

**MINUTES  
DALLAS AREA RAPID TRANSIT  
BOARD OF DIRECTORS'  
March 24, 2009**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, March 3, 2009, at 6:35 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

Mark Enoch and Scott Carlson were absent.

General Items:

1. **Approval of Minutes:** **March 3, 2009**

**Mr. Noah made a motion to approve the March 3, 2009, Bord of Directors' Meeting minutes with no corrections, deletions, or additions.**

**Mr. Williams 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:

Ms. Sherlyn Samuel-Mbakwe, 2225 Swansee, Dallas, Texas, 75232, (214) 333-8297: Ms. Samuel-Mbakwe stated she was currently employed by DART. Ms. Samuel-Mbakwe went on to say that recent charges levied against DART (in the media) involving discrimination, favoritism, and retaliation are true. Ms. Samuel-Mbakwe conveyed examples of several co-workers who she said had been treated unfairly.

Ms. Sandra Tinsley, 1009 Bumble Bee Drive, Lancaster, Texas, 75314, (469) 487-4677: Ms. Tinsley stated that she was currently employed by DART as a Customer Information Representative. Ms. Tinsley related circumstances surrounding the deaths of two of her DART co-workers who became ill but told Ms. Tinsley they could not seek medical attention (via taking time off work) for fear of reprisal.

3. **Citizens Advisory Committee Report**

Mr. Bob Ganson, Chair of the CAC, reviewed the highlights of the Committee's last meeting and invited the Board to review the prepared Report (on file with the Office of Board Support) of the meeting at their leisure.

Mr. Ganson summarized the report by saying DART staff had reviewed the particulars of the proposed fare increase and service changes. He concluded by saying the remainder of the meeting concerned issues brought up by Committee members.

4. **Recognition from WMATA for DART Police Support During The Presidential Inauguration**

Mr. Gary Thomas, President/Executive Director, explained the circumstances which culminated in seven officers from the DART ranks who assisted Washington Metropolitan Area Transit Authority (WMATA) during President Obama's recent Inauguration.

Mr. Thomas presented the group of Officers a commemorative plaque and commended the group for their superior representation of the agency and yielded to Chief James Spiller. Chief Spiller formally presented Corporeal John Holyfield, Corporeal John Quinn, Officer Martin Hawkins, Officer Jesus Retana, Officer Nikisha Owens, Officer Justin Ellis, and Officer Claudia Porter.

Consent Items:

Mr. Christian made a motion to approve Consent Items 5. – 9.

5. **Exercise Contract Option for Miscellaneous Diesel and Liquefied Natural Gas Bus Engine Parts**

**Approval of Resolution No. 090045 that authorizes the President/Executive Director or his designee to execute a contract option for miscellaneous diesel and liquefied natural gas bus engine parts with:**

**Section 1: Prevest CAR (US), Inc., [Contract No. C-1012200-01] to exercise the one-year option and increase the not-to-exceed amount by \$145,475, for a new total authorized amount not to exceed \$756,316.**

**Section 2: Muncie Reclamation and Supply [Contract No. C-1012200-02] to exercise the one-year option and increase the not-to-exceed amount by \$145,716, for a new total authorized amount not to exceed \$452,833.**

6. **Contract for Agency-Wide Radio and Related Communications Systems Replacement**

**Approval of Resolution No. 090046 that authorizes the President/Executive Director or his designee to award a contract, subject to legal review, for agency-wide radio and related communications systems replacement to M/A-COM/Continental, Inc., in an amount of \$40,442,300, plus a supplemental contingency of \$2,022,115 (5%) for unanticipated expenses, for a total authorized amount not to exceed \$42,464,415.**

7. **Contract for Light Rail Right-of-Way (ROW) Grounds Maintenance and Landscaping**

Approval of Resolution No. 090047 that authorizes the President/Executive Director or his designee to award a three-year contract for light rail right-of-way grounds maintenance and landscaping to Forest Hills Landscape Service, Inc., for a total authorized amount not to exceed \$368,410 for the three-year base period.

8. **Contract to Overhaul Four Trinity Railway Express (TRE) EMD F-59 PH Locomotives**

Approval of Resolution No. 090048 that authorizes the President/Executive Director or his designee to award a contract to overhaul four EMD F-59 PH locomotives with Relco Locomotives, Inc., in an amount not to exceed \$3,831,484 plus a 5% contingency of \$191,575 for a total authorized amount not to exceed \$4,023,059.

9. **Purchase of Three Locomotives from Greater Toronto Transit Authority (GO Transit) for Trinity Railway Express (TRE)**

Approval of Resolution No. 090049 that authorizes the President/Executive Director or his designee to award a contract, subject to legal review and FTA approval, to Greater Toronto Transit Authority (GO Transit) to purchase three used EMD F-59PH locomotives for a total authorized amount not to exceed \$780,000.

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

Policy Items:

10. **Amendment to DART Board Policy I.07, Contract Modification authority and Supplemental Work Contingencies**

Chair Chrisman introduced this item, reminding the Board that it had been unanimously approved first by Rail Program and then by the Committee-of-the-Whole on March 4, 2009.

Ms. Wilkins, Chair of the Rail Program Committee, explained that, essentially, the item updated the names of individuals authorized to sign supplemental work contingencies.

Ms. Wilkins made a motion to approve Resolution No. 090050 that amends Table-1., Contract Modification Authorization Levels, of DART Board Policy I.07, Contract Modification Authority and Supplemental Work Contingencies, as shown in Exhibit 1 attached to this Resolution.

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

Ms. Dunlop Gates exited the meeting at 6:54 p.m.

Individual Items:

**11. +Authorizing Execution of Amended Deed for 1515 Compton Street in the City of Dallas**

Ms. Wilkins stated that the item had been discussed earlier in the day and, in fact, had been revised. Ms. Wilkins called attention to the revision (blue sheet) that had been distributed to each member of the Board for review and consideration.

**Ms. Wilkins made a motion to approve Resolution No. 090051 that authorizes the President/Executive Director or his designee to execute an amended deed, subject to legal review for 1515 Compton Street in the City of Dallas, deleting the requirement of “for-sale: townhouses.**

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

**12. \*DART Police Operations and Procedures**

This item was discussed at the Committee-of-the-Whole only.

**13. \*Supplemental Performance Review – General Counsel**

This item was discussed at the Committee-of-the-Whole only.

Other Items:

**14. Public Comments**

There were no subsequent Public Comments.

**15. Identification of Future Agenda Items**

This item was discussed at the Committee-of-the-Whole only.

**16. Adjournment**

There being no further business to discuss, the meeting was adjourned at 6:56 p.m.

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Gail Cook  
Board/Committee Secretary

/glc

+ Same Night Item  
\* Briefing Item