

**BI-STATE DEVELOPMENT  
BOARD OF COMMISSIONERS MEETING  
(Virtual Meeting)  
OPEN SESSION MINUTES  
February 19, 2021**

**Board Members in Attendance via Zoom**

**Missouri**

Rose Windmiller, Chair  
Vernal Brown, Secretary  
Fred Pestello  
Nate Johnson  
Sam Gladney

**Illinois**

Justin Zimmerman, Vice Chair  
Herbert Simmons, Treasurer  
Irma Golliday  
Derrick Cox  
Terry Beach

**Staff in Attendance via Zoom**

Taulby Roach, President and Chief Executive Officer  
Brenda Deertz, Administrator/Executive Assistant to the President/CEO  
Barbara Enneking, General Counsel and Deputy Secretary  
Myra Bennett, Manager of Board Administration  
Jessica Mefford-Miller, Executive Director Metro Transit

**Others in Attendance**

Loretto Freeman, ASL Interpreter  
Chelsey Niezwaag, ASL Interpreter

1. **Open Session Call to Order**  
**8:30 a.m.** Chair Windmiller called the Open Session of the Bi-State Development Agency, Board of Commissioners Meeting to order at 8:30 a.m.
2. **Roll Call**  
**8:30 a.m.** Roll call was taken, as noted above.
3. **Public Comment**  
**8:31 a.m.** Chair Windmiller asked Myra Bennett, Manager of Board Administration, if any comments were received for today's meeting. Ms. Bennett noted the following comments were received:

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From: Lin Ferguson (February 16, 2021)  
Subject: Public Comment Form Submission  
Topic: Fare/Unfair

Comments: Traveling from the Black counties, like Ferguson (my neighborhood) is starkly different from traveling from white areas. The northern county buses take much longer, even though more Black people ride the buses than any other group of people. I also consistently see discrimination by drivers against Black patrons more often as people who have paid fare have been kicked-off of buses for no reason, even during holidays. This is totally unacceptable and we in the community demand answers and change. The fare is also a concern for people who don't have cards as it's potentially twice as expensive to pay a dollar for every bus (when most routes take multiple buses) and \$2.50 to board the trains. Something must be done to help these patrons. I also fear for the safety of patrons as drivers have proven to be very quick to get officers involved with minor or even non-existent disagreements. I've been brought to tears by such events unfolding right before me. Overall, the unfair treatment of Black people, often times by Black workers, is not conducive to better relations and happy trips, and this must be addressed immediately.

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A letter was received from Citizens for Modern Transit (CMT) on February 17<sup>th</sup>, and a letter was received from the Transit Advisory Working Group (TAWG) on February 18<sup>th</sup>. Ms. Bennett noted that these letters are lengthy; therefore, CEO Roach asked the groups if it would be acceptable to only provide a summary for the meeting, and the two groups agreed. In summary, the letters noted that, "Significant progress has been made over the last year and a half, and according to law enforcement statistics, crime has been significantly reduced yet our work is not done and remains a top priority. The MetroLink system supports both local and regional economies by connecting people to jobs, health care, education, shopping and entertainment. Public confidence in a safe and secure system is critical to the long-term success of the public transit system."

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From: James P Faul [Hartnett Reyes-Jones, LLC for ATU 788] (February 18, 2021)  
Subject: Public Comment Form Submission  
Representing: ATU 788  
Topic: Labor Relations

Ms. Bennett noted that the comments from this individual have been forwarded to the Board of Commissioners for review; however, this topic is not appropriate for discussion in an open meeting under Board Policy, as it pertains to legal and labor negotiation matters.

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From: Daniel Allen (February 19, 2021)  
Subject: Public Comment Form Submission  
Topic: Request for Proposal (RFP) No. 20-RFP-106742-DR

Comments: On February 21, 2021, Gwen R. Pinson, Galls, LLC, submitted an email request to Deborah M. Rowey (cc: Barbara Enneking, Shirley A. Bryant-Taylor) seeking comments and Proposals associated with Bi State Development Request for Proposal No. 20-RFP-106742-DR. Title: Metro Operator, TSMs and Public Safety Uniforms. Section 22 (PUBLIC DOCUMENTS) of this RFP (page 10), issued March 16, 2020, states: "All proposals received are subject to public disclosure after opening." Will Bi State Development provide this RFP information since, per the

language in the references RFP, it became to public disclosure after opening? As of 7:15AM (CST) on Friday, February 19, 2021, we have not received a response to our request. Thank you.

**4. – 8. Approval of the Minutes of the November 16, 2020, Special Meeting; November 20, 2020, Board Meeting; November 30, 2020, Special Meeting; January 14, 2021, Special Meeting; and January 22, 2021, Special Meeting of the Board of Commissioners**

**8:36 a.m.** Chair Windmiller noted that the minutes of the November 16, 2020, Special Meeting; November 20, 2020, Board Meeting; November 30, 2020, Special Meeting; January 14, 2021, Special Meeting; and January 22, 2021, Special Meeting of the Board of Commissioners, were provided in the Board packet for review. She stated that she would like to address these items as a group, if there are no objections. Chair Windmiller asked if there were any needed corrections to the minutes. Being no objections and no corrections noted, a motion to approve the minutes of the November 16, 2020, Special Meeting; November 20, 2020, Board Meeting; November 30, 2020, Special Meeting; January 14, 2021, Special Meeting; and January 22, 2021, Special Meeting, as presented, was made by Commissioner Pestello and was seconded by Commissioner Brown. **The motion passed unanimously.**

**9. Report of the President**

**8:37 a.m.** President and Chief Executive Officer, Taulby Roach, noted that a discussion was held with Chair Windmiller and Vice Chair Zimmerman regarding concerns relating to the Compact agreement. Mr. Roach stated that he is proposing that the entire document be examined, to determine what areas are in need of modernization. He stated that he will work with staff to form an ad hoc committee to review the document. Examination of the document by a third party, including drafting potential changes will be included, as well as determination of the legal scope and expense that the Agency will incur regarding this process. Mr. Roach stated that this is a detailed process and long term in nature, but is necessary to clean up the document and provide an updated structure. Commissioner Cox stated that he is fine with the Agency and Board reviewing the Compact agreement; however the Board has already taken a vote on one of the significant issues. Chair Windmiller stated that the document will not be reviewed solely regarding safety and security issues, but rather in its entirety, so that the Board can decide what, if any, changes are needed.

**10. Report of the Audit, Finance, & Administration Committee**

**8:43 a.m.** Commissioner Zimmerman stated that a virtual meeting of the Audit, Finance, & Administration Committee was held on January 22, 2021, immediately following the Board of Commissioner's Special Meeting. He noted that the draft minutes of that meeting are included in the Board Packet under Item #10.

Commissioner Zimmerman stated that, at the January Committee meeting, no items were submitted for approval; however, several informational items were presented to the Committee, including:

- IAD Status Report – 2nd Qtr. – FY2021
- IAD SSO-Status Report – 4th Qtr. – Calendar Year 2020
- Treasury Safekeeping Accounts Audit, Ending September 30, 2020
- Quarterly Financial Statement – First Quarter Ending September 30, 2020
- Treasurer's Report
- Procurement Report

- 2020 Pension Valuations Update
- 401(k) Plan Audit Update

**11. Report of the Operations Committee**

**8:45 a.m.** Chair Windmiller stated that a virtual meeting of the Operations Committee was held on January 22, 2021, immediately following the AFA Committee Meeting. She noted that the draft minutes of that meeting are included in the Board Packet under Item #11.

Chair Windmiller stated that the Operations Committee is introducing four (4) items on the Consent Agenda for your consideration today, under Item #14, with the Committee's recommendation of approval. She noted that those items include:

- a. Contract Modifications: Contract with WSP USA, Inc. - MetroLink Stations Enhancements (Resolution #1109)
- b. Metro Operators, TSM and Public Safety Uniforms (Resolution #1110)
- c. Metro Link Downtown Tunnel Repair Design Contract Modification (Resolution #1111)
- d. Contract Award - On-Call Public Relation & Media Service (Resolution #1112)

Chair Windmiller also noted that, at the January Committee meeting, an Operations Report was provided by Jessica Mefford-Miller, Executive Director Metro Transit.

**12. Report of the Safety & Security Committee**

**8:46 a.m.** Commissioner Simmons stated that he was experiencing an internet connection issue, and asked Myra Bennett, Manager of Board Administration, if she could give his report. Ms. Bennett noted that a virtual meeting of the Safety & Security Committee was held on January 14, 2021, immediately following the Board of Commissioner's Special Meeting. The draft minutes of that meeting are included in the Board Packet under Item #12.

She noted that, at the January Committee meeting, no items were submitted for approval; however, several informational items were presented to the Committee, including:

- Introduction of St. Louis County Police Captain, Melissa Webb, as Police Task Force Commander
- Presentation – Exclusions under the Metro Transit System Ride and Abide Policy
- Summary of Media and Community Engagement Efforts
- Update on Comprehensive Training Program
- Update on Systems Safety and Bi-State Development Oversight

Ms. Bennett noted that, a Special Meeting of the Safety & Security Committee was held virtually on February 8, 2021 at 9:00 AM. Comments were provided by Kevin Scott, Director Public Safety, regarding a recent security incident, and Committee discussion was held regarding the current safety plan and proposed recommendation.

**13. Adjustment of Consent Agenda**

**8:49 a.m.** Chair Windmiller asked if there are any adjustments to the Consent Agenda. No adjustments were noted.

**14. Consent Agenda Items**

**8:50 a.m.** Consent Agenda Items:

- a. Contract Modifications: Contract with WSP USA, Inc. - MetroLink Stations Enhancements (Resolution #1109)
- b. Metro Operators, TSM and Public Safety Uniforms (Resolution #1110)
- c. Metro Link Downtown Tunnel Repair Design Contract Modification (Resolution #1111)
- d. Contract Award - On-Call Public Relation & Media Service (Resolution #1112)

A motion to approve the Consent Agenda Items, as submitted, was made by Commissioner Pestello and was seconded by Commissioner Gladney. **The motion passed unanimously.**

**15. Unscheduled Business**

**8:50 a.m.** Commissioner Cox stated that he would like to address an issue today under “Unscheduled Business” that he indicated was not included on the agenda of the prior Safety and Security Committee meeting, although he requested it. President/CEO Roach indicated that a response memo addressing his security issue agenda request was distributed to him and the Board before the previous Safety & Security Committee meeting was held, and that the Chair of the Committee and staff accommodated his agenda request for that meeting. Mr. Roach noted that, as an individual Commissioner, you cannot speak for the Board; however, if you talk to the Chair or the CEO in advance of the meeting, items can be added to the agenda. He noted that Commissioner Cox sent several different emails requesting agenda items for that meeting. His request was recognized and those items were placed on the agenda. Mr. Roach stated that his request for an agenda item was done fairly and he disagrees with his contention that his request was ignored as that is inaccurate. Mr. Roach noted that he specifically asked General Counsel, Barb Enneking, to address his assertion, which she did by email, responding directly to Commissioner Cox. Mr. Roach continued that we run the meeting in a structured manner so that we're prepared for the individual subjects and can talk about them appropriately.

Commissioner Cox stated that he is appalled that the issue of security is not on today's agenda and mentioned remarks made by BSD head of security. Commissioner Windmiller asked that Commissioner Cox stop referencing discussion that was held in Executive Session as it is inappropriate. Commissioner Gladney stated that for Commissioner Cox to infer that the members of the Board are not concerned with safety is disrespectful to all of the members of this Board. He stated that it is offensive to say that we do not care about security just because we didn't agree with his resolution at the previous Safety & Security Committee meeting; he had his vote and the resolution did not pass. Commissioner Cox stated that he knows each Commissioner cares about security. Commissioner Simmons noted that a vote of the Board of Commissioners was held regarding the agreement with G4S in order to provide the contracted security. He asked Commissioner Cox how he voted on that issue. Commissioner Cox replied that he voted “yes” for the contract. Regarding the topic of “Unscheduled Business”, Commissioner Windmiller reiterated that, if a Commissioner would like an item of “Unscheduled Business” to be added to an agenda, they should take up that issue with the Chair of the Board, the Chair of the Committee, or the CEO.

**16. Operations Report**

**9:00 a.m.** Jessica Mefford-Miller, Executive Director Metro Transit, gave an update on current COVID mitigation strategies, including the use of a new microbe shield disinfectant that is being

used throughout the system. She noted that Illinois has assisted in initiating the Metro Vaccination Program kick-off. She thanked Elizabeth Whiteside of the East Side Health District and the Bi-State Development team for making these vaccinations possible. She noted that 300 team members are receiving vaccinations today, and additional vaccinations are scheduled to be held on February 22<sup>nd</sup> and February 25<sup>th</sup>. Ms. Mefford-Miller noted that these efforts are being supported by the Illinois National Guard. Commissioner Pestello commended the team, and thanked Commissioner Simmons for helping secure vaccines. He commended the Agency for their persistence in this effort. Ms. Mefford-Miller thanked the Board of Commissioners for their support. Commissioner Simmons commended Ms. Mefford-Miller for her work with Ms. Whiteside in the organization of the vaccination site. Commissioner Zimmerman thanked Commissioner Simmons for his assistance. Chair Windmiller also thanked Ms. Mefford-Miller, and stated that she is very proud of Illinois for organizing these events for the Agency's frontline workers.

**17. Call of Dates for Future Board and Committee Meetings**

**9:06 a.m.** Myra Bennett, Manager of Board Administration, advised the Board of upcoming meetings, as follows:

Audit, Finance & Administration Committee:	Friday	March 19, 2021	8:30 AM
Operations Committee Meeting:	Friday	March 19, 2021	9:30 AM
Safety & Security Committee Meeting:	Thursday	April 8, 2021	8:30 AM
Board of Commissioners Meeting:	Friday	April 23, 2021	8:30 AM

**18. Adjournment to Executive Session – If such action is approved by a majority vote of the Bi-State Development Agency's Board of Commissioners who constitute a quorum, the Board may go into closed session to discuss legal, confidential, or privileged matters pursuant to Bi-State Development Board Policy Chapter 10, §10.080(D) Closed Records; Legal under §10.080(D)(1); and Real Estate under §10.080(D)(2).**

**9:07 a.m.** Chair Windmiller requested a motion to allow the Committee to move into closed session as permitted under Bi-State Development Board Policy, Chapter 10, Section 10.080, (D) (1) – Legal; and (D) (2) – Real Estate.

The motion to move into Executive Session was made by Commissioner Simmons and was seconded by Commissioner Zimmerman. A roll call vote was taken, as follows:

Rose Windmiller – Yea	Justin Zimmerman – Yea
Vernal Brown – Yea	Herbert Simmons – Yea
Fred Pestello – Yea	Irma Golliday – Yea
Nate Johnson – Yea	Derrick Cox – Yea
Sam Gladney – Yea	Terry Beach – Yea

**The motion passed unanimously, and the Committee moved into Executive Session at 9:07 a.m.**

**19. Reconvene to Open Session**

**9:07 a.m.** The Board of Commissioners reconvened to the Regular Meeting at approximately 9:07 a.m. Chair Windmiller noted that, per recent changes to Board Policy, no final action votes

will be taken in a closed meeting or closed Executive Session. For items requiring final action, a roll call vote shall be taken in Open Session.

Commissioner Beach made a motion to approve the minutes from the November 16, 2020, Special Meeting, Executive Session; November 20, 2020, Board Meeting, Executive Session; November 30, 2020, Special Meeting, Executive Session; and January 14, 2021, Special Meeting, Executive Session, as closed records. The motion was seconded by Commissioner Johnson. A roll call vote was taken, as follows:

Rose Windmiller – Yea  
Vernal Brown – Yea  
Fred Pestello – Yea  
Nate Johnson – Yea  
Sam Gladney – Yea

Justin Zimmerman – Yea  
Herbert Simmons – Yea  
Irma Golliday – Yea  
Derrick Cox – Yea  
Terry Beach – Yea

**The motion passed unanimously.**

Commissioner Beach made a motion to approve, as submitted, the Executive Session, Consent Agenda item: a) Surplus Property Declaration, 3158 Pershall Road, Ferguson, Missouri (Resolution #1113). The motion was seconded by Commissioner Cox.

A roll call vote was taken, as follows:

Rose Windmiller – Yea  
Constance Gully – Yea  
Vernal Brown – Yea  
Nate Johnson – Yea  
Fred Pestello – Yea

Terry Beach – Yea  
Derrick Cox – Yea  
Irma Golliday – Yea  
Herbert Simmons – Yea  
Justin Zimmerman – Yea

**The motion passed unanimously.**

**20. Adjournment**

**9:07 a.m.** Chair Windmiller asked if there was any further business, and being none, Commissioner Simmons made a motion to adjourn the meeting. The motion was seconded by Commissioner Brown. Unanimous vote in favor taken. The motion passed, and the meeting was adjourned at approximately 9:37 a.m.

  
Deputy Secretary to the Board of Commissioners  
Bi-State Development