

**MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
August 25, 2009**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, August 25, 2009, 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

Jerry Christian and William Velasco were absent.

General Items:

1. **Approval of Minutes:** August 11, 2009

Mr. Enoch made a motion to approve the August 11, 2009, Board of Directors' Meeting Minutes with no corrections, deletions, or additions.

Ms. Dunlop Gates 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. Jerry Jones, 4131 Killion Drive, Dallas, Texas, 75229, (214) 228-8030: Mr. Jones stated that his home is located very near a bus stop for Route 51. He explained that his problem concerned buses arriving early at the stop and the driver allowing the bus to (high) idle until it was time to leave the stop. Mr. Jones said Route 51 runs until after 11:00 p.m. and when the bus idles the noise invades his home and disrupts his family's comfort. Mr. Jones continued that he has attempted to speak with several DART representatives over the course of the past month and was frustrated by the total lack of responsiveness and results.

3. **Citizen Advisory Committee (CAC) Report Concerning Their July 16, 2009, Meeting**

Mr. Mike Moon identified himself as the Vice-Chair of the CAC. Mr. Moon reviewed the events that took place at the Committee's last meeting, highlighting the tour of the Green Line.

Mr. Moon spoke to the Board concerning installing "flashing emergency lights" equally through the service area and improving the size, lighting, and amount of protection from the elements afforded by a bus shelter located on the west side of Industrial Boulevard near the County facility.

Consent Items:

Mr. Enoch made a motion to approve Consent Items 4. - 11.

4. **Increase Contract Funding and Add On-Line Services for Print and On-line News Services**

Approval of Resolution No. 090098 that authorizes the President/Executive Director or his designee to execute a contract change with the Dallas Morning News [Contract No. 1010948-01] to:

Section 1: Modify the contract scope of work to include the addition of online news services; and

Section 2: Increase the not-to-exceed amount by \$150,000; for a new total authorized amount not to exceed \$750,000.

5. Contract for Voice and Data Communications Services Update

Approval of Resolution No. 090099 that authorizes the President/Executive Director or his designee to award a contract for a Voice and Data Communications Services Upgrade to AT&T Texas, through the Texas Department of Information Resources (DIR) for a period of three years for a total authorized amount not to exceed \$3,296,600.

6. Authorization to Delegate Contracting Officer Authority

Approval of a Resolution No. 090100 draft Resolution that authorizes the President/Executive Director or his designee to delegate Contracting Officer authority to Joe Z. Ramirez.

7. Contract to Replace the Roof at the Pioneer Warehouse

Approval of Resolution No. 090101 that authorizes the President/Executive Director or his designee to award a 120-day contract to replace the roof at the Pioneer Warehouse to RoofTex, Inc., for an amount of \$499,795, plus a supplemental work contingency of \$74,970 (15%), for unanticipated expenses, for a total authorized amount not to exceed \$574,765 for the 120-day base period.

8. Contract for Non-Revenue Vehicle Fuel and Fuel Management System

Approval of Resolution No. 090102 that authorizes the President/Executive Director or his designee to award a two-year contract for Non-Revenue Vehicle fuel and fuel management system to Valero Marketing and Supply Company for a total authorized amount not to exceed \$3,585,716 for the two-year base period.

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

Approval of Resolution No. 090103 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 Valley Crest Landscape Maintenance, Inc., for a total authorized amount not to exceed \$495,266 for the three-year base period.

10. **Contract for Repair of Light Rail Vehicle Number 173**

Approval of Resolution No. 090104 that authorizes the President/Executive Director or his designee to award a 15-month contract for repair of light rail vehicle (LRV) number 173 to Delaware Car Company, for an amount of \$703,498, plus a supplemental contingency of \$105,525 (15%) for unanticipated expenses, for a total authorized amount not to exceed \$809,023 for the 15-month base period.

11. **Approval of Quarterly Disclosure Update as of June 30, 2009**

Approval of Resolution No. 090105 that authorizes the President/Executive Director or his designee to issue the Quarterly Disclosure Update dated August 25, 2009, in substantially the same form as shown in Exhibit 1 to this Resolution.

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

Individual Items:

12. **+Approval of an Interlocal Contract for Computer Mainframe Services with Texas A&M University**

Mr. Tsao made a motion to approve Resolution No. 090106 that authorizes the President/Executive Director or his designee to execute a five-year Interlocal Contract with Texas A&M University for computer mainframe services in a total authorized amount not to exceed \$220,000, in substantially the form as shown in Exhibit 1 to this Resolution.

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

13. **Termination of Defeased Lease Transactions with CIBC, Inc.**

Mr. Strauss made a motion to approve Resolution No. 090107 that authorizes the President/Executive Director or his designee to:

Section 1: Terminate the defeased lease transactions with CIBC, Inc. for DART's Headquarters, East Dallas Operating Facility, and Northwest Operating Facility.

Section 2: Pay an amount up to \$400,000 plus legal fees not to exceed \$60,000 to complete the termination of the lease.

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

14. Fare Structure for Free Fares and Special Programs

This item was not approved by the Committee-of-the-Whole.

15. *Review of FY 2009 Third Quarter Operating and Financial Performance Report

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

16. *Update on Agency Goals and Draft Strategic Plan

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

Other Items:

17. Public Comments

There were no additional Public Comments.

18. Identification of Future Agenda Items

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

19. Adjournment

There being no further business to discuss, the meeting was adjourned at 6:42 p.m.

Gail Cook
Board/Committee Secretary

/glc

+ Same Night Item

* Briefing Item