

MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
May 25, 2010

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, May 25, 2010, at 6:36 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

Jerry Christian and Angel Reyes were absent. Faye Moses Wilkins attended re-appointment proceedings in Cockrell Hill; her absence is, therefore, excused.

General Items:

1. **Approval of Minutes:** May 11, 2010

Mr. Williams made a motion to approve the Minutes from the May 11, 2010, Board of Directors' Meeting with no corrections, deletions, or additions.

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

2. **DART Annual Student Poster Recognition**

Ms. Janie Pena, Assistant Vice President of External Affairs, stated the winners of the 2010 Annual Student Poster Contest had been selected and were available to receive their awards. She explained that DART's Education Outreach department had hosted the competition for children in K-12th grades.

Ms. Pena deferred to Ms. Jessica Lennon, Manager of Education Outreach, to recognize the following award winners:

Kindergarten to 1st Grade category: First place winner was Denise Leyva, Harrell Budd Elementary; Runner up winner was Cristopher Leyva, also Harrell Budd Elementary; honorable mention went to Gabriel Rodriguez, Annie Heads Rainwater Elementary and De'Mareon Nicholas, Harrell Budd Elementary.

Second to Third Grade category: First place winner was Bryan Leyva, Harrell Budd Elementary; two runner-ups in the form of Brianna Martinez, from Harrell Budd Elementary, and Kelly Avalos, Stemmons Elementary. Five children received Honorable Mention in this category: Noe Galindo, Winnetka Elementary, Lin Naing, Lee McShan Elementary, and Shadavia Harris, Michele Ojeda, and Gicel Martinez from Kleberg Elementary.

Fourth to Fifth Grade category: First place winner was Anthony Zuniga, Harrell Budd Elementary; Benjamin Vega of Kleberg Elementary was runner up. Three children received Honorable Mention: Elizabeth Spence, Mohawk Elementary, Shadameia Glaspie, Kleberg Elementary, and Fabiola Murillo, Blanton Elementary.

Sixth to Eighth Grade category: Two first place winners from Harry Stone Montessori Academy were recognized: Mariah Dupree and Oscar Hernandez. Hser Nay Blut Wah from Sam Tasby Middle School was recognized as the runner up. Five students received Honorable Mention: Evander Flores, Tasby Middle School, Martin Delgado, Tasby Middle School, Melissa Ontiveros, Henry Gonzalez Elementary, Alexandra Pinkerton, Harry Stone Montessori Academy, Mauricio Narvaez Harry Stone Montessori Academy.

Ninth to Twelfth Grade category: Two first place winners were recognized; the first was Kathryn Coffey of Rockwall Christian Academy and the second was Christian Hitzelberger of Highland Park High School. Two runners up were also recognized: Sarah Kinney, J. J. Pearce High School, and Geneva Rodriguez, Jack Singley Academy.

Ms. Lennon then introduced Erik Garcia, a third grader from Harrell Budd Elementary, as the grand prize winner.

Chair Velasco thanked the students, judges, parents, family members, teachers, administrators, and everyone else involved for their productive and inspiring efforts.

3. Citizen's Advisory Committee (CAC) Meeting Report Concerning their May 25, 2010, Meeting

Mr. Bob Ganson, current Chair of the CAC, reviewed the details of the group's May 25th, 2010, meeting and asked the Board to refer to the written report concerning the meeting (on file with the Office of Board Support) which had been provided to each member of the DART Board.

Mr. Ganson stated that the Group's next meeting will consist taking a field trip to survey the Orange Line construction. He concluded by encouraging the Board to attend a CAC meeting and reminded them that the CAC meets the third Thursday of each month at DART Headquarters.

4. 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 with the Office of Board Support).

The following individuals addressed the Board:

Mr. Kenneth Day, P. O. Box 710232, Dallas, Texas, (469) 855-0994: Mr. Day urged the Board to not lose sight of the fact that charting a way through the difficult economic times accosting the agency was a shared by millions of citizens, thousands of DART employees, DART management, and the Board itself. He said he had heard in a DART Board Committee meeting that the decrease in Sales Tax may cause (Finance) staff to recommend the Board cut service to reduce costs. Mr. Day stated this is not the time to cut service; the economy has begun to recover, he said, and many people are returning to work. These same people are relying on DART to get them to and from their new jobs for a reasonable price. Mr. Day added that he had also been unsettled by the

amount of conversation devoted to contracting different transportation components out to third-party vendors. He asked the Board to remember DART's past history with contractors and the less than satisfactory results produced.

Mr. Day went on to explain provisions in the ARRA (American Recovery and Reinvestment Act) that allows public transit agencies to a certain percentage of their capital funds towards operations. Mr. Day urged the Board to consider ARRA options prior to considering lay-offs and service cuts.

Ms. Pamela Curry, P. O. Box 190166, Dallas, Texas, 75219, (214) 528-2447: Ms. Curry expressed disappointment that the proposed amendment to DART's non-discrimination policy (refer to Item 10., Committee-of-the-Whole) did not secure approval by the Committee-of-the-Whole.

Mr. Rafeal McDonnell, 2701 Readorn Street, Dallas, Texas, (214) 588-0144: Mr. McDonnell identified himself as representing Resource Center Dallas which is the DGLA (Dallas Gay, Lesbian Alliance) Community Center. Mr. McDonnell echoed Ms Curry's previously stated sentiments concerning the proposed amendment to DART's non-discrimination policy. Mr. McDonnell invited all the Board members to contact him, personally, if they had questions relating to trans-gender and/or identity expression.

Ms. Patty Fink, 324 Easton Road, Dallas, Texas, (214) 341-1985: Ms. Fink identified herself as President of the Dallas Gay and Lesbian Alliance (DGLA) and went on to convey disappointment that the non-discrimination policy had not been approved by the Committee-of-the-Whole. She urged the Board to adopt a fully inclusive non-discrimination policy to send a clear message to riders, employees, and the community.

Ms. Lillian Bezusie, 2311 Baniford, Mesquite, Texas, 75150 (469) 774-1581: Ms. Bezusie stated she has been closely acquainted with the DART trans-gender employee whose story alleging improper interference from DART attorneys relative to changing her gender marker had appeared in the Dallas Voice publication several weeks ago. Ms. Bezusie stated this person has been employed with DART for 26 years and related the many charitable works of the person. Ms Bezusie stated that the employee has been personally insulted repeatedly by other DART employees due to gender expression.

Consent Items:

Ms. Ellerbe made a motion to approve Consent Item 5.

5. **Exercise Contract Option for Super Light Rail Vehicle Power Brick Assemblies**

Approval of Resolution No. 100067 that authorizes the President/Executive Director or his designee to exercise a contract option for SLRV power brick assemblies with GrandPower Components Division [Contract No. C-1017384-01] to:

Section 1: Exercise the one-year option.

Section 2: Increase the not-to-exceed amount by \$888,781, for a new total authorized amount not to exceed \$1,998,768.

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

Individual Items:

6. ***Update on Rail Schedule Adjustments**

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

7. ***Review of FY 2010 Second Quarter Operating and Financial Performance Report**

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

8. ***FY 2010 Agency Goals Status Report & Discussion of FY 2011 Goals Planning**

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

9. ***Update on Status of Monroe Shop Partners, Ltd., v. Dallas Area Rapid Transit, Cause No. DC-08-01935-B**

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

Policy Items:

10. **Amendments to DART's Board Policy I.03, Non-Discrimination Employment Policy Statement**

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

Other Items:

15. Public Comments

There were no subsequent Public Comments.

16. Identification of Future Agenda Items

No future agenda items were identified for this Committee.

17. Adjournment

There being no further business to discuss, the meeting was adjourned 7:05 p.m.
p.m.

Gail Cook
Board/Committee Secretary

+ Same Night Item
* Briefing Item