

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
June 9, 2009**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, June 9, 2009, at 6:30 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Chrisman presiding.

City of Dallas

Scott Carlson
Jerry L. Christian
Pamela Dunlop Gates – **Assistant Secretary**
Angel Reyes
Robert Strauss – **Vice-Chair**
William Tsao
William M. Velasco
Claude Williams

City of Garland

Tracey M. Whitaker

City of Irving

John C. Danish – **Secretary**

City of Plano

Loretta Ellerbe

Cities of Addison, Highland Park, Richardson, and University Park

Raymond Noah

Cities of Carrollton and Irving

Randall Chrisman – **Chair**

Cities of Dallas, Plano, Glenn Heights, and Cockrell Hill

Faye Moses Wilkins

Cities of Farmers Branch, Garland, and Rowlett

Mark C. Enoch

Jerry Christian, Raymond Noah, Robert Strauss, and William Tsao were absent.

General Items:

1. **Approval of Minutes:** May 26, 2009

Mr. Williams made a motion to approve the May 26, 2009, Board of Directors' Meeting minutes with no corrections, deletions, or additions.

Mr. Velasco seconded the motion and it was approved unanimously.

2. **Public Comments**

Chair Chrisman reviewed the rules that govern the Public Comments portion of the meeting, including the Code of Conduct for Citizens, News Media, and Visitors at DART Board Meetings (on file in the Office of Board Support).

The following individuals addressed the Board:

Latonia Odom, 6319 Bellbrook Drive, Dallas, Texas, 75217, (214) 391-0664: Ms. Odom thanked the Board for any part they might have played in returning her, and her five co-workers, to their positions in Customer Service. She added that (employee relation) issues still exist in Customer Service that needed attention, but she wished to express her gratitude.

Chair Chrisman recognized three individuals who had also pre-registered to address the Board. He reminded these individuals that, according to the records, they had addressed the Board at the last meeting (refer to 05-26-2009 Board of Directors' Minutes) and were obliged, according to the Board By-Laws, to wait until the Board had finished all other business (refer to Agenda Item 9., **Public Comments**) to address the Board again.

Consent Items:

Mr. Velasco made a motion to approve Consent Items 3. - 5.

3. **Contract for Construction of Line Section Northwest-2 (NW-2) Love Field West Area - Little Denton Drive Improvements and Additional Betterments**

Approval of Resolution No. 090077 that authorizes the President/Executive Director or his designee to award a contract, subject to legal review, for the construction of Line Section Northwest-2 (NW-2) Love Field West Area - Little Denton Drive Improvements and Additional Betterments to Phillips/May Corporation in the amount of \$2,039,333, plus a supplemental work contingency of \$163,147 (8%) for unanticipated expenses, for a total authorized amount not to exceed \$2,202,480.

4. **Site-Specific Shuttle Service Agreement with Texas Instruments**

Approval of Resolution No. 090078 that authorizes the President/Executive Director or his designee to execute a three-year agreement with one, two-year option with Texas Instruments (TI), subject to legal review, for the provision of a site-specific shuttle connecting TI campuses to the LBJ Central Light Rail Transit Station at an annual authorized amount not to exceed \$275,000.

5. **Special Event Light Rail Transit (LRT) Shuttle Service Agreement with American Airlines Center**

Approval of Resolution No. 090079 that authorizes the President/Executive Director or his designee to execute a three-year joint funding agreement with the Center Operating Company for special event LRT service to the Victory Station and American Airlines Center, substantially in the form as shown in Exhibit 1 to this resolution.

Mr. Carlson seconded the motion and it was approved unanimously.

Individual Items:

6. ***Government Relations Update on 81st Session of the Texas Legislature, DART's Legislative Agenda, and the Status of the Texas Local Option Transportation Act (TLOTA) Legislation**

This item was considered by the Committee-of-the-Whole only.

7. ***Planning Corridor Update - I-3 DFW Connection**

This item was considered by the Committee-of-the-Whole only.

Policy Item:

8. **Amendment of DART Board Policy I.05, Records Management Policy**

Ms. Dunlop Gates reminded the Board that this item had been discussed, reviewed, and approved by the Administrative Committee and, moreover, approved by the Committee-of-the-Whole as well.

Ms. Dunlop Gates made a motion to approve a draft Resolution that amends the text of DART Board Policy I.05, Records Management Policy, to read as set out in Exhibit 1 to this Resolution and is effective immediately.

Ms. Wilkins seconded the motion and it was approved unanimously.

Other Items:

9. Public Comments

Chair Chrisman reminded those individuals waiting to address the Board that the same guidelines, described earlier during Item 2., **Public Comments**, remained in effect.

The following individuals addressed the Board:

Ms. Dwana Jones, 1215 Whitecreek Drive, #14, Glenn Heights, Texas, (972) 230-5353: Ms. Jones redressed the Board (refer to May 26, 2009, Board of Directors' Meeting) concerning her termination as a Paratransit driver caused by alleged ambiguities that exist with Veolia's "zero tolerance" policy as it pertains to drivers using (personal) cell phones and to inconsistencies that exist between DART's disciplinary policy and Veolia's.

Ms. Sherlyn Mbakwe, 2225 Swansee, Dallas, Texas, 75237, (214) 333-8297: Ms. Mbakwe distributed copies of documents (on file with the Office of Board Support) pertaining to Customer Service employee relation matters. Ms. Mbakwe stated that an "even playing ground" must be established relative to equitable disciplinary actions undertaken by management.

Mr. Larry Knott, 4206 Swiss Avenue, Dallas, Texas, (972) 768-6408: Mr. Knott stated he spoke on behalf of Customer Service employees and thanked the Board for returning six (Customer Service) employees to work. (refer to Minutes from April 14, April 28, May 12, and May 26, 2009, Board of Directors' meetings). He said that Ms. Rotina Holman had not been reinstated and asked for the Board to continue investigating the fairness of the matter.

10. Identification of Future Agenda Items

This item was considered by the Committee-of-the-Whole only.

11. Adjournment

There being no further business to discuss, the meeting was adjourned at 6:41 p.m.

Gail Cook
Board/Committee Secretary

/glc

+ Same Night Item

* Briefing Item