

MINUTES  
METROPOLITAN TRANSIT AUTHORITY  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
MARCH 22, 2007

The regularly scheduled monthly meeting of the Metropolitan Transit Authority Board of Directors was called to order at 1:18 p.m. by Chairman David S. Wolff. Board Secretary Jackie Freeman, and Board Members Burt Ballanfant, George DeMontrond, III, James W. E. Dixon, II, Rafael Ortega and C. Jim Stewart, III were present and constituted a quorum. (Board Member Carmen Orta arrived at 1:20 p.m.) Vice Chairman Gerald Smith was absent.

Chairman Wolff first called for approval of the Minutes of the Regular Board Meeting of February 22, 2007. Board Member Stewart moved approval of the Minutes. The Motion was seconded by Board Member DeMontrond, and all Board Members present voted to approve the Minutes. (Board Member Orta was not present for the vote on this matter.)

MOTION NO. 2007 – 12

Chairman Wolff next called upon those members of the public who had requested to speak before the Board. (Board Member Orta arrived at this time.) The persons who spoke and the substance of their comments were as follows:

1. Ms. Bernadette Skinner – requested Sunday bus service for Route 88. Ms. Skinner stated that recent population growth necessitates the additional service. She also stated that she had obtained 2000 signatures on a petition in favor of the service.

David Feeley, METRO's Senior Vice President of Operations stated that the route was heavily subsidized and experienced low ridership. Sunday bus service was not economically viable.

Chairman Wolff explained the difficult decisions to be made when charged with the responsibility to spend the public's money wisely. While METRO staff will review the route again, METRO must allocate its resources where most needed.

Board Member Rafael Ortega asked about the process for responding to the Community when petitions are submitted or when inquiries are made by patrons or public officials for additional service.

Mr. Feeley answered that such information can be provided.

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Board Member Dixon suggested communications with the signers of the petition, if addresses are available.

Board Member Ortega explained that further communications from METRO will let persons know that their concerns were carefully evaluated, even if METRO is unable to grant their specific requests.

2. Mr. Preston Wood – owns property near the planned Intermodal Terminal. Mr. Wood explained that he favors light rail, but is concerned that the planned development will have a detrimental effect on his property. He wishes to sell his property to METRO and move his business to another location. He expressed frustration that no final decision has been made regarding the acquisition of his property.

Todd Mason, METRO's Vice President of Real Estate Services stated that he has spoken to Mr. Wood several times since May of last year. He expressed appreciation for Mr. Wood's support for area transit projects. It is unclear whether Mr. Wood's property is necessary for the Intermodal Terminal, although the adjacent construction will significantly impact access.

Chairman Wolff requested additional information on property impacts and inverse condemnation.

3. Ms. Stacy Perry - developed the DaVinci Court town homes on North Main Street, and explained that she has been unable to proceed with further real estate transactions because of uncertainty regarding the construction of the Intermodal Terminal.

4. Mr. George Jacobs – owns a townhouse on North Main, in the DaVinci Courts. Mr. Jacobs expressed the importance of the property, which serves as his residence and business office, and how he is saddened at the thought of its possible sale to accommodate the transit improvements. Mr. Jacobs asked that a reasonable price be offered for his property so that he can find comparable premises.

5. Ms. Sharon Jacobs – spouse of Mr. George Jacobs, explained how she and her husband purchased their townhouse as a retirement home with plans of permanent residency. While she supports light rail, she is frustrated by delays in the planning of the Intermodal Terminal and the difficulty of finding a comparable home.

Chairman Wolff explained the complexities of the Intermodal Terminal project and its construction. METRO is sensitive to her concerns and will continue in its efforts to proceed with the project in a timely manner.

6. Mr. Joseph Charles – requested the return of an ADA paratransit disability card and certain stolen property.

7. Mr. Tom Bazan – alleged that METRO failed to timely respond to a request for documents, in accordance with the Texas Public Information Act. He added that bus boardings have declined, and the fare box revenues have likewise declined. He urged another election on Phase II, METRO Solutions.

Frank J. Wilson, METRO's President & Chief Executive Officer countered that METRO experienced its highest system-wide ridership in fiscal years 2006, while METRORail ridership has consistently increased. Some ridership fluctuation was due to evacuees from New Orleans who re-located to other cities. Fluctuations with fuel prices will also produce fluctuations in transit ridership.

8. Mr. Barry Klein – President, Houston Property Rights Associations, stated that overall mobility has declined in the Main Street Corridor because traffic signals are adjusted to favor the rail system. Mr. Klein stated that METRO is not equipped to move forward with complex construction projects. He called for another referendum.

9. Mr. Hartwell Remsburg, Jr. – complained that bicycles often block the METRORail doorways and aisles.

10. Ms. Daphne Scarborough – asked the height of BRT vehicles, in comparison with LRT vehicles.

Bryan Pennington, METRO's Vice President of Planning, Engineering & Construction, answered that both types of vehicles are generally 12 feet to 15 feet high.

Ms. Scarborough asked about parking on Richmond Avenue during construction.

Mr. Pennington explained that the planning process is ongoing, although traffic and parking are under careful review as construction sequencing is under development. These issues, including any high water impacts, can be reviewed in further detail when the alignment is determined.

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Chairman Wolff confirmed that a short list of three alignments have been selected for further study for the University Line.

Ms. Scarborough asked if the project will receive any "EPA credits". Chairman Wolff stated that the project will definitely help air quality although it is not known, at this time, how the project translates into "EPA credits".

Chairman Wolff stated that the Board would hear the remaining public comments following consideration of Agenda Item No. 12. He then called upon Board Member DeMontrond for the agenda item.

Board Member DeMontrond moved approval of a resolution expressing appreciation to the Greater Houston Partnership for its support of transit and its advocacy on behalf of the METRO Solutions program. The Motion was seconded by Board Secretary Freeman and all Board Members present voted in favor.

MOTION NO. 2007 – 13  
RESOLUTION NO. 2007 – 20

Chairman Wolff then called upon Mr. Jeff Moseley, President of the Greater Houston Partnership, for his comments. Prior to his remarks, Board Member DeMontrond read the entire resolution. Mr. Moseley expressed the support of the Greater Houston Partnership for METRO's programs and the Partnership's commitment to join METRO as it seeks more federal funding.

Chairman Wolff then returned to the public comments portion of the meeting. However, there being no other persons who were present to speak before the Board, the Chairman moved to the next agenda item, namely the President & Chief Executive Officer's Business Report.

Mr. Wilson reported that on March 15, the METRORail line established a new record of 64,400 riders for that day. The most important factor is the number of people using the system. People using transit impacts air quality. Mr. Wilson noted that after only three (3) years of operation, the existing METRORail line carries more people per mile than any other light rail system in the nation.

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Chairman Wolff then called for approval of the Summary Agenda, containing Agenda Items 5, 7, 8, 9, 10, 11 and 13. Board Secretary Freeman moved approval of the Summary Agenda. Board Member Dixon seconded the Motion and all Board Members present voted in favor.

MOTION NO. 2007 – 14

By way of Summary Agenda, the Board of Directors approved the following:

1. Approval to allocate the FY2006 “surplus” sales tax revenues to certain Board approved reserve accounts.

RESOLUTION NO. 2007 – 21

2. Approving and adopting designated projects for funding under certain federal programs, and authorizing the President & Chief Executive Officer to submit agreements with the Federal Transit Administration for receipt of federal funds.

RESOLUTION NO. 2007 – 22

3. Authorization for the President & Chief Executive Officer to exercise the first of the two (2) one-year options on the personal services contracts for Thomas Hemingway and Katharine Barnes, to extend the performance period and increase the maximum authorized expenditures under each contract by the not to exceed amount of \$187,200.00.

RESOLUTION NO. 2007 – 23

4. Authorization for the President & Chief Executive Officer to execute and deliver a modification to the contract with A. O. Phillips and Associates, to extend the performance period by one year and increase the maximum authorized expenditures under the contract by an amount not to exceed \$800,000.00.

RESOLUTION NO. 2007 – 24

5. Authorization for the President & Chief Executive Officer to execute and deliver a contract with Calence, Inc. to provide hardware and software to support Mobile Data Computer replacement and In-Vehicle Communication System for an amount not to exceed \$1,902,000.00.

RESOLUTION NO. 2007 – 25

6. Authorization for the President & Chief Executive Officer to execute and deliver a contract with Ridgeway's LTD for digital printing and reprographics services for an amount not to exceed \$208,375.00.

RESOLUTION NO. 2007 – 26

7. Authorization for the President & Chief Executive Officer to negotiate with firms for Agent of Record services, and approving issuance of a limited notice to proceed with the most qualified firm for an amount not to exceed \$100,000.00.

RESOLUTION NO. 2007 – 27

Board Member Burt Ballanfant moved appointment of METRO's Chief Financial Officer as a standing member of METRO's Non-Union Pension Plan Committee, and that the Board Audit Committee review the structure of the Non-Union Pension Plan Committee for any recommended changes. Board Secretary Freeman seconded the Motion and all Board Members present voted in favor.

MOTION NO. 2007 – 15

RESOLUTION NO. 2007 – 28

As the next item for business, Board Secretary Freeman moved that the President & Chief Executive Officer be authorized and directed to complete all necessary preliminary tasks, and negotiate, execute and deliver appropriate agreements for the acquisition of property for the Intermodal Terminal, based upon Just Compensation. The Motion was seconded by Board Member DeMontrond. Board Member Ortega asked if the authorization granted included the authority to initiate eminent domain proceedings. Chairman Wolff answered that the authority does not include eminent domain. Chairman Wolff then called for a vote, and all Board Members present voted in favor.

MOTION NO. 2007 – 16

RESOLUTION NO. 2007 – 29


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Board Member DeMontrond then moved that the President & Chief Executive Officer be authorized and directed to negotiate, execute and deliver appropriate agreements with RHS Interests for acquisition of property located at 3500 Main Street and at 3600 Main Street. The Motion was duly seconded, and all Board Members present voted in favor except Board Secretary Freeman, who opposed. The Motion carried 7-1-0.

MOTION NO. 2007 – 17  
RESOLUTION NO. 2007 – 30

There being no other matters to come before the Board for consideration, the meeting adjourned at 2:19 p.m.

Respectfully submitted,



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Paula J. Alexander  
Assistant Secretary