Rapid Transit – Concept Development and Sketch Planning

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**RECOMMENDATION**

The Planning, Operations & Marketing Committee recommends that Trinity Metro Board of Directors authorize the President/Chief/Executive Officer to issue Task Order Number 9, with Simon Engineering & Consulting Inc., (Contract No. 18-016F) in the amount of \$221,646 and a 10% (\$22,165) contingency for unforeseen expenses, for a total estimated amount of \$243,811.

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**Disposition by Board of Directors**

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**Secretary Approval:**

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**DATE**



# BOARD OF DIRECTORS

## ACTION ITEM

Item Number: BA2020-38

Meeting Date: February 24, 2020

Item Title: Title VI Program and Report

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### **BACKGROUND**

Transit agencies receiving federal funds must submit a Title VI report every three years to comply with requirements of the Federal Transit Administration (FTA), the Civil Rights Act of 1964 and subsequent regulations. Review and approval of the report by the governing entity responsible for policy decisions is an FTA requirement, included in Circular FTA C 4702.1B. The purpose of the regulation is to ensure that Trinity Metro will:

- a. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner
- b. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin
- c. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency

This program covers discrimination in service planning, scheduling, customer service and operations. Discrimination in other business areas such as purchasing and hiring practices or disabilities are covered and reported under other regulations.

The Trinity Metro 2020 Title VI Program and Report has been provided to the Board of Directors for review. This document contains the Title VI program for the upcoming period 2020 - 2022. It outlines Trinity Metro's commitment to civil rights, describes policies and actions to be taken by the agency to ensure the equitable distribution of services, includes Title VI discrimination complaint and investigation procedures, a public participation plan and a language assistance plan.

This document also contains a report assessing Title VI performance for the period 2017 through 2019. It references the existing Service Standards (approved BA2020-25) and contains a thorough analysis of those standards with regard to the equity of service provided to minorities and low-income persons vs. non-minority and non-low income persons. There are no service disparities found that would require mitigation.

### **FINANCING**

There is no direct cost incurred through adoption of the 2020 Title VI Report.

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**Item Title:** Title VI Program and Report

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**RECOMMENDATION**

The Planning, Operations & Marketing Committee recommends that Trinity Metro Board of Directors authorize the President/Chief Executive Officer to adopt and approve the 2020 Title VI Program and Report and to submit the report to the Federal Transit Administration on or before the due date of April 1, 2020.

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**Disposition by Board of Directors**

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**Secretary Approval:**

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**DATE**



