

MINUTES  
DALLAS AREA RAPID TRANSIT  
BOARD OF DIRECTORS'  
July 13, 2010

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, July 13, 2010, at 6:31 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Vice-Chair Danish presiding.

**City of Dallas**

Scott Carlson - **Secretary**

Jerry L. Christian

Pamela Dunlop Gates

Richard Carrizales

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, William Tsao, and William Velasco were absent.

General Items:

1. **Approval of Minutes:**                      **June 22, 2010**

**Mr. Williams made a motion to approve the Minutes from the June 22, 2010, Committee-of-the-Whole Meeting with no corrections, deletions, or additions.**

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

2. **Public Comments**

The following individuals addressed the Board:

Mr. Daryl Coby, P. O. Box 561811, Dallas, Texas, 75356, (214) 929-2105: Mr. Coby stated that this was the third time he had addressed the Board concerning the unacceptable behavior of a driver of bus Route 408 (refer to the Minutes from the February 23<sup>rd</sup> and April 27, 2010, Board of Directors' meetings). Mr. Coby related details of specific incidents involving the operator and expressed his feelings of frustration that, as of late, the only suggested solution to the problem is prohibiting Mr. Cody, himself, from riding the 408.

Vice-Chair Danish asked Mr. Coby to speak with Mr. Frank Jennings, Vice President of Transportation, who identified himself to Mr. Coby.

Rev. Ronald Wright, 400 South Zang, #1202, Dallas, Texas, (214) 775-3549: Rev. Wright stated he represented Justice Seekers Texas and spoke to the Board regarding a terminated DART employee who believed she had been the victim of discrimination. Rev. Wright distributed a document (on file with the Office of Board Support) that provided additional details on the matter. Rev. Wright related some details of the situation that resulted in the employee's termination; he went on to say that Justice Seekers Texas were launching a formal investigation and encouraged the Board to follow suit.

3. **Proclamation in Memory of John Killian, Paratransit Customer and Citizens' Advisory Committee (CAC)**

Vice-Chair Danish presented a Proclamation to memorialize Mr. John Killian's service to the agency and community to Mr. Killian's son and daughter-in-law.

Consent Items:

**Mr. Noah made a motion to approve Consent Items 4. – 6.**

4. **Declare Public Necessity, Establish Just Compensation, and Authorize the Acquisition of Parcel R1-108 for the Rowlett Corridor Line Section (R-1)**

Approval of Resolution No. 100084 that states:

**Section 1:** There is a public necessity for the acquisition of the property described in Exhibit 1.

**Section 2:** This property is necessary and proper for construction of the Rowlett Corridor and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose.

**Section 3:** The amount to be offered as just compensation for the parcel required for the Rowlett Corridor shall be the value of the property as determined by the appraisal prepared by DART's Chief Appraiser and reviewed.

**Section 4:** In the event the property owner accepts the offer of just compensation, the President/Executive Director or his designee is hereby authorized to execute all necessary legal instruments and to pay necessary relocation expenses, title policy expenses, closing costs, and other such costs as may be required by law to close the purchase of the property.

**Section 5:** Should the property owner decline the offer of just compensation, then the President/Executive Director or his designee is hereby authorized and directed to negotiate the purchase of such parcel in accordance with DART's Real Estate Policy.

5. **Increase Contract Funding for Unanticipated Additional Work at Union Station for the Outlying Station Platform Modifications Contract to Implement the Level Boarding Initiative**

Approve Resolution No. 100085 that authorizes the President/Executive Director, or his designee, to increase contract funding for unanticipated additional work at Union Station for the outlying station platform modifications contract to implement the level boarding initiative with Phillips May Corporation in the amount of \$148,009, for a new total authorized amount not to exceed \$4,514,809.

6. **Authorize Paid Parking Demonstration Project and Call a Public Hearing for Paid Parking Fees and Regional Fare Zone System**

Approve Resolution No. 100086 that states:

**Section 1:** The President/Executive Director of his designee is authorized to implement the Paid Parking Demonstration Project described in Exhibit 1 to this Resolution at Parker Road Station and Frankford/N. Carrollton Station.

**Section 2:** The President/Executive Director or his designee is authorized to schedule and give notice of a public hearing to receive public comments on the proposed parking fees described in Exhibit 2 to this Resolution.

**Section 3:** The President/Executive Director or his designee is authorized to schedule and give notice of a public hearing to receive public comments on the proposed Regional Fare Zone System as shown in Exhibit 3.

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

Individual Items:

15. **+Amendment of Defeased Lease Transaction Participation Agreements with First Hawaiian Leasing Company and The Fifth Third Leasing Company**

**Mr. Chrisman** confirmed that the Item had secured unanimous approval of the Budget and Finance Committee and the Committee-of-the-Whole and **made a motion to approve Resolution No. 100087 that authorizes the President/Executive Director, or his designee, to:**

**Section 1:** Amend the lease transaction with First Hawaiian Leasing Company (First Hawaiian) relating to light rail vehicles as approved in Board Resolution No. 970141, and to pay an amount up to \$10,000 plus legal fees not to exceed \$60,000 to complete the amendment.

**Section 2:** Amend the lease transaction with The Fifth Third Leasing Company (Fifth Third) relating to light rail vehicles as approved in Board Resolution No. 000176, and to pay an amount up to \$150,000 plus legal fees not to exceed \$75,000 to complete the amendment.

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

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

Vice-Chair Danish reminded the Board that this Item had not been approved by the Committee-of-the-Whole and was scheduled to return to the Committee-of-the-Whole on August 10<sup>th</sup>, 2010.

Other Items:

**9. Public Comments**

Vice-Chair Danish asked if there were any more Public Comments.

The following individual addressed the Board:

Mr. David Brady, P. O. Box 472291, Garland, Texas, 75047, (214) 773-4584: Mr. Brady identified himself as the Co-Director of the Garland Bus Users' Society and expressed his gratitude for the work done by John Killian (refer to Item 3., **Proclamation in Memory of John Killian, Paratransit Customer and Citizens' Advisory Committee (CAC)**). Mr. Brady went on to thank the Board and DART's management for their continued dedication to public transportation.

**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 6:47 p.m.

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Gail Cook  
Board/Committee Secretary

+ Same Night Item  
\* Briefing Item