

MINUTES  
DALLAS AREA RAPID TRANSIT  
BOARD OF DIRECTORS'  
August 10, 2010

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, August 10, 2010, at 6:32 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Velasco presiding.

**City of Dallas**

Scott Carlson - **Secretary**  
Richard Carrizales  
Jerry L. Christian  
Pamela Dunlop Gates  
Robert Strauss  
William Tsao  
William M. Velasco - **Chair**  
Claude Williams

**City of Garland**

Tracey M. Whitaker

**City of Irving**

John C. Danish – **Vice-Chair**

**City of Plano**

Loretta Ellerbe - **Assistant Secretary**

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

Raymond Noah

**Cities of Carrollton and Irving**

Randall Chrisman

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

Faye Moses Wilkins

**Cities of Farmers Branch, Garland, and Rowlett**

Mark C. Enoch

Jerry Christian, Robert Strauss, and Tracey Whitaker were absent.

## General Items

### 1. **Approval of Minutes:** July 13, 2010, and July 22, 2010

**Mr. Noah made a motion to approve the Minutes from the July 13, 2010, and July 22, 2010, Board of Directors' Meetings with no corrections, deletions, or additions.**

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

Chair Velasco stated he wished to hear Item 3., **Recognition of DART Board Member Angel Reyes**, prior to continuing with the business at hand.

### 3. **Recognition of DART Board Member Angel Reyes**

Chair Velasco read a synopsis of Mr. Reyes' contributions to the DART Board. Mr. Reyes thanked Chair Velasco and the Board for recognizing his efforts and commended each member of the DART Board for their individual and collective dedication to bettering the community by providing public transportation.

Chair Velasco asked the Board to consider the remainder of the Agenda.

### 2. **Public Comments**

At 6:44 p.m. Chair Velasco reviewed the rules, including limitations to time, that govern the two Public Comments portions of the meeting, including the Code of Conduct for Citizens, News Media, and Visitors at DART Board Meetings (on file with the Office of Board Support).

The following individuals addressed the Board:

John L. Bailey, P. O. Box 193, Elmo, Texas, 75118, (972) 551-2971: Mr. Bailey stated he had been employed by DART for 22 years. He indicated he spoke on behalf of other employees who were, like him, alarmed concerning proposed changes to salaries, retirement, benefits, Service Incentive Pay (SIP), etc.

Mr. Mickey Pyle, 601 Woodcrest, Forney, Texas, 75126, (214) 585-1823: Mr. Pyle deferred his allotted time to Mr. Bailey, who had not finished speaking.

With Chair Velasco's approval, Mr. Bailey resumed, saying he, and others, had been advised (during certain on-site Executive Leadership Briefings) that valuable components of their benefits (i.e.; retirement, migrating sick/vacation leave to PTO, decrease in number of days off, etc.) were either being cut or eliminated altogether. Mr. Bailey stated it was not right for management to cut from the salaries/benefits of hourly workers when many areas, completely spared from any cut backs, had obvious excesses that could be cut in order to save the agency money.

Mr. Bailey read several examples into the record: \$360.00 (monthly) for DART Attorneys to park, \$1M contract for light rail vehicle glass even though an approved, tested, economical alternative was available from a local Dallas vendor, \$97K (annually) to transport people arrested by DART Police to County facilities, \$30K (annually) in lunch charges for non-travelling executives.

Mr. George DeRuvo, 6323 Overlook Drive, Dallas, Texas, 75227 (214) 557-4102: Mr. DeRuvo identified himself as a DART LRV Structural Mechanic. Mr. DeRuvo, essentially, agreed with the previous speaker: more should be done to eliminate massive internal waste prior to cutting or changing employee benefits. For example, he said, DART has spent \$920K on LRV glass replacement over the last 10 months even though the agency had been aware for five years that a much less costly cure was available. Mr. DeRuvo guessed that changing to the less costly glass replacement would save the agency \$5M. Mr. DeRuvo went on to relate the details of a \$700K repair contract for LRV #173. According to Mr. DeRuvo, #173 had been shipped to Delaware Car Company at great expense even though the repairs could have been done by DART's LRV mechanics. Mr. DeRuvo went on that, to the best of his knowledge, so far 2000 hours have been billed towards repairing #173 at a high hourly rate (\$90-\$96 hourly) and the repairs are still not done. Mr. DeRuvo concluded by saying the contractor is unethical and will needlessly keep #173 until the entire amount of the contract is exhausted.

Mr. Rolando Rodriguez, 5940 Arapaho Road, #130, Dallas, Texas, 75248, (214) 394-9209: Mr. Rodriguez said he, like the previous speakers, was a DART employee. Mr. Rodriguez adopted the same vein established by the other speakers and suggested saving money by purchasing Chevrolet Impalas (\$20K) for the Transit Police rather than more expensive Dodge Chargers (\$32K). Mr. Rodriguez went on to question the necessity of several changes in title (from 'Senior Manager' to 'Director') experienced by individuals also working at his division.

Mr. Ben Miller, 507 Singleton Boulevard, Dallas, Texas, (214) 744-5606: Mr. Miller identified himself as owner of janitorial service sub-contracting to Veolia Transportation. Mr. Miller said his company cleans Veolia's fleet of vehicles and he employs 45 individuals. Mr. Miller said it had come to his attention that Veolia may lose its DART contract and he asked the Board to reconsider and renew its contract with Veolia.

Mr. James Harris, 5606 Shadyrest Trail, Dallas, Texas, 75241, (214) 374-8755: Mr. Harris identified himself as a long-time DART employee with 26 years of service. Mr. Harris said he had been proud to participate in the initial discussions concerning early retirement but was saddened his, and others, feedback had, obviously, been completely ignored. He said the "retirement incentive" recently announced was a replica of that which had been offered in 2003. Mr. Harris said the plan is not designed for anyone between the ages of 55-60. Mr. Harris urged the Board to find a subject matter expert to interview every individual who qualifies for early retirement and then report the findings prior to launching the program.

Mr. Eugene Gayton, P. O. Box 4482, Dallas, Texas, 75208: Mr. Gayton stated he opposed the proposed changes contained in the December 2010 Bus Service Change Proposals as they pertain to metropolitan North Oak Cliff. He said the brochure which had been circulated to the public (copy on file with the Office of Board Support) was intentionally misleading as it tried to camouflage substantial changes to routes that were vital to the Oak Cliff business community. Mr. Gayton went on to say all of the 2010 Service Changes were unnecessary and a waste of tax dollars.

Chair Velasco asked Mr. Gayton to speak with Mr. Todd Plesko, Vice President of Planning and Development, who made himself known to Mr. Gayton.

Mr. Moystonia Gilbert, 2608 Walnut Street, Greenville, Texas, 75401, (903) 259-9165: Mr. Gilbert stated he had been a DART employee for 17 years and related a long career associated with delivering Paratransit services. Mr. Gilbert conveyed his objections to any suggestion of outsourcing Paratransit dispatch and scheduling.

Mr. Ronald Jackson, (no address or telephone number provided on Speaker Card): Mr. Jackson identified himself as a Paratransit driver employed by Veolia Transportation. Mr. Jackson encouraged the Board to consider the vast differences between Paratransit and regular bus services and then consider the difference between Veolia and other paratransit vendors. Mr. Jackson commended Veolia for its high standards and genuine concern for the passengers. Mr. Jackson went on to say he had worked for other Paratransit contractors in the past and other contractors did not enforce any standards whatsoever because they had none to enforce.

Chair Velasco stated it was 7:14 p.m. and, as previously explained, the 30 minutes allotted for Public Comments was at an end. He said all persons still wishing to address the Board would be given a chance to do so after all of the other business at hand was complete.

**4. Paratransit Advisory and Accessibility Group (PAAG) Concerning their July 17<sup>th</sup>, 2010, Meeting**

Dr. Terry Prohaska related a summary of topics discussed during the last PAAG meeting, including amongst other things: ADA (American with Disabilities) community meetings, level boarding, and paratransit certification procedures.

Dr. Prohaska stated that PAAG will meet again on October 15, 2010, and invited the Board to attend.

**5. Paratransit Most Valuable Driver Presentation**

Mr. Victor Burke, Executive Vice President of Operations, introduced Mr. Archie Smith who had been selected as Paratransit's Most Valuable Driver of the Third Quarter. Mr. Burke was joined by Mssrs. Maurice Bell and Chris Langmeyer of Veolia Transportation and Mr. Donnie Thompson, DART's Assistant Vice President of Paratransit Operations.

Mr. Smith thanked the Board for the award and conveyed how much he enjoyed doing a job that helped so many people in so many ways.

Consent Items:

Ms. Ellerbe made a motion to approve Consent Items 6. – 9.

6. **Increase Funding for Office Supplies**

Approval of Resolution No. 100088 that authorizes the President/Executive Director or his designee to execute a contract funding increase for Office Supplies with Lee Office Solutions [Contract No. C-1014423-01] by a not-to-exceed amount of \$110,809, for a new total authorized amount not to exceed \$732,472.

7. **Incorporation of Freight D Track Realignment into the Rowlett Line Section (R-1) Design-Build Contract**

Approval Resolution No. 100089 that authorizes the President/Executive Director or his designee to incorporate the Freight D Track Realignment into the Rowlett Line Section (R-1; Blue Line) design-build contract with Austin Bridge & Road, LP, in an amount not to exceed \$459,585, contingent upon receipt of funds from the City of Garland in the amount of \$459,585. This amount is within existing contract contingency; therefore, the total authorized amount not to exceed \$195,364,000 will remain unchanged.

8. **Incorporation of the Rainbow Estates Sound Wall Extension into the Rowlett Line Section (R-1) Design-Build Contract**

Approval of Resolution No. 100090 that authorizes the President/Executive Director or his designee to incorporate the Rainbow Estates Sound Wall Extension into the Rowlett Line Section (R-1; Blue Line) design-build contract with Austin Bridge & Road, LP, in an amount not to exceed \$124,800, contingent upon receipt of funds from the City of Garland in the amount of \$124,800. This amount is within existing contract contingency; therefore, the total authorized amount not to exceed \$195,364,000 will remain unchanged.

9. **Authorize Negotiation of an Interlocal Cooperation Agreement between Dallas Area Rapid Transit and the North East Texas Regional Mobility Authority Concerning Cooperation and Coordination in Planning Future Passenger Rail Service**

Approval of Resolution No. 100091 that authorizes the President/Executive Director or his designee to negotiate an Interlocal Cooperation Agreement between Dallas Area Rapid Transit and the North East Texas Regional Mobility Authority Concerning Cooperation and Coordination in Planning Future Passenger Rail Service which Agreement will require Board approval before execution.

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

Individual Items:

**10. Approval of Board Goals for Fiscal Year 2011**

**Mr. Noah made a motion to approve Resolution No. 100092 that adopts the Goals, listed on Exhibit 1, as amended by the Committee-of-the-Whole (blue sheet), for Fiscal Year 2011.**

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

**11. +Approval to Distribute the Proposed Fiscal Year 2011 Budget and Twenty-Year Financial Plan to Cities in the DART Service Area for Review**

**Mr. Chrisman made a motion to approve Resolution No. 100093 which authorizes the President/Executive Director, or his designee, to distribute the Proposed FY 2011 Budget and Twenty-Year Financial Plan to the governing bodies of the cities in the DART Service Area for their review.**

**Ms. Ellerbe seconded the motion and it was approved unanimously.**

**12. Performance Review of Direct Reports to the Board – President/Executive Director, Director of Board Support, and General Counsel**

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

Other Items:

**13. Public Comments**

Chair Velasco reminded the individuals waiting to speak that the rules described at the beginning of the first Public Comments segment remained in effect.

Mr. Albert Dirla, 2004 Robinson Street, Irving, Texas, 75060, (972) 672-7947: Mr. Dirla identified himself as a DART employee. Mr. Dirla resumed the previously established thread and pointed out excesses (mainly within surplus layers of management) that could be cut to save money without changing employee salaries or benefits. Mr. Dirla suggested that the Board review the costs associated with the 'Mystery Rider' program as it relates to the existing Management/Supervisory structure resident at each division. In closing, he also suggested that eliminating Vice Presidents/Assistant Vice Presidents from using DART owned cars would not only save money but set a good example of managers actually using transit to get to/from work.

Ms. Chris Garrett, 303 Harman, Duncanville, Texas, (214) 828-1641: Ms. Garrett identified herself as the Executive Vice President of the Amalgamated Transit Union (ATU). Ms. Garrett said proposed cuts (SIP, vacation incentive, leave converted to PTO, no pay increase) actually equates to hourly workers receiving a decrease in pay. Ms. Garrett said DART's outstanding quality is an outstanding benefits package; the benefits balance its less than competitive salaries.

Ms. LaShamond Watkins, 101 Peak, Dallas, Texas, (214) 354-9403: Ms. Watkins identified herself as a Paratransit Scheduler, a full-time DART employee. Ms. Watkins said the Board should consider, before dismantling Paratransit dispatch and scheduling, whether paratransit customers will be provided the same quality of service. Ms. Watkins stated paratransit has provided service to 742,614 passengers as of July, 2010 with a KPI of 94.2 and an average talk time of 2.45. Ms. Watkins asked if the proposed switch to another contractor has been discussed with the paratransit riders and with PAAG and, if so, asked how the two groups had reacted. She also asked how management intended to make sure any new Paratransit contractor lived up to their responsibilities, both contractual and ethical.

Ms. Twyla Cochran, (214) 287-4615: Ms. Cochran identified herself as a DART employee working as a Supervisor in Paratransit Dispatch. Ms. Cochran said she was a long term employee who had seen what had happened the last time DART outsourced its paratransit operation. Ms. Cochran said hourly employees have asked repeatedly whether management has calculated possible cost savings that could result from furlough days and by all layers of management surrendering (either voluntarily or involuntarily) a percentage of their salaries. Both questions, Ms. Cochran said, have been evaded and side-stepped and it was unfair of the management to cut jobs before making those calculations.

Mr. Kenneth Day, P. O. Box 710232, Dallas, Texas, 75371, (469) 855-0994: Mr. Day identified himself as President of the ATU and stated he represented all of the employees in the room and hundreds of others as well. Mr. Day stated the employees wished to support Mr. Thomas, the Board, and the agency 100%, but could not do so when there was obvious mismanagement of funds. Mr. Day said the hourly employees clearly see layers of unnecessary, highly paid management and the employees will not support management's proposals until the employees see an effort on the part of management to be fiscally responsible. Mr. Day also urged the Board to realize that the paratransit operation was larger than 43 jobs (those numbered in dispatch/scheduling); the jobs of 300+ operators and 100+ auxiliary support were on the line as well.

Mr. Sandra Tinsley, 4206 Swiss, Dallas, Texas, (214) 828-1641: Ms. Tinsley identified herself as a Customer Service Representative employed by DART. Ms. Tinsley said DART non-managerial employees, overall, were underpaid but the benefit package balanced the low salaries. Ms. Tinsley continued that asking employees to pay for their own Short Term Disability was "insulting". Ms. Tinsley said managements stated plan to

leave 214 jobs unfilled/vacant was a way of forcing employees to work two jobs without any increase in salary.

Ms. Kanzetta Barnes, 2414 Meadowgale Lane, Lancaster, Texas: Ms. Barnes stated she had been employed by DART for 11 years as a Paratransit scheduler. Ms. Barnes related close personal relationships between Paratransit staff and clients. Ms. Barnes said she hoped the Board would learn from past mistakes, make a just decision, and remember they were dealing with people not numbers.

Mr. Van Simmons, 337 Trout Street, Rockwall, Texas, (214) 597-2110: Mr. Simmons identified himself as a diesel mechanic employed by DART. Mr. Simmons said the Board should be aware that the reaction of DART employees concerning these proposals was not limited to those employees in the room; there were thousands more that felt management's proposal but them on "shaky ground". Mr. Simmons said the workers only wished to be treated fairly and encouraged the Board to "go back to the drawing board" and consider other options.

Mr. Bryan Blanks, 745 Mill Creek, Lancaster, Texas: Mr. Blanks identified himself as a 20-year employee of DART. Mr. Blanks said that his reward for 20 years of dedication was losing thousands of dollars worth of payable sick time to a managed, unsalable PTO. Like several other Speakers, Mr. Blanks spoke about the excess number of managers and the fringe benefits these individuals enjoyed. Mr. Blanks suggested a way to demonstrate his point: allow the bus operators and mechanics to stay home for a single day and then allow the multitude of managers, middle managers, etc., to stay home for three weeks and then survey the public to see which of the two categories of DART staff was more missed.

Mr. Craig Puckett, (972) 992-0351: Mr. Puckett identified himself as the President of American Logistics Company. Mr. Puckett referred the Board to a Case Study 121 completed by the Transportation Research Board (TRB), which was "put together" with FTA sponsorship and tasked with finding solutions to challenges being faced by transit agencies. Mr. Puckett said his company wished to compete in a fair and open RFP for DART's Paratransit contract and warned the Board that any company that submits to the RFP should base its business model on that found in Study 121 (i.e.; use non-dedicated resources in connection with the vendor's dedicated resources).

Dr. Terry Prohaska, (972) 992-0351: Dr. Prohaska said anyone attempting to ride on a fixed bus route using a wheelchair or a scooter is automatically strapped down. Mr. Prohaska said some mobility impaired individuals may appreciate the precaution, but the rule was not applied equitably. Mr. Prohaska said he would like to reserve the right to waive being strapped into place and asked the Board to consider revising the rule.

Mr. Reginald Warfield, 10429 Plummer Drive, Dallas, Texas, 75228, (469) 826-8431: Mr. Warfield identified himself as a DART employee working out of the East Dallas Bus Division. Mr. Warfield echoed many of other previously stated employee comments,

including the employees acquiescing to not receiving a salary adjustment (this year). Mr. Warfield suggested that maintenance costs could be decreased if the buses were not pushed to complete ever growing routes in a less amount of time by operators who, are, in turn, also being pushed to complete the larger routes, even adding in multiple wheel chair loadings/unloadings, on time or under time.

Mr. Willard Johnson, P. O. Box 397871, Dallas, Texas, (214) 675-5818: Mr. Johnson identified himself as a Veolia Transportation sub-contractor and commended Veolia being an excellent employer and for providing exemplary service to its clients.

Ms. Margaret “Peggy” Hanson, 4236 Church Road, #2056, Dallas, Texas, (214) 779-8992: Ms. Hanson identified herself as a DART employee. Ms. Hanson reiterated the points already lobbied by other Speakers. Ms. Hanson stated that hourly workers could not support cutting from their ranks when it was common knowledge that many, many salaried employees, such as those in Risk Management, Human Resources, and Benefits, will not even return phone calls.

Mr. DeBoss Christian, 1919 Morrell Avenue, Dallas, Texas, 75134, (214) 434-3466: Mr. Christian stated the management proposal concerning benefits was “an insult”. He spoke about what he saw as several inconsistencies in operations and staffing that, if rectified, could easily save money. Mr. Christian suggested eliminating the Mystery Rider program or decreasing the number of Supervisors, promote individuals who have participated in the “Boss Program”, cut the pay or the number of the 150 individuals in the agency that make in excess of \$100K annually, and decreasing maintenance costs by purchasing buses from California for \$275K rather than \$225K from Mexico.

Mr. Bill McCloud, 18740 Hillstone Drive, Tampa, Florida, 33556, (630) 258-3925: Mr. McCloud identified himself as Senior Vice President of Veolia Transportation. Mr. McCloud described his vast exposure to paratransit services offered throughout the country and complimented DART on having the best paratransit operation in the United States. Mr. McCloud advised that shifting the paratransit paradigm, currently under consideration, was very risky and explained the risk. Mr. McCloud urged the Board and staff to consider a transitional approach to any model being considered and to proceed with all caution.

Mr. Chris Langmeyer, 2213 Indian Trail, Rowlett, Texas, 75088, (214) 280-1403: Mr. Langmeyer identified himself as employed by Veolia Transportation. Mr. Langmeyer confirmed that 400+ jobs would be made surplus in order for DART to provide inferior service. Additionally, he said, \$30M worth of minority contracts would evaporate. Mr. Langmeyer stated that Veolia had submitted a proposal which would save DART \$5M over a two year period, roughly calculating into \$50M in operational savings over the life of the Financial Plan. He said \$117M has been placed in DART’s Budget for vehicle replacement, but advised the job could be done just as safely and comfortably with another vehicle costing half that amount. Summarizing, Mr. Langmeyer encouraged the Board to recognize that Veolia’s initial proposal saved the agency \$50M in Operations

costs and \$50M-\$60M on the Capital side by utilizing another vehicle and this without displacing Paratransit Scheduling or Dispatch or anyone else's jobs.

Mr. Curtis Wright, 9355 Forest Lane, #220, Dallas, Texas: Mr. Wright stated that he was a very active DART bus rider and suggested placing dividers between seats for the comfort of the passengers. Mr. Wright also stated that all of the signs on the bus are outdated and should be placed at the back of the bus. He said service for routes 488 and 486 needs to be increased to seven days a week, at 30 minute intervals, after 11:15 p.m.

Mr. Joe Walker, 2815 MLK Jr. Boulevard, Dallas, Texas, 75215, (214) 421-5202: Mr. Walker said he represented the Dallas African American Chamber of Commerce. Mr. Walker compared the Chamber's dynamics to DART's. Mr. Walker commended the diversity within the existing Paratransit function. Mr. Walker said the best stimulus of the economy is to look how many people, directly and indirectly, are employed by the system.

Mr. Marian Harris, P. O.Box 794246, Dallas, Texas, 75254, (214) 269-6687: Mr. Harris explained that the DART Board of Directors were appointed by various City Councils. He continued to explain that DART employees had the right to speak to the appropriate City Council(s) if they did not feel the DART Board was giving their concerns proper notice and action. Mr. Harris also spoke about executive management's misuse and mishandling public funds.

Mr. Harris's allotted three minutes expired and Chair Velasco asked the gentleman to stand down. Mr. Harris objected, saying that Chair Velasco had allowed others preceding him to speaker longer than three minutes.

**Mr. Noah made a motion to adjourn. Ms. Wilkins seconded the motion. Chair Velasco did not to pursue a vote.**

Chair Velasco asked Mr. Harris to stay on topic but allowed him a continuance. Mr. Harris declined Chair Velasco's offer to continue.

Mr. Huelon Harrison, (no address provided, no Speaker Card): Mr. Harrison identified himself as a former Chair and member of the DART Board. Mr. Harrison commended the DART Board for their continued dedication to transit. Mr. Harrison commended Mr. Thomas who had been elected Vice-Chair of APTA.

Ms. Connie Davis, Davis Apparel Shop, South Dallas, Texas: Ms. Davis stated Davis Apparel Shop was a sub-contractor for Veolia Transportation, supplying Veolia drivers with uniforms. Ms. Davis said thanks to DART's commitment to MWDBE businesses, her firm now supplied all DART operators with uniforms, increasing her small business from a staff size of four to 10. Ms. Davis expressed her gratitude to Paratransit who had delivered her to the meeting and who would get her back home.

Mr. Eugene Gayton, P. O. Box 4482, Dallas, Texas, 75208: Mr. Gayton returned to the Board to repeat that the brochure entitled 'Notice of Public Hearing; December 2010 Bus Service Change Proposal' pointed to mismanagement of DART resources. Mr. Gayton asked the Board to order an emergency stop order to any changes being made to route 76, 510, 11, and 542. He said these are core routes that service the North Oak Cliff area and they cannot be changed or lost. Mr. Gayton said the information in the Brochure was intentional public deception and he was prepared to go to the local media about the matter.

**14. Identification of Future Agenda Items**

No future agenda items were identified for this Committee.

**15. Adjournment**

There being no further business to discuss, the meeting was adjourned 8:41 p.m.

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Gail Cook  
Board/Committee Secretary

+ Same Night Item  
\* Briefing Item