



Board of Directors Regular Meeting October 24, 2024 | 10:00 a.m.

NOTICE IS HEREBY GIVEN that the members of the Denton County Transportation Authority (DCTA) Board of Directors will hold a Regular Meeting on Thursday, October 24, 2024, at 10:00 a.m. at the DCTA Administrative Offices located at 1955 Lakeway Drive, Suite 260, Lewisville, Texas 75057 and by ZOOM Video Conference at which time the following agenda will be discussed.

The public is allowed to use the ZOOM link below to view the Board Meeting. To view the meeting, please use the information below:

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/86467770771?pwd=fTQrlamjcdLR4BPktdXXDjL1aamKpR.1>

Passcode: 087555

Or One tap mobile: +13462487799

Or Telephone: +1 346 248 7799

Webinar ID: 864 6777 0771

Passcode: 087555

As authorized by Section 551-071 of the Texas Government Code, the Board of Directors may convene into Closed Executive Session for the purpose of seeking legal advice from Legal Counsel on any item on the agenda at any time during the meeting.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

PUBLIC COMMENT

This agenda item provides an opportunity for citizens to address the DCTA Board of Directors on any agenda item(s) or other matters relating to DCTA. Each speaker will be given a total of three (3) minutes to address any item(s). Anyone wishing to speak shall be courteous and cordial.

Speakers making personal, impertinent, profane, or slanderous remarks may be removed from the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping and similar demonstrations will not be permitted.

Citizens that are not able to participate in-person must email his or her public comment to kmorris-perkins@dcta.net no later than **3:00 pm on Wednesday, October 23, 2024**, to ensure the comment will be distributed to Board Members prior to the meeting.

The Board of Directors is not permitted to take action on any subject raised by a speaker during Public Comments. However, the DCTA Board of Directors may have the item placed on a future agenda for action; refer the item to the DCTA Administration for further study or action; briefly state existing DCTA policy; or provide a brief statement of factual information in response to the inquiry.

CONSENT AGENDA

1. Consider Approval of Monthly Financial Statement – August 31, 2024

Action Item

Background Information: Memo

Exhibit 1: Year to Date Financial Statement - August 31, 2024

2. Consider Approval of Contract Amendment for Janitorial Services with CTJ Maintenance Inc. in an amount not to exceed \$97,000 for a total contract amount not to exceed \$169,848.60 for Janitorial Services at the Bus Operations and Maintenance Facility, Downtown Denton Transit Center, and the DCTA Administration Building beginning November 1, 2024 through September 30, 2027

Action Item

Background Information: Memo

3. Consider Approval of a Contract Amendment for the Swiftly Transit Data Platform with Vertosoft, LLC in the amount of \$231,161.50 for a total contract amount of \$1,192,654.62 through the period ending September 30, 2025

Action item

Background Information: Memo

4. Consider Approval of a One-Year Contract with Smartsheet via Carahsoft Technology Corp in the amount of \$111,375 for the purchase of User Licensing and Implementation Fees for the period of November 1, 2024 through October 31, 2025

Action Item

Background Information: Memo

Exhibit 1: FY2025 Budget Presentation Exhibit

5. Consider Approval of the Denton County Transportation Authority Drug and Alcohol Policy

Action Item

Background Information: Memo

Exhibit 1: Drug and Alcohol Policy

6. Consider Approval of Regular Agenda Meeting Minutes dated September 26, 2024

Action Item

Background Information: Exhibit 1: Regular Meeting Minutes dated September 26, 2024



REGULAR AGENDA

1. Discuss and Consider Approval of State Legislative Agenda

Action Item

Background Information: Memo

2. Discuss Update on New Member and Contracted Services Policy

Discussion Item

Background Information: Memo
Exhibit 1: Draft Policy

3. Discuss Update on City of Frisco Technology Based Transit Service

Discussion Item

Background Information: Memo

4. Discuss Update on Transportation Reinvestment Program (TRiP) Policy

Discussion Item

Background Information: Memo
Exhibit 1: Resolution Approving TRiP Policy
Exhibit 2: Table A – Project Types

5. Discuss Local and Regional Updates and Legislative Issues

Discussion Item

INFORMATIONAL REPORTS

1. Safety, Service, and Ridership Reports

Background Information: Memo
Exhibit 1: Safety Performance – FY to Date
Exhibit 2: Service Performance – FY to Date
Exhibit 3: Ridership by Mode – September 2024
Exhibit 4: Connect Ridership Year-Over-Year by Month
Exhibit 5: A-train Ridership Year-Over-Year by Month
Exhibit 6: Fixed-Route Ridership – September 2024
Exhibit 7: UNT Ridership Year-Over-Year by Month

2. Update on Solicitation for On-Call Architectural, Engineering, and Planning Services for Denton County Transportation Authority (DCTA)

Background Information: Memo

3. Update on Signage Fabrication and Installation Solicitation

Background Information: Memo

4. Update on Marketing and Communications Solicitation

Background Information: Memo



FUTURE AGENDA ITEMS AND BOARD MEMBER REQUESTS

Staff will discuss proposed future agenda items. Board members may request an informational item or action item to be added to the next Board meeting agenda.

Next Regular Board Meeting Date: December 12, 2024

REPORT ON ITEMS OF COMMUNITY INTEREST

Pursuant to Texas Government Section 551.0415 the Board of Directors may report on following items: (1) expression of thanks, congratulations, or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming DCTA and Member City events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

CONVENE EXECUTIVE SESSION

No Items for the agenda.

RECONVENE OPEN SESSION

Reconvene and Take Necessary Action on Items Discussed during Executive Session (if applicable).

ADJOURN

Board Members:

TJ Gilmore, Lewisville, Chair
Cesar Molina, Denton County Seat 1, Vice-Chair
Andy Eads, Denton County Seat 2, Secretary
Alison Maguire, Denton
Daniel Jaworski, Highland Village

Alternates

Kristin Green, Lewisville
Jody Gonzalez, Denton County Seat 1
Pat Smith, Denton
Paul Stevens, Highland Village
Vacant, Denton County Seat 2

Non-Voting Board Members:

Jared Eutsler, Corinth
Dennie Franklin, Frisco
Jeremie Maurina, The Colony
Vacant, Flower Mound
Vacant, Little Elm
Vacant, Small Cities

Staff Liaison:

Paul Cristina, CEO



This notice was posted on October 18, 2024 by 5pm.

A handwritten signature in blue ink, reading "Kisha Morris-Perkins", is written over a horizontal line.

Kisha Morris-Perkins
Executive Assistant & Board Process Manager



Board of Directors Memo

October 24, 2024

AGENDA ITEM: Consider Approval of Monthly Financial Statement – August 31, 2024

Recommendation

Staff recommends the Board approve the financial statement for August 31, 2024.

Background

The financial statement is presented monthly to the Board of Directors for approval. The attached report is for the period ending August 31, 2024. This report provides a comparison of year-to-date budget vs. actual performance.

Previous Board Activity & Action

There has been no previous Board activity on this item.

Identified Need

Provides the Board a review of the agency's financial position and performance to budget.

Financial Impact

The financial impact of August 31, 2024 performance has been summarized within the respective document provided. Staff stands ready to answer any questions the Board may have regarding the financial performance.

Exhibits

Exhibit 1: Year-to-Date Financial Statement – August 31, 2024

Submitted by:

Sherrelle Evans-Jones, CPA
Chief Financial Officer



DENTON COUNTY TRANSPORTATION AUTHORITY

Statement of Revenue and Expenditures
Presented for the Period Ended August 31, 2024

(UNAUDITED)

	Prior Year Actual			FY 2024 - August 31, 2024					
	2021	2022	2023	YTD Budget	YTD Actual	Annual Budget	Actual %	Expected %	Notes
Revenue and Other Income									
Passenger Revenues	\$ 542,920	\$ 928,716	\$ 1,568,793	\$ 1,691,990	\$ 1,659,725	\$ 1,817,942	91.3%	93.1%	Revenue estimates include much higher revenue expectations for new programs such as Collin County Rides. These revenue estimates were based on details provided by 3rd parties in the transition of service. Actual revenues are less than expected. Related expenditures are also less than expected.
Contract Service Revenues	2,969,330	3,718,416	4,233,303	6,100,613	4,369,202	6,606,086	66.1%	92.3%	
Sales Tax Revenues	34,653,779	38,030,250	40,292,936	36,666,663	37,238,379	40,000,000	93.1%	91.7%	
Federal/State Grants - Capital	1,409,423	95,069	59,828	2,403,672	887,571	2,591,429	34.3%	92.8%	<p>Sales tax performing \$570K or 1.5% ahead of YTD budget.</p> <p>Capital grant revenue is based on reimbursable grant spending.</p> <p>\$1.6M of Annual Budget was planned for grant reimbursement of Positive Train Control expenditures; project not completed during FY24.</p> <p>The agency has billed approximately 51% of YTD budget, which includes \$3.3M in Rail PM reimbursable spending. The decrease in billing compared to budget is largely a function of the reduced amount of billable expenses incurred through 08/31/24.</p> <p>\$6.8M of Actual revenue does not include \$2.5M in anticipated 4th quarter grant billing which will be included in the Sept 2024 report.</p> <p>\$3.6M of Annual Budget was planned for grant reimbursement for Rail Preventative Maintenance which exceed actual Rail PM expenditures, therefore will remain unbilled for FY24; grant funding carries forward to FY25 for Rail PM billing and revenue.</p> <p>Lastly \$1.6M of Annual Budget was planned for reimbursements presuming full staffing at DCTA and other expenditures that did not materialize during FY24.</p>
Federal/State Grants - Operating	15,858,885	19,028,351	9,431,745	13,358,840	6,845,298	14,573,299	47.0%	91.7%	
Total Revenues and Other Income	55,434,337	61,800,802	55,586,605	60,221,778	51,000,173	65,588,756			
Operating Expenses									
Salary, Wages and Benefits	3,903,858	4,002,824	3,787,792	11,965,020	9,167,574	13,058,083	70.2%	91.6%	COMBINED FINANCIAL STATEMENT CAPTION : First 6 months includes a focus on hiring new talent anticipated in FY24 budget. Hiring was materially complete as of March 2024, with small number of open positions remaining. However YTD Budget anticipated staffing for 12 months.
Outsourced Services and Charges	3,029,903	4,517,965	5,600,148	6,099,464	4,801,484	7,249,847	66.2%	84.1%	
Materials and Supplies	1,711,081	2,536,927	2,576,663	3,211,798	2,199,428	3,548,040	62.0%	90.5%	
Utilities	425,655	455,020	497,792	679,211	461,129	751,729	61.3%	90.4%	
Insurance	1,692,506	1,608,328	1,577,898	1,578,687	1,687,689	1,722,268	98.0%	91.7%	<p>COMBINED FINANCIAL STATEMENT CAPTION. Includes April 24 pmt for Rail Liab Insurance, materially completing the annual insurance payments.</p> <p>\$379K and \$421K represents cumulative TRIP Disbursement to the City of Highland Village and City of Denton, respectively.</p>
Transportation Reinvestment (TRiP)	29,798	1,332,493	345,473	-	800,612	10,429,152	7.7%	0.0%	
Purchased Transportation Services	9,810,849	19,146,955	22,348,013	23,087,656	20,915,822	25,059,495	83.5%	92.1%	
Employee Development	80,428	119,259	2,559,697	672,792	270,998	732,225	37.0%	91.9%	COMBINED FINANCIAL STATEMENT CAPTION
Leases and Rentals	215,069	132,033	142,445	143,788	147,952	158,595	93.3%	90.7%	
Depreciation	9,524,340	11,351,682	9,074,611	10,174,191	10,392,642	11,099,129	93.6%	91.7%	
Total Operating Expenses	30,423,487	45,203,487	48,510,532	57,612,607	50,845,331	73,808,563			



DENTON COUNTY TRANSPORTATION AUTHORITY

Statement of Revenue and Expenditures
Presented for the Period Ended August 31, 2024

(UNAUDITED)

	Prior Year Actual			FY 2024 - August 31, 2024					Notes
	2021	2022	2023	YTD Budget	YTD Actual	Annual Budget	Actual %	Expected %	
Income Before Non-Operating Revenues and Expenses	25,010,851	16,597,315	7,076,073	2,609,171	154,843	(8,219,807)			
Non-Operating Revenues/(Expense)									
Investment Income	31,178	462,425	4,434,145	1,833,326	7,861,832	2,000,000	393.1%	91.7%	FY24 Budget conservatively estimated Investment Income. Investment income continues to perform consistently with FY23 actuals.
Gain (Loss) on Disposal of Assets	42,344	29,719	52,900	-	(6,700)	-	0.0%	0.0%	
Other Income/(Expense) - Miscellaneous	460,209	447,462	923,293	(833,627)	180,795	-	100.0%	100.0%	
Long Term Debt Interest/(Expense)	(697,187)		(212,684)	(197,560)	(113,852)	(215,520)	52.8%	91.7%	
Total Non-Operating Revenues/(Expenses)	(163,456)	939,606	5,197,654	802,139	7,922,074	1,784,480			
Income (Loss) includes NTMC	24,847,395	17,536,921	12,273,727	3,411,310	1,895,321	3,993,825			
Transfers Out to NTMC	(6,489,350)	(5,926,669)	(5,577,506)						August 2024 Note: This Transfers out to NTMC was removed beginning in the July 31, 2024 presentation because all the former NTMC balances are presented in "Operating Expenses" above. The line item is being maintained because PY actuals did have a total transfer out to NTMC.
Total Transfers	(6,489,350)	(5,926,669)	(5,577,506)						
Change in Net Position	\$ 18,358,045	\$ 11,610,252	\$ 6,696,221	\$ 3,411,310	\$ 1,895,321	\$ 3,993,825			



Board of Directors Memo

October 24, 2024

AGENDA ITEM: Consider Approval of Contract Amendment for Janitorial Services with CTJ, Maintenance, Inc. in an amount not to exceed \$97,000 for a total contract amount not to exceed \$169,848.60 for Janitorial Services at the Bus Operations and Maintenance Facility, Downtown Denton Transit Center, and the DCTA Administration Building beginning November 1, 2024 through September 30, 2027

Recommendation

Staff recommends the Board approve a contract amendment with CTJ Maintenance, Inc., in an amount not to exceed \$97,000 for a total contract amount not to exceed \$169,848.60 for Janitorial Services at the Bus Operations and Maintenance Facility, Downtown Denton Transit Center (DDCT) and the DCTA Administration Building beginning November 1, 2024 through September 30, 2027.

Background

DCTA entered into an Agreement with CTJ Maintenance, Inc. on October 3, 2022 for a total not to exceed cost of \$14,600 annually for up to five years (three-year base plus two one-year options) to provide janitorial services for the DCTA Administrative facility. Cleaning of the Bus Operations and Maintenance Facility and Downtown Denton Transit Center were provided by NTMC custodial employees. DCTA is entering the third of three years under the base contract.

The merging of NTMC and DCTA enabled DCTA to reconsider the use of NTMC janitorial employee positions and a recent vacancy in janitorial staff enables DCTA staff to consider options for providing janitorial services more cost effectively.

Board approval of this contract amendment enables CTJ's scope of services to be modified to include regular cleaning of the Downtown Denton Transit Center (DDTC) and Bus Operations and Maintenance Facility in addition to their existing responsibilities at the DCTA Administration Building.

The total cost of cleaning all three facilities is a not to exceed amount of \$56,616.20 annually, depending on execution of optional services. Assuming all options are exercised, this is an increase in contract cost of up to \$42,016.20 annually. This cost will be offset by the budgeted cost of the custodial staff position that will not be utilized, \$54,498. This results in a savings to DCTA of \$12,482. Staff does not recommend eliminating this position at this time. Rather, it will be held for further evaluation in FY2026 budgeting.

This action requires a contract amendment to increase contract capacity for CTJ Maintenance, Inc. This existing contract was competitively bid, and the RFP included language about adding facilities to the existing contract. The action also requires the Board to approve an increase in expenditure authority in the amount of \$96,848.60 for the additional locations for the remaining 36 months of the existing contract with CTJ Maintenance, Inc. The total breakdown is shown in the chart below:

Janitorial		FY2025	FY2026	FY2027	
All Services with optional mid day cleaning	Grand Total	\$ 56,616.20	\$ 56,616.20	\$ 56,616.20	\$ 169,848.60
Current Contract		\$ 14,600.00	\$ 14,600.00	\$ 14,600.00	\$ 73,000.00
	Delta	\$ 42,016.20	\$ 42,016.20	\$ 42,016.20	\$ 96,848.60

Previous Board Activity

None.

Identified Need

None.

Financial Impact

The budgeted DCTA personnel for custodial staff will be utilized to fund the additional annual cost for the proposed service additions. There is no negative budget impact with this shift in funds from staff allocation to contractor support.

Exhibits

None.

Submitted by:



Austin Frith, Vice President, Planning and Development

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Consider Approval of a Contract Amendment for the Swiftly Transit Data Platform with Vertosoft, LLC in the amount of \$231,161.50 for a total contract amount of \$1,192,654.62 through the period ending September 30, 2025

Recommendation

Staff recommends the Board authorize the Chief Executive Officer (CEO) to Execute a Contract Amendment with Vertosoft, LLC in the amount of \$231,161.50 for a total Contract amount of \$1,192,654.62 through the period ending September 30, 2025.

Background

DCTA has evolved its use of the Swiftly Transit Data Platform over time as an integral tool in measuring performance of the agency’s bus operation. DCTA began utilizing limited Swiftly modules in 2017 for features such as real-time vehicle location, on-time performance information, and live operations dashboards. In Fiscal Year 2023, the Board approved an Expanded Level Project for the broader set of Swiftly tools providing detour inputs, automatic passenger counting, driver tablets, onboard destination signage, and next-stop audio announcements that was valid for FY 2023 through FY 2025. Then, in Fiscal Year 2024, DCTA began utilizing Hopthru, an automatic passenger counter processing and visualization tool, which was recently acquired by Swiftly. All of these items are included in the Fiscal Year 2025 operating budget.

In an effort to consolidate and simplify the procurement and enhance clarity of costs of these various modules, staff seeks to consolidate its Agreement for the complete Swiftly platform through one vendor, Vertosoft, using the Interlocal Purchasing System (TIPS) cooperative contract #220105. The table below outlines the October 2022 Agreement following the ELP that established the overall contract value with Vertosoft, purchase orders issued against that contract, and the total remaining contract value that is to be amended by this action.

Original Vertosoft Agreement - October 1, 2022	\$961,493.12
Year 1 - Project Mobilization and Software Modules (FY2023)	(\$710,442.12)
Year 2 - First Renewal and Consolidated Swiftly Tools (FY2024)	(\$216,814.00)
Year 3.1 - One Month (October 2024) Renewal (FY2025)	(\$19,047.00)
Remaining Original Vertosoft Contract Value	\$15,190.00
Year 3.2 - Second Renewal with all Swiftly Modules + Hopthru Co-Term to Fiscal Year Alignment (FY2025)	(\$246,351.50)
Contract Value Overrun	(\$231,161.50)
Vertosoft Contract Amendment Value	\$231,161.50
Total Vertosoft Contract Value - October 1, 2022 through September 30, 2025	\$1,192,654.62

Previous Board Action

- **September 22, 2022** – Consent Agenda Item 01 – Consider Authorizing the Interim CEO to Execute a Contract with Vertosoft LLC for the Swiftly Connected Transit Platform (CAD/AVL) in the amount of \$961,493.12.

Identified Need

The Swiftly Transit Data Platform provides the hardware and software backbone for transit operations and data collection on DCTA’s bus network. This contract amendment ensures that all Swiftly products are purchased through an efficient procurement process, maximizing clarity and transparency of contracts and agreements.

Financial Impact

This action modifies allowable contract value only. All costs outlined in this memo are approved operating expenses in the Fiscal Year 2025 budget.

Exhibits

None.

Submitted By:



Javier Trilla, Vice President
Innovation and Information Technology

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Consider Approval of a One-Year Contract with Smartsheet via Carahsoft Technology Corp in the amount of \$111,375 for the purchase of User Licensing and Implementation Fees for the period of November 1, 2024, through October 31, 2025

Recommendation

Staff recommends the Board approve a one-year contact with Smartsheet via Carahsoft Technology Corp, in the amount of \$111,375 for the purchase of User Licensing and Implementation Fees for the period of November 1, 2024, through October 31, 2025.

Background

Staff began a pilot program with Smartsheet began in Fiscal Year (FY) 2024 to assist in managing several projects across the agency, with successful results. Prior to this, project management occurred primarily through Excel or other basic tools available in the Microsoft Office 365 Suite.

This contract includes user licensing for the software platform, as well as implementation fees associated with creating the necessary templates, views, workflows, and dashboards needed to manage the annual program of work. Staff is currently recruiting for a Project Controls Specialist who will utilize this tool to maintain project controls for the agency, among other duties.

Previous Board Activity

June 2024 - Board Approved Expanded Level Project (ELP)

Identified Need

As the agency takes on larger and more long-term projects that require agency-wide coordination and cooperation, this software and program will help manage resource allocation and ensure projects arrive on schedule and on budget.

Financial Impact

This was a FY 2025 approved ELP within the FY 2025 Budget.

Exhibits

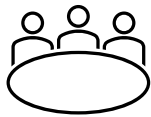
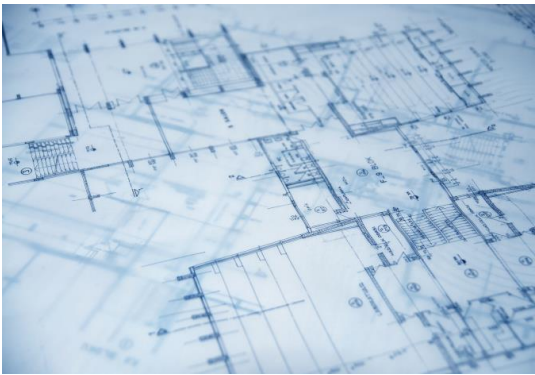
Exhibit 1: FY2025 Budget Presentation Exhibit

Submitted by:



Austin Frith, Vice President
Planning and Development

ELP – Project Management Software & Implementation (Capital)



Cost Estimate: \$112,000

Current State: A pilot program with Smartsheets began in FY24 for several programs providing successful results. Prior to this, project management occurred primarily through Excel or other basic tools available in the MS Office 365 suite.

Scope: This project includes user licensing for the software platform, as well as implementation fees associated with creating the necessary templates, views, workflows, and dashboards needed to manage the annual program of work.

Identified Need: As the agency takes on larger and more long-term projects that require agency-wide coordination and cooperation, this software and program will help manage resource allocation and ensure projects arrive on schedule and on budget.



Board of Directors Memo

October 24, 2024

AGENDA ITEM: Consider Approval of the Denton County Transportation Authority Drug and Alcohol Policy

Recommendation

Staff recommends the Board approve the Denton County Transportation Authority Drug and Alcohol Policy.

Background

DCTA recently onboarded and directly hired employees, including Bus Operators, Mechanics, and related positions, from the North Texas Mobility Corporation in roles that are considered “safety-sensitive” per the Department of Transportation Rule 49 CFR Part 40. This rule requires and directs that DCTA create a drug and alcohol compliance program. Staff has developed the attached program and has implemented the testing capabilities and protocols to meet Federal requirements. The Federal Transit Administration requires the Board of Directors to approve this policy.

Previous Board Activity & Action

None.

Identified Need

Provides the Board of Directors access to the drug and alcohol policy for review and awareness.

Financial Impact

None.

Exhibits

Exhibit 1: DCTA Drug & Alcohol Policy

Submitted By: 

Jackie Bronson, Vice President
Engagement & Administration



DRUG AND ALCOHOL POLICY

The Denton County Transportation Authority (Agency) acknowledges a strong commitment to the health and well-being of its employees. Any employee or eligible dependents that may be experiencing the pressures and problems of substance abuse and/or related problems are urged to seek help through the Employee Assistance Program (EAP).

Questions concerning the Drug and Alcohol Policy should be directed to the Drug and Alcohol Program Manager (DAPM) or the Designated Employer Representative (DER). Their contact information is listed below:

DAPM: Jackie Bronson, Vice President, Engagement & Administration
DCTA, 1955 Lakeway Dr, Ste 260, Lewisville, TX 75057
972-316-6107

DER: Steve Swanberg, Senior Manager of Transit Safety & Security
DCTA, 1955 Lakeway Dr, Ste 260, Lewisville, TX 75057
972-316-1613

Date of CEO Approval/Effective Date
July 1, 2024
Board Adoption of Policy and Policy Revisions
October 24, 2024

DRUG AND ALCOHOL POLICY

The Agency has a vital interest in providing its employees with safe and healthful working conditions and providing its riders and the public with high quality public transportation that is effective, safe and efficient. The Agency will not tolerate any drug or alcohol use which may affect the job performance or pose a hazard to the safety and welfare of the employee, the public, and other employees of the Agency. Illegal drug and alcohol use (whether on-duty or off-duty), which affects the employee's job performance, or jeopardizes Agency and public safety is, under *DCTA policy*, proper cause for disciplinary action up to and including dismissal.

Employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol and drugs are a danger to themselves and to other employees. In addition, drug and alcohol abuse inflicts a terrible toll on the nation's productive resources and the health and well-being of American workers and their families.

The Agency is, therefore, committed to establishing and maintaining a safe and healthy work environment free from the influence of alcohol and drugs. With this objective in mind, the Agency has established the following Drug and Alcohol Policy (Policy) with regard to the use, possession, sale, manufacture, and distribution of alcohol or drugs.

This Policy is adopted pursuant to the Federal Transit Administration (FTA) regulation, 49 Code of Federal Regulation (CFR) Part 655, that mandates, under certain circumstances, urine drug testing and breath alcohol testing and the U.S. Department of Transportation (DOT) standards for the collection and testing of urine and breath specimens, 49 CFR Part 40, as amended. In addition, the United States Congress enacted The Drug-Free Workplace Act of 1988 (DFWA), which required the establishment of drug-free workplace policies, and the reporting of certain drug related offenses to the appropriate federal agency (in this case, to the FTA). This policy incorporates those Federal requirements and State requirements.

I. RESPONSIBILITIES

Employees at all levels (administrative and safety-sensitive) are responsible for reading, understanding and adhering to this Policy. Each employee shall receive and sign for a copy of this Policy.

Managers and Supervisors will be held strictly accountable for the consistent application and enforcement of the Policy. Any Manager/Supervisor who knowingly disregards the requirements of this Policy, or who is found to deliberately misuse the Policy in regard to subordinates, shall be subject to discipline up to and including termination, in accordance with DCTA disciplinary policy.

Contractors may be subject to the requirements of DOT regulations if they provide services for DCTA consistent with a specific understanding or arrangement, which can be evidenced by a written agreement or an informal arrangement that reflects an ongoing relationship between the parties. As a result, DCTA will ensure that any contractors who perform safety sensitive functions within the scope of this policy and the regulations certify their compliance with the requirements of 49 CFR Part 655.

II. DEFINITIONS USED IN THE POLICY

The following phrases have specific meanings when used in the Policy:

Accident: Per 49 CFR Part 655.4 an occurrence associated with the operation of a vehicle. An “occurrence associated with the operation of a vehicle” means that the accident or incident must be directly related to the manner in which the driver applies the brake, accelerates, or steers the vehicle. Operation of a vehicle does include operation of the lift. An accident could be the result of a collision with another vehicle or pedestrian, or it could be associated with an incident that occurs on the vehicle without any contact with another vehicle (e.g., a passenger on the bus falls due to the manner in which the vehicle was operated).

ATF: Alcohol Test Form.

BAC: Breath Alcohol Concentration

BAT: Breath Alcohol Technician.

Covered Employee: An employee who is in a safety sensitive position including an applicant or transferee who is being considered for hire into a safety sensitive position.

CCF: Custody and Control Form.

DHHS: Department of Health and Human Services.

DOT: Department of Transportation.

Evidential Breath Testing (EBT) Device: Device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's Conforming Products List (CPL) of Evidential Breath Measurements Devices and identified on the CPL as conforming with the model specifications available from the NHTSA, Office of Alcohol and State Programs.

FTA: Federal Transit Administration.

Illegal Drug: Marijuana, cocaine, opioids, amphetamines or phencyclidine; a prescription drug that is not used for its prescribed purpose; or a prescription drug that is illegally obtained.

Legal Drug: Any drug prescribed by a physician for the employee or any over-the-counter drug that is being used for the purpose for which it has been prescribed or manufactured. **NOTE: While medical marijuana may be available as a legal drug in Texas, it is prohibited by Federal law for safety sensitive employees. Under DCTA policy it is also prohibited for those in non-safety sensitive positions.**

Medical Review Officer (MRO): A licensed physician appointed by the Agency responsible for receiving laboratory results generated by the Agency's drug and alcohol testing program who has knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an employee's confirmed positive alcohol and/or drug test result and together with his or her medical history and any other relevant biomedical information and who shall verify the test result prior to transmission thereof to the Agency and determine whether the employee has failed the test. The MRO will also determine (when the Agency requests such a determination) whether an employee who is taking a legal drug(s) may work while under the influence of such drug(s).

Positive Alcohol Test: In accordance with DOT and FTA standards the presence of alcohol in a body at a concentration higher than that allowed by this policy as measured by an Evidential Breath Testing (EBT) Device.

Positive Drug Test: In accordance with DOT and FTA standards any urine that is chemically tested (screened and confirmed) which shows the presence at or above the cut off levels set forth in Attachment B of marijuana, cocaine, opioids, amphetamines or phencyclidine and is verified by the MRO.

Safety Sensitive Position: Per 49 CFR Part 655, any position which entails any of the following duties related to the safe operation of the Agency's mass transportation service including: (a) operation of a revenue service vehicle, whether or not such vehicle is in revenue service; (b) operation of a nonrevenue service vehicle, when required to be operated by a holder of a Commercial Driver's License; (c) controlling dispatch or movement of a revenue service vehicle; (d) maintaining revenue service vehicles or equipment used in revenue service; or (e) carrying a firearm for security purposes. The positions currently classified as Safety Sensitive Positions are listed in Attachment A, which is subject to revision as needed. A safety sensitive employee shall mean an employee in a safety sensitive position.

Non-Safety Sensitive Position: A Non-Safety Sensitive Position is subject to drug and alcohol testing under *DCTA policy*. These positions include those that do not meet the definition of Safety Sensitive position, however where duties include the regular use or operation of heavy equipment, to include but not limited to Agency vehicles. They also include all employees whose main duties consist of office work. The positions currently classified as Non-Safety Sensitive are listed in Attachment A, which is subject to revision as needed. A non-safety sensitive employee shall mean an employee in a non-safety sensitive position.

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, state-licensed marriage and family therapist, or drug and alcohol counselor certified by an organization listed at <https://www.transportation.gov/odapc/sap>, with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug related disorders, knowledge about the SAP function as it relates to employer interests in safety-sensitive duties, and knowledge of the DOT agency regulations applicable to the employers for whom evaluations of employees are completed, and the DOT SAP Guidelines and who keeps current on any changes to these materials.

III. EMPLOYEE ASSISTANCE PROGRAM

The Agency maintains an Employee Assistance Program (EAP), which offers confidential, professional counseling to employees and family members. It provides a constructive way by which employees can deal with alcohol and/or drug-related problems before such problems impact job performance, family relations, and other areas of one's life. Employees experiencing personal or work performance problems associated with alcohol or drug use are urged to utilize the EAP. The EAP contact information can be found in Attachment D of this policy.

It is the responsibility of employees to seek assistance from the EAP before alcohol and/or drug problems lead to conduct which violates this policy and disciplinary action, which can include discharge for a first offense. Enrollment and participation in the EAP will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. However, enrollment and participation in the EAP will not exempt an employee from discipline if that employee is found to have violated this Policy.

Provisions for leaves of absence for employees with alcohol and/or drug related problems that have not been found in violation of the Policy and who voluntarily have sought assistance through the EAP will be granted in accordance with Agency policy.

Any safety sensitive employee who tests positive for the presence of illegal drugs or alcohol at or above the cut off levels established by the DOT must be referred to an SAP to evaluate employee and make recommendations concerning education, treatment, follow-up testing and after-care.

The cost of any treatment or rehabilitation services may be covered by the medical insurance policy provided by the Agency, which may require a co-payment by the employee, paid directly by the employee or his/her insurance provider. The Agency will not cover any expenses on the employee's behalf.

IV. DRUG FREE AWARENESS PROGRAM

To assist employees and their families to understand and to avoid the perils of drug and alcohol abuse, the Agency has developed a comprehensive Drug-Free Awareness Program. The Agency will use that program in an ongoing educational and training effort to prevent and eliminate drug and alcohol abuse that may affect the workplace.

The Drug-Free Awareness Program will include the display and distribution of informational material and will inform employees and their families about: (1) the dangers of alcohol and drug abuse in the workplace; (2) the consequences of drug and/or alcohol use on personal health, safety, and the work environment; (3) the manifestation and behavioral cues that may indicate drug and/or alcohol use and abuse; (4) the Agency's Drug and Alcohol Policy; (5) the availability of treatment and counseling service hotline telephone number for employee assistance; and (6) the sanctions the Agency will impose for violations of its Drug and Alcohol Policy.

Upon hire, safety and non-safety sensitive employees, to include supervisors and management personnel, will be issued the Drug and Alcohol Policy, reviewed with the employee and signed by the employee.

In addition to the training provided under the Drug Free Awareness Program, safety-sensitive employees and supervisors of safety-sensitive employees who are responsible for making reasonable suspicion determinations will complete training under the FTA regulations as follows: Safety-sensitive employees will complete one hour of training on drug use and up to one hour on alcohol misuse. Supervisors of safety-sensitive employees will complete a two-hour reasonable suspicion referral training session that provides one hour of training on drugs and one hour on alcohol. This training will include the physical, behavioral and performance indicators of drug use and alcohol misuse.

V. ON-THE-JOB USE, POSSESSION, SALE OR IMPAIRED BY ALCOHOL OR DRUGS

In compliance with FTA rules, the ingestion of prohibited drugs and alcohol is prohibited at all times.

A. Alcohol

Under *DCTA policy*, the possession, use, consumption, sale, purchase, offer to sell, transfer, manufacture or distribution of any amount of alcoholic beverage by an employee while in an Agency facility, or in an Agency vehicle, or on Agency property, or while in an Agency uniform or while performing Agency business on duty, is strictly prohibited for all employees. No employee may report for duty or remain on duty when he or she is impaired by alcohol. Employees must refrain from alcohol consumption within four (4) hours of reporting to work or during the hours that he/she is subject to duty. A safety sensitive employee must also refrain from alcohol use for eight (8) hours following an accident for which they will be required to test, unless the employee has undergone the post-accident testing, or has been released by the Agency. Under FTA rules, DCTA shall prohibit a covered employee, while having an alcohol concentration of 0.04 or greater, from performing or continuing to perform a safety-sensitive function.

B. Illegal Drugs

Under *DCTA policy*, the possession, use, consumption, sale, purchase, offer to sell, transfer, manufacture, or distribution of an illegal drug by any employee while in an Agency facility or in an Agency vehicle, or on Agency property or while in Agency uniform or while performing Agency business on duty, is strictly prohibited for all employees. The presence of any amount determined to be a positive test result per DOT/FTA regulations of any illegal drug or its metabolites in any employee while performing Agency business or in an Agency facility, or in an Agency vehicle, or on Agency property, or while in Agency uniform or while on duty, is strictly prohibited.

The five prohibited substances required to be tested by the DOT under 49 CFR Part 655 are:

1. Marijuana
2. Amphetamines
3. Opioids
4. Cocaine
5. Phencyclidine (PCP)

See Attachment E fact sheet for these drugs developed by the Federal Motor Carrier Safety Administration (FMCSA) which provides signs and symptoms information related to drug and alcohol use.

It is prohibited for an employee to bring drug paraphernalia that is used in the storage, concealment, injection, ingestion or consumption of illegal drugs onto Agency premises or property or into Agency vehicles.

C. DCTA Prescription Drug Policy and Procedures

1. Policy

Under *DCTA policy* no safety or non-safety sensitive employee may work while taking prescription drugs that impair the employee's ability to perform their job duties in a safe manner.

2. Procedures

a. Employee Notification

Each employee must notify Human Resources immediately of any prescription drug that contains a label, or otherwise indicates that the medication may impair the employee's ability to perform their regular duties in a safe manner, or has been notified by a medical practitioner that the medication may impair the employee's ability to perform their regular duties.

b. Prescription Medication Form

In the event an employee may be impaired by a prescription drug, the employee and their prescribing physician must complete and sign the DCTA's Prescription Drug Notification Form and must submit the form to Human Resources prior to the employee working in a safety and non-safety sensitive position. Written notification from the prescribing physician on the physician's letterhead and signed by the physician that provides the information required in the Prescription Drug Notification Form may be acceptable in lieu of the Prescription Notification Form. Failure to comply with this provision will result in loss of wages and/or charge of counted absence(s) as the employee will be placed off work until required documentation is received. In addition, the employee will be subject to discipline outlined in Section X.

The employee's doctor, after consultation with the DAPM, may authorize the employee to work while taking a legal drug upon receipt of a fully completed and signed authorization form which states to the Agency's satisfaction that the employee will not be impaired in the performance of his/her duties.

3. Non-Prescription Medication

Employees are to use good judgment in the use of over-the-counter (non-prescription) drugs with respect to their work assignment. Employees should review potential physical effects of the over-the-counter drugs prior to reporting for duty. Employees are encouraged to consult with their physician to ensure they can perform their job duties while taking the drug(s). Employees taking non-prescription drugs which impairs the employee's ability to do his or her job safely will be subject to discipline outlined in Section X.

VI. ALCOHOL AND DRUG TESTING

The Agency will conduct alcohol and drug testing under the circumstances set forth in this Section VI when circumstances warrant or when required by applicable law or regulations or as required by DCTA. Any test conducted under *DCTA policy* will be conducted under the authority of DCTA and not of the FTA. Testing under DCTA authority will be conducted using non-Federal custody and control forms and alcohol testing forms. A positive result of a drug test, a breath alcohol concentration of 0.02 or greater, or a refusal to submit to a drug or alcohol test administered under the Policy is a violation of this Policy and will result in a disciplinary action, up to and including termination. *Any disciplinary action resulting from tests conducted under any authority are solely part of DCTA's policy and not that of the FTA.*

A. Testing Procedures

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). DOT testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. Non-DOT testing will use procedures equivalent to those applicable to federally covered employees. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result. Under no circumstance will a supervisor of the employee conduct testing. The Agency will take every possible step to ensure that testing can be completed and the employee can return to work prior to the end of the employee's shift, in order to accommodate the employee (off-duty schedules, including carpooling and other transportation concerns.)

The reasonable suspicion or random alcohol test may only be conducted just before, during or just after an employee performs a safety-sensitive function. The drug test can be conducted anytime while the safety-sensitive employee is on duty. Under *DCTA policy*, the alcohol and drug test can be conducted anytime while non-safety sensitive employee is on duty.

1. Alcohol Testing

a. Screening and Confirmation Testing

Tests for alcohol concentration will be conducted at the Agency's expense utilizing an NHTSA-approved EBT device operated by a qualified BAT. If the initial test (the "screening test") indicates an alcohol concentration of 0.02 or greater, a second test will be performed (the "confirmation test"), no earlier than fifteen (15) minutes and no later than thirty (30) minutes after the screening test, to confirm the results of the screening test. The confirmation test result shall be deemed to be the final result upon which any action pursuant to this Policy shall be based. A confirmed alcohol concentration of 0.04 or greater will constitute alcohol misuse and a violation of this Policy. If the confirmed alcohol concentration is 0.04 or greater or if the confirmed alcohol concentration is 0.02 or greater but less than 0.04, employee will be removed from duty immediately, placed on paid relief status and, under *DCTA policy*, will be subject to discipline specified in Section X.

b. Inability to Provide Sample

If an employee is unable to provide an amount of breath sufficient to permit a valid breath test, the Agency shall direct the employee to obtain, at the Agency's expense, an evaluation from a licensed physician satisfactory to the Agency and the Union concerning the employee's medical ability to provide an adequate amount of breath. If the physician determines that a medical condition has, or with a high degree of probability could have, precluded the employee from providing an adequate amount of breath, the employee's failure to do so shall not be deemed a refusal to test. If the physician is not able to make such a determination, then the employee's failure to provide an adequate amount of breath shall be regarded as a refusal to test. In this case, the employee will be removed from duty immediately, and under *DCTA policy*, placed on paid relief status and will be subject to discipline specified in Section X.

c. Refusals

The following behaviors constitute a refusal to submit to a test: Any employee who:

- i. fails to appear for any test (except a pre-employment test) within a reasonable time,
- ii. fails to remain at the testing site until the testing process is complete,
- iii. fails to provide sufficient breath specimen and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure,
- iv. fails to undergo a medical examination or evaluation as directed by the employer as part of the insufficient breath procedures outlined at §40.265(c),
- v. fails to sign the certification statement at Step 2 of the Alcohol Test Form (ATF), or
- vi. fails to cooperate with any part of the testing process.

Employees who refuse to submit to a test as outlined herein, are in violation of this policy and will be removed from duty immediately, and *under DCTA policy*, placed on paid relief status and will be subject to discipline specified in Section X.

2. Drug Testing Procedures

a. Screening and Confirmation Testing

Drug testing is a two-stage process utilizing a urine specimen. First a screening test is performed. If it is positive for one or more drugs, a confirmation test is performed on the split specimen for each identified drug.

Pursuant to the DOT and FTA regulations the drugs or classes of drugs to be tested are listed in Attachment B. Attachment - B lists initial and confirmatory cutoff levels for these drugs.

The trained health care worker will collect a split urine sample at a designated collection site approved by the Agency. A strict chain of custody will be followed from the point of collection to the Department of Health and Human Services (DHHS) certified testing laboratory approved by the Agency. The primary sample is screen tested by the laboratory using an immunoassay technique. If the sample is positive for one or more drugs covered by this Policy, a confirmatory test is performed for each identified drug using gas chromatography/mass spectrometry.

The laboratory will release test results only to the Medical Review Officer (MRO). The Agency-approved MRO will review all test results, at the Agency's expense. If test results are positive, the MRO contacts the employee to determine if there is an alternate medical explanation for the drugs found. If the employee provides appropriate documentation, or if the MRO determines based upon all available information that there is a legitimate medical use, or other valid explanation, the test result is reported as negative. All test results, whether positive or negative, are reported only to the DAPM/DER, or in the DAPM/DER's absence, to a specified designee.

The employee may request the MRO to have the split specimen sent to another DHHS-certified laboratory for analysis at the employee's expense through payroll deduction. This request must be made directly to the MRO no later than seventy-two (72) hours after the MRO has notified the employee of a positive test result, which has been confirmed by the MRO. The split specimen will be tested according to the same screening and confirmatory procedures for those drug(s) or drug metabolite(s) found in the primary specimen. If the test is positive the employee will be removed from duty immediately, and under *DCTA policy*, placed on paid relief status and will be subject to discipline specified in Section X.

The privacy of the employee shall be protected at all times. DCTA will adhere to all standards of confidentiality regarding employee testing.

The specimen collection site follows 49 CFR Part 40 guidelines, as amended, by providing a secure and private area for specimen collection for which access to water has been cut off and bluing agent has been added to the water in the toilet. In addition, the collection site also has a secure location for specimens and specimen collection materials. The supplies used to collect specimens conform to 49 CFR Part 40 guidelines, as amended.

b. Dilute Specimen

If the MRO informs the Agency that a negative drug test was dilute, the employee will be required to submit to another test immediately. Such recollection must not be collected under direct observation, unless there is another basis for use of direct observation. The second test shall become the test of record.

c. Inability to Provide Sample

The employee shall provide a minimum of 45 milliliters of urine for the split specimen collection. If the employee is unable to provide such a quantity of urine, the employee shall drink not more than 40 ounces of fluids and, after a period of up to three hours, again attempt to provide a complete sample. If the employee is unable to provide an adequate specimen, the specimen shall be discarded and testing discontinued. The MRO shall refer the employee, at the Agency's expense, for a medical evaluation from a licensed physician satisfactory to the Agency concerning whether the inability to provide a specimen is genuine. If the physician determines that a medical condition has, or with a high degree of probability could have, precluded the employee from providing an adequate urine sample, the employee's failure to do so shall not be deemed a refusal to test. If the physician is not able to make such a determination, then the employee's failure to provide an adequate urine sample shall be regarded as a refusal to test. In this case, employee will be removed from duty immediately, and under *DCTA policy*, placed on paid relief status and will be subject to discipline specified in Section X.

d. Directly Observed Collections

Directly observed collections will be conducted when any of the following occur. *Direct observations of non-safety sensitive employees will be conducted under DCTA authority, not FTA.*

- i. The employee attempts to tamper with his or her specimen at the collection site. For example:
 - The specimen temperature is outside the acceptable range,
 - The specimen shows signs of tampering, such as unusual color, odor, characteristic, or
 - The collector finds an item on the employee's person which appears to be brought into the site to contaminate a specimen; or the collector notes conduct suggesting tampering.
 - Return to Duty and all Follow-up tests required by an SAP as part of the DOT-defined SAP process in section 40 subpart O.
- ii. The MRO orders the direct observation because:
 - The employee has no legitimate medical reason for certain atypical laboratory results; or

- The employee's positive or refusal (adulterated/substituted) test result had to be cancelled because the split specimen test could not be performed (for example, the split was not collected).

The observer MUST be the same gender as the employee.

e. Refusals

The following behaviors constitute a refusal to submit to a test: Any employee who:

- i. fails to appear for any test (except a pre-employment test) within a reasonable time,
- ii. fails to remain at the testing site until the testing process is complete,
- iii. attempts to falsify test results through tampering, contamination, adulteration, or substitution,
- iv. fails to provide a urine specimen for any drug test required by this part or DOT agency regulations,
- v. fails to permit the observation or monitoring of the employee's provision of a specimen, in the case of a directly observed or monitored collection in a drug test,
- vi. for an observed collection, fails to follow the observer's instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if any type of prosthetic or other device that could be used to interfere with the collection process.
- vii. possesses or wears a prosthetic or other device that could be used to interfere with the collection process,
- viii. adulterated or substituted specimen verified by the MRO,
- ix. admitted to or confirmed by the collector and/or MRO to having adulterated or substituted the specimen,
- x. fails to provide specimen,
- xi. fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure,
- xii. fails or declines to take a second test the employer or collector has directed the employee to take,
- xiii. fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under §40.193(d), or
- xiv. fails to cooperate with any part of the testing process

Following a contingent offer of employment, applicants who fail to appear for a pre-employment test or who fail to remain at the collection site prior to commencement of a pre-employment test are not considered to have refused a test.

Employees who refuse to submit to a test as outlined herein, are in violation of this policy and will be removed from duty immediately, and under *DCTA policy*, placed on paid relief status and will be subject to discipline specified in Section X.

B. Grounds for Drug and Alcohol Testing

1. Pre-Employment and Transfer to a Safety Sensitive Position Testing

The Agency will conduct pre-employment physical examinations and testing practices designed to prevent hiring persons who use illegal drugs and/or persons whose use of legal drugs indicates a potential for impaired or unsafe job performance. Pre-Employment physicals and drug testing will be conducted following a contingent offer of employment. An individual who has applied for a safety sensitive position will not be hired unless the individual passes a drug test administered in accordance with this Policy. The test will be conducted within the two (2) weeks prior of the employee's date of hire. Per *DCTA policy*, if an applicant does not pass a drug test, he or she must wait twelve (12) months before reapplying and then must present evidence of completion of a drug rehabilitation program in line with Section 655.62 that is acceptable to the Agency before he/she is eligible to apply.

A non-safety sensitive employee who will be transferred to a safety sensitive position must first pass a drug test administered in accordance with this Policy. If the test results are positive for an illegal drug, then the actions specified in Section X. B. will apply.

When an employee has not performed a safety-sensitive function for 90 consecutive calendar days or more regardless of the reason, and the employee has not been in the employer's random selection pool during that time, the employer shall ensure that the employee takes a pre-employment drug test with a verified negative result before returning to safety-sensitive duties. If the test results are positive for an illegal drug, then the actions specified in Section X. B. will apply.

Anytime a test is canceled, in any of the above circumstances, the applicant or employee must retake and pass drug test before being hired or performing safety sensitive functions.

2. Reasonable Suspicion Testing

The Agency will require a drug and/or alcohol test of any safety sensitive, and under *DCTA policy*, any non-safety sensitive **employee** who is reasonably suspected of using or being impaired by an illegal drug, or alcohol while on duty, in Agency vehicles, or on Agency property, or in Agency uniform. Reasonable suspicion shall be based upon the specific, contemporaneous and articulable observations concerning the appearance, behavior, speech, or body odors of the employee by a supervisor trained in detecting signs and symptoms of drug use and alcohol misuse.

The alcohol test may only be conducted just before, during or just after an employee performs a safety-sensitive function. The drug test can be conducted anytime while the safety-sensitive employee is on duty. Under *DCTA policy*, the alcohol and drug test can be conducted anytime while non-safety sensitive employee is on duty.

3. Post-Accident Testing

An accident associated with the operation of an agency vehicle will result in an alcohol and drug test as set forth in this section:

- a. In the event of a fatality;
- b. Any time an individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or
- c. One or more road vehicles incur disabling damage as a result of the occurrence and is transported away from the scene by a tow truck or other vehicle.

Following a fatal accident under part (a) above, drug and alcohol testing will be required of any safety-sensitive employees operating the vehicle at the time of the accident. The Agency will also test any other safety-sensitive employees whose performance could have contributed to the accident, as determined by the Agency, using the best information available at the time the decision to test is made. In addition, under *DCTA Policy*, following a fatal accident under part (a) above, drug and alcohol testing will be required of any non-safety sensitive employees operating a non-FTA-covered vehicle at the time of the accident and may be required for any employee post-accident involving any Agency vehicle where the above does not apply.

As soon as practicable, following a non-fatal accident under parts (b) and (c) above, drug and alcohol testing will be required of any safety-sensitive employees on duty, operating the vehicle at the time of the accident, unless the employer determines that the employee can be completely discounted as a contributing factor to the accident using the best information available at the time the decision to test is made. The Agency will also test any other safety-sensitive employees, whose performance could have contributed to the accident, as determined by the Agency, using the best information available at the time the decision to test is made.

In addition, under *DCTA policy*, following a non-fatal accident under parts (b) and (c) above, drug and alcohol testing will be required of any non-safety sensitive employees on duty, operating the non-FTA-covered vehicle at the time of the accident and of those non-safety sensitive employees whose performance could have contributed to the accident, as determined by the Agency, using the best information available at the time the decision to test is made.

A decision as to whether to administer a drug and alcohol test is unnecessary after a fatal accident under part (a) above as it is understood that testing is a requirement and therefore automatic. A decision as to whether to administer a drug and alcohol test after a non-fatal accident will be made by a supervisor who was not involved in the accident and based on the best information available at the time. If the supervisor determines that testing is appropriate, because the employee's actions may have been a contributing factor to the accident, the employee(s) shall be tested immediately, but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing. If testing is not completed within these time frames, then the Agency shall cease its attempts to test and will prepare a record stating the reasons the test was not performed. If the alcohol test is not administered within two hours following the accident, the supervisor shall prepare a record stating the reasons the alcohol test was not promptly administered. Covered employees are prohibited from using alcohol for eight (8) hours following an accident or until the post-accident testing is complete whichever occurs first.

Any employee(s) subject to post-accident testing who fails to remain readily available for such testing, including notifying the Agency of his or her location if he or she leaves the scene of the accident prior to the submission to such test, will be considered to have refused the test and will be subject to discipline in accordance with Section X of this Policy. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an

accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care. Employee will be placed on paid relief status until results are received by the Agency.

4. Return-to-Duty and Follow-up Testing

Under *DCTA's policy*, return-to-duty and follow-up testing would apply under circumstances where an employee has voluntarily entered into a substance abuse treatment program as specified in Section VIII.

Under *DCTA's policy*, non-federal return-to-duty and follow-up testing, an employee who is placed on a leave of absence following his/her entry into the Employee Assistance Program for substance abuse problems must pass a drug and alcohol test and must execute the Rehab Agreement (Attachment C) before he/she may return to duty. This contract allows Management the option to administer up to six (6) unannounced drug and/or alcohol tests per year for up to five (5) years after the employee returns to duty. This follow-up testing is separate from and in addition to the regular random testing of Safety Sensitive employees.

5. Random Testing

Only those employees who perform or whose job description includes the performance of safety-sensitive functions, as defined by 49 CFR Part 655, will be subject to random, unannounced and immediate testing using a computer-based random-number selection method in accordance with FTA regulations. Random testing may include an alcohol test, a drug screen or both so long as at least 10% of all safety-sensitive employees are tested for alcohol and at least 50% of all safety-sensitive employees are tested for drugs each year (or as otherwise required in order to meet the minimum annual percentage rates set by the FTA). Each such employee shall have an equal chance at selection and shall remain in the pool even after being tested. Random testing will be administered at random times during all days and hours throughout the year to avoid predictability.

Random testing for alcohol may only be conducted while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased to perform such functions.

VII. CONVICTION OF A DRUG-RELATED OFFENSE

Under *DCTA policy*, conviction of a felony for use, offer to sell, purchase or obtain possession, sale, manufacture, distribution or dispensation of illegal drugs, or for abuse of legal drugs, is grounds for immediate termination. Employees arrested on such charges will be suspended without pay pending resolution of the criminal charges so long as no other policy violations are present.

Under *DCTA policy*, employees must notify their immediate supervisor immediately, or no later than two days with good and sufficient reason, of any arrest or conviction of a criminal drug statute and any arrest or conviction of a criminal statute relating to alcohol, including but not limited to driving while impaired. Failure to do so is grounds for immediate termination.

VIII. VOLUNTARY TREATMENT REQUIREMENTS

All employees are encouraged to make use of the available resources for treatment for alcohol misuse and illegal drug use problems. Under *DCTA's policy*, any employee who voluntarily discloses a substance abuse problem before a disciplinary matter develops and/or before notification for a required test, will be subject to return-to-duty and follow-up testing under *DCTA's policy* (using non-federal Custody and Control Forms) as specified in Section VI, B, 4. The purpose of the return-to-duty testing is to provide a degree of assurance that the employee is drug and alcohol free, i.e., the employee is able to return to work without undue concern of continued drug abuse or alcohol misuse.

Under *DCTA's policy*, the employee **MUST** be referred to EAP and evaluated by a qualified drug and/or alcohol professional and pass a return-to-duty test. A return-to-duty test will include both drug and alcohol testing as well as meet other return-to-duty requirements. The employee must have a verified negative drug test result and a breath alcohol test result of less than 0.02 before returning to his/her job. Once returned and as a condition of ongoing employment, the employee must follow the recommended frequency and duration of follow-up testing from the qualified professional. Any employee who refuses or fails to comply with requirements for treatment, after care, or return-to-duty/follow-up testing shall be subject to immediate termination.

Under *DCTA's policy* any recommended follow-up testing will be apart and in addition to participation in the random testing program.

Under *DCTA's policy*, employees must successfully complete any education and treatment program recommended by the qualified professional, and will be subject to follow-up testing if/when they return to duty.

Under *DCTA's policy*, the cost of any treatment or rehabilitation services will be paid for directly by the employee or their insurance provider. Employees will be allowed to take accumulated sick, vacation and floating holiday pay during leave to participate in the prescribed rehabilitation program.

IX. INSPECTIONS

Under *DCTA policy*, the Department Director/Manager or higher-level management personnel must authorize an inspection. Whenever possible, the searches should also be approved by the Director of Human Resources & Administration. Management personnel will conduct all Agency-owned property inspections with the employee and Human Resources present. All personal property will be inspected with law enforcement personnel present.

X. DISCIPLINARY ACTION FOR VIOLATIONS OF POLICY

Under FTA regulations, the employer shall determine discipline for Policy violations. Under *DCTA's policy*, violation of any portion of this Policy may result in termination of employment, even for the first offense.

A. Refusal or Failure to Pass Pre-Employment Drug Test

An applicant whose pre-employment test results are positive or who refuses to submit to drug testing will not be hired.

An employee who has been off work 90 consecutive days or more and whose pre-employment test results are positive for an illegal drug or who refuses to submit to testing will be subject to immediate termination.

B. Refusal or Failure to Pass Transfer, Reasonable Suspicion, Post-Accident, Return-to-Duty, Follow-Up or Random Alcohol and/or Drug Test

1. Alcohol - FTA regulations state a confirmed Breath Alcohol Concentration (BAC) of 0.04 constitutes evidence of alcohol misuse.

a. A safety sensitive employee or non-safety sensitive employee whose test results are a confirmed BAC of 0.04 or greater will be removed from duty immediately and under *DCTA policy* will be subject to disciplinary action up to and including termination. Employee shall also be referred to an SAP for evaluation. The SAP shall make a determination as to whether the employee requires rehabilitation.

b. A safety sensitive employee whose final test result as determined in accordance with DOT/FTA regulations and shows a BAC of .02 or greater but less than .04 shall be removed from duty immediately and shall not return to a safety-sensitive position for eight (8) hours or until a test result below .02 is obtained, whichever comes first. Under *DCTA policy*, the same applies to non-safety sensitive employees. Under *DCTA policy*, an employee whose BAC remains between .02 or greater but less than 0.04 is placed on unpaid relief status. If BAT is .02 or greater at any time, employee will be subject to disciplinary action up to and including termination.

c. Under *DCTA policy* any employee who refuses to submit to test, as outlined in Section VI, will be subject to disciplinary action up to and including termination.

2. Drugs

a. A safety sensitive employee who receives a verified positive drug test result as determined in accordance with DOT/FTA regulations will be removed from safety sensitive duty immediately and under *DCTA policy* will be subject to immediate termination. Employee must be referred to an SAP for evaluation. The SAP shall make a determination as to whether the employee requires rehabilitation. Under *DCTA policy*, the same applies to non-safety sensitive employees, however they would be referred to a substance abuse counselor.

b. Any employee, including safety sensitive employee whose test results are positive for a legal drug, which has not been approved by the employee's physician for use by that employee at work (or such

authorization has been revoked), may be suspended without pay pending the employee obtaining such approval. If such approval is not obtained, under *DCTA policy* the employee will be subject to disciplinary action up to and including termination.

c. Any employee whose test results are positive for any illegal drug will under *DCTA policy* be subject to immediate termination.

d. Under *DCTA policy* an employee who refuses to submit to test as outlined in Section V will be subject to disciplinary action up to and including termination.

C. Failure to Comply with the Prescription and Non-Prescription Drug Reporting Requirements.

An employee who fails to comply with the provisions outlined in Section V, C, will be subject to discipline up to and including termination.

XI. CONDITIONS OF EMPLOYMENT

Compliance with the Agency's Drug and Alcohol Policy is a condition of employment. Failure or refusal of an employee to cooperate fully, sign any required document, submit to any inspection or test, or follow any prescribed course of substance abuse treatment will be considered just cause for termination.

XII. CONFIDENTIALITY

The employer shall make every effort to assure confidentiality throughout the testing process and to protect the individual dignity and right to privacy of all employees. Personal data regarding the drug and alcohol testing results and EAP evaluations will be forwarded only to the MRO or the SAP and are confidential. Test results are received by the DER and are kept separately from other files in a locked cabinet. Except as required by law, or expressly authorized or required by the regulations, the employer shall not release any information from the records it is required to maintain under the regulations. The employee is entitled to obtain copies of any records pertaining to the employee's drug and alcohol testing.

ATTACHMENT A

***SAFETY SENSITIVE POSITIONS**
 (Satisfies 49 CFR Part 655 definition of safety sensitive positions)

	Subject to the following DOT Testing					
Employees:	Pre-Employment	Random	Post-Accident	Reasonable Suspicion	Return-to-Duty	Follow-up
Lead Mechanic	X	X	X	X	X	X
Mechanics	X	X	X	X	X	X
Service Attendants	X	X	X	X	X	X
Bus Operators (CDL)	X	X	X	X	X	X
Bus Operators (Non-CDL)	X	X	X	X	X	X
Operations Supervisors	X	X	X	X	X	X
Operations Managers	X	X	X	X	X	X
Maintenance Manager	X	X	X	X	X	X
Training Manager	X	X	X	X	X	X
Training Instructor	X	X	X	X	X	X

***NON-SAFETY SENSITIVE POSITIONS**
 (Non-Safety sensitive positions under *DCTA policy*)

	Subject to the following Non-DOT Testing					
Employee:	Pre-Employment	Random	Post-Accident	Reasonable Suspicion	Return-to-Duty	Follow-up
All other administrative employees not listed above.			X	X	X	X

*Positions are subject to revision as needed.

ATTACHMENT B

DENTON COUNTY TRANSPORTATION AUTHORITY

PROHIBITED DRUGS LIST & CUT OFF LEVEL INFORMATION

Drug	Initial Test Cutoff	Drug	Confirmatory test Cutoff
Marijuana metabolites (THCA)	50 ng/mL	THCA Delta-9-tetrahydrocannabinol-9-carboxylic acid	15 ng/mL.
Cocaine metabolite (Benzoylecgonine)	150 ng/mL	Benzoylecgonine	100 ng/mL.
Opiate Metabolites: Codeine/Morphine	2000 ng/mL	Codeine/Morphine	2000 ng/mL.
Hydrocodone/Hydromorphone	300 ng/mL	Hydrocodone/Hydromorphone	100 ng/mL.
Oxycodone/Oxymorphone	100 ng/mL	Oxycodone/Oxymorphone	100 ng/mL.
6-Acetylmorphine (6-AM) – Heroin	10 ng/mL	6-Acetylmorphine (6-AM) – Heroin	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamines: Amphetamine/Methamphetamine	500 ng/mL	Amphetamine/Methamphetamine	250 ng/mL.
Methylenedioxyamphetamine (MDMA)/ Methylenedioxyamphetamine (MDA)	500 ng/mL	Methylenedioxyamphetamine (MDMA)/ Methylenedioxyamphetamine (MDA)	250 ng/mL.

ATTACHMENT C

DENTON COUNTY TRANSPORTATION AUTHORITY

REHAB AGREEMENT

I understand that I will be allowed to continue my employment with the Denton County Transportation Authority (DCTA). I will participate and submit continuing documentation on a monthly basis of my participation in an Agency-approved substance abuse treatment program. Additionally, upon successful completion of said program, I will provide the necessary documentation of such.

I agree not to use prohibited drugs, including but not limited to drugs listed in Attachment B.

I agree not to use alcohol at prescribed times.

I understand that in order to return to my employment I must submit to additional alcohol/drug test(s).

I also understand that during the sixty (60) months following my return to work, I may be tested without prior notice and if there is any violation of this Policy, my employment with DCTA will be terminated. I also understand that refusal to submit to such a test will result in the termination of my employment.

Date: _____

Employee (signature)

Date: _____

VP, Engagement & Administration (signature)

Date: _____

Chief Executive Officer (signature)

ATTACHMENT D

COLLECTION SITES, LABORATORY & SUBSTANCE ABUSE PROFESSIONAL

*COLLECTION SITE:

Nextcare – Lewisville
540 Surf Street
Lewisville, TX 75067

*MEDICAL REVIEW OFFICER (MRO):

D.R.S Medical Review Services
546 Franklin Ave.
Massapequa, NY 11758

*LABORATORY:

LabCorp Houston
7207 N. Gessner Road
Houston, TX 77040

*EMPLOYEE ASSISTANCE PROGRAM (EAP) & SUBSTANCE ABUSE PROFESSIONAL (SAP):

SupportLinc
1-888-881-5462
Text 'SUPPORT' to 51230
www.supportlinc.com

The Standard EAP
1-888-293-6948
Workhealthlife.com/Standard3

NAADAC's Substance Abuse Professionals Directory
www.naadac.org

*Vendors are subject to change without notice.

ATTACHMENT E

Alcohol Fact Sheet

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

Signs and Symptoms of Use

- Dulled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stuporous condition
- Slowed reaction rate
- Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

Health Effects

The chronic consumption of alcohol (average of three servings per day of beer [12 ounces], whiskey [1 ounce], or wine [6 ounce glass]) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency (up to 10 percent of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed “alcoholic”)
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54 percent of all birth defects are alcohol related)

Social Issues

- Two-thirds of all homicides are committed by people who drink prior to the crime.
- Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.

- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.
- The rate of separation and divorce in families with alcohol dependency problems is 7 times the average.
- Forty percent of family court cases are alcohol problem related.
- Alcoholics are 15 times more likely to commit suicide than are other segments of the population.
- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related.

The Annual Toll

- 24,000 people will die on the nation's highways due to the legally impaired driver.
- 12,000 more will die on the nation's highways due to the alcohol-affected driver.
- 15,800 will die in non-highway accidents.
- 30,000 will die due to alcohol-caused liver disease.
- 10,000 will die due to alcohol-induced brain disease or suicide.
- Up to another 125,000 will die due to alcohol-related conditions or accidents.

Workplace Issues

- It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body.
- A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

Amphetamine Fact Sheet

Amphetamines are central nervous system stimulants that speed up the mind and body. The physical sense of energy at lower doses and the mental exhilaration at higher doses are the reasons for their abuse. Although widely prescribed at one time for weight reduction and mood elevation, the legal use of amphetamines is now limited to a very narrow range of medical conditions. Most amphetamines that are abused are illegally manufactured in foreign countries and smuggled into the U.S. or clandestinely manufactured in crude laboratories.

Description

- Amphetamine is sold in counterfeit capsules or as white, flat, double-scored “minibennies.” It is usually taken by mouth.
- Methamphetamine is often sold as a creamy white and granular powder or in lumps, and is packaged in aluminum foil wraps or sealable plastic bags. Methamphetamine may be taken orally, injected, or snorted into the nose.
- Trade/street names include Biphphetamine, Delcobese, Desotyn, Detedrine, Chetrol, Ritalin, Speed, Meth, Crank, Crystal, Monster, Black Beauties, and Rits.

Signs and Symptoms of Use

- Hyperexcitability, restlessness
- Dilated pupils
- Increased heart rate and blood pressure
- Heart palpitations and irregular beats
- Profuse sweating
- Rapid respiration
- Confusion
- Panic
- Talkativeness
- Inability to concentrate
- Heightened aggressive behavior

Health Effects

- Regular use produces strong psychological dependence and increasing tolerance to the drug.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to spiking of blood pressure.
- Chronic use may cause heart and brain damage due to severe constriction of capillary blood vessels

- The euphoric stimulation increases impulsive and risk-taking behaviors, including bizarre and violent acts.
- Withdrawal from the drug may result in severe physical and mental depression.

Workplace Issues

- Since amphetamines alleviate the sensation of fatigue, they may be abused to increase alertness because of unusual overtime demands or failure to get rest.
- Low-dose amphetamine use will cause a short-term improvement in mental and physical functioning. With greater use or increasing fatigue, the effect reverses and has an impairing effect. Hangover effect is characterized by physical fatigue and depression, which may make operation of equipment or vehicles dangerous.

Cocaine Fact Sheet

Cocaine is used medically as a local anesthetic. It is abused as a powerful physical and mental stimulant. The entire central nervous system is energized. Muscles are more tense, the heart beats faster and stronger, and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

Description

The source of cocaine is the coca bush, grown almost exclusively in the mountainous regions of northern South America.

- Cocaine Hydrochloride – “snorting coke” is a white to creamy granular or lumpy powder that is chopped into a fine powder before use. It is snorted into the nose, rubbed on the gums, or injected in veins. The effect is felt within minutes and lasts 40 to 50 minutes per “line” (about 60 to 90 milligrams). Common paraphernalia include a single-edged razor blade and a small mirror or piece of smooth metal, a half straw or metal tube, and a small screw cap vial or folded paper packet containing the cocaine.
- Cocaine Base – a small crystalline rock about the size of a small pebble. It boils at a low temperature, is not soluble in water, and is up to 90 percent pure. It is heated in a glass pipe and the vapor is inhaled. The effect is felt within 7 seconds. Common paraphernalia includes a “crack pipe” (a small glass smoking device for vaporizing the crack crystal) and a lighter, alcohol lamp, or small butane torch for heating.
- Trade/street names include Coke, Rock, Crack, Free Base, Flake, Snow, Smoke, and Blow.

Signs and Symptoms of Use

- Financial problems
- Frequent and extended absences from meetings or work assignment
- Increased physical activity and fatigue
- Isolation and withdrawal from friends and normal activities
- Secretive behaviors, frequent nonbusiness visitors, delivered packages, phone calls
- Unusual defensiveness, anxiety, agitation
- Wide mood swings
- Runny or irritated nose
- Difficulty in concentration
- Dilated pupils and visual impairment
- Restlessness
- Formication (sensation of bugs crawling on skin)
- High blood pressure, heart palpitations, and irregular rhythm
- Hallucinations
- Hyperexcitability and overreaction to stimulus

- Insomnia
- Paranoia
- Profuse sweating and dry mouth
- Talkativeness

Health Effects

- Research suggests that regular cocaine use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing irreparable damage to critical nerve cells. The onset of nervous system illnesses such as Parkinson's disease could also occur.
- Cocaine use causes the heart to beat faster and harder and rapidly increases blood pressure. In addition, cocaine causes spasms of blood vessels in the brain and heart. Both effects lead to ruptured vessels causing strokes or heart attacks.
- Strong psychological dependency can occur with one "hit" of crack. Usually, mental dependency occurs within days (crack) or within several months (snorting coke). Cocaine causes the strongest mental dependency of any known drug.
- Treatment success rates are lower than for other chemical dependencies.
- Cocaine is extremely dangerous when taken with depressant drugs. Death due to overdose is rapid. The fatal effects of an overdose are not usually reversible by medical intervention. The number of cocaine overdose deaths has tripled in the last 4 years.

Workplace Issues

- Extreme mood and energy swings create instability. Sudden noises can cause a violent reaction.
- Lapses in attention and ignoring warning signals greatly increase the potential for accidents.
- The high cost of cocaine frequently leads to workplace theft and/or dealing.
- A developing paranoia and withdrawal create unpredictable and sometimes violent behavior.
- Work performance is characterized by forgetfulness, absenteeism, tardiness, and missed assignments.

Cannabinoids (Marijuana) Fact Sheet

Marijuana is one of the most misunderstood and underestimated drugs of abuse. People use marijuana for the mildly tranquilizing and mood- and perception-altering effects it produces.

Description

- Usually sold in plastic sandwich bags, leaf marijuana will range in color from green to light tan. The leaves are usually dry and broken into small pieces. The seeds are oval with one slightly pointed end. Less prevalent, hashish is a compressed, sometimes tarlike substance ranging in color from pale yellow to black. It is usually sold in small chunks wrapped in aluminum foil. It may also be sold in any oily liquid.
- Marijuana has a distinctly pungent aroma resembling a combination of sweet alfalfa and incense.
- Cigarette papers, roach clip holders, and small pipes made of bone, brass, or glass are commonly used. Smoking “bongs” (large bore pipes for inhaling large volumes of smoke) can easily be made from soft drink cans and toilet paper rolls.
- Trade/street names include Marinol, THC, Pot, Grass, Joint, Reefer, Acapulco Gold, Sinsemilla, Thai Sticks, Hash, and Hash Oil.

Signs and Symptoms of Use

- Reddened eyes (often masked by eye drops)
- Slowed speech
- Distinctive odor on clothing
- Lackadaisical “I don’t care” attitude
- Chronic fatigue and lack of motivation
- Irritating cough, chronic sore throat

Health Effects

General

- When marijuana is smoked, it is irritating to the lungs. Chronic smoking causes emphysema-like conditions.
- One joint causes the heart to race and be overworked. People with undiagnosed heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus *Aspergillus*, which can cause serious respiratory tract and sinus infections.
- Marijuana smoking lowers the body’s immune system response, making users more susceptible to infection.

Pregnancy Problems and Birth Defects

- The active chemical, tetrahydrocannabinol (THC), and 60 other related chemicals in marijuana concentrate in the ovaries and testes.
- Chronic smoking of marijuana in males causes a decrease in sex hormone, testosterone, and an increase in estrogen, the female sex hormone. The result is a decrease in sperm count, which can lead to temporary sterility. Occasionally, the onset of female sex characteristics including breast development occurs in heavy users.
- Chronic smoking of marijuana in females causes a decrease in fertility and an increase in testosterone.
- Pregnant women who are chronic marijuana smokers have a higher than normal incidence of stillborn births, early termination of pregnancy, and higher infant mortality rate during the first few days of life.
- In test animals, THC causes birth defects, including malformations of the brain, spinal cord, forelimbs, and liver and water on the brain and spine.
- Offspring of test animals who were exposed to marijuana have fewer chromosomes than normal, causing gross birth defects or death of the fetus. Pediatricians and surgeons are concluding that the use of marijuana by either or both parents, especially during pregnancy, leads to specific birth defects of the infant's feet and hands.
- One of the most common effects of prenatal cannabinoid exposure is underweight newborn babies.
- Fetal exposure may decrease visual functioning and causes other ophthalmic problems.

Mental Function

- Regular use can cause the following effects:
 - Delayed decision-making
 - Diminished concentration
 - Impaired short-term memory, interfering with learning
 - Impaired signal detection (ability to detect a brief flash of light), a risk for users who are operating machinery
 - Impaired tracking (the ability to follow a moving object with the eyes) and visual distance measurements
 - Erratic cognitive function
 - Distortions in time estimation

- Long-term negative effects on mental function known as “acute brain syndrome,” which is characterized by disorders in memory, cognitive function, sleep patterns, and physical conditions

Acute Effects

- Aggressive urges
- Anxiety
- Confusion
- Fearfulness
- Hallucinations
- Heavy sedation
- Immobility
- Mental dependency
- Panic
- Paranoid reaction
- Unpleasant distortions in body image

Workplace Issues

- The active chemical, THC stores in body fat and slowly releases over time. Marijuana smoking has a long-term effect on performance.
- A 500 to 800 percent increase in THC concentration in the past several years makes smoking three to five joints a week today equivalent to 15 to 40 joints a week in 1978.
- Combining alcohol or other depressant drugs and marijuana can produce a multiplied effect, increasing the impairing effect of both the depressant and marijuana.

Opiates (Narcotics) Fact Sheet

Opiates (also called narcotics) are drugs that alleviate pain, depress body functions and reactions, and when taken in large doses, cause a strong euphoric feeling.

Description

- Natural and natural derivatives – opium, morphine, codeine, and heroin.
- Synthetics – meperidine (Demerol), oxymorphone (Numorphan), and oxycodone (Percodan)
- May be taken in pill form, smoked, or injected, depending upon the type of narcotic used.
- Trade/street names include Smack, Horse, Emma, Big D, Dollies, Juice, Syrup, and China White.

Signs and Symptoms of Use

- Mood changes
- Impaired mental functioning and alertness
- Constricted pupils
- Depression and apathy
- Impaired coordination
- Physical fatigue and drowsiness
- Nausea, vomiting, and constipation
- Impaired respiration

Health Effects

- IV needle users have a high risk for contracting hepatitis and AIDS due to the sharing of needles.
- Narcotics increase pain tolerance. As a result, people could more severely injure themselves or fail to seek medical attention after an accident due to the lack of pain sensitivity.
- Narcotics' effects are multiplied when used in combination with other depressant drugs and alcohol, causing increased risk for an overdose.

Social Issues

- There are over 500,000 heroin addicts in the United States most of whom are IV needle users.
- An even greater number of medicinal narcotic-dependent persons obtain their narcotics through prescriptions.

- Because of tolerance, there is an ever-increasing need for more narcotics to produce the same effect.
- Strong mental and physical dependency occurs.
- The combination of tolerance and dependency creates an increasing financial burden for the user. Costs for heroin can reach hundreds of dollars a day.

Workplace Issues

- Unwanted side effects such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the legitimate user and abuser at higher risk for an accident.
- Narcotics have a legitimate medical use in alleviating pain. Workplace use may cause impairment of physical and mental functions.

Phencyclidine (PCP) Fact Sheet

Phencyclidine (PCP) was originally developed as an anesthetic, but the adverse side effects prevented its use except as a large animal tranquilizer. Phencyclidine acts as both a depressant and a hallucinogen, and sometimes as a stimulant. It is abused primarily for its variety of mood-altering effects. Low doses produce sedation and euphoric mood changes. The mood can change rapidly from sedation to excitation and agitation. Larger doses may produce a coma-like condition with muscle rigidity and a blank stare with the eyelids half closed. Sudden noises or physical shocks may cause a “freak out” in which the person has abnormal strength, extremely violent behavior, and an inability to speak or comprehend communication.

Description

- PCP is sold as a creamy, granular powder and is often packaged in one-inch square aluminum foil or folded paper “packets.”
- It may be mixed with marijuana or tobacco and smoked. It is sometimes combined with procaine, a local anesthetic, and sold as imitation cocaine.
- Trade/street names include Angel Dust, Dust, and Hog.

Signs and Symptoms of Use

- Impaired coordination
- Severe confusion and agitation
- Extreme mood shifts
- Muscle rigidity
- Nystagmus (jerky eye movements)
- Dilated pupils
- Profuse sweating
- Rapid heartbeat
- Dizziness

Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP is potentiated by other depressant drugs, including alcohol, increasing the likelihood of an overdose reaction.
- Misdiagnosing the hallucinations as LSD induced, and then treating with Thorazine, can cause a fatal reaction.
- Use can cause irreversible memory loss, personality changes, and thought disorders.

- There are four phases to PCP abuse. The first phase is acute toxicity. It can last up to 3 days and can include combativeness, catatonia, convulsions, and coma. Distortions of size, shape, and distance perception are common. The second phase, which does not always follow the first, is a toxic psychosis. Users may experience visual and auditory delusions, paranoia, and agitation. The third phase is a drug-induced schizophrenia that may last a month or longer. The fourth phase is PCP-induced depression. Suicidal tendencies and mental dysfunction can last for months.

Workplace Issues

- PCP abuse is less common today than in recent years. It is also not generally used a workplace setting because of the severe disorientation that occurs.



Board of Directors Regular Meeting Minutes September 26, 2024 | 10:00 a.m.

The Board of Directors of the Denton County Transportation Authority (DCTA) convened a Regular Board of Directors Meeting with Chair TJ Gilmore presiding on Thursday, September 26, 2024 at 10:00am, located at the DCTA Administrative Offices, 1955 Lakeway Drive, Suite 260, Lewisville, Texas 75057.

Voting Members

Chair TJ Gilmore, City of Lewisville
Vice-Chair Cesar Molina, Denton County
Secretary Andy Eads, Denton County
Board Member Daniel Jaworski, City of Highland Village
Board Member Alison Maguire, City of Denton

Alternates

Board Member Jody Gonzalez, Denton County
Board Member Kristin Green, City of Lewisville
Board Member Pat Smith, City of Denton
Board Member Paul Stevens, City of Highland Village

Non-Voting Members

Board Member Dennie Franklin, City of Frisco
Board Member Jeremie Maurina, City of The Colony
Board Member Jared Eutsler, City of Corinth

Legal Counsel

Joe Gorfida, Nichols Jackson

DCTA CEO

Paul A. Cristina

CALL TO ORDER

Chair Gilmore called the meeting to order at 10:00am. All Board Members were present except Board Member Jaworski. Alternate Board Member Stevens served in his place. Secretary Eads departed at 10:55am.

INVOCATION

Secretary Eads provided the invocation.

PLEDGE OF ALLEGIANCE

The Board of Directors recited the pledge of allegiance to the United States and Texas flags.

INTRODUCTIONS

The following DCTA staff were introduced during this time.
Dorothy Faucett – Senior Administrative Assistant
Michelle Suazo, Finance Specialist

PUBLIC COMMENT

The following individual addressed the Board during this time.

Kristine Bray

CONSENT AGENDA

1. Consider Approval of Monthly Financial Statement – July 31, 2024
2. Consider Approval of an Extension of the Eleventh Amendment of the Agreement for Mobility Services with River North Transit LLC (“Via”) for GoZone in an amount not to exceed \$11,347,100
3. Consider Authorizing the Chief Executive Officer (CEO) to Execute an Interlocal Agreement with Denton County Sheriff’s Office for Law Enforcement Services in the amount of \$137,584 for one (1) year beginning October 1, 2024, through September 30, 2025
4. Consider Approval of a Resolution Approving Budget Revision 2025-01 in the amount of \$149,737 for Bus Operator Wage Adjustment effective October 1, 2024
Action Item
5. Consider Approval of Regular Agenda Meeting Minutes dated August 22, 2024

Motion by Board Member Maguire with a second by Secretary Eads to approve the Consent Agenda as presented. Motion passes 5-0.

REGULAR AGENDA

1. Discuss and Consider Fiscal Year (FY) 2025 Election of Board Officers

Nomination by Secretary Eads to re-elect Chair Gilmore to the position of Chair. Nomination seconded by Board Member Maguire. Motion passes 5-0.

Nomination by Secretary Eads to re-elect Vice-Chair Molina to the position of Vice-Chair. Nomination seconded by Board Member Maguire. Motion passes 5-0.

Nomination by Vice-Chair Molina to re-elect Secretary Eads to the position of Secretary. Nomination seconded by Board Member Maguire. Motion passes 5-0.

Listed below are the newly elected DCTA Board Officers for Fiscal Year 2025:

TJ Gilmore, Chair (second term)
Cesar Molina, Vice-Chair (second term)
Andy Eads, Secretary (second term)

2. Discuss and Consider Approval of a Fiscal Year (FY) 2025 Transportation Reinvestment Program (TRiP) Pre-Award Application for the City of Lewisville in the amount of \$488,351

Karina Maldonado, Planning Manager, presented to the Board recommending the Board approve the FY 2025 Transportation Reinvestment Program (TRiP) Pre-Award application for the City of Lewisville in the amount of \$488,351.

Ms. Maldonado highlighted the following:

- What is TRiP?
- TRiP Pre-Award Process
- FY 2025 Pre-Award Request Policy Reference
- FY 2025 TRiP Available Funding for Pre-Award
- L7 Hebron Parkway Off Street Trail Construction

Motion by Secretary Eads and a second by Vice-Chair Molina to approve as presented. Motion passes 5-0.

3. Discuss Update on DCTA Contracted Mobility Services: Frisco Paratransit, Coppell Workforce Mobility, and Collin County Rides

Maurice Bell, COO, presented, updating the Board on DCTA contracted mobility services: Frisco Paratransit, Coppell Workforce Mobility and Collin County Rides Program.

It should be noted that his presentation encompassed information to inform the Board with a recommendation to take action on Regular Agenda items 4-10. Each item will be voted on separately.

- Frisco FY 2024 Service Profile (through August)
 - Ridership, Registered and Active Passengers
- FY 2023/FY 2024 Service Demand Profile (through August)
 - FY2023/FY2024 Trip Cancellations
- Trip Requests by Day and By Mobility
- Frisco Rides Key Performance Indicators (Frisco PPH, Frisco Taxi OTP)
- Coppell First/Last Mile Lyft On-Demand Service
- Collin County Rides Service Overview at Transition, Service Design and Customer Trends, Operational Data, Key Performance Indicators
- Contract Extension/Reclassification
- Contracted Services (19-05 Mobility as a Service – MaaS, 17-27 On-Call Taxi Non-Emergency, 17-03 On-Demand Rideshare Services, GoZone Customer Service)
- Contract Reset
- Re-Procurement Timeline

Board discussion regarding plans and suggestions to reduce cancellations and the possible impact to ridership and customers experience (i.e. letters, reminders, suspension and re-evaluation process, billing), ensuring all new policies/procedures comply with ADA and Title 6 requirements, and on-time performance. The Board expressed interest in understanding data illustrating correlation between cancellations, service capacity, and ridership.

- 4. Consider Approval of a Second Amended and Restated Interlocal Agreement (ILA) with the City of Frisco for Transit Services for an amount not to exceed \$425,000 for a period of one (1) year beginning October 1, 2024 and continuing through September 30, 2025**

Motion by Secretary Eads with a second by Board Member Maguire to approve as presented. Motion passes 5-0.

- 5. Consider Approval of Extension of Contract 17-03 and Contract 17-27 with Irving Holdings, Inc., and Task Order #4.4 with Irving Holdings, Inc. for Frisco Transportation Services in the amount of \$245,489 for a period of one (1) year beginning October 1, 2024 and continuing through September 30, 2025**

Motion by Vice-Chair Molina with a second by Board Member Stevens to approve as presented. Motion passes 5-0.

- 6. Consider Approval of Extension of Contract 17-03 and Task Order #4 with Lyft, Inc. for Frisco Transportation Services in the amount of \$15,000 for a period of one (1) year beginning on October 1, 2024 and continuing through September 30, 2025**

Motion by Secretary Eads with a second by Board Member Maguire to approve as presented. Motion passes 5-0.

- 7. Consider Approval of a Fifth Amended and Restated Interlocal Agreement (ILA) with the City of Coppell for Mobility Services in an amount not to exceed \$50,000 for a period of one (1) year beginning on October 1, 2024 and continuing through September 30, 2025**

Motion by Vice-Chair Molina with a second by Board Member Maguire to approve as presented. Motion passes 5-0.

- 8. Consider Approval of Extension of Task Order #17 with Lyft, Inc. for Coppell Lyft Services for On-Demand Rideshare beginning October 1, 2024 through September 30, 2025 in an amount not to exceed \$28,125**

Motion by Secretary Eads with a second by Board Member Maguire to approve as presented. Motion passes 5-0.

9. Consider Approval of Extension of Task Order #1 with Irving Holdings, Inc. for Collin County Rides Transit Services for the City of Allen and Town of Fairview for a period of one (1) year beginning October 1, 2024, through September 30, 2025 in an amount not to exceed \$306,000

Motion by Secretary Eads with a second by Board Member Maguire to approve as presented. Motion passes 5-0.

10. Consider Approval of Extension of Task Order #1 with Lyft, Inc. for Collin County Rides Transit Services for the City of Allen and Town of Fairview for a period of one (1) year beginning October 1, 2024, through September 30, 2025 in an amount not to exceed \$24,000

Motion by Vice-Chair Molina with a second by Board Member Maguire to approve as presented.

11. Discuss Update on State Legislative Agenda

Capitol Insights representatives Drew Campbell (President) and Byron Campbell (Senior Partner) presented an update on the State Legislative Agenda highlighting the following:

The draft legislative agenda included the following:

- Extend TXDOT Mobility Fund Authority beyond January 2027
- Advocate with TXDOT for grade crossing elimination/separation on A-train corridor in Carrollton
- Support innovative funding methods at state level to expand rail and transit options with Denton County
- Support public transportation statewide
- Oppose any restrictions to the agency having representation before the State
- Dallas Area Rapid Transit (DART) Strategy
- Upcoming November Elections
- Strategic Meetings
- Key Dates
 - October 21, 2024 – Early voting begins
 - November 5, 2024 – Election Day
 - November 11, 2024 – First Day to File Legislation
 - January 14, 2025 – First Day of Session
 - March 14, 2025 – Bill Filing Deadline
 - June 2, 2025 – Sine Die

Board discussion regarding excess revenue, cap formula, and local decisions being handled locally. It was the consensus of the Board for the consultants to have flexibility to recommend additional priorities to the agenda that may arise during the session but are not immediately apparent.

12. Discuss Update on the Bus Fleet Replacement Plan and Fiscal Year (FY) 2025 Bus Purchase

Maurice Bell, COO, presented to the Board highlighting the following:

- Bus Fleet Replacement Purchase Considerations:
 - Base Vehicle and Warranty
 - Operator Engagement
 - Recognized Components
 - Base and Options Estimate
 - Procurement Process and Timeline

Board discussion regarding costs for training for diesel and hybrid when necessary, annual bus mileage, bus acquisition process, and decommissioned buses.

No Board action required at this time.

13. Discuss Local and Regional Updates and Legislative Issues

Chair Gilmore discussed highlights from the recent Regional 2.0 discussions.

INFORMATIONAL REPORTS

- 1. Safety, Service, and Ridership Reports**
- 2. Update on A-train Program Management Consultant Procurement**
- 3. Proposed 2025 Denton County Transportation Authority (DCTA) Board Meeting Calendar**
- 4. Update on the January 2025 Strategic Planning Work Session**

The information reports were identified specifically highlighting the 2025 DCTA Board of Directors Meeting Calendar and the upcoming Strategic Planning Work Session scheduled for January 30-31, 2025 at the Denton County Courthouse.

FUTURE AGENDA ITEMS AND BOARD MEMBER REQUESTS

There were no future items or Board Member requests at this time.

REPORT ON ITEMS OF COMMUNITY INTEREST

Lewisville

Western Days – September 28-29, 2024

Highland Village

Concert in the Park – October 5, 12, 19, 2024

Denton

31 days of Halloween

Arts and Jazz Festival – October 4-5, 2024

DCTA Board of Directors Meeting Minutes – September 26, 2024

Denton County

Town Hall Meeting – Master Thoroughfare Discussion – September 30, 2024
6pm

CONVENE EXECUTIVE SESSION

The Board convened into Closed Executive Session at 11:30am to discuss the following listed below.

1. Pursuant to Texas Government Code Section 551.074, Personnel Matters, the Board of Directors will convene into Closed Executive Session to Deliberate the Duties and Performance of the Chief Executive Officer (Fiscal Year 2024 Year End Performance Evaluation – Feedback Session).
 - a. Action as a result of Executive Session.

2. Pursuant to Texas Government Code Section 551.072(2), the Board of Directors will convene into Closed Executive Session to Consult with General Counsel regarding proposed Letter of Intent with the Amalgamated Transit Union (ATU) Local 1338.
 - a. Action as a result of Executive Session

RECONVENE OPEN SESSION

The Board reconvened from Closed Executive Session and reconvened into Open Session at 11:55am with the following actions taken:

Motion by Vice-Chair Molina with second by Board Member Maguire to authorize the Chair to execute an amendment to the Chief Executive Officer’s Employment Agreement to reflect a 5% increase in total compensation effective October 1, 2024. Motion passes 5-0.

Motion by Vice-Chair Molina with a second by Board Member Maguire to authorize the Chief Executive Officer to execute the Letter of Intent with the Amalgamated Transit Union (ATU) Local 1338. Motion passes 5-0.

ADJOURN

The meeting was adjourned at 11:57am.

TJ Gilmore, Board Chair

Andy Eads, Board Secretary

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Discuss and Consider Approval of State Legislative Agenda

Recommendation

Staff recommends the Board approve the State Legislative Agenda as presented.

Background

The state legislative consultant team of Capitol Insights and Bird Advocacy will give an overview of the state political landscape heading into the next legislative session, the status of potential legislation affecting DCTA and public transit in Texas and proposed legislative priorities for DCTA to adopt in advance of the upcoming state legislative session.

Previous Board Action

There has been no previous Board action on this item.

Identified Need

This item enables Staff and the consultant team to prepare to represent DCTA in Austin during the upcoming state legislative session.

Financial Impact

There is no financial impact associated with this discussion item.

Exhibits

None.

Submitted By:



Jackie Bronson, Vice-President
Engagement and Administration



Board of Directors Memo

October 24, 2024

AGENDA ITEM: Discuss Update on New Member and Contracted Services Policy

Recommendation

This is a discussion item only. No Board action is required.

Background

The DCTA New Member Policy has not been updated since February 2012 and does not reflect revisions made to DCTA’s enabling legislation or its bylaws in 2019. The current policy also does not reflect the type of approach DCTA wishes to undertake in performing contracted services for non-member cities or other entities.

It is appropriate for the DCTA Board to consider this important policy given the substantive changes to DCTA’s governance structure, the increase in interest for transit services in the North Texas Region, the current “Regional Transit 2.0” initiative being led by North Central Texas Council of Governments (NCTCOG), and the contracted services portfolio DCTA currently serves.

The purpose of this item is to follow-up on initial discussion on the topic undertaken in the January Board Strategic Work Session with a proposed revision to the policy, receive Board feedback, and consider additional revisions that would enable the Board to adopt a revised New Member City Admission and Contracted Services Policy.

Previous Board Action

January 2024 Strategic Work Session – Discussion Item
August 2024 – Discussion Item

Identified Need

DCTA needs an updated New Member City Admission and Contracted Services Policy to effectively serve its current member cities and potential future member cities.

Financial Impact

None. This is a discussion item only.

Exhibits

Exhibit 1: Draft Policy

Submitted By:



Paul A. Cristina, Chief Executive Officer

DENTON COUNTY TRANSPORTATION AUTHORITY

Policies and Procedures

Distribution: DCTA Board of Directors		Subject: Policy 0-2_New Member City Admission and Contracted Services	
Effective Date: XX, 2024	Page No. 1	Pages Of 5	File Under Section: 00_DCTA Board of Directors
Revision/Review Date:		Approved By: DCTA Board of Directors	

1. Purpose

The purpose of this policy is to define DCTA’s approach in the engagement of cities for membership in DCTA and the provision of contracted services for non-member cities and other entities.

The statutory charge and the desire of DCTA is to encourage the development and provision of transit services in and for Denton County. To achieve that goal, DCTA welcomes inquiries from all Denton County cities and surrounding areas that may be interested in receiving DCTA transit services.

2. Background

The Denton County Transportation Authority (“DCTA”) was created in 2001 by the Denton County Commissioners Court pursuant to House Bill 3323 (Acts 2001, 77th Leg., Ch. 1186, §1, eff. Sept. 1, 2001), codified as Chapter 460, Texas Transportation Code.

The formation of DCTA was confirmed by a countywide election on November 5, 2002 with a favorable vote of greater than 73%. A subsequent transit sales tax authorization election was held on September 13, 2003 and the municipalities of Denton, Highland Village, and Lewisville authorized the collection of a 1/2-cent transit sales and use tax for the benefit of DCTA and formed the initial service delivery area.

Since the initial service area was formed the Authority has established numerous transit services operating within and between the member cities, completed the construction of a commuter rail line, and initiated A-train service to connect the member cities along the rail right of way to the Trinity Mills station on the DART Green Line. The Authority also has provided public transit services to non-member cities and municipalities on a contractual basis for defined periods of time utilizing non-dedicated funding sources.

Chapter 460, DCTA’s enabling legislation, was amended in 2019 to further define the process by which voting privileges on the DCTA Board are established and the mechanisms by which New Member Cities may be brought into the Agency. Following the 2019 amendment, the DCTA Board of Directors (the “DCTA Board”) revised the agency’s bylaws that, among other things, defined how membership in the agency is classified and how voting privileges are granted and executed. This policy is intended to reflect the requirements of DCTA’s enabling legislation as amended in 2019 as well as the DCTA Board’s bylaws as revised in December 2019.

DENTON COUNTY TRANSPORTATION AUTHORITY

Policies and Procedures

Distribution: DCTA Board of Directors		Subject: Policy 0-2_New Member City Admission and Contracted Services	
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Revision/Review Date:		Approved By: DCTA Board of Directors	

DCTA recognizes the exceptional vision and initiative demonstrated by Denton County and the founding municipalities of Denton, Highland Village, and Lewisville that have pledged significant resources to enable the creation and ongoing operation of DCTA since its inception.

At the same time, Denton County and its cities continue to experience rapid population and employment growth, and the transportation and mobility needs of our citizens continue to evolve. Therefore, DCTA anticipates other cities in Denton County may wish to participate in the transportation services DCTA provides in a manner that meets their individual needs and aligns with the long-term needs of the region.

This New Member Cities Admission and Contracted Services Policy defines how the DCTA Board of Directors (the “DCTA Board”) considers services to other Cities within Denton County and the region either on a short-term, contracted basis or on an enduring basis as a Member City of DCTA.

3. Board of Director Considerations for the Addition of New Member Cities

The DCTA Board may vote to add New Member Cities to the Authority at its sole discretion. The path to membership requires broad collaboration between staffs and elected officials working on behalf of and representing the DCTA Board and the interested City.

In general, the DCTA Board will evaluate candidates for New Member Cities (the “Applicant”) based on three primary considerations:

1. What is the value of the funding source generated by the Applicant versus the cost of the service desired by the Applicant?
2. Does the new service increase transportation access to residents of Denton County and DCTA's Member Cities?
3. What DCTA staff resources and other resources are required to deliver the new service and are those costs properly addressed by the Applicant?

DCTA staff will develop a procedure to enable the DCTA Board to evaluate these considerations in its deliberation of the New Member request. All costs associated with that procedure shall be borne by the Applicant.

DENTON COUNTY TRANSPORTATION AUTHORITY

Policies and Procedures

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Revision/Review Date:		Approved By: DCTA Board of Directors	

4. Application for Membership

The Applicant must submit a written "Request for Membership" to the DCTA Board describing the type of service the Applicant desires to achieve. The "Request for Membership" may be in the form of a letter from the senior elected official representing the Applicant to the Chair of the DCTA Board. Whatever the form of written communication, it must be accompanied by a resolution of the Applicant's governing body requesting membership in DCTA.

Membership in DCTA requires the establishment of a dedicated funding source. DCTA's enabling legislation, Chapter 460 of the Texas Transportation Code, defines two methods for establishing a dedicated funding source and entering into Agreement with DCTA.

Method 1

1. Within its Request for Membership, the Applicant may request DCTA call an election, to be held in that municipality, on whether the Applicant should be admitted to DCTA with the levy of a 1/2 cent sales tax.
2. Following successful election, DCTA and the Applicant enter into Agreement for admission of the Applicant into DCTA as a Member. [460.302(d)]

Method 2

1. Applicant enters into Agreement with DCTA to provide service in a Public Transportation Financing Area in exchange for all or a portion of the tax increment generated by the Area, which may be generated by ad valorem tax revenue and / or sales and use tax revenue. This method may be pursued if the municipality is unable to provide a sales and use tax levy because such a tax levy would cause the Applicant's sales and use tax levy to exceed two percent. [460.602(a)]

Membership requires an affirmative vote of the DCTA Board of Directors and such affirmative vote may also include voting privileges for the New Member.

The DCTA Board possesses broad discretion in the granting of Board membership and, separately, the granting of voting privileges. The Board may consider a variety of factors in evaluating potential voting privileges for a New Member including, but not limited to, the value of the dedicated funding source provided by the New Member relative to the value of the existing Voting Members' funding sources.

DENTON COUNTY TRANSPORTATION AUTHORITY

Policies and Procedures

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Revision/Review Date:		Approved By: DCTA Board of Directors	

5. Capital Payment Fees for New Members

The cost of any capital investment(s) required to start up a new service for a New Member or enable a New Member to integrate its service into the DCTA network shall be paid by the New Member. The cost of such capital investment shall be determined through the evaluation of the New Member request.

6. Contracted Transportation Services to Non-Member Cities and Other Entities

When requested, DCTA may choose to provide a specific type of public transportation service to a non-member municipality or other public or private entity (the "Requestor") through an Interlocal Cooperation Agreement or similar contractual mechanism ("Contracted Services"). The provision of these services shall not materially impact the provision of services in Member Cities, nor materially impact any major capital projects underway or planned in the Authority's Service Plan. Additionally, DCTA shall ensure Member Cities' financial resources are not applied to support such Contracted Services. The DCTA "Comprehensive Financial Management Policy," approved by the Board of Directors and published annually with the DCTA Operating and Capital Budget, provides clear requirements for service cost recovery and administrative fees that shall be charged to entities receiving Contracted Services.

DCTA provides Contracted Services for four primary reasons:

1. Provides opportunity for the DCTA Board and the Requestor to evaluate the utility and performance of a new service for a limited time.
2. To provide an avenue for the Requestor to become a Member of DCTA (if eligible) and expand the agency service area.
3. To enable DCTA to act as a regional leader in providing public transportation solutions.
4. The premium and fees generated by such services generate revenue that meaningfully offsets ongoing investment by Member Cities.

DCTA's intent in providing Contracted Services is to provide an avenue for a non-member municipality to become a Member of DCTA and expand the agency service area for the good of all members and Denton County. Therefore, DCTA and the Requestor shall engage in a regular dialogue throughout the term of the Contracted Service that enables the Requestor

DENTON COUNTY TRANSPORTATION AUTHORITY

Policies and Procedures

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Revision/Review Date:		Approved By: DCTA Board of Directors	

and the Agency to evaluate the Requestor’s opportunity for membership in DCTA.

DCTA staff will develop a procedure to enable the DCTA Board to evaluate the proposed Contracted Service before Board approval and also during its performance period for purposes of identifying a path to membership for the requesting entity. All costs associated with that procedure shall be borne by the Applicant.

7. Updates to the New Member City Admission and Contracted Services Policy

This Policy may be reviewed and updated at any time by the DCTA Board of Directors.

8. Conflicts

To the extent of any conflict between this Policy and Chapter 460 of the Texas Transportation Code, as amended, Chapter 460 of the Texas Transportation Code shall control.

9. Effective Date

This policy is effective as of [Effective Date] and will remain in effect until superseded by a revised policy.

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Discuss Update on City of Frisco Technology Based Transit Service

Recommendation

This is a discussion item only. No Board action is required.

Background

In June 2023, the City of Frisco completed a service analysis with Via, the contractor providing GoZone service to DCTA, to understand the requirements to provide a GoZone service in the City of Frisco. DCTA was involved in the process as a stakeholder.

At the conclusion of the study, the City of Frisco and the North Central Texas Council of Governments (NCTCOG) approached DCTA with the idea of DCTA providing the proposed GoZone service to the City of Frisco. DCTA and Frisco staff evaluated the findings of the study and DCTA suggested, based on its experience with the service, that revisions be made to the study recommendations to ensure that system capacity would be available to meet demand. The City of Frisco staff agreed with those recommendations. City staff briefed its council in a work session in February 2024 and, with direction from Council, City staff and NCTCOG began conversations regarding funding for the service.

This briefing will provide an update to the Board on the details of the service being considered so that the Board can provide staff direction on if or how DCTA should proceed in conversations regarding this service.

Previous Board Action

- January 2024 (Strategic Planning Work Session)
- June 2024 – Discussion Item
- August 2024 – Discussion Item

Identified Need

Staff requests Board direction on the next steps related to this initiative.

Financial Impact

None. This is a discussion item only.

Exhibits

None.

Submitted By:



Paul A. Cristina, Chief Executive Officer



Board of Directors Memo

October 24, 2024

AGENDA ITEM: Discuss Update on Transportation Reinvestment Program (TRiP) Policy

Recommendation

This item is a discussion item only. No board action is required.

Background

On November 12, 2020, the Board approved the Transportation Reinvestment Program (TRiP) Policy, establishing a five-year capital-assistance program intended to enable partnerships between DCTA and its member cities for the development and implementation of transit-supportive projects consistent with DCTA’s Long-Range Service Plan and the Agency’s enabling legislation. The TRiP policy sets the program’s parameters for funding allocation, project eligibility, project award, and program management. The Policy also establishes an automatic expiration date after 5 years unless action by the Board is taken to extend the policy. The current date of expiration for the TRiP Policy is November 12, 2025.

This agenda item provides an update on TRiP, including:

- Funding obligations and spending to-date
- Project status by member city
- Unobligated funding allocation balance per member city
- Considerations for update to Policy regarding program parameters

Previous Board Activity

The Board approved Resolution 20-22 approving DCTA’s TRiP Policy on November 12, 2020.

Financial Impact

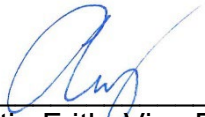
None. This is an informational report.

Exhibits

Exhibit 1: Resolution R20-22 Approving the Denton County Transportation Reinvestment Program (TRiP) Policy with Exhibit A TRiP Policy

Exhibit 2: Table A – Project Types

Submitted by: 
Karina Maldonado, Planning Manager

Reviewed by: 
Austin Frith, Vice President, Planning and Development

**DENTON COUNTY TRANSPORTATION AUTHORITY
RESOLUTION NO. R20-22**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DENTON COUNTY TRANSPORTATION AUTHORITY (DCTA) APPROVING THE DENTON COUNTY TRANSPORTATION AUTHORITY TRANSPORTATION REINVESTMENT PROGRAM (TRiP) POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the DCTA Transportation Reinvestment Program (TRiP) Policy’s objective is to provide financial assistance to DCTA member cities for transit-supportive projects consistent with and beneficial to DCTA’s Long-Range Service Plan Goals; and

WHEREAS, DCTA Board of Directors has been presented with the DCTA TRiP Policy attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the DCTA TRiP Policy, and all matters related thereto, the Board of Directors of the Denton County Transportation Authority is of the opinion and finds that the DCTA TRiP Policy should be approved;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENTON COUNTY TRANSPORTATION AUTHORITY, THAT:

SECTION 1. The DCTA TRiP Policy, attached hereto as Exhibit “A”, be and the same is hereby approved.

SECTION 2. This Resolution shall become effective immediately upon its passage and approval.

DULY PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE DENTON COUNTY TRANSPORTATION AUTHORITY THE 12TH DAY OF NOVEMBER 2020.

APPROVED:



Chris Watts, Chair

ATTEST:



Sam Burke, Secretary

EXHIBIT "A"
TRiP Policy

CITY SECRETARY
P.L.S. COPY

**DENTON COUNTY TRANSPORTATION AUTHORITY
TRANSPORTATION REINVESTMENT PROGRAM (TRiP)**

I. POLICY STATEMENT

The Denton County Transportation Authority (DCTA) Transportation Reinvestment Program (TRiP) policy objective is to provide financial assistance to DCTA member cities for transit-supportive projects consistent with and beneficial to DCTA's Long-Range Service Plan goals. TRiP funding will be apportioned to DCTA member cities in proportion to each city's net half-cent sales and use tax collection for the previous fiscal year, as published by the Texas Comptroller's Allocation Payment Detail. Total program funding levels and allocation formula are detailed in Section III. DCTA will distribute funds to member cities for eligible projects consistent with DCTA's enabling legislation, Chapters 431 and 460 of the Texas Transportation Code, and project selection criteria specified in Section V.

II. SCOPE

TRiP is a five-year policy, with its first funding cycle beginning in 2021. Each year, DCTA will establish TRiP funding levels following an audit of the previous fiscal year's net available balance and in accordance with the TRiP policy. DCTA will issue a call for projects in January of each calendar year. Continuation of the policy beyond the initial five years would require DCTA Board reapproval. In the event the Board does not re-approve subsequent years, the policy will expire after the five-years and any unobligated funds shall revert to DCTA cash reserves.

Funds will be available to DCTA member cities, including Denton, Highland Village and Lewisville. A municipality which becomes a participating member of DCTA, under the provisions of Section 460.302 Texas Transportation Code, will become an eligible recipient of DCTA TRiP funding in the next fiscal year following collection of a transit sales and use tax.

III. FUNDING

The annual TRiP budget will be equal to 15 percent of DCTA's net available fund balance from the previous fiscal year. In addition, DCTA will authorize a one-time program startup amount of \$2,000,000 to be transferred from the Capital/Infrastructure Reserve to a dedicated TRiP project line within the FY2021 budget. Annual program contributions may be amended as necessary through Board amendment of the TRiP policy.

Funding for each member city will be allocated based on the following formula:

$$= 95\% \times \text{Annual Program Budget} \left(\frac{\text{Individual member city sales tax collection, prior FY}}{\text{Total all member cities sales tax collection, prior FY}} \right)$$

Actual cost up to and not to exceed five percent of the annual program budget shall be set aside for DCTA program administration, including project selection, monitoring and financial reporting, and 95 percent split among member cities proportional to sales and use tax receipts, as estimated by DCTA financial staff, for the previous fiscal year. Prior to award of the TRiP projects, DCTA staff will present anticipated TRiP administrative costs for Board approval. Unspent administrative budget shall be returned to TRiP reserve balances.

Multiple municipalities may pool their allocated amounts to allow more flexibility in financing larger, mutually beneficial projects. Member cities could accrue allocated funds each fiscal year in order to fund a larger project. Funds remain with DCTA, designated to each member city,

DENTON COUNTY TRANSPORTATION AUTHORITY TRANSPORTATION REINVESTMENT PROGRAM (TRiP)

until dispersed to an approved project. Funds will remain with DCTA until reimbursements have been made to the member city for an approved project. Unobligated funds designated to each member city may rollover for up to three years.

IV. ELIGIBLE PROJECTS

To be eligible for TRiP funding, a project must be consistent with DCTA's enabling legislation, Chapters 431 and 460 of the Texas Transportation Code, and project selection criteria specified in Section V. Projects funded through inter-local agreement must be authorized under and consistent with the provisions of Texas Local Government Code 791: Interlocal Cooperation Contracts.

A key provision of Chapter 460 regarding DCTA expenditures is that they be consistent with and beneficial to the locally adopted Long-Range Service Plan goals. Projects eligible for TRiP funding should demonstrate support of these formally adopted goals. Eligible projects are shown in **Attachment A**.

In addition to serving Long-Range Service Plan goals, projects eligible for TRiP funding should be clearly defined and financially sound. Well defined capital/expansion projects will facilitate a reliable design-build cost estimate. Cost estimates for maintenance of assets should be based on recent similar maintenance projects or bids/solicitations where available. Planning and preliminary design costs may also be eligible for projects that support DCTA's long range goals.

Eligible project types may be amended as necessary through a DCTA Board amendment of the TRiP policy. Adoption of an updated DCTA Long-Range Service Plan update may trigger Board action if amendments to TRiP project criteria are needed to ensure consistency with updated Long-Range Service Plan goals.

V. PROJECT SELECTION

Eligible member cities must submit a written application for funding. The application shall include, at minimum: a project description, project limits and boundaries, proposed or engineering based capital cost estimates, requested funding amount, identification of additional funding sources (if applicable), proposed schedule for the project, and a description of how the project would support DCTA Long-Range Service Plan goals. A sample project application is provided in *Attachment A*.

Applications will be submitted within 90 days of the DCTA Call for Projects. However, member cities may submit their applications sooner. DCTA staff will have 30 days to review the application to determine minimum project eligibility or request more information. Subsequent to completing the review, if no additional information was requested, the application will be placed on the agenda for the next regularly scheduled DCTA Board of Directors meeting for consideration. Following the review of each application, the DCTA Board will lead the approval and award process.

In subsequent years, should a member city have a project that timing would necessitate an application prior to the call for projects, a city may submit an application for pre-award

DENTON COUNTY TRANSPORTATION AUTHORITY TRANSPORTATION REINVESTMENT PROGRAM (TRiP)

authority. Any cost difference between the member city's allocated funding for that year and the project cost, would be borne by the member city.

DCTA staff will have 45 days to review the pre-award authority application to determine minimum project eligibility or request more information. Subsequent to completing the review, if no additional information was requested, the application will be placed on the agenda for the next regularly scheduled DCTA Board of Directors meeting for consideration. Following the review of each application, the DCTA Board will lead the approval and award process.

At a minimum, projects must meet the following criteria to be eligible for DCTA funding:

- Project limits located primarily within the DCTA service area, the geographic boundaries of DCTA member cities, or within a quarter mile of any A-train Station or DCTA fixed bus route.
 - Projects that extend beyond this area should identify extra-territorial costs and alternate funding sources for the portion of costs not eligible for TRiP funding
- Clear and defensible nexus to DCTA Long-Range Service Plan goals
- Financially Sound
 - Requested capital funding does not exceed the member city's TRiP allocation, or
 - Funding sources have been identified for project costs exceeding the requested amount

In the event a member city submits multiple projects for consideration whose total costs exceed the member city's balance of available funds, additional project criteria may be considered to narrow the selection. These additional criteria may include percent cost sharing, ability to leverage additional federal funding, project timeframe, and demonstrated ability to meet multiple Long-Range Service Plan goals. Projects meeting minimum selection criteria may be deferred to a future year in the event of funding limitations.

VI. DISBURSEMENT

Based on the requested funding amount and as part of the Board approval packet, DCTA staff will recommend a schedule for TRiP funding disbursement which may be lump sum, quarterly, or annually.

Once approved by the DCTA Board, the approved funding becomes programmed to the project. That programmed amount is deducted from the available apportionment as an obligation. Funds will be allocated in accordance with the approved schedule, including lump-sum, quarterly or annually. In no case, will disbursements be made until the project eligibility requirements have been met and formal approval by the DCTA Board has been made. DCTA disbursement of payment to member cities for eligible project expenses will occur after an expense has been incurred as a reimbursement.

For capital assistance projects, member cities shall provide DCTA with a project status report and current financial records for each approved project. The status report shall be submitted on an annual basis (consistent with recommended disbursement schedule), and will include:

- Project identifier
- Approved project budget
- TRiP funds programmed for the project

**DENTON COUNTY TRANSPORTATION AUTHORITY
TRANSPORTATION REINVESTMENT PROGRAM (TRiP)**

- Expenses incurred
- Percentage completion

At project completion, in the event that final project accounting or audit reveals that TRiP funding was not expended in a manner consistent with program requirements, or that the final project cost was less than the approved TRIP funding, those unspent funds shall be returned to DCTA and remain available in the apportionment for reprogramming to the eligible city. Unspent dollars shall be available to the eligible city up to three years for reprogramming and will be in addition to, any future allotments.

DCTA does not assume or incur any liability, obligation or financial responsibility for a contract between an eligible city and a contractor, employee or agent for an approved project or any liability for a result, occurrence, injury or damages resulting from or caused, directly or indirectly, by an approved project.

VII. PERFORMANCE EVALUATION AND REPORTING

Eligible cities shall maintain accurate books and records of all approved projects. Cities will maintain separate records for each approved project including project budgets, budget amendments, revised budget balances, expenditures to date, change orders, cost to complete, and TRiP funding received to date. DCTA maintains the right to audit a city's books to ensure that TRiP funding is applied in accordance with the program criteria. Cities also maintain the right to audit DCTA's books to ensure that the funding allocations and disbursements are in accordance with these guidelines and other applicable laws.

In addition to financial records, member cities will provide to DCTA an annual status report for each funded project detailing the activities completed to date, schedule updates, and any foreseeable issues or challenges. Additional performance monitoring criteria may be established for larger disbursements or on-going programs funded through TRiP.

DCTA may reconfirm performance goals (established in coordination with the member cities) intended to demonstrate the project's ability to support Long-Range Service Plan goals. DCTA will report quarterly to the Board on the status of the TRiP fund, including amounts apportioned, amounts programmed, amounts disbursed to member cities, and the amount remaining for each city. Quarterly staff reports will also include a summary of significant milestones and performance goals.

VIII. ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the project selection process shall refrain from personal business activity that could conflict with the proper execution and management of the TRiP or that could impair the ability to make impartial decisions. Employees and Board members shall disclose any material interests potentially affected by any of the projects submitted.

Procedures when identifying a potential conflict of interest will comply with Chapter 171 of Texas Local Government Code regarding conflicts of interest. If an officer or employee involved in the project selection process has a substantial interest in a business entity or in real property,

**DENTON COUNTY TRANSPORTATION AUTHORITY
TRANSPORTATION REINVESTMENT PROGRAM (TRiP)**

that person must file an affidavit stating the nature and extent of the interest and abstain from further participation.¹

IX. SUBJECT TO AUDIT

DCTA shall establish a system of written internal controls which will be reviewed annually with the independent auditor of DCTA. The controls shall be designed to prevent loss of public funds due to error, misrepresentation, or oversight. A formal annual review of these internal controls as well as disbursements and receipts associated with the Transportation Reinvestment Program will be performed by an independent auditor. Results of the audit shall be reported to the Board.

¹ Legal exceptions and situations not requiring abstention should be reviewed and documented with DCTA counsel.

Table A. Project Types Eligible for Funding

Improvement Type	Requirements
Planning Activities	
Feasibility Studies	<ul style="list-style-type: none"> • New or expanded transit services identified in the Long-Range Service Plan (e.g., commuter rail, commuter bus); and/or • New A-Train Stations or Mobility Hubs
Transit Oriented Development Plans	<ul style="list-style-type: none"> • Focused on existing or proposed A-Train stations and/or Mobility Hubs, plus one-mile; and • Must demonstrate a commitment to integrate final adopted plans into local planning and development documents for implementation
Transit Adjacent Development Plans	<ul style="list-style-type: none"> • Focused on increasing connectivity to existing or proposed A-Train stations and/or Mobility Hubs from adjacent residential, commercial or mixed-use developments. • Primary focus shall be on identifying mobility and land use strategies that remove barriers from adjacent development to transit. • Must demonstrate a commitment to integrate final adopted plans into local planning and development documents for implementation
<ul style="list-style-type: none"> • Final Design & Construction Activities 	
Transit Stop Amenities	<ul style="list-style-type: none"> • Existing or new proposed stops along existing or planned DCTA fixed routes; and • Consistent with Bus Stop Design Guidelines
Sidewalks / ADA Ramps	<ul style="list-style-type: none"> • Within a half-mile of existing or proposed transit stops, rail stations, or mobility hubs; • Along existing or planned DCTA fixed routes with at least one transit stop; and/or • Within a 1/4th mile of major transit destinations in a Demand Response zones when no other transit service is available
Crosswalks/Median Island	<ul style="list-style-type: none"> • Within a 1/4th mile of existing or proposed transit stops, rail stations, or mobility hubs; or • Within a 1/4th mile of major transit destinations in a Demand Response zones when no other transit service is available
Bike/Ped Trail Connections	<ul style="list-style-type: none"> • Must provide an extension to the A-Train Rail Trail; or

Table A. Project Types Eligible for Funding

	<ul style="list-style-type: none"> • Must begin or terminate at an existing or proposed rail station or mobility hub
Bus Bulb Out/Turning Pocket	<ul style="list-style-type: none"> • Along existing or planned DCTA fixed routes and serve a high use key stop or greater; and • Consistent with Bus Stop Design Guidelines
Transit Lane	<ul style="list-style-type: none"> • Along existing or planned DCTA fixed routes; and • Must be limited to buses only during peak hours; or • May be shared with bicycles on low-speed roadways
Bike Lane (on-street)	<ul style="list-style-type: none"> • Within a one mile of existing or proposed transit stops, rail stations, or mobility hubs; • Along existing or planned DCTA fixed routes with at least one transit stop; and/or • Within a one mile of major transit destinations in a Demand Response zones when no other transit service is available
Other Lane reconfiguration	<ul style="list-style-type: none"> • Must be along existing or planned DCTA fixed routes with at least one transit stop; and • Must be intended to increase fixed route operational efficiency or safety
Traffic Calming	<ul style="list-style-type: none"> • Must be along existing or planned DCTA fixed routes with at least one transit stop; and • Must be designed to accommodate bus widths and turning movements
Landscaping/streetscaping	<ul style="list-style-type: none"> • Existing or new proposed stops along existing or planned DCTA fixed routes; and • Consistent with Bus Stop Design Guidelines
Street lighting/ Other public safety improvements	<ul style="list-style-type: none"> • Within a 1/4th mile of existing or proposed transit stops, rail stations, or mobility hubs; or • Within a 1/4th mile of major transit destinations in a Demand Response zones when no other transit service is available
Transit Signal Priority (TSP)	<ul style="list-style-type: none"> • Existing or proposed traffic signals along existing or planned DCTA fixed routes
Signal Timing	<ul style="list-style-type: none"> • Existing or proposed traffic signals along existing or planned DCTA fixed routes
Other Intersection improvements	<ul style="list-style-type: none"> • Within a 1/4th mile of existing or proposed transit stops, rail stations, or mobility hubs; or • Within a 1/4th mile of major transit destinations in a Demand Response zones when no other transit service is available

Table A. Project Types Eligible for Funding

Street Improvements	<ul style="list-style-type: none">• Along existing or planned DCTA fixed routes;• Must be designed to accommodate bus widths and turning movements; and/or• Must accommodate area for future transit amenities, consistent with Bus Stop Design Guidelines
Shared Parking, Kiss & Ride/Drop-off Zones	<ul style="list-style-type: none">• Within 500 feet of DCTA stations, facilities, and/or mobility hubs
Wayfinding/Placemaking signage	<ul style="list-style-type: none">• Within a 1/4th mile of existing or proposed transit stops, rail stations, or mobility hubs

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Safety, Service, and Ridership Reports – September 2024

Recommendation

This item is for information only. No Board action is required.

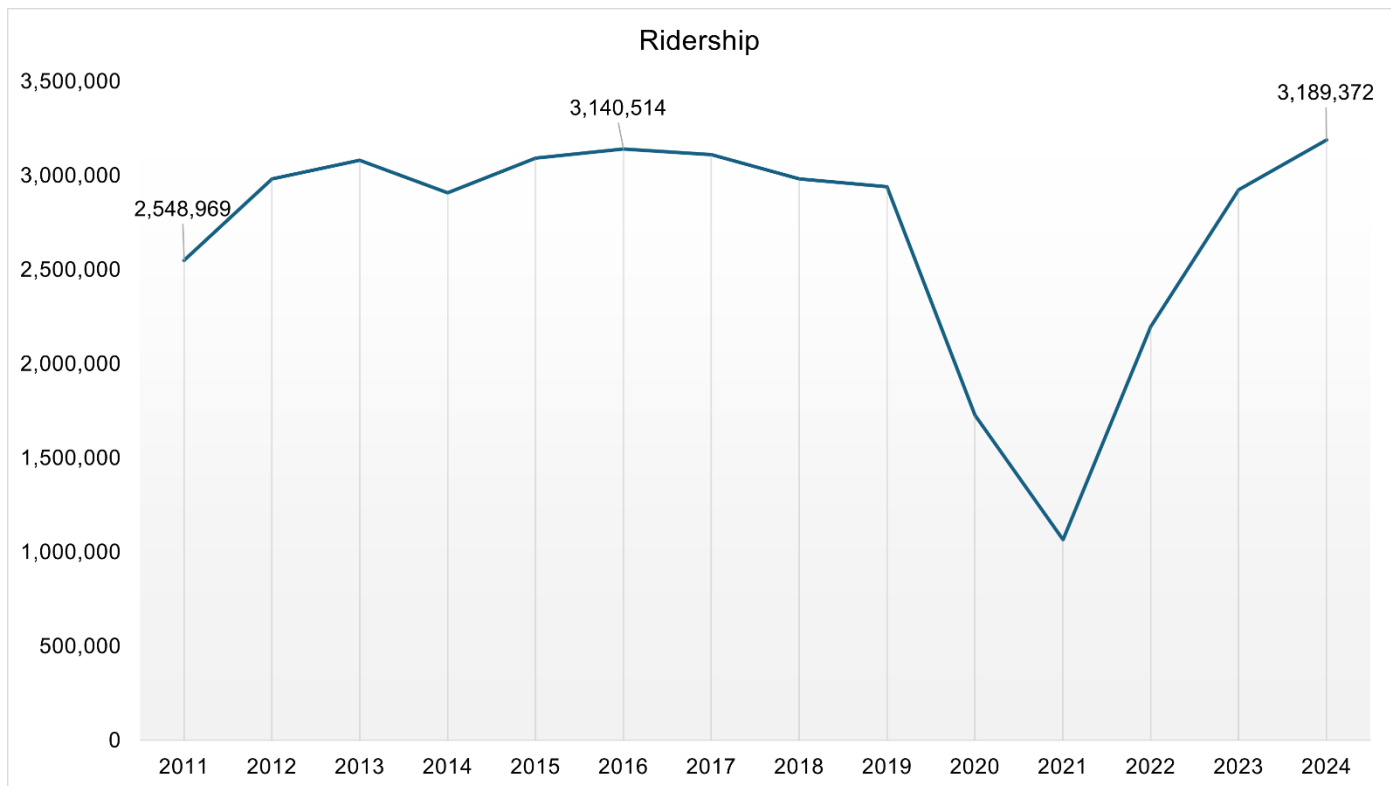
Introduction

Attached Exhibits 1-7 provide an overview of total monthly safety, service, and ridership trends across all DCTA services for September 2024.

Monthly Report

RIDERSHIP

The overall headline for ridership performance in Fiscal Year 2024 is that DCTA set a new record for ridership performance across all modes delivering 3,189,372 trips for the year, exceeding its previous mark of 3,140,514 set in 2016. This result reflects the great vision set forth by our Board of Directors to deliver exceptional public transit service and the significant efforts undertaken by the Board and Staff to craft an efficient multimodal transit system in which its various modes work together in a network-based approach. While this work is far from complete, the agency and its stakeholders should acknowledge this significant accomplishment, which has enabled DCTA to nearly triple its ridership in three years, as shown in the graph below.



Ridership is down year over year for the month of September, driven primarily by year over year decrease in ridership on the UNT service. A-train ridership continued its strong year over year performance at more than 17% growth from last September. The GoZone service saw a reduction in ridership, most likely due to the reduction in service hours deployed in Denton in the month of

September following implementation of the ISP. This report provides a closer review of modal performance in subsequent sections.

The three-month trend of passenger trips on major modes is presented in the following table.

Unlinked Passenger Trips Three-Month Trend						
	FY23	FY24				
	September	July	August	September	August-September % Change	September 2023-2024 % Change
UNT	244,031	30,926	111,753	156,910	40.41%	-35.70%
Connect	22,155	13,011	23,748	21,704	-8.61%	-2.04%
Non-Connect	194	121	213	336	57.75%	73.20%
Rail	21,561	21,347	23,906	25,251	5.63%	17.11%
GoZone	72,779	73,538	72,263	66,191	-8.40%	-9.05%
Access	2,351	2,153	2,452	2,343	-4.45%	-0.34%
Van Pool**	22,014	19,345	20,251	20,915	3.28%	-4.99%
TOTAL	385,085	160,441	254,586	293,650	15.34%	-23.74%

* UNT, Connect, and Non-Connect Fixed Routes

**Vanpool data lags by one month

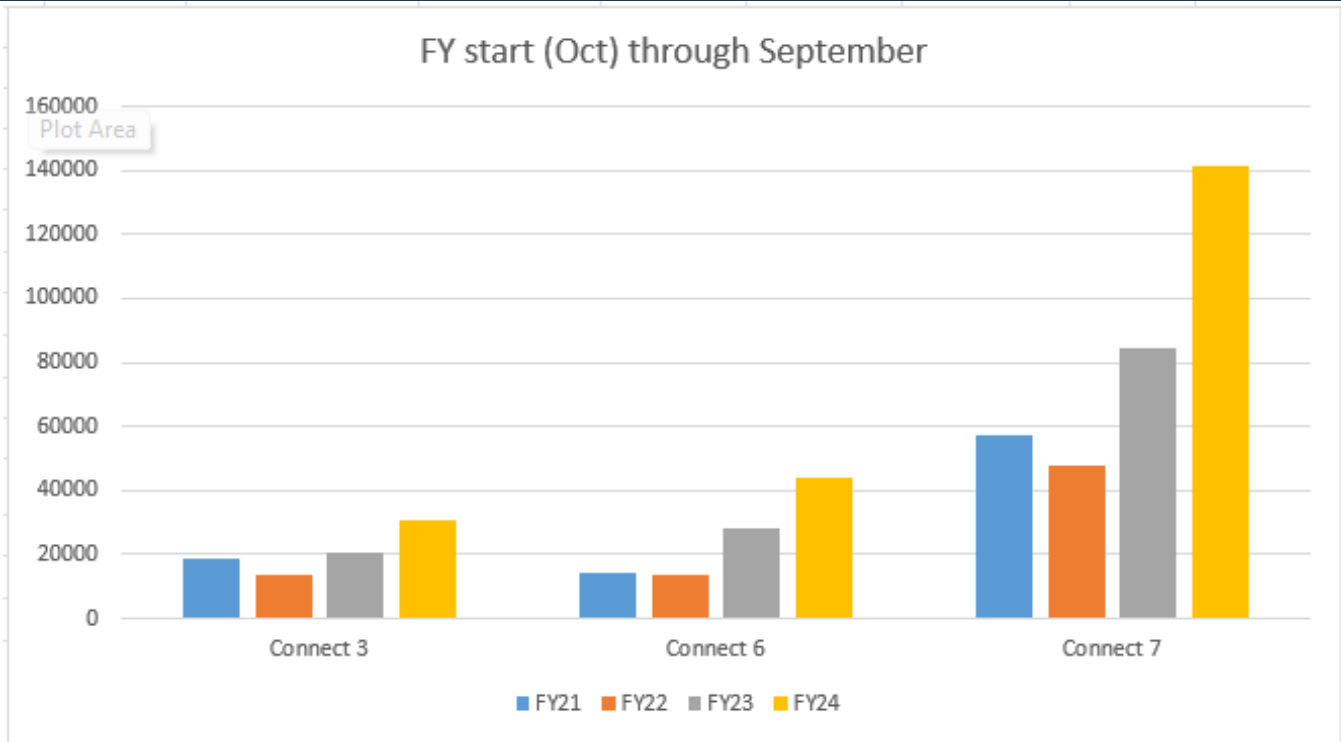
S:\STRATEGIC PLANNING\SERVICE PLANNING & SERVICE DATA\Monthly Board reporting\10. October 2024\FY19-FY24Compare_Oct 24.xlsx\Memo_Tables

The following chart below presents a summary view of the overall ridership trend by mode from fiscal year start through August comparison for FY2021 to FY2024.

Unlinked Passenger Trips - FY through September					FY23-FY24
	2021	2022	2023	2024	% Change
UNT	460,712	1,020,113	1,439,650	1,567,710	8.9%
Connect	215,535	115,570	138,645	216,098	55.9%
Non-Connect	4,013	15,202	3,517	2,502	-28.9%
A-train	113,440	175,637	225,235	261,426	16.1%
GoZone	13,519	616,579	853,463	863,073	1.1%
Access	16,194	22,803	26,416	25,327	-4.1%
Vanpool*	218,287	227,644	237,777	253,236	6.5%
TOTAL	1,041,700	2,193,548	2,924,703	3,189,372	9.0%

*Vanpool data lags by one month

The following chart below presents a summary view of the overall Connect ridership trend by route from fiscal year start through September comparison for FY2021 to FY2024.



SAFETY

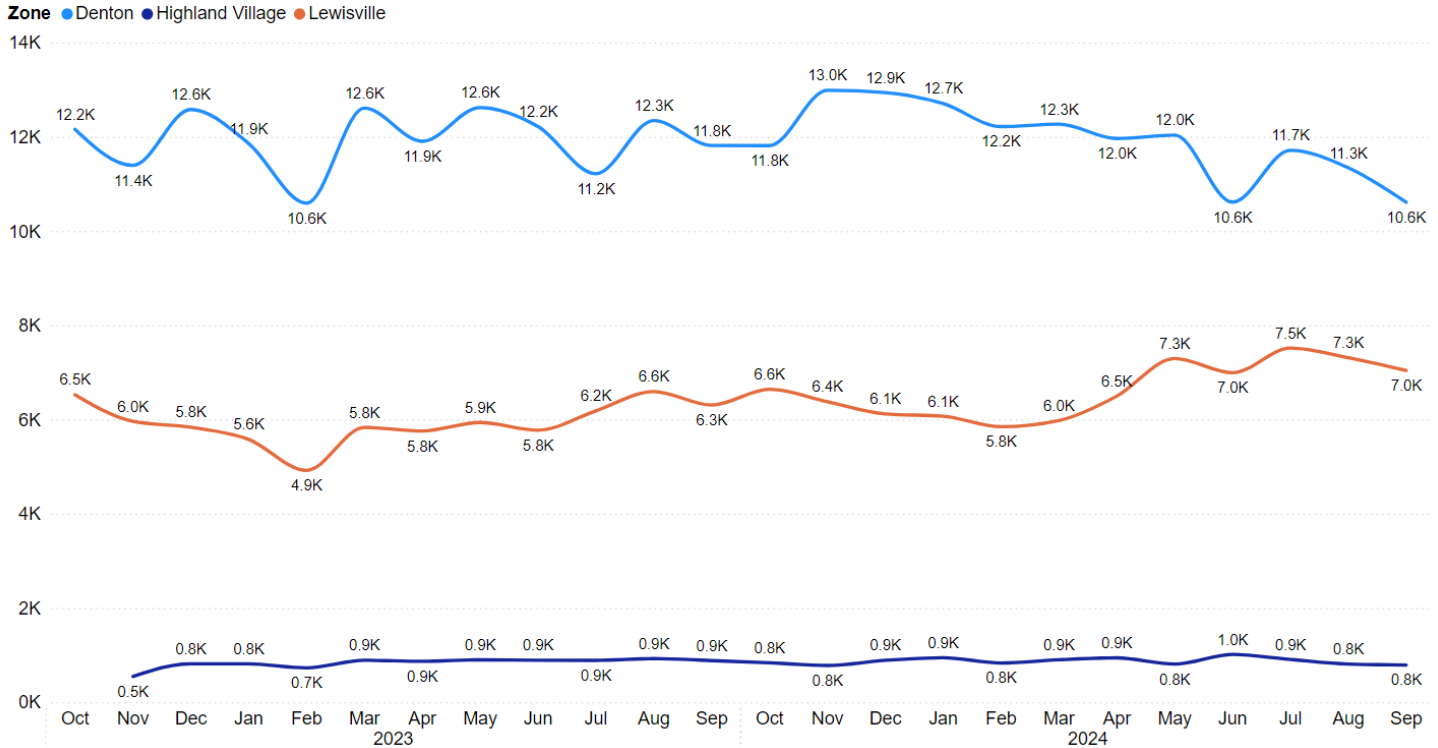
Safety performance across modes saw varied results in Fiscal Year 2024. The Bus Operation has continued its exceptional performance with a fifth-consecutive month of zero FTA-reportable incidents, trending at 0.30 versus a 0.84 last fiscal year. GoZone experienced one FTA incident this month, bringing the IFR to .42 versus .43 last fiscal year. RGPC has increased the IFR for the year to 0.76 versus last year's 0.25 performance. This was the result of three injuries to Rio Grande Pacific (RGPC) staff in shop and maintenance-related incidents not involving rolling stock. The agency's implementation of its Safety Management System (SMS) was most robust within the bus operation this year, and the safety performance results reflect its effectiveness. Dialogue with Via and RGPC on implementation of SMS in their operations has been initiated, and DCTA has set appropriate expectations with its contractors about how that work is to proceed.

SERVICE

GoZone service results reflect some shifts in capacity this month due to the implementation of Phase 1 of the Intermediate Service Plan. Seat unavailability across the network decreased to 14.0% in Denton and rose slightly to 13.8% in Highland Village / Lewisville, versus the KPI of 17.5%. Wait times increased to 24.2 minutes in Denton and decreased to 22.3 minutes in Highland Village / Lewisville.

The graphs below can illustrate that GoZone service hours deployed across the system are beginning to decrease in Denton but are not indicating clear increases in Lewisville and Highland Village. DCTA and Via are in close coordination to drive this change, which requires Via to alter the way that it distributes its shifts and communicates with its workforce. DCTA staff is also continuing to refine its approach on how we illustrate this active management of capacity between zones.

Service Hours By Month

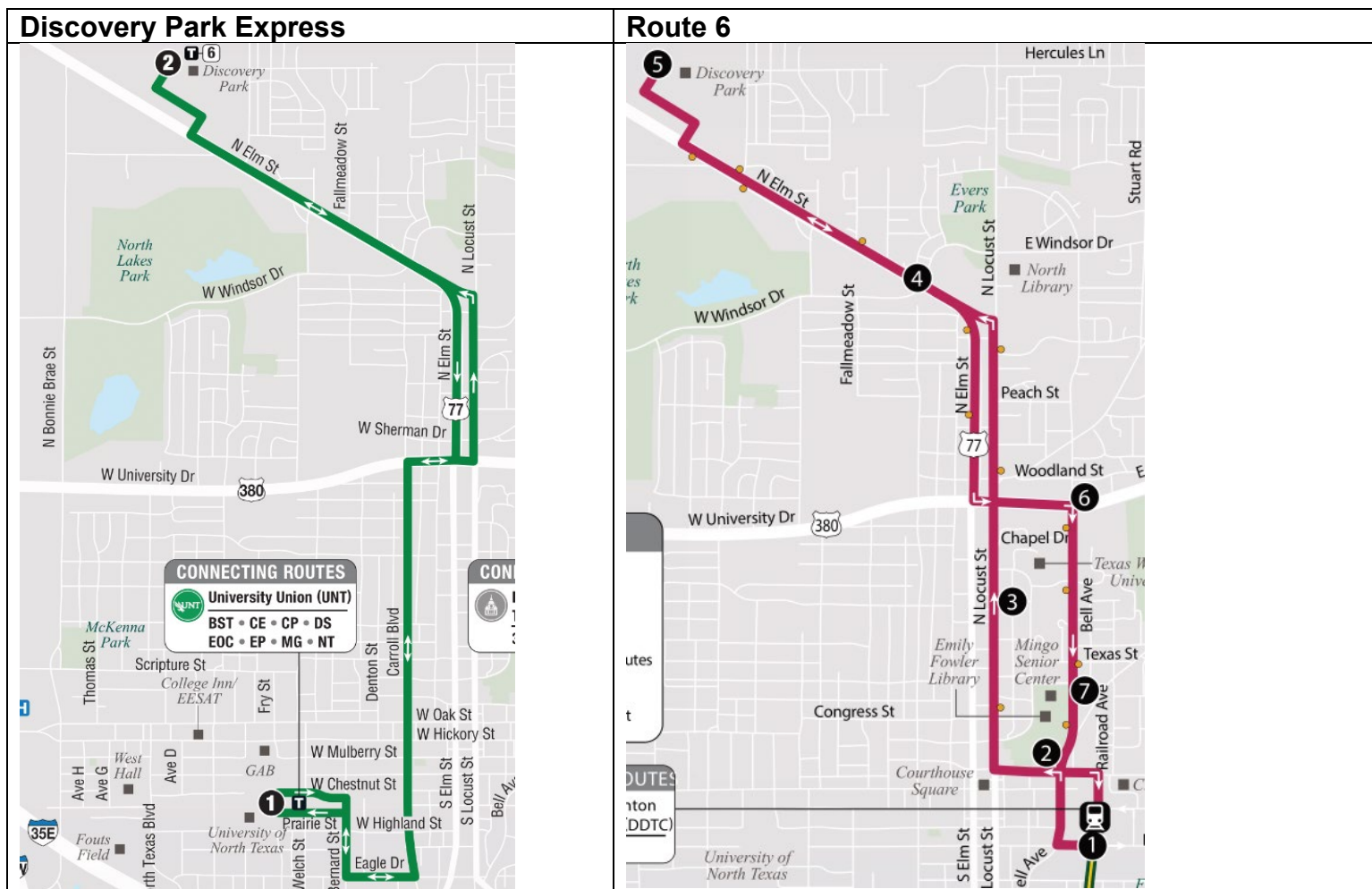


On the bus service, fixed route on-time performance continued to lag the 90% KPI overall this month, primarily due to detours and closures caused by road construction. There are a few factors contributing to this performance. First, Bus Operator and Operations Supervisor staffing continues to be a focus and recruiting continues for both position types. Including current offers that are out to selected candidates, DCTA will have 6 of 8 Supervisors employed before the end of November. Further, we continue to recruit and train new bus operators, with six currently in training and scheduled to graduate in two groups on October 21st and November 15th. At the same time, the issuance of the recently-completed Bus Operator Document has enhanced the standard of accountability and accompanying discipline cases. This could cause some attrition to continue for a time. Second, this influx of new Operators and Supervisors also impacts service performance as it takes these employees time to learn and become comfortable on the routes, on-board technology, and operation overall. Lastly, road construction across the bus network continues, though DCTA and the City of Denton are in close coordination to enable communications and updates to route detours to be provided to the public in a timely manner.

RIDERSHIP

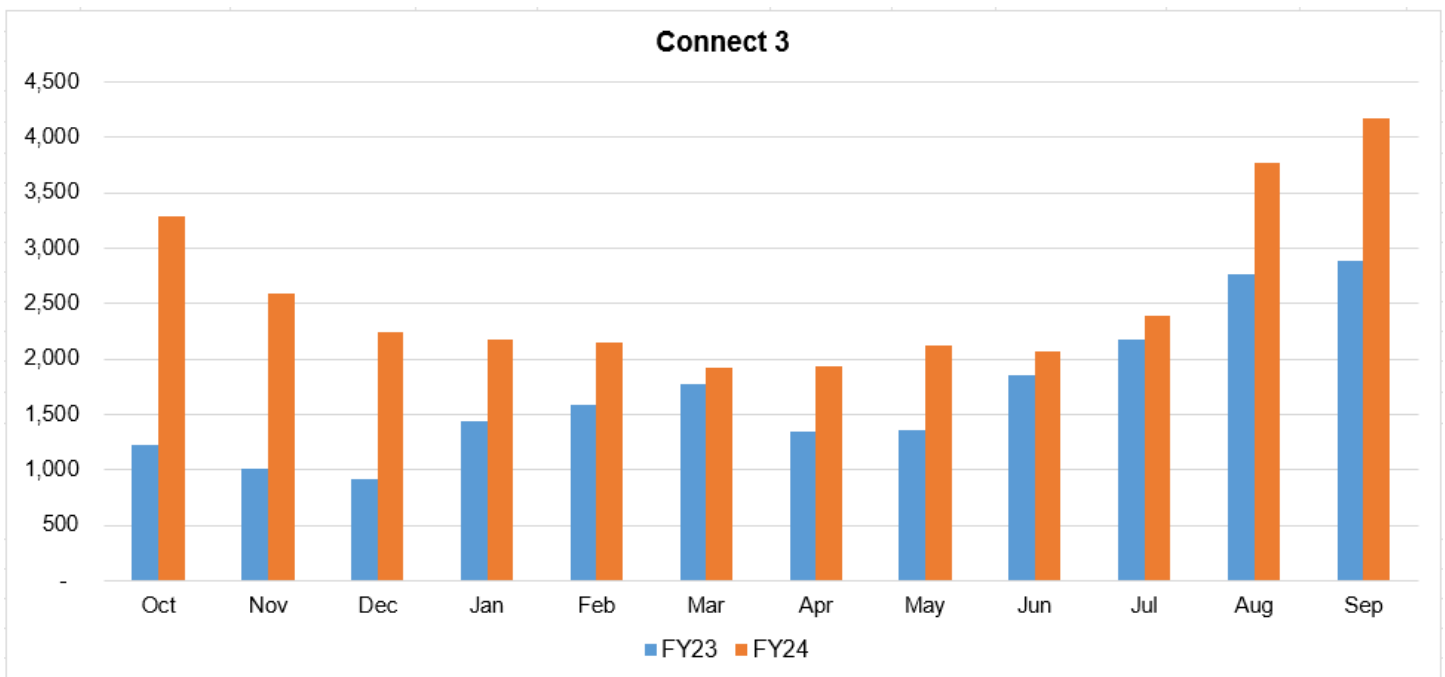
While the overall ridership results for the month of September appear mixed, a closer consideration of the data yields insights that indicate the Intermediate Service Plan approach is working. First, Connect 3 continues to see increases in ridership year over year. So far, it appears that increasing frequency on this route is yielding the expected result. Connect 7 saw a slight decrease in month over month and flat ridership in year over year. Ongoing detours and closed stops on this route are a significant contributing factor. DCTA will continue to work with the city of Denton on opportunities to mitigate any and all impacts related to the ongoing construction in and around our routes.

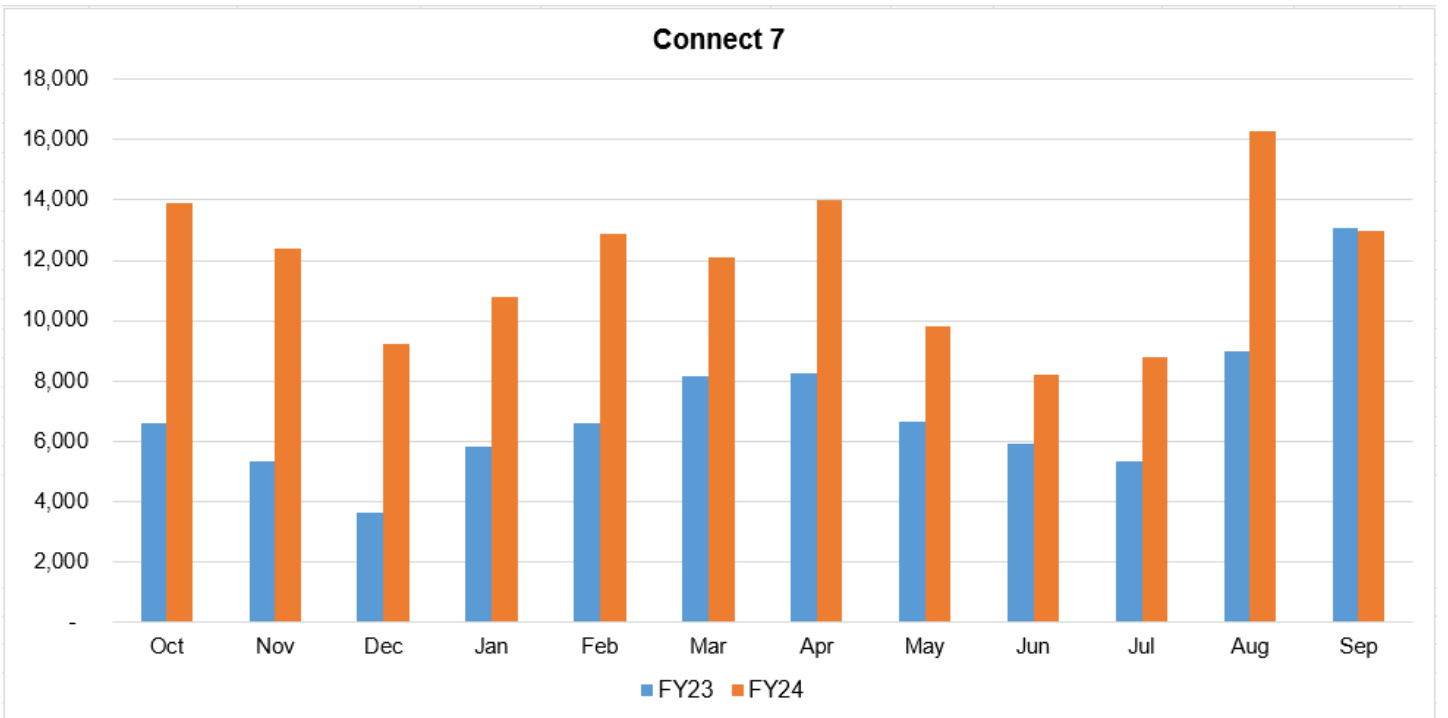
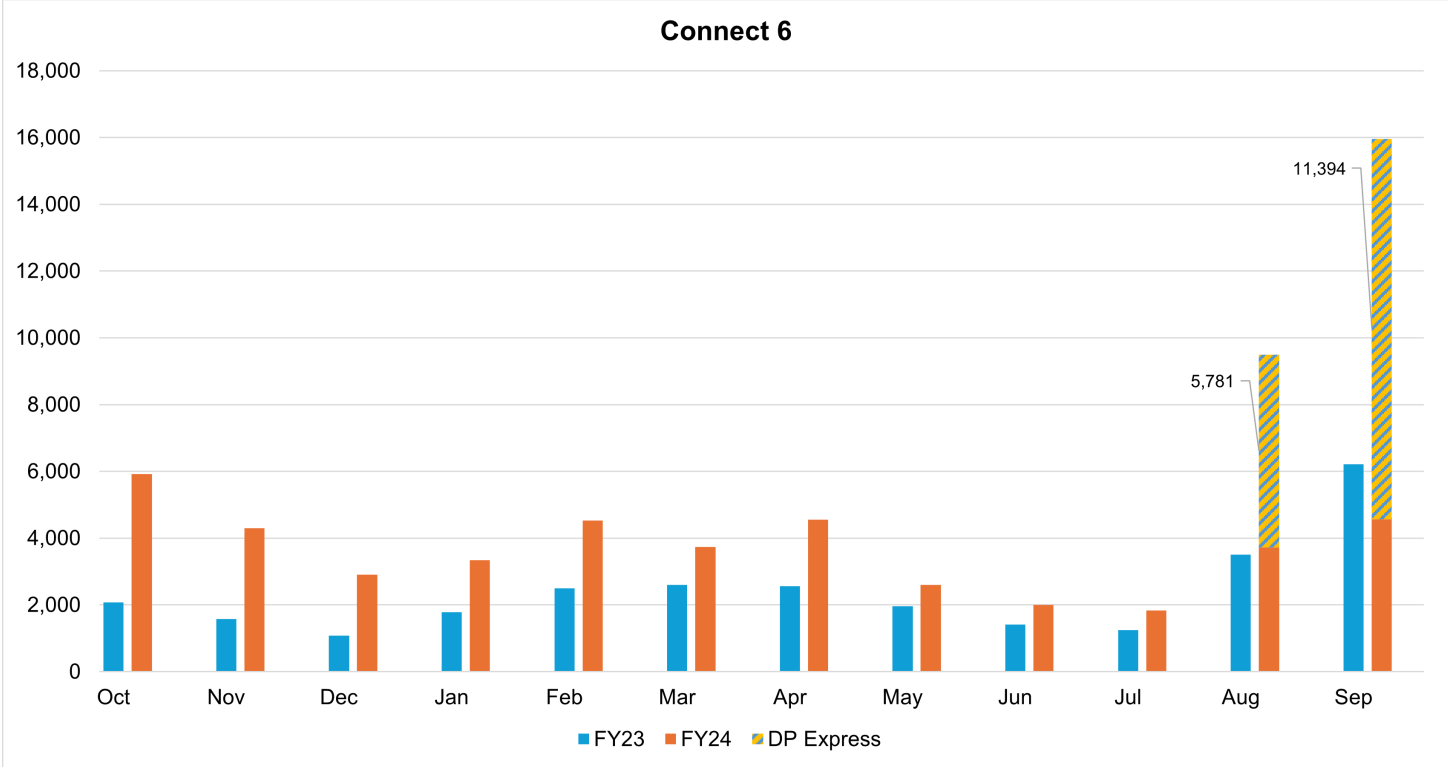
While Connect 6 raw data shows a decrease in ridership year over year it is important to note that the Discovery Park Express Route serves a similar route.



Discovery Park Express was implemented this fall, in collaboration with UNT, to address high load factors on Discovery Park and anticipated delays on that route due to construction. While the route is similar, there are no stops on Discovery Park Express between the UNT Main Campus and Discovery Park, making it attractive for students accessing Discovery Park. This could be an indication that some previous Connect 6 passengers were using that route to get to Discovery Park. What is clear from this data is that there is strong demand for connectivity between downtown Denton and the Discovery Park campus. The table below illustrates September 2023 ridership on Discovery Park and Connect 6 versus September 2024 data on the same two routes, plus Discovery Park Express. This data indicates a potential decrease in riders overall accessing the Discovery Park campus and will be a topic of further exploration with UNT in the coming months.

	September 2023	September 2024
Connect 6	6,213	4,569
Discovery Park	86,856	45,160
Discovery Park Express		11,394
TOTAL	93,069	61,123





Identified Need


None.

Financial Impact

None.

Exhibits

- Exhibit 1: Safety Performance – FY24 to Date
- Exhibit 2: Service Performance – FY24 to Date
- Exhibit 3: Ridership by Mode – August 2024
- Exhibit 4: Connect Ridership Year-Over-Year by Month
- Exhibit 5: A-train Ridership Year-Over-Year by Month
- Exhibit 6: Fixed-Route Ridership – August 2024
- Exhibit 7: UNT Ridership Year-Over-Year by Month

Final Review: 
Austin Frith, Vice President, Planning and Development

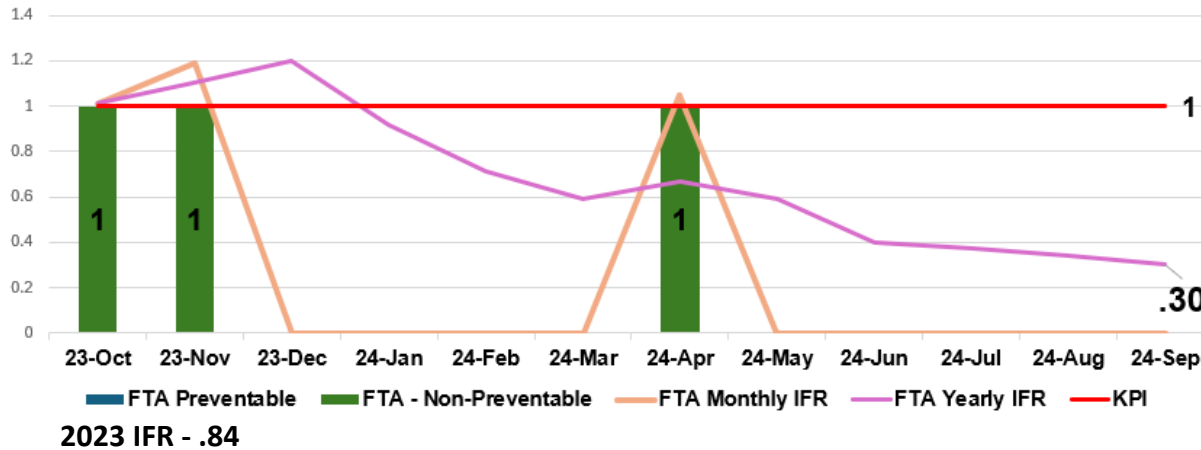
Final Review: 
Steve Swanberg, Senior Manager
Safety and Security

INFORMATIONAL REPORT 1 – SAFETY PERFORMANCE

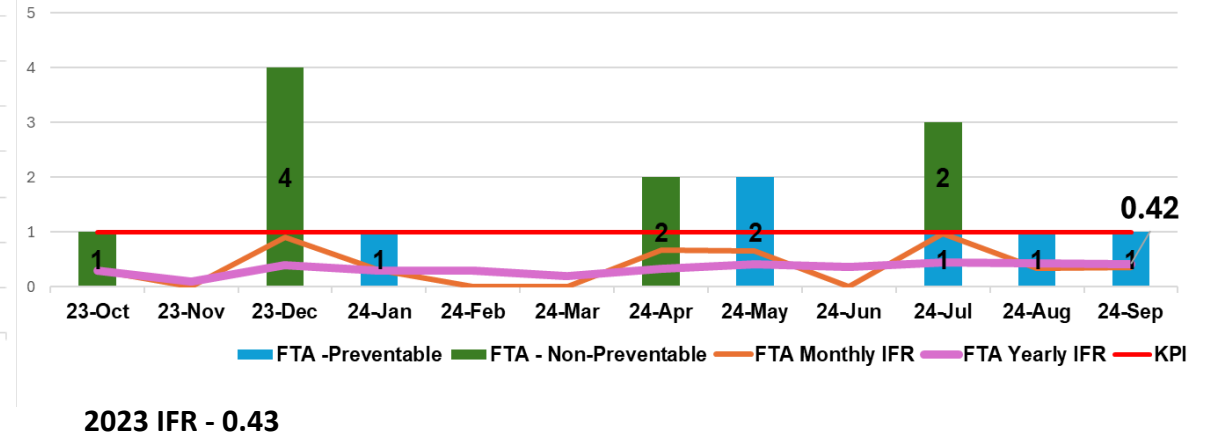


Exhibit 1

FY2024 FTA - Bus Operations Incident Frequency Rate (IFR)



FY2024 FTA- GO Zone Incident Frequency Rate (IFR)



Rio Grande Pacific Operations	23-Oct	23-Nov	23-Dec	24-Jan	24-Feb	24-Mar	24-Apr	24-May	24-Jun	24-Jul	24-Aug	24-Sep
FRA Incidents	0	1	0	0	0	0	1	0	0	0	1	0
FRA Monthly IFR	0	3.1	0	0	0	0	2.9	0	0	0	2.9	0
FRA Yearly IFR	0	1.5	1	0.76	0.61	0.5	0.86	0.85	0.67	0.61	0.85	0.76

2023 IFR - .25

INFORMATIONAL REPORT 1 – SERVICE PERFORMANCE



GoZone Seat Unavailable by Zone - FY24 YTD

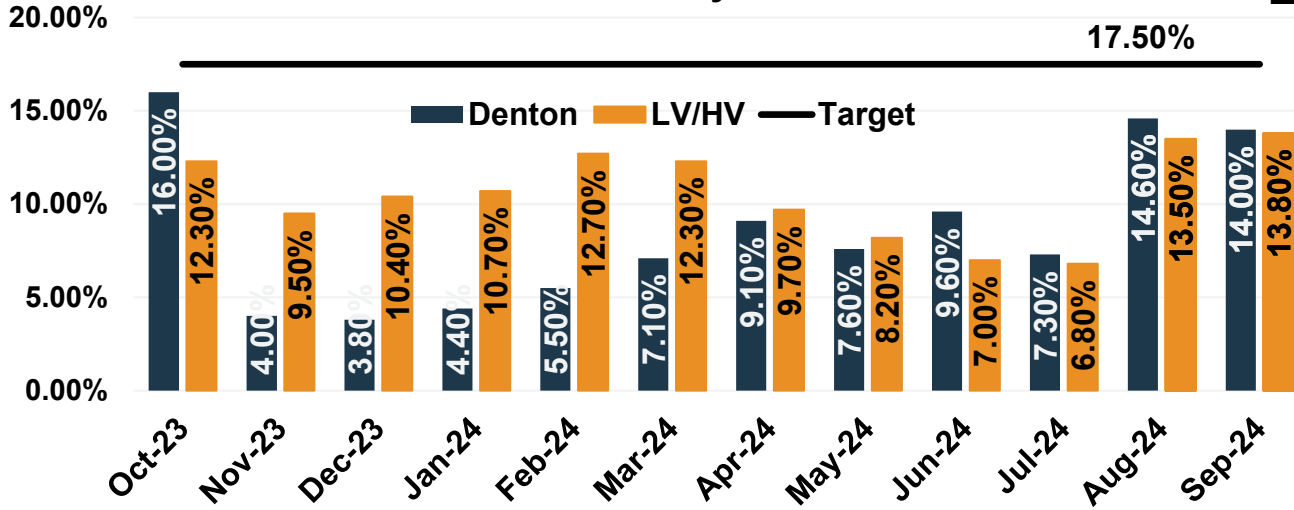
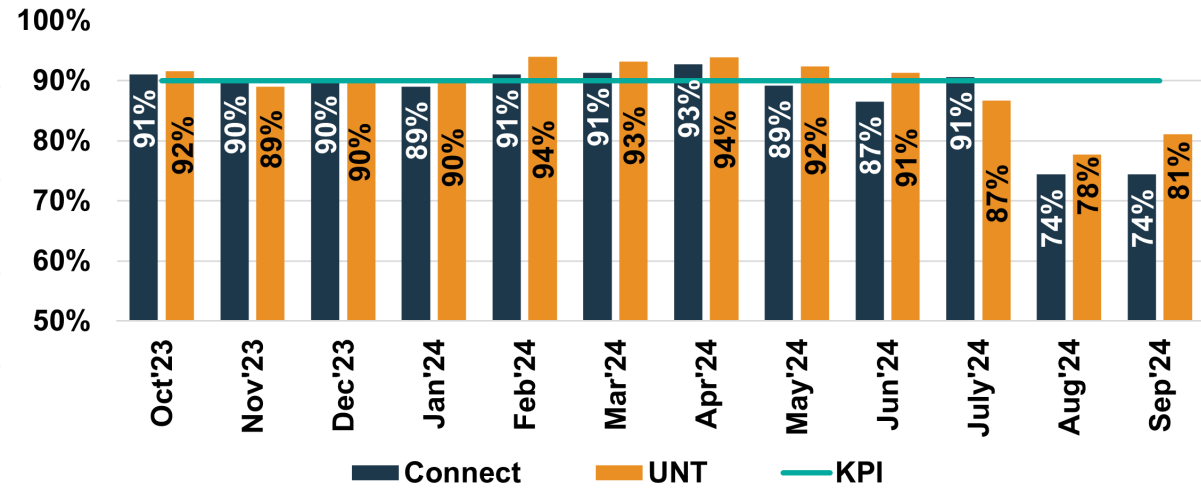
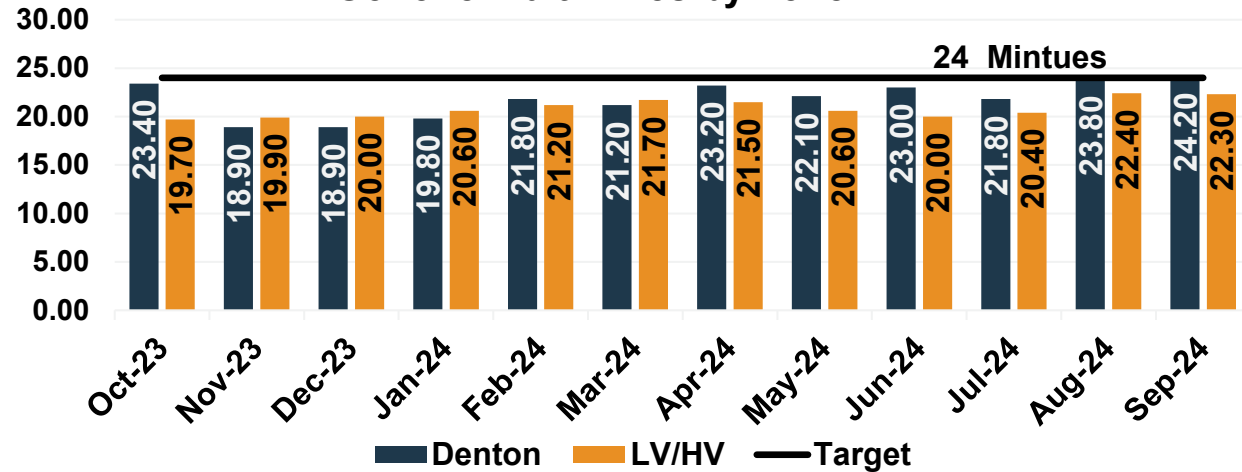


Exhibit 2

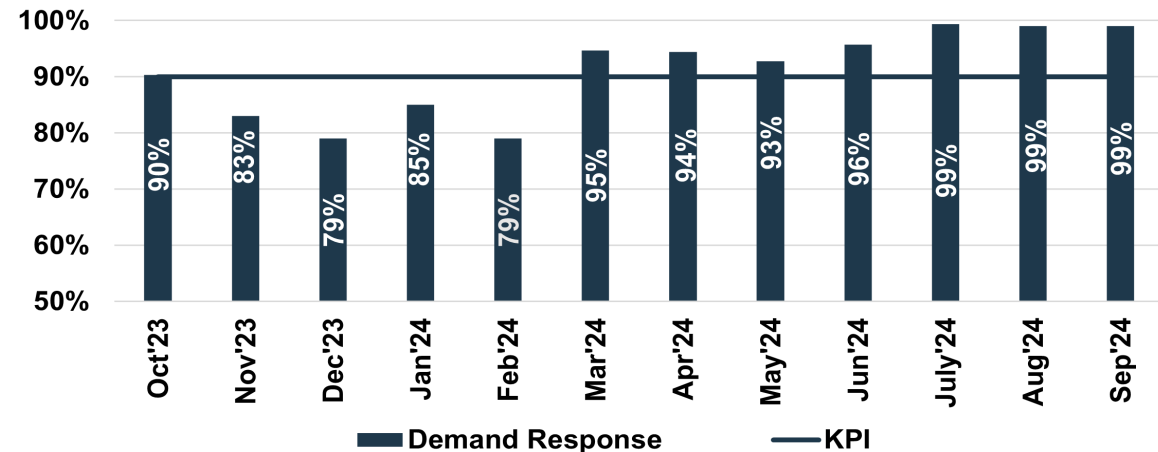
Fixed Route OTP - FY24 YTD



GoZone Wait Times by Zone - FY24 YTD



Access OTP - FY24 YTD



INFORMATIONAL REPORT 1 – EXHIBIT 3: RIDERSHIP



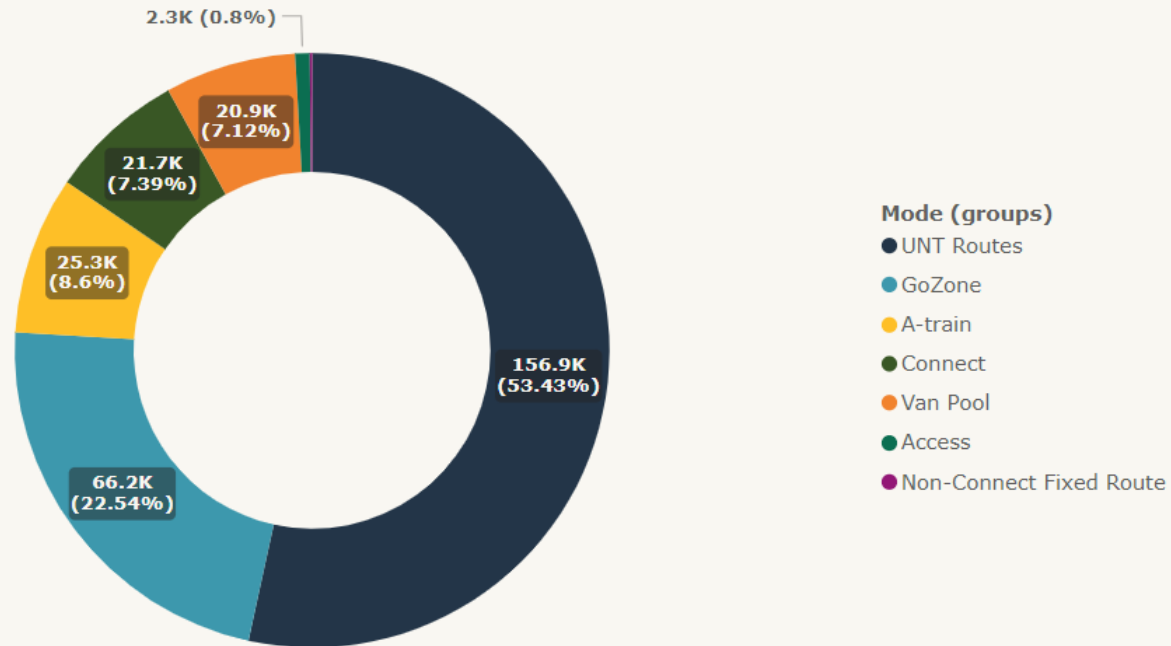
Total Ridership - Sep 2024

293.7K

Total Ridership FYTD

3.2M

Ridership by Travel Mode - Sep 2024



INFORMATIONAL REPORT 1 – EXHIBIT 4: CONNECT



Total Ridership - Sep 2024

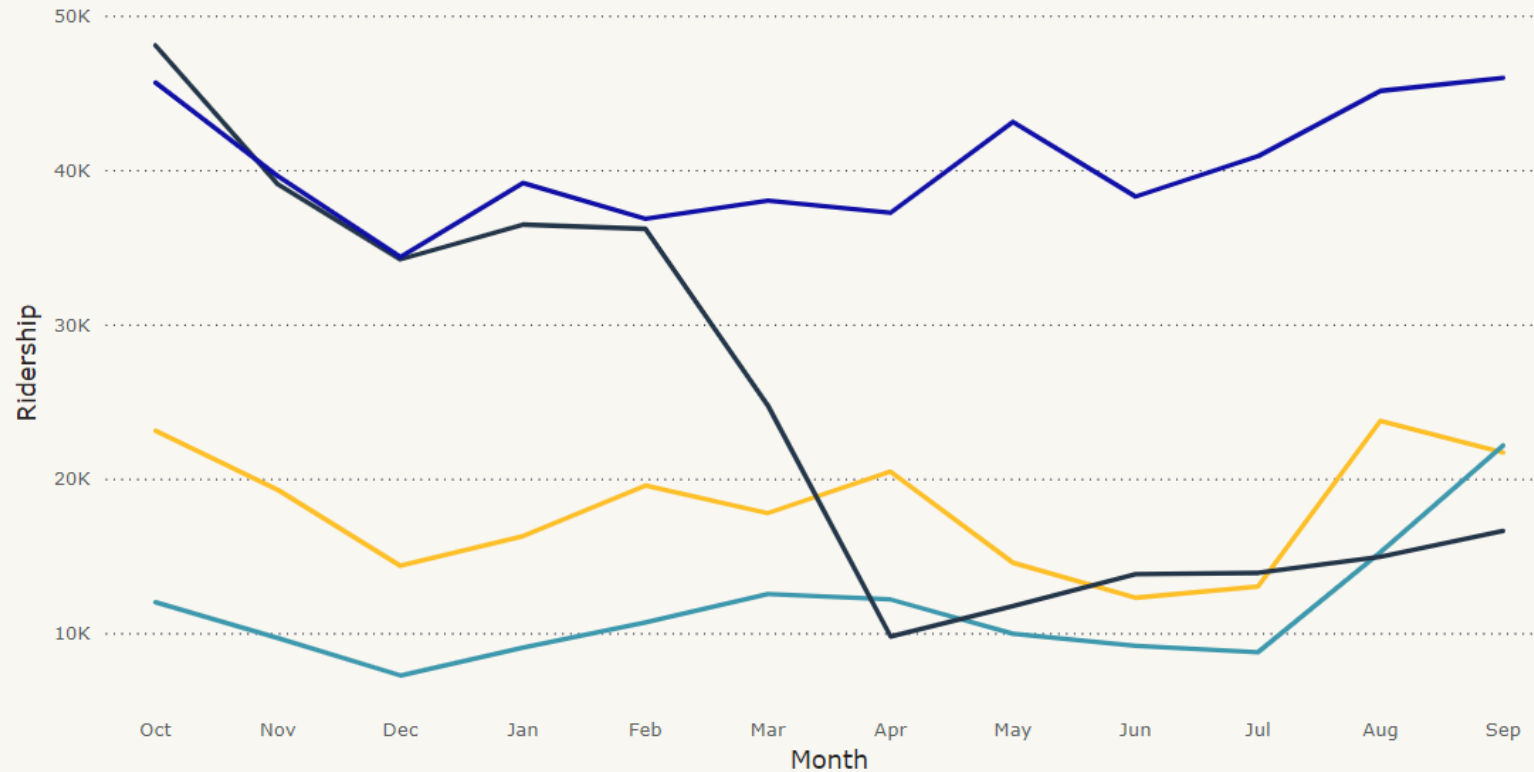
293.7K

Total Ridership FYTD

3.2M

Ridership by Month and Fiscal Year - Connect

Fiscal Year ● 2024 ● 2023 ● 2020 ● 2019



INFORMATIONAL REPORT 1 – EXHIBIT 5: A-TRAIN



Total Ridership - Sep 2024

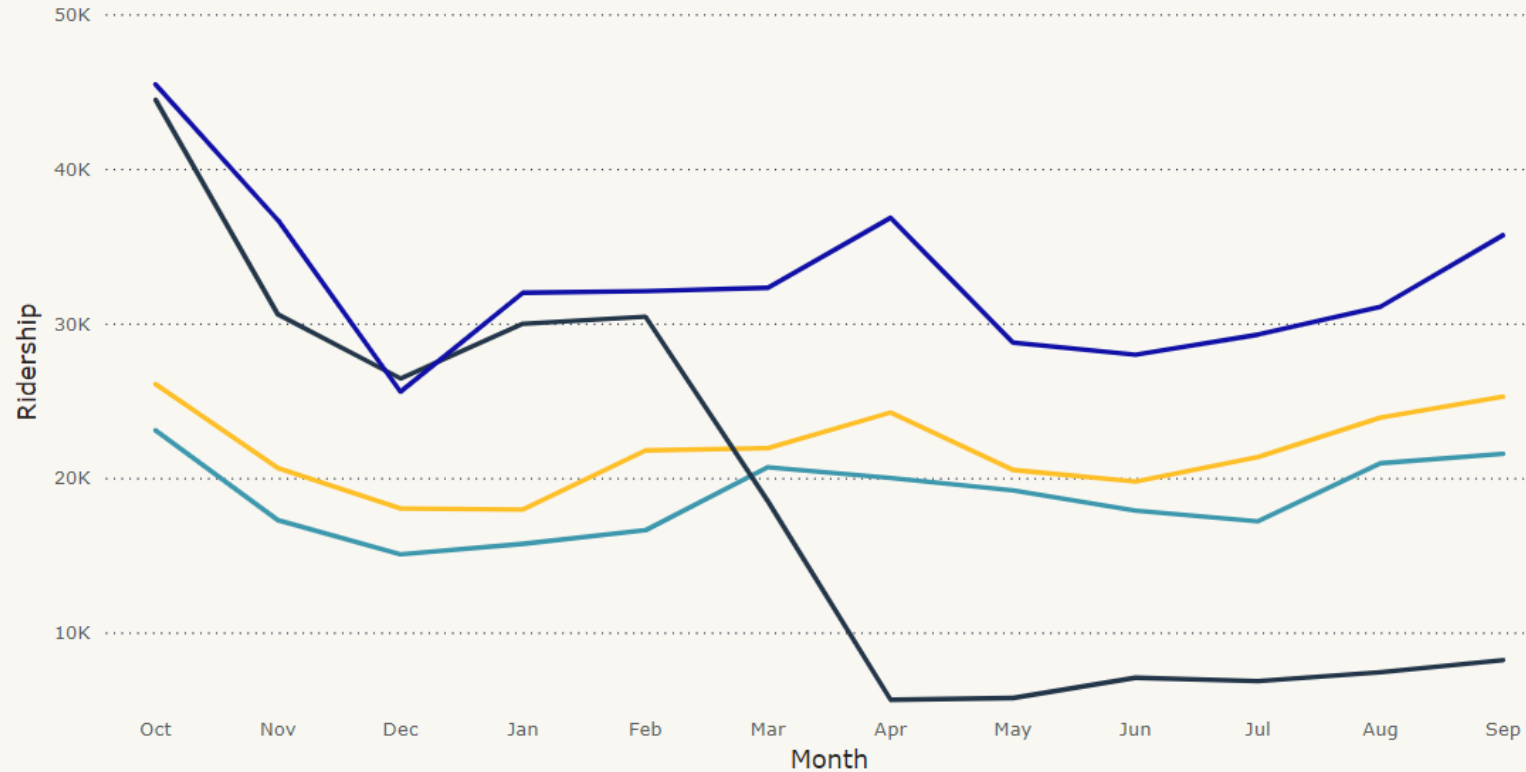
293.7K

Total Ridership FYTD

3.2M

Ridership by Month and Fiscal Year - A-train

Fiscal Year ● 2024 ● 2023 ● 2020 ● 2019



INFORMATIONAL REPORT 1 – EXHIBIT 6: FIXED ROUTE



Total Ridership - Sep 2024

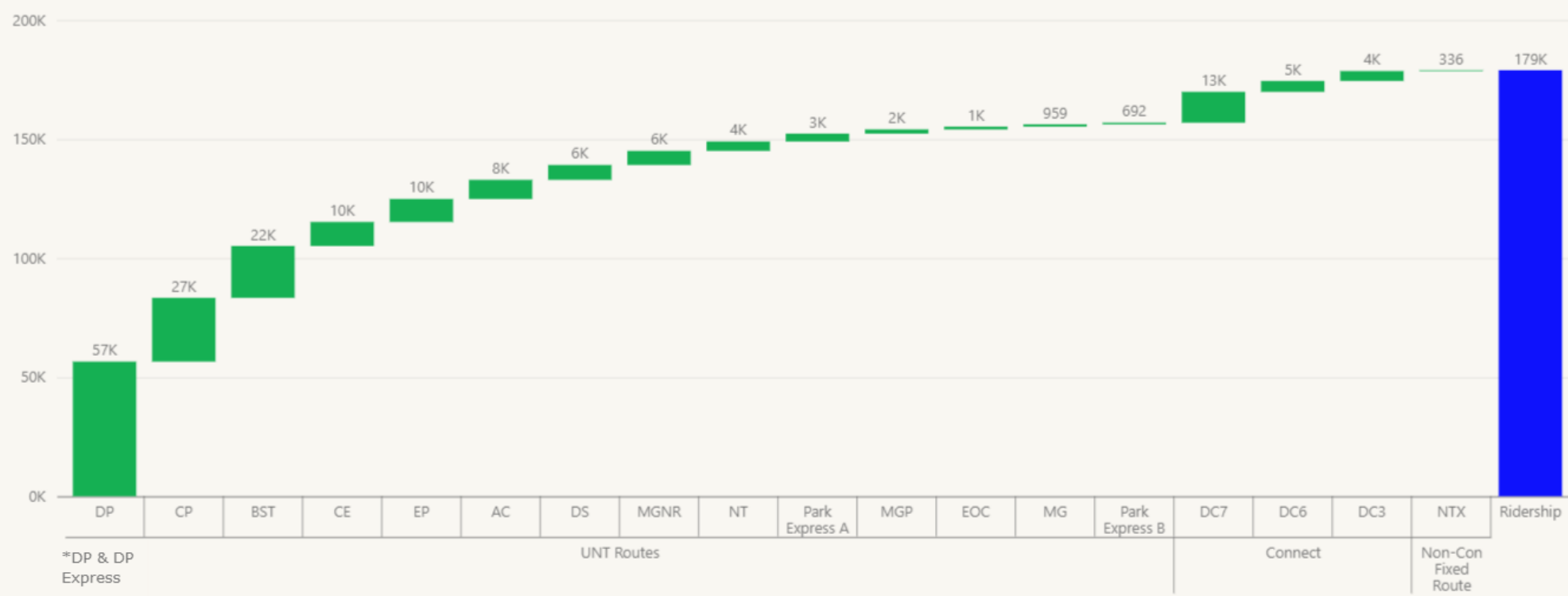
293.7K

Total Ridership FYTD

3.2M

Mode (groups)	Ridership
Connect	21,704
Non-Connect Fixed Route	336
UNT Routes	156,910
Total	178,950

Fixed-Route Ridership Waterfall



*DP & DP Express

UNT Routes

Connect

Non-Con Fixed Route

INFORMATIONAL REPORT 1 – EXHIBIT 7: UNT (ALL)



Total Ridership - Sep 2024

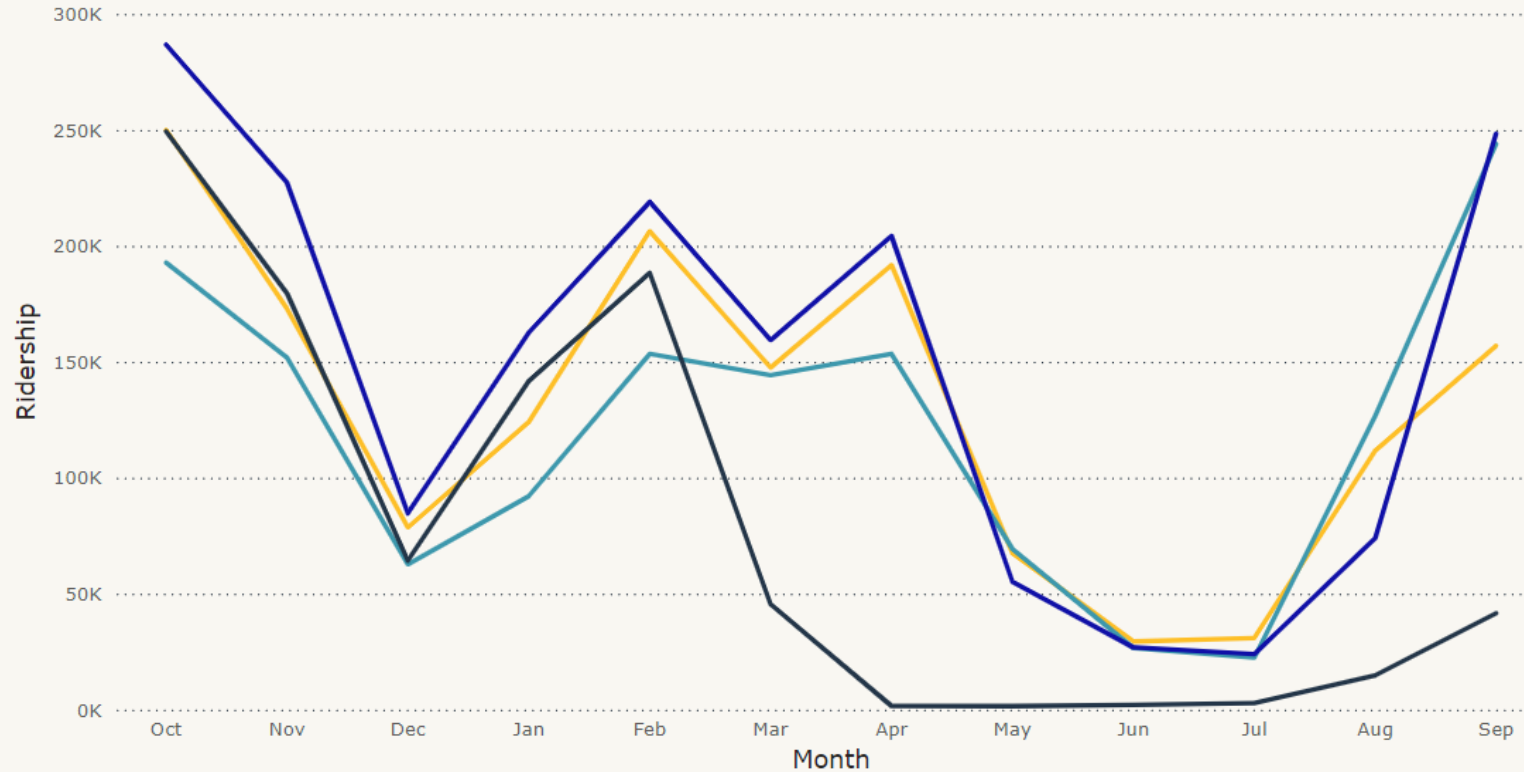
293.7K

Total Ridership FYTD

3.2M

Ridership by Month and Fiscal Year - UNT

Fiscal Year ● 2024 ● 2023 ● 2020 ● 2019



Board of Directors Memo

October 24, 2024

AGENDA ITEM: Update on Solicitation for On-Call Architectural, Engineering, and Planning Services for Denton County Transportation Authority (DCTA)

Recommendation

This item is for information only. No Board action is required.

Background

Currently, Denton County Transportation Authority (DCTA) has four (4) contracts that support the Planning and Development department:

1. On-Call Architecture and Engineering Professional Services
(Executed Oct 26, 2017, Expires Oct 25, 2024)

Services include, but are not limited to: engineering services, architectural services, planning services, design review, contract administration and management services, and environmental engineering services. Services performed on an as needed basis issued by task order during the term of the contract. The current contract is with Jacobs.

2. On-Call Railroad Engineering Professional Services
(Executed Oct 6, 2017, Expires Nov 30, 2024)

Services include, but are not limited to: engineering services, architectural services, planning services, design review, contract administration and management services, railroad engineering services, and environmental engineering services. Services performed on an as needed basis issued by task order during the term of the contract. The current contract is with Lockwood, Andrews, and Newnam (LAN).

3. Transit and Transportation Planning Services
(Executed March 2, 2020, Expires March 2, 2025)

Services include, but are not limited to: Innovative Service Delivery, Transit System Planning, Transit Service Planning, Transit Oriented Development, Public Involvement and Stakeholder Relations. Services performed on an as needed basis issued by task order during the term of the contract. The current contract is with AECOM.

4. Transit and Transportation Planning Services
(Executed March 2, 2020, Expires March 2, 2025)

Services include, but are not limited to: Innovative Service Delivery, Transit System Planning, Transit Service Planning, Transit Oriented Development, Public Involvement and Stakeholder Relations. Services performed on an as needed basis issued by task order during the term of the contract. The current contract is with Kittelson and Associates, Inc.

With the A-train Program Management contract solicitation underway and anticipating award in the near future, Staff desires to consolidate the remaining planning and engineering contracts to address the immediate and long-term needs for DCTA Planning and Development.

Staff anticipates solicitation of A/E contracts to achieve the following services:

- On-Call Architecture/Engineering Professional Services
 - Design
 - General Engineering (including Railroad Engineering)
 - Simulations/ Modeling
 - Project and Program Management

- Transit and Transportation Planning Services
 - Interim Service Planning
 - Estimating/Scheduling
 - Long-Range Service Plan Development
 - Project and Data Controls Development

Staff provided a briefing to the Board in the April 2024 Board meeting regarding its intended approach on these contracts. The solicitation for these contracts will be released in the near future.

Previous Board Action

April 2024 – Board Update

Identified Need

None.

Financial Impact

None.

Exhibits

None.

Submitted By:



Austin Frith, VP of Planning and Development

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Update on Signage Fabrication and Installation Contract Solicitation

Recommendation

This item is for information only. No Board action is required.

Background

Currently, Denton County Transportation Authority (DCTA) is utilizing General Contracting agreements to execute signage fabrication and installation services. These services are most frequently utilized when making service changes on the bus network or installing signage related to the GoZone service. While utilizing this contracting strategy provides an avenue to implement signage needs across the agency, it may not be the most efficient or cost-effective contract for specialized work such as signage. The following items illustrate the benefits of soliciting a contract for signage fabrication and installation services:

Specialization and Expertise: Signage fabrication and installation requires specific expertise in materials, design standards, and safety regulations. A specialized contractor can ensure that the signs are durable, legible, and compliant with local codes and transit standards.

Quality Control: By focusing exclusively on signage, the contractor can prioritize quality control, ensuring precision in fabrication and installation. This helps avoid issues such as incorrect signage, poor installation, or failure to meet regulatory requirements.

Cost Efficiency: Splitting signage from other project tasks can allow more accurate pricing for the specialized work involved. It avoids the risk of a general contractor overcharging for a service they do not specialize in. Separate contracts may also enable competitive bidding, driving down costs.

Flexibility and Scheduling: With a dedicated signage contract, the agency can better manage timelines and coordinate the installation of signs with the overall project. Signage is often one of the last tasks in a transit project, so separating it can reduce delays and allow more flexibility in managing milestones.

Risk Mitigation: A dedicated contractor is likely to be more accountable for errors or delays, reducing the risks associated with general contractors potentially outsourcing signage work to less qualified providers.

Compliance and Safety: Transit signage needs to meet strict accessibility, safety, and compliance standards, such as the Americans with Disabilities Act (ADA). A specialized contractor will be more familiar with these requirements and able to implement them accurately.

By separating out the contract, the DCTA can ensure better project outcomes through specialized services, enhanced oversight, and potentially lower costs.

Staff anticipates an upcoming solicitation to procure the above services. Task orders will be issued in accordance with approved budgets for projects when they are prepared.

Previous Board Action

None.

Identified Need

None.

Financial Impact

None.

Exhibits

None.

Submitted By:



Austin Frith, VP of Planning and Development

Board of Directors Memo

October 24, 2024

AGENDA ITEM: Update on Procurement for External Marketing and Communications Support

Recommendation

This item is for information only. No Board action is required.

Background

As shared in August 2024, Staff has determined the most effective way to proceed with development of the annual Marketing and Communications Plan is to procure and hire an external firm to provide creative production capabilities and strategy expertise. This enables internal staff to focus on creating and maintaining the DCTA “voice” across all Agency messaging, customer and stakeholder engagement, and applying marketing creatives (print media advertising, social media, customer collateral, etc.) in DCTA’s operation and throughout the marketplace.

The purpose of this briefing is to provide an update and status on the procurement for these services. As of the date of the meeting agenda posting, October 18, 2024, the Agency has received responses from prospective bidders and will begin work to review proposals and undertake next steps. Staff anticipates a request to the Board to award a contract in the November/December combined Board meeting.

Previous Board Action

The DCTA Board received Marketing and Communications updates in:

- January 2024
- February 2024

The DCTA Board received a Marketing and Communications Support procurement update in:

- August 2024

Identified Need

DCTA requires external support to produce creative content, develop social media strategy and execution, and develop and strengthen its brand in Denton County and the communities it serves.

Financial Impact

This is an informational item only. No Board action is required.

Exhibits

None.

Submitted By:



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Engagement and Administration