

**MINUTES  
DALLAS AREA RAPID TRANSIT  
BOARD OF DIRECTORS'  
October 27, 2009**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, October 27, 2009, at 6:30 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

Angel Reyes was absent.

General Items:

1. **Approval of Minutes:** ~~October 27, 2009~~ October 13, 2009

**Mr. Noah made a motion to approve the ~~October 27, 2009~~ October 13, 2009, Board of Directors' Meeting Minutes with no corrections, deletions, or additions.**

**Ms. Ellerbe 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:

1. Mr. Ozumba Lluk-X, 4106 Vineyard Drive, Dallas, Texas, 75212. (214) 329-7082: Mr. Lluk-X stated that he had received a citation from a DART Transit Officer on October 24, 2009, for improperly crossing the rail tracks. Mr. Lluk-X continued that he had attempted to resolve the citation with several DART Police Officers (badge number 378 and an unspecified Captain) and stated he was treated disrespectfully.
2. Ms. Gwendolyn Rollins, 3537 West Northgate Drive, Irving, Texas, (972) 252-1852: Ms. Rollins stated that DART's Paratransit operators should be instructed to be more sensitive to the physical needs of their riders. Ms. Rollins explained that the medical conditions of some of the Paratransit riders cause physical discomfort as the van loads and cycles through all of its stops. Ms. Rollins also said that she had lost a jacket on a Paratransit van and had not received an acceptable amount of customer service in her attempts to recover the jacket, which bore great sentimental value to her.

Mark Enoch joined the meeting at 6:38 p.m.

Chair Velasco referred Ms. Rollins to speak to Mr. Doug Douglas, Vice President of Paratransit.

3. Mr. Roscoe A. Betz, 706 Huntley Street, Dallas, TX, 75214, (214) 824-1040: Mr. Betz spoke to the Board concerning continuing problems with flooding occurring in an apartment building located in the 200/300 block of Alcalde Street, Dallas, Texas. Mr. Betz reviewed the history of the flooding and restated that the flooding is being caused by DART parking facility located at 200 North Peak Street, which was completed in 1988.

3. **Citizen's Advisory Report (CAC) on their October 15, 2009, Meeting**

Mr. Michael Moon, Vice-Chair of the CAC, introduced himself and reviewed the topics discussed at the group's October 15, 2009, meeting. (Note: A written report of the meeting was provided to each Board member and is on file with the Office of Board Support).

Mr. Moon concluded by asking the Board members to speak with their (respective) appointees to encourage better attendance at the CAC meetings.

4. **Paratransit Advisory and Accessibility Group (PAAG) on their October 16, 2009, Meeting**

This item was deferred.

**Consent Items:**

Mr. Danish made a motion to approve Consent Items 5. - 13.

5. **Contract for Master Property and Rail Operating Liability Insurance**

Approval of Resolution No. 090139 that authorizes the President/Executive Director or his designee to pay up to \$3,129,260 in premium and surplus lines fees for a two-year renewal of the master property policy effective November 1, 2009, plus up to an additional \$250,000 to pay premiums and fees related to the acquisition of new property during the policy term; and to pay up to \$969,000 in premium and surplus lines fees for the annual renewal of the rail operating liability policy effective November 1, 2009, for a total authorized amount not to exceed \$4,348,260.

6. **Exercise Contract Option to Rebuild Radio System Components**

Approval of Resolution No. 090140 that authorizes the President/Executive Director or his designee to execute a contract option to rebuild radio system components with Metroplex Two Way Radio [Contract No. C-1013800-01] to:

Section 1: Exercise the one-year option.

Section 2: Increase the not-to-exceed amount by \$141,760, for a new total authorized amount not to exceed \$592,790.

7. **Exercise Contract Option for Compressed Natural Gas for Non-Revenue Vehicles**

Approval of Resolution No. 090141 that authorizes the President/Executive Director or his designee to execute a contract option for CNG for NRVs with TranStar Energy Company L.P., [Contract No. C-1011463-1] to:

**Section 1:** Exercise the final one-year option.

**Section 2:** Increase the not-to-exceed amount by \$298,950, for a new total authorized amount not to exceed \$1,225,583.

**8. Exercise Contract Option to Rebuild Electronic Farebox Components**

**Approval of Resolution No. 090142 that authorizes the President/Executive Director or his designee to execute a contract option to rebuild electronic farebox components with The Janek Corporation [Contract No. C-1012644-1] to:**

**Section 1:** Exercise the one-year option.

**Section 2:** Increase the not-to-exceed amount by \$87,725, for a new total authorized amount not to exceed \$262,275.

**9. Exercise Contract Option for Bus Steering and Suspension Components**

**Approval of Resolution No. 090143 that authorizes the President/Executive Director or his designee to execute a contract option for bus steering and suspension components with Prevost Car (US) Inc. [Contract No. C-1013484-01] to:**

**Section 1:** Exercise the one-year option.

**Section 2:** Increase the not-to-exceed amount by \$167,200, for a new total authorized amount not to exceed \$712,213.

**10. Exercise Contract Option for Bus Transmission Fluid**

**Approval of Resolution No. 090144 that authorizes the President/Executive Director or his designee to execute a contract option for bus transmission fluid with Buckley Oil Company [Contract No. C-1013485-1] to:**

**Section 1:** Exercise the one-year option.

**Section 2:** Increase the not-to-exceed amount by \$83,825, for a new total authorized amount not to exceed \$251,475.

**11. Contract for Light Rail Vehicle Power Brick Assemblies**

**Approval of Resolution No. 090145 that authorizes the President/Executive Director or his designee to award a one-year contract for LRV power brick assemblies to GrandPower Components Division in a total authorized amount not to exceed \$1,109,987 for the one-year base period.**

12. **Contract for Bus Exhaust Gas Recirculation Parts for Cummins M11 and ISM Engines**

Approval of Resolution No. 090146 that authorizes the President/Executive Director or his designee to award a two-year contract subject to legal sufficiency review and concurrence, for bus exhaust gas recirculation parts for Cummins M11 and ISM engines to Cummins Southern Plains, LLC, for a total authorized amount not to exceed \$654,029 for the two-year base period.

13. **Contract to Overhaul Three Trinity Railway Express (TRE) 1988 EMD F-59PH Locomotives and Paint Two 2001 EMD F-59PHI Locomotives**

Approval of Resolution No. 090147 that authorizes the President/Executive Director or his designee to award a contract to overhaul three 1988 EMD F-59PH locomotives and paint two 2001 EMD F-59PHI locomotives with Transportation Technology, Inc., in an amount not to exceed \$2,336,917, plus a 10% contingency of \$233,692, for a total authorized amount not to exceed \$2,570,609.

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

Individual Items:

14. **Future Bus Fuel Technology and Amendment to FY 2010 Twenty-Year Financial Plan**

Mr. Carlson explained that the item had won approval by both the Operations Committee and the Committee-of-the-Whole.

Mr. Carlson made a motion to approve Resolution No. 090148 that states:

**Section 1:** The President/Executive Director or his designee is authorized to include the use of compressed natural gas (CNG) for buses purchased within the FY 2010 Twenty-Year Financial Plan; and

**Section 2:** The FY 2010 Twenty-Year Financial Plan is amended as shown in Exhibit 1 to the Resolution.

Mr. Enoch seconded the motion and it was approved by majority. (13/1; Ms. Ellerbe voted against the item.)

15. **\*State Fair of Texas Service Update**

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

Policy Items:

**16. Amendments to the DART Board Bylaws and the DART Board Rules of Procedure**

**Mr. Enoch made a motion to approve Resolution No. 090149 which states:**

**Section 1: Article III, Board of Directors, Section 14, Voting, of the Bylaws is amended to read as set out in Exhibit 1 to this resolution.**

**Section 2: Article III, Board of Directors, Section 15, Presumption of Assent, of the Bylaws is amended to read as set out in Exhibit 1 to this resolution.**

**Section 3: Article V, Committees, Section 1, Board Committees, of the Bylaws is amended to read as set out in Exhibit 1 to this resolution.**

**Section 4: Article V, Committees, Section 4, Alternate Committee Members, of the Bylaws is amended to read as set out in Exhibit 1 to this resolution.**

**Section 5: Article VI, Budget and Finance, Section 3, Annual Budget, Financial Plan and Business Plan, of the Bylaws is amended to read as set out in Exhibit 1 to this resolution.**

**Section 6: Article IX, Seal, of the Bylaws is re-titled "Seal and Flag" and is renumbered and amended by adding Section 2 to read as set out in Exhibit 1 to this resolution.**

**Section 7: These amendments shall take effect immediately.**

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

Chair Velasco directed the Board to consider the second component of the Item.

**Mr. Enoch made a motion to approve Resolution No. 090150 which states:**

**Section 1: Rule 3, Notice to Board Members, of the DART Board Rules of Procedure, is amended to read as set out in Exhibit 1 to this resolution.**

**Section 2: Rule 4, Meetings and Notices of Board Committees, of the DART Board Rules of Procedure, is amended to read as set out in Exhibit 1 to this resolution.**

**Section 3:** Section 7.6.4 of Rule 7, Travel Policy, of the DART Board Rules of Procedure, is amended to read as set out in Exhibit 1 to this resolution.

**Section 4:** Section 11.2 of Rule 11, Meeting Agendas, of the DART Board Rules of Procedure, is amended to read as set out in Exhibit 1 to this resolution.

**Section 5:** The sample resolution referenced in Section 12.3 of Rule 12, Resolutions, and attached to Rule 12, is amended to read as set out in Exhibit 2 to this resolution.

**Section 6:** These amendment shall take effect immediately.

Ms. Wilkins seconded the motion and it passed by majority. (13/1; Mr. Strauss abstained from voting on the item.)

Other Items:

**17. Public Comments**

There were no subsequent 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 6:48 p.m.

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Gail Cook  
Board/Committee Secretary

/glc

+ Same Night Item

\* Briefing Item