

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
July 8, 2008**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, July 8, 2008, at 6:32 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

Angel Reyes, Loretta Ellerbe, Faye Moses Wilkins, and Mark Enoch were absent.

General Items:

1. **Approval of Minutes:** **June 24, 2008**

Mr. Noah made a motion to approve the June 24, 2008, Board of Directors' Meeting minutes.

Mr. Carlson 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:

Mr. Kyle Kasner, 4570 Westgove, #125, Addison, Texas, 75001, (972) 814-6574: Mr. Kyle stated that he was a local business owner that specialized in tax law. Mr. Kyle stated he was interested in providing assistance to DART in increasing the efficiency of sales tax collection.

Mr. Black Dallas, 2639 Exeter, Dallas, Texas, 75216, (214) 374-2437: Mr. Dallas stated that he owned property in South Dallas and was attempting to establish a youth program aimed at assisting "at risk" teens and juveniles entering the probationary system who can be found loitering at the West End. Mr. Black said that he owned property in the South Dallas district and could not get his program started without the support of DART and the City of Dallas.

Ms. Josephine Williams, 3531 Pebbleshores Drive, Dallas, Texas, (972) 225-4746: Ms. Williams stated that she represented a group of riders who wished to suggest a new route in the Greenville/Caruth Haven area. She continued that the group wanted a bus to "loop" from the 428 South Irving Transfer/South Garland Transit Center bus to the Lovers Lane station. Ms. Williams said this service would be very convenient for the many workers in that area to connect easily with Lovers Lane.

Consent Items:

Mr. Christian made a motion to approve Consent Items 3 – 6.

3. **Modification to the Track Relocation Agreement with Dallas, Garland and Northeastern Railroad (DGNO) for the Northwest and Southeast Light Rail Transit (LRT) Corridors**

Approval of Resolution No. 080102 that authorizes the President/Executive Director or his designee to execute a modification to the Track Relocation Agreement with Dallas Garland and Northeastern Railroad providing for additional flagging support and signals relocations and modifications for DART's Northwest and Southeast light rail transit corridors in the amount of \$2,602,256 to be paid by DART, for a new total authorized amount not to exceed \$24,839,005.

4. **Call for Public Hearing on February 2009 Service Modifications**

Approval of Resolution No. 080103 that authorizes the President/Executive Director or his designee to call a public hearing on or about August 12, 2008 to receive public comments on the proposed February 2009 service modifications as shown in Attachment 1.

5. **Service Plan Amendment on the Proposed Rowlett LRT Alignment, Station Location, and Grade Separation**

Approval of Resolution No. 080104 that the Service Plan be amended to locate the alignment, station, and grade separation for the Rowlett Corridor, as shown in Exhibit 1.

6. **Contract for Super Light Rail Vehicles (SLRVs)**

Approval of Resolution No. 080105 that authorizes the President/Executive Director or his designee to award a contract, subject to legal review, for Super Light Rail Vehicles (SLRVs) to Kinkisharyo International, L.L.C. in the amount of \$164,374,396 (\$163,596,413 for the base order of 25 SLRVs and \$777,983 in Optional Line Items for training aids), plus a supplemental work contingency of \$4,931,232 (3%) for unanticipated expenses (including an amount of \$1,500,000 to cover the estimated shipping cost increase due to the potential use of U.S. flagship vessels), for a total authorized amount not to exceed \$169,305,628. If U.S. flagshipping is required and actual shipping cost increases exceed the estimated amount, staff will return to the Board to request authorization for use of the contingency funds for the additional funding.

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

Individual Items:

+7. **Add Enhancements to the Installation and Supply of Bicycle Racks for NABI and Nova Buses**

Mr. Carlson made a motion to approve Resolution No. 080106 that authorizes the President/Executive Director or his designee to execute a contract modification to add enhancements to the installation and supply of bicycle racks for the bus fleet with Midwest Bus Corporation [Contract No. C-1013677-01] to increase the not-to-exceed amount by \$88,321, for a new total authorized amount not to exceed \$331,831.

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

8. **Southern Methodist University (SMU) Shuttle Agreement**

Mr. Tsao made a motion to approve Resolution No. 080107 that authorizes the President/Executive Director or his designee to execute a three-year agreement with Southern Methodist University, subject to legal review and substantially in the form as attached to this resolution in Exhibit 1, for the joint provision of site-specific shuttle service, with a cost to DART not to exceed \$360,000 per year.

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

9. ***Discussion of Board Retreat**

This item was for consideration at the Committee-of-the-Whole only.

10. ***Briefing on DART v. J. Valenzuela, Southwest Traders Inc., and Penske Truck Leasing Company, L.P., Cause No. 07-10435-E.**

This item was for consideration at the Committee-of-the-Whole only.

11. ***State Legislative Agenda for the 81st Regular Session of the Texas Legislature**

This item was for consideration at the Committee-of-the-Whole only.

Other Items:

12. **Officer Reports**

There was no report.

13. Chair Report

Chair Chrisman extended birthday congratulations to William Velasco, Scott Carlson, Claude Williams, and Jerry Christian. Chair Chrisman added himself to the list of July birthdays.

14. General Counsel's Report

There was no report.

15. President/Executive Director's Report

There was no report.

16. Communications and Public Comments

There were no additional Communications and Public Comments.

17. Adjournment

There being no further business to discuss, the meeting was adjourned at 6:44 p.m.

Gail L. Cook
Board/Committee Secretary

/glc

+ Same Night Item

* Briefing Item