

**MINUTES  
DALLAS AREA RAPID TRANSIT  
BOARD OF DIRECTORS'  
October 28, 2008**

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, October 28, 2008, at 6:34 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 Angel Reyes were absent. John C. Danish, Scott Carlson, and Mark Enoch were absent but attending a transit-oriented conference (RAIL-volution).



stated that DART was using unethical and illegal hiring practices which result in Hispanics being treated preferentially.

Mr. Charlie Brown, 2922 Salerno, Dallas, Texas, 75224, (214) 854-2793: Mr. Brown stated that he had been employed by DART for a period of five years. He continued, based on his experiences, that DART does not treat all employees the same (as respects disciplinary actions). Mr. Brown related events known to him concerning other employees (Thomas Hutchinson and Delfino Quintanilla) which, from his stated point of view, proved disparate treatment of DART employees.

Mr. Joseph Tapley, 14817 Bridle Bend Drive, Balch Springs, Texas, 75180, (214) 869-2091: Mr. Tapley stated that he had been employed as a bus operator for 6.5 years and was terminated in August 2007. Mr. Tapley said that he had been accused of falsifying information on his employment application and terminated due to the accusation. Mr. Tapley went on to say that he knew of two Hispanic employees who had also falsified information on their (respective) employment applications, but had not been disciplined in any way. Mr. Tapley stated that DART is unethical in its treatment of employees and Human Resources supported the unethical actions which had led to his termination.

Ms. Paige Flink, 4025 Bryn Mawr, Dallas, Texas, 75225, (214) 443-7787: Ms. Flink introduced herself as the Executive Director of The Family Place and said she wished to thank the DART Board for supporting The Family Place and allowing them to purchase and display transit ads that concern domestic violence. Ms. Flink said the domestic violence ads, though controversial, had met The Family Place's expectations by raising awareness of the issue. Ms. Flink introduced Rev. Jerome McNeill, child psychologist, and Mr. Joe Bausch, former President of The Family Place Board of Directors', also extended their thanks to DART for taking an important step in supporting efforts to educate the community on the impact of domestic violence.

Mr. Jeffrey High, 1335 High Ridge Drive, Duncanville, Texas, 75137, (972) 780-7882: Mr. High explained that he had been successfully employed by DART as a Safety Specialist for eight years. Mr. High said he had recently attempted to return to DART's employ, in the same capacity, and related how unethical hiring practices perpetrated by members of Human Resources had prevented him from being considered for the position. Mr. High said he believed Hispanic candidates were given preference for this, and all other, positions at DART.

Mr. Dave Cary, Lovers Lane, Dallas, Texas, 75225, (972) 672-4280: Mr. Cary stated that he was a regular DART passenger and an advocate of parental rights. Mr. Cary said a public entity like DART should not have allowed The Family Place's domestic violence advertisements to be placed on public transportation vehicles. Mr. Cary asked the Board to reconsider the appropriateness of the ads.

Mr. David Piering, 7224 Cloverleaf Drive, Plano, Texas, 75074, (972) 679-5847:  
Mr. Piering stated that he, too, wished to express his disapproval of The Family Place advertisements involving domestic violence. Mr. Piering said he was appalled by the graphic nature of the ads and by the targeting of males as the sole perpetrators of domestic violence. He concluded by saying he would boycott DART until the ads were removed or changed.

Ms. Vonda Jobe, 900 Meadow Creek Drive, Irving, Texas, 75038, (972) 821-6608:  
Ms. Jobe said she, too, felt The Family Place advertisements were inappropriate because no thought was given to what a child, able to read, would think when they read the printed message contained in the ad. Ms. Jobe said The Family Place ads should be removed or, at the minimum, revised to omit the resounding male oriented negative connotations.

Mr. David Russell, 7525 Breckenridge Drive, Plano, Texas, 75025, (214) 454-2335: Mr. Russell said he objected to The Family Place domestic violence ads. Mr. Russell said the ads had shocked him due to what he perceived as extremely racist.

Chair Chrisman thanked all the speakers for their time and stated that the Board had heard their comments and would receive follow-up.

Consent Items:

**Mr. Velasco made a motion to approve Consent Items 4. – 9.**

**4. Exercise Contract Options for the Administration of Short-Term Disability (STD) Benefits and for the Purchase of Long-Term Disability (LTD) Insurance Coverage**

**Approval of Resolution No. 080173 that authorizes the President/Executive Director or his to is authorized to execute a contract modification, subject to legal review, exercising the two, one-year options for the administration of short-term disability benefits and for the purchase of long-term disability insurance coverage with Jefferson Pilot Financial Insurance Company [Contract No. C-1010015-01] in the amount of \$1,155,494, for a new total authorized amount not to exceed \$2,536,985.**

**5. Initiation of Litigation to Recover Property**

**Approval Resolution No. 080174 that authorizes the General Counsel to initiate litigation against Cesar Aguilar and Marina Torres.**

**6. Exercise Contract Option for Internal/External Moving Services**

**Approval Resolution No. 080175 that authorizes the President/Executive Director or his designee to execute a contract modification for internal/external moving services with IMS Relocation [Contract No. C-1009243-1] to:**

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

**Section 2: Increase the not-to-exceed amount by \$91,800 that includes an increase to the maximum ordering amount by \$18,360, for a new total authorized amount not to exceed \$310,647.**

**7. Contract for Non-Revenue Vehicles Heavy-Duty Trucks**

**Approval Resolution No. 080176 that authorizes the President/Executive Director or his designee, subject to legal review, to execute to award an eleven-month contract for heavy-duty non-revenue vehicle trucks to Southwest International Trucks, Inc., in a total authorized amount not to exceed \$394,379.**

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

**Approval Resolution No. 080177 that authorizes the President/Executive Director or his designee to execute a contract modification for compressed natural gas for non-revenue vehicles with Transtar Energy Company L.P., [Contract No. C-1011463-1] to:**

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

**Section 2: Increase the not-to-exceed amount by \$313,878, for a new total authorized amount not to exceed \$926,633.**

**9. Exercise Option for Transportation Department Uniforms**

**Approval Resolution No. 080178 that authorizes the President/Executive Director or his designee to execute a contract option for uniforms and alteration services for operators, supervisors and station monitors with Uniforms, Inc., [Contract No. C-1007903-01] to:**

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

**Section 2: Increase the not-to-exceed amount by \$350,000, for a new total authorized amount not to exceed \$1,703,992.**

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

Individual Items:

10. **+Approval of Fiscal Year (FY) 2009 Twenty-Year Financial Plan**

The Budget and Finance Committee did not approve this item.

11. **Schedule of Regular Board Meetings for Calendar Year 2009**

Mr. Noah made a motion to approve Resolution No. 080179 that regular meetings be held in the Board Room at 1401 Pacific Avenue, Dallas, Texas, beginning at 6:30 p.m. on the following dates:

January 13 and 27, 2009  
February 10 and 24, 2009  
March 3 and 24, 2009  
April 14 and 28, 2009  
May 12 and 26, 2009  
June 9 and 23, 2009  
July 7, 2009  
August 11 and 25, 2009  
September 8 and 22, 2009  
October 13 and 27, 2009  
November 10 and 17, 2009  
December 8, 2009

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

12. **Master Property and Rail Operating Liability Insurance**

Ms. Dunlop Gates made a motion to approve Resolution No. 080180 that authorizes the President/Executive Director, or his designee, to pay \$122,000, subject to legal review, in premium and surplus line fees for additions to the two-year master property policy for a new total policy amount not to exceed \$2,192,110; and to award a new contract for premium and surplus line fees for the annual renewal of the rail operating liability policy in an amount not to exceed \$908,996.

Mr. Strauss seconded the motion and it was approved by majority. (9/1; Mr. Velasco stood opposed).

13. **\*Update on Design-Build Request for Proposals (RFP) Process for Irving and Rowlett Corridors**

This item was for consideration at the Committee-of-the-Whole only.

Other Items:

**14. Communications and Public Comments**

There were no additional Communications and Public Comments.

**15. Adjournment**

There being no further business to discuss, the meeting was adjourned at 7:03 p.m.

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Gail ;lCook  
Board/Committee Secretary

/glc

+ Same Night Item

\* Briefing Item