

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
EXECUTIVE BOARD MEETING
Minutes — December 19, 2019

Transportation Council Room | 616 Six Flags Drive | Arlington, Texas

REGULAR SESSION

President Clark called the regular meeting of the North Central Texas Council of Governments Executive Board to order at 12:06 pm.

Members of the Board Present:

1. J. D. Clark
2. Ray Smith
3. Curtistene McCowan
4. Kevin Strength
5. Kelly Allen Gray
6. Gary Caplinger
7. Chris Hill
8. Bill Heidemann

9. Clay Jenkins
10. Lee Kleinman
11. Bobbie Mitchell
12. Andrew Piel
13. Tito Rodriguez
14. Ken Shetter
15. David Sweet
16. Glen Whitley

Members of the Board Absent:

17. Yvonne Davis
18. Richard Stopfer

Members of the Staff Present:

Mike Eastland, Monte Mercer, Doni Green, Michael Morris, Edith Marvin, Molly McFadden, Molly Rendon, David Setzer, Christy Williams, Stephanie Cecil, Dan Kessler, Ken Kirkpatrick, Emily Beckham, Lori Clark, Tamara Cook, Chris Klaus, Debra Kosarek, Heather Mazac, Carmen Morones, Shannon Stevenson

Visitors Present:

Aaron Mercer, Transit Field Supervisor, Dikita

EXECUTIVE SESSION

At 12:07 pm, President Clark convened the Executive Session pursuant to Open Meetings Act Section 551.074 to deliberate regarding personnel matters to conduct a Performance Review of Executive Director and Consideration of Compensation.

At 1:07 pm, President Clark closed the Executive Session and immediately reconvened the Regular Session of the Executive Board at 1:08 to consider action on the item discussed in Executive Session.

Councilmember Piel left the meeting and did not return.

RECONVENE REGULAR SESSION

ACTION:

Item 1 Performance Review of Executive Director and Consideration of Compensation

Upon a Motion by Mayor McCowan (seconded by Councilmember Gray), that the Executive Director receive up to a 3% increase in his taxable salary, and unanimous vote of all members present, the Board approved the motion as presented.

President Clark announced the Pledge of Allegiance to the United States and Texas Flags. President Clark then asked if there was anyone present that desired to address the Board on any item of the agenda. There being no one present requesting to speak, he continued with the meeting.

Item 2 Approval of Minutes

President Clark requested approval of the Minutes from the October 2019 Board meeting.

Upon a Motion by Judge Whitley (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the minutes of the October 2019 Executive Board meeting.

Exhibit: 2019-12-02-EDO

Item 3 Resolution Authorizing Cooperative Purchasing Agreements for Goods and Services

Molly Rendon, Director of Administration, requested authorization for cooperative purchasing agreements with the Local Government Purchasing Cooperative ("Buyboard"); The Interlocal Purchasing System ("TIPS"); and the Purchasing Association of Cooperative Entities ("PACE"). She explained that when advantageous NCTCOG utilizes cooperative purchasing programs to procure goods and services. In order to access cooperative purchasing programs an interlocal agreement must be authorized by the Board.

Exhibit: 2019-12-03-AA

Upon a Motion by Judge Whitley (seconded by Councilmember Rodriguez), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 4 Resolution Authorizing Receipt of Revenue and Continuation of North Central Texas Clean School Bus Program Supplemental Environmental Project

Michael Morris, Director of Transportation, asked the Board to authorize the receipt of revenue from the Texas Commission on Environmental Quality (TCEQ) for the North Central Texas Clean School Bus Program Supplemental Environmental Projects (SEP) to fund school bus replacements, engine replacements, and alternative fuel conversions. He explained the TCEQ oversees implementation of SEP projects, which are environmentally beneficial projects that entities implement in settlement of an enforcement action. This authorization would also expand the Program to include school bus engine replacements and alternative fuel conversions. This expansion will allow NCTCOG to fund the types of projects requested by school districts as future SEP funds are received. All projects would be designed to reduce ozone-forming emissions in the nonattainment area. No matching funds are required by the TCEQ under the SEP program, but NCTCOG typically imposes requirements for match to be provided by the recipient school district.

Exhibit: 2019-12-04-TR

Upon a Motion by Judge Whitley (seconded by Mayor Heidemann), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 5 Resolution Authorizing Agreements for the Receipt of Funds for Planning and Implementation Programs from the Texas Department of Transportation

Michael Morris, Director of Transportation, requested Board approval to receive approximately \$49.65 million (\$40,196,600 Surface Transportation Block Grant Program funds, \$4,208,000 million Congestion Mitigation and Air Quality Improvement Program funds, \$4,000,000 Regional Toll Revenue funds, \$406,750 State Match, \$835,750 local participation + 7,886,920 in Transportation Development Credits in lieu of local match). He explained that the Board previously approved receipt of funding for continuation and enhancement of ongoing transportation and air quality initiatives and for new projects implemented and managed by staff. The Regional Transportation Council (RTC) approved the programming of funds for these projects at various times. The resolution approving receipt of revenue and execution of necessary agreements is included in the agreements with the Texas Department of Transportation (TxDOT).

Exhibit: 2019-12-05-TR

Upon a Motion by Judge Sweet (seconded by Councilmember Strength), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Gray left meeting and did not return.

Item 6 Resolution Approving Modifications to Federal Transit Administration Transit Projects in the Southern Dallas Inland Port Area and Execution of Necessary Agreements

Michael Morris, Director of Transportation, requested approval for modifications to Federal Transit Administration (FTA) projects in the Southern Dallas Inland Port Area, including an agreement between NCTCOG and Dallas Area Rapid Transit (DART) in an amount not to exceed \$180,045 and an Agreement between NCTCOG and STAR Transit in an amount not to exceed \$318,600. He explained that in October 2017, the Board approved the receipt of approximately \$708,645 in FTA Urbanized Area Formula Program and Enhanced Mobility of Seniors and Individuals with Disabilities Program funds and awarded them as follows:

- \$210,000 to Workforce Solutions of Greater Dallas (WFSD) for a Southern Dallas Inland Port Job Access Transportation Planning Study
- \$180,045 to WFSD for transit service in the Inland Port area
- \$318,600 to the City of Desoto for transit service for elderly and disabled residents in Desoto

After coordination and consultation with all parties, it was determined that NCTCOG will incorporate the Job Access Transportation Planning Study into a larger region-wide transit study and procure a consultant to complete the study and that transit service would be directly implemented by DART. The Regional Transportation Council approved the project modifications in January 2019.

Exhibit: 2019-12-06-TR

Upon a Motion by Mayor McCowan (seconded by Councilmember Kleinman), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 7 Resolution Authorizing Amendment to Consultant Contract with National Research Center, Inc. for the DART Red and Blue Line Corridors Transit-Oriented Development Survey

Michael Morris, Director of Transportation, requested authorization to amend a consultant contract with National Research Center, Inc., by an additional \$25,500, for a revised not to exceed amount of \$275,500, to complete the DART Red and Blue Line Corridors Transit-Oriented Development (TOD) Survey. He explained that because the Dallas-Fort Worth region is in nonattainment of the federal air quality standard for ozone, NCTCOG is actively involved in the development and implementation of programs, policies and practices to address air quality, including TOD and increased transit ridership. In 2016, the Federal Transit Administration's (FTA) Planning Pilot for TOD program awarded NCTCOG \$1.4 million, which was matched with \$50,000 of contributions from local partners and \$325,000 of RTC Local funds. As part of the Planning Pilot for TOD, the National Research Center, Inc., was awarded a not to exceed amount of \$250,000 to complete a TOD Survey of residents, employers, and employees in the approximate one-mile radius around 28 DART Red and Blue Line stations. The number of resident responses to the survey was lower than expected. To ensure the statistical validity and ability of the survey to provide insight into resident travel decisions and preferences, additional surveying is recommended, requiring an amendment to the contract.

Exhibit: 2019-12-07-TR

Upon a Motion by Mayor Heidemann (seconded by Mayor McCowan), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Kleinman left the meeting.

Item 8 Resolution Authorizing a Contract with ETC Institute for the 2020 North Central Texas Regional Transit On-Board Survey

Michael Morris, Director of Transportation, requested authorization to contract with ETC Institute to implement a 2020 North Central Texas Regional On-Board Survey in an amount not to exceed \$1,750,000. He explained that the Survey is a collaborative effort between NCTCOG and Dallas Area Rapid Transit (DART), Denton County Transportation Authority (DCTA), and Fort Worth Transportation Authority (d/b/a Trinity Metro). The goal of the survey is to conduct a full transit travel survey on buses, streetcars, GoLink, light rail, and commuter rail lines of

DART, DCTA, and Trinity Metro during 2020. Data collected during the survey will include trip information, fare and payment details, and socio-economic data.

Exhibit: 2019-12-08-TR

Upon a Motion by Mayor Heidemann (seconded by Councilmember Rodriguez), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Rodriguez left the meeting.

Item 9 Resolution Authorizing Execution of Agreements with Subrecipients of the Clean Fleets North Texas 2019 Call for Projects

Michael Morris, Director of Transportation, requested authorization of an agreement between NCTCOG and the City of Dallas in an amount not to exceed \$929,608; and an agreement between NCTCOG and the City of Benbrook in an amount not to exceed \$325,000, using funds from the Environmental Protection Agency's (EPA) National Clean Diesel Funding Assistance Program. He explained that the Dallas-Fort Worth region is in nonattainment of the federal air quality standard for ozone. The Clean Fleets North Texas program funds projects in the 10-county ozone nonattainment area that would reduce nitrogen oxide emissions by replacing older diesel vehicles and equipment with newer, lower-emitting vehicles and equipment.

Exhibit: 2019-12-09-TR

Upon a Motion by Councilmember Caplinger (seconded by Mayor Shetter), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Rodriguez returned to meeting.

Item 10 Resolution Authorizing Amendment to Consultant Contract with Burns & McDonnell Engineering Co., Inc., for Environmental Assistance on the Collin County Outer Loop Segment 3

Michael Morris, Director of Transportation, requested authorization for a contract amendment with Burns & McDonnell, Co., Inc., to provide additional environmental services for Collin County Outer Loop Segment 3, in an amount of \$25,000 of Regional Toll Revenue (RTR) funds, for a revised not to exceed amount of \$175,000. He explained that NCTCOG will use the additional funding to extend the existing consultant contract, approved in April 2018, to provide additional environmental services for the Collin County Outer Loop Segment 3, due to unforeseen legal and weather-related issues.

Exhibit: 2019-12-10-TR

Upon a Motion by Mayor McCowan (seconded by Councilmember Strength), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 11 Resolution Authorizing a Lease Extension for the Plano Workforce Center

David Setzer, Director of Workforce Development, asked the Board to renew the lease agreement for the current Plano Workforce Center located at 1101 Resource Drive, Suite 100, in Plano, Texas. The lease with Property Reserve Inc. for 13,194 square feet of office space is for a period of five years at an average price per square foot equaling \$12.40 (excluding lease operating costs increases over the base year amounts, janitorial, and utilities).

Exhibit: 2019-12-11-WD

Upon a Motion by Judge Hill (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Kleinman returned to the meeting.

Item 12 Resolution Endorsing the Submittal of a Grant Application to the Environmental Protection Agency's Trash Free Waters Grant Program

Edith Marvin, Director of Environment and Development, asked the Board to endorse a grant application and the receipt of funds, if awarded, in an amount not to exceed \$500,000, from the Environmental Protection Agency (EPA). She explained that NCTCOG, in collaboration with the Houston Galveston Area Council and with letters of support from fifteen stakeholders, applied to EPA's Trash Free Waters Grant Program on November 22, 2019. The Trash Free Waters program seeks to develop innovative, holistic approaches that improve water quality and water habitat by removing and reducing the amount of trash that ends up in state waterways and the ocean. The project must engage the local community in outreach and education.

Exhibit: 2019-12-12-ED

Upon a Motion by Councilmember Strength (seconded by Councilmember Rodriguez), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 13 Resolution Authorizing Contracts with In-Home Service Providers

Doni Green, Director of Aging, asked the Board to authorize contracts between NCTCOG and ADT, Outreach Health, Aunt Mae's, and Clear Path for the provision of in-home services, for a maximum four-year term and in a cumulative amount not to exceed \$600,000, through funding from Title III-B of the Older Americans Act. She explained that NCTCOG is strongly committed to utilizing these funds to help frail older adults remain safely in their homes and conducted a competitive procurement process for emergency response, homemaker, personal assistance, and agency-managed respite services.

Upon a Motion by Commissioner Mitchell (seconded by Judge Sweet), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 14 Resolution Authorizing Transfer of Navarro County Nutrition and Transportation Services to Meals on Wheels of Johnson and Ellis Counties and Star Transit

Doni Green, Director of Aging, requested an amendment to two existing subrecipient agreements to transfer nutrition and transportation services provided under Title III funding through the Older Americans Act. She explained that proposed amendment to the existing Senior Connect subrecipient agreement for nutrition and transportation services would remove Navarro County from its service area, effective January 1, 2020. The proposed amendment to the existing subrecipient agreement with Meals on Wheels of Johnson and Ellis Counties would add Navarro County to its service area and transfer unexpended Navarro County nutrition funds from Senior Connect, effective January 1, 2020.

Exhibit: 2019-12-14-AG

Upon a Motion by Councilmember Strength (seconded by Mayor Shetter), and unanimous vote of all members present, the Board approved the resolution as presented.

STATUS REPORTS:

Item 15 Status Report on 2019 Texas Energy Summit Outstanding Government Organization Award to NCTCOG

Michael Morris, Director of Transportation, and Edith Marvin, Director of Environment and Development, informed the Board that NCTCOG was recognized with the Outstanding Government Organization award for leadership in clean air, clean energy initiatives, and the ability to create clean air solutions at the 2019 Texas Energy Summit. In addition, NCTCOG became the first organization to be given this award twice. They explained that examples of clean air and clean energy projects include the Go Solar Texas and Conserve North Texas collaborative initiatives between the Environment and Development and Transportation departments which also service to "break down silos" of funding.

Item 16 Status Report on Living Wage

Mike Eastland, Executive Director, briefed the Board on the feasibility and practicality of establishing a living wage policy in response to a request for information from the Board. He explained that staff conducted a survey of the ten largest cities, all sixteen counties, and other political subdivisions (NTTA, DART, Local Workforce Boards) in the region. The survey found that only two entities surveyed - the City of Dallas and Dallas County - have identified wage policies. The City of Dallas policy, adopted in 2015, establishes an \$11.71 per hour minimum wage (for 2019) that applies to staff and contractors with general service contracts valued at greater than \$50k. The Dallas County minimum wage policy was adopted in 2019 and establishes a \$15 per hour minimum wage that applies to Dallas County staff only.

Mr. Eastland explained that a living wage policy would not impact NCTCOG employees, as they all, including interns, earn above the median \$11.71 living wage for the DFW area (According to the MSA: Metropolitan Statistical Average, which is the MIT Living Wage Calculator). In fact, all regular employees make more than \$15/hr. Approximately 11% (\$25 million) of NCTCOG's annual budget is contracted services (this excludes grant subrecipients). Most of these contract opportunities are planning, engineering and other professional and technical consulting services with employees that already generally exceed the \$11.71 living wage.

The NCTCOG Executive Board serves as the fiscal agent, but not as the policy-making body, for the Workforce Development Board (WDB) and the Regional Transportation Council (RTC). These entities are responsible for adopting their own policies and budgets. The RTC and the WDB also encompass the largest share of NCTCOG contract awards.

Mr. Eastland said that while everyone is concerned about sufficient wages and might desire that people are able to make a living wage, he recommended that NCTCOG not adopt a living wage policy because of his concern that a specific policy likely would have unintended consequences on those with which NCTCOG partners. Many NCTCOG agreements are with small entities (e.g. cities, counties, social services providers) that have very limited financial resources and are typically grant subrecipients (such as in the aging community). In some cases, NCTCOG funding could represent only a minor portion of an entities operating revenues and a wage policy could have an unknown or undesirable effect on overall funding.

MISCELLANEOUS:

Item 17 Old and New Business

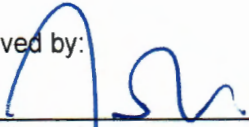
There was no old or new Business.

Item 18 Future Calendar and Attendance

The Board was provided with a Calendar of meetings and a record of Attendance.

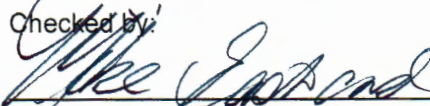
At 2:08, President Clark requested that the Board briefly reconvene the Executive Session. There was no action taken during the Executive Session. At 2:08, President Clark reconvened the regular meeting and there being no other business, immediately adjourned the meeting.

Approved by:



J. D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

Checked by:



Mike Eastland, Executive Director
North Central Texas Council of Governments