

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
November 10, 2009**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, November 10, 2009, at 6:33 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Velasco presiding.

City of Dallas

Scott Carlson - **Secretary**
Jerry L. Christian
Pamela Dunlop Gates
Angel Reyes
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

Tracey Whitaker and Mark Enoch were absent.

General Items:

1. **Approval of Minutes:** **October 27, 2009**

Ms. Wilkins made a motion to approve the October 27, 2009, Board of Directors' Meeting Minutes with no corrections, deletions, or additions.

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

2. **Public Comments**

Chair Velasco 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. John Killian, 829 Melba, Dallas, Texas: Mr. Killian offered the Board several suggestions to generate revenue in the coming year.

3. **Most Valuable Paratransit Driver Award 4th Quarter**

Mr. Victor Burke, Executive Vice President of Operations, introduced Mr. Jose Chapa, winner of the 4th Quarter Most Valuable Paratransit Driver Award.

Mr. Chapa thanked the Board for the honor and expressed his gratitude for being allowed to do a job that he found very satisfying and enriching.

Consent Items:

Chair Velasco explained that Item 6., **Approval of an Interlocal Agreement with North Central Texas Council of Governments (NCTCOG) for the Funding of the Vanpool Services Program**, was removed from the Consent Agenda and would be considered separately. As a result, he stated he was prepared to entertain a motion for Items 4, 5, and 7.

Mr. Noah made a motion to approve Consent Items 4, 5, and 7.

4. **Additional Funding for the Track Relocation Agreement with Dallas, Garland & Northeastern Railroad (DGNO) for the Northwest and Southeast Light Rail Transit (LRT) Corridors**

Approval of Resolution No. 090151 that authorizes the President/Executive Director or his designee to approve additional funding for the Track Relocation Agreement with Dallas, Garland and Northeastern Railroad to provide additional flagging support for DART's Northwest and Southeast

light rail transit corridors in the amount of \$4,118,812 to be paid by DART, for a new total authorized amount not to exceed \$28,957,817.

5. **Approval of the Texas Instruments E-Shuttle Funding Agreement**

Approval of Resolution No. 090152 that authorizes the President/Executive Director or his designee to execute a funding agreement with Texas Instruments, for three years with two one-year extension periods, for the operation and partial funding of the Spring Creek E-Shuttle, in substantially the form as shown in Exhibit 1.

7. **Call for Public Hearing and Approval of Submission of Fiscal Year 2010 Federal Transit Administration (FTA), Department of Homeland Security (DHS), and Texas Commission on Environmental Quality (TCEQ) Grant Applications and Amendments**

Approval of Resolution No. 090154 that states:

Section 1: A public hearing is called on December 14, 2009, at 12:00 p.m. and 6:00 p.m. in the DART Board Room to solicit public comments on the projects for the FY 2010 Grant Applications and Amendments.

Section 2: Subsequent to the public hearing, the President/Executive Director or his designee is authorized to execute and file applications for Federal assistance on behalf of DART, as designated recipient, with the Federal Transit Administration and the Texas Commission on Environmental Quality Administration for Federal Assistance authorized by 49 USC Chapter 53, Title 23, United States Code; or other Federal statutes authorizing a project administered by the Federal Transit Administration or Texas Commission on Environmental Quality Administration.

Section 3: The President/Executive Director or his designee is authorized to execute and file with its grant applications and amendments the annual certifications and assurances and other documents the Federal Transit Administration, Federal Emergency Management Agency Administration, and Texas Commission on Environmental Quality Administration require before awarding a Federal assistance grant agreement.

Section 4: The President/Executive Director or his designee is authorized to execute the grant agreements with the Federal Transit Administration and the Texas Commission on Environmental Quality Administration on behalf of DART.

Chair Velasco moved the Board to consider Item 6., which had been separated from the Consent Items.

6. **Approval of an Interlocal Agreement with North Central Texas Council of Governments (NCTCOG) for the Funding of the Vanpool Services Program**

Mr. Chrisman made a motion to approve Resolution No. 090153 that authorizes the President/Executive Director or his designee to execute a two year Interlocal Agreement with North Central Texas Council of Governments (NCTCOG) for the funding of the vanpool services program in substantially the form as show in Attachment 1.

Ms. Wilkins seconded the motion and it was approved by majority. (11/2; Mr. Carlson and Ms. Dunlop Gates voted against the item.)

Individual Items:

8. **Schedule of Regular Board Meetings for Calendar Year 2010**

Ms. Ellerbe made a motion to approve Resolution No. 090155 that states regular meetings be held in the Board Room at 1401 Pacific Avenue, Dallas, Texas, beginning at 6:30 p.m. on the following dates:

January 12 and 26, 2010
February 9 and 23, 2010
March 9 and 23, 2010
April 13 and 27, 2010
May 11 and 25, 2010
June 8 and 22, 2010
July 13, 2010
August 10 and 24, 2010
September 14 and 28, 2010
October 12 and 26, 2010
November 9 and 16, 2010
December 14, 2010

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

9. **+Approval of Fuel and Energy Hedging Program**

Mr. Noah made a motion to approve Resolution No. 090156 that states:

Section 1: The President/Executive Director or his designee is authorized to execute all agreements necessary to enter into agreements

with financially responsible counterparties for the sole purpose of hedging DART's fuel and energy costs.

Section 2: The Chief Financial Officer and the Treasurer are authorized to implement and manage DART's Fuel and Energy Hedging Program.

Mr. Chrisman seconded the motion and it was approved by majority. (12/1; Ms. Ellerbe voted against the item.)

Policy Items:

10. Amendment of DART Board Policy No. III.10, Service Standards: Performance Measures

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

Other Items:

11. Public Comments

There were no subsequent Public Comments.

12. Identification of Future Agenda Items

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

13. Adjournment

There being no further business to discuss, the meeting was adjourned at 6:43 p.m.

Gail Cook
Board/Committee Secretary

/glc

+ Same Night Item

* Briefing Item