

MINUTES  
METROPOLITAN TRANSIT AUTHORITY  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
JULY 24, 2008

The regularly scheduled monthly meeting of the Metropolitan Transit Authority Board of Directors was called to order at 1:35 p.m. by Chairman David Wolff. Vice Chairman, Gerald Smith, Board Secretary Jackie Freeman and Board Members Burt Ballanfant, George DeMontrond III, Carmen Orta and C. Jim Stewart, III were present and constituted a quorum. Board Members James W. E. Dixon, II and Trinidad Mendenhall Sosa were absent.

As the first matter for business, Chairman Wolff called for approval of the Minutes for the Board Meeting of June 26, 2008. Board Member Carmen Orta moved approval of the Minutes, as written. Board Member Orta's Motion was seconded by Board Member DeMontrond. All Board Members present voted in favor.

MOTION NO. 2008 – 19

Chairman Wolff then called upon those members of the public who had requested to speak before the Board. The persons who spoke and the substance of their comments were as follows:

1. Council Member Wanda Adams – thanked Chairman Wolff, Board Members and staff for providing an opportunity to learn more about the implementation of large transit projects. She expressed her gratitude to those who met with members of the Community and listened to their concerns. Council Member Adams also thanked Mr. Frank Wilson and his staff for meeting with her and voiced her support for the proposed adjustments to the University Corridor alignment.

Vice Chairman Gerald Smith added that he and Board Members Ballanfant and Orta met with Council Member Adams, Council Members Jolanda Jones, Peter Brown, Sue Lovell and others for very productive discussions of METRO's transit plans and neighborhood impacts. Representatives from the offices of Congresswoman Sheila Jackson Lee, State Senator Rodney Ellis and State Representative Garnet Coleman were also present. Vice Chairman Smith thanked all participants for stepping forward to build consensus for transit development.

Minutes of the Regular Meeting  
of the Metropolitan Transit  
Authority Board of Directors  
July 24, 2008  
Page Two

2. City of Houston Council Member Sue Lovell – recalled how METRO faced some criticism when City Council approved the Consent Agreement for the construction of transit facilities within the City. However, METRO has been responsive and has proven that it cares about the opinions of others. Council Member Lovell thanked the Board for listening to the Community and gave a special thanks to Vice Chairman Smith. She congratulated METRO on its receipt of Records of Decisions from the Federal Transit Administration.

3. Ms Nata Koerber – thanked METRO for listening to the Community and voiced support for the proposed alignment along Alabama Street.

4. Ms. Cheryl Armitige – supports the proposed alignment for the University Line. The proposed route is less disruptive. Ms. Armitige suggested that METRO continue to receive community input as it proceeds with transit development.

Vice Chairman Smith stated the he had worked with Ms. Armitage and she can provide valuable assistance towards increasing community involvement.

5. City of Houston Council Member Jolanda Jones – expressed support for an alignment that avoids negative impact on Wheeler Street and thanked METRO for listening to the Community's concerns.

6. Ms. Carol Pouncy – thanked METRO for its willingness to review an alternative alignment that avoids Wheeler Street.

7. Mr. Keith Wade – thanked METRO for its responsiveness to the Community and voiced his support for the proposed alignment on Alabama Street. He asked that METRO continue to work with the residents and include measures to increase safety, mitigate noise and beautify the area.

8. Ms. Louis C. Ray – thanked METRO for its consideration of an alternate alignment that avoids negative impact to Wheeler Street.

9. Ms. Lizette Cobb – voiced support for the proposed changes to the University alignment and thanked METRO for listening to the Community's concerns.

10. Ms. Eleanor Smith – supports the proposed changes to the University alignment.

Minutes of the Regular Meeting  
of the Metropolitan Transit  
Authority Board of Directors  
July 24, 2008  
Page Three

11. Ms. Arnell Johnson – wore different hats to demonstrate – support of the proposed changes to the University alignment; concern about noise and traffic, willingness to help to identify other possible route adjustments.

12. Ms. Renita Thornton – of the Washington Terrace Civic Association; read a letter noting that both the current alignment and the proposed alignment affect Washington Terrace residents. Ms. Thornton stated that the civic association is ready to work with METRO to mitigate any adverse affects of the light rail construction. She thanked the local elected officials for working with them to develop reasonable alignment adjustments.

13. Bishop Frank Rush – of the Houston Praise and Worship Center, expressed his support for the proposed changes to the University alignment. He also urged METRO to address neighborhood concerns about noise, safety and construction impacts.

14. Marilu de la Fuente – opposes construction of the Service and Inspection facility in the East End because it conflicts with the strategic plans envisioned for community development. She stated that METRO has failed to adequately inform East End holders of its plans for the facility or for the construction of an overpass over neighborhood properties.

Mr. Wilson explained that other sites had been reviewed but were unsuitable. METRO tried to avoid construction of the bridge by crossing the railroad tracks at grade. However, the freight rail district supported grade separation. Mr. Wilson further explained that the Service and Inspection facility will be located in an industrial area. It will create jobs and stimulate economic development.

15. Ms. Eliza Gonzales – of the East Lawndale Civic Association, stated that East End residents have supported transit, and asked that METRO be more responsive to neighborhood concerns regarding construction of the overpass at the railroad crossing.

16. Charles Mayfield – of the Houston Country Club Place Civil Club expressed concern that the proposed overpass and the Service and Inspection facility will negatively impact the East End Communities. Mr. Mayfield stated that METRO proceeded with its plans for construction of these structures without community input. He asked that the Service and Inspection facility be constructed elsewhere.

Chairman Wolff responded that light rail will spur economic growth in the East End. He explained that an overpass over the railroad crossing is safer than a crossing at grade. Moreover, the site of the proposed Service and Inspection facility abuts a heavily traveled rail line and a pipe yard. Chairman Wolff expressed METRO's commitment to make the facility an attractive part of the Community, which will contribute to area growth.

17. Mr. Mark Massey – has a contract to provide bus shelter pressure wash services to METRO. He complained of “overzealous and threatening” inspectors whose demands cause financial hardships on his company. METRO has deducted money for alleged flaws in the work performed.

Upon questioning by David Feeley, Senior Vice President of Operations, Mr. Massey stated that a supervisor attempted to extort money from him. Mr. Feeley suggested that he report his allegations to the METRO police department.

METRO Police Chief Thomas C. Lambert agreed to work with the Harris County District Attorney's Office to investigate the matter.

18. Mr. Tom Bazan – charged that the City of Houston's Transportation Committee was unable to complete the review process. He also claimed that METRO has transferred major resources from bus service to rail, all to the detriment of poor and minority communities.

Chairman Wolff asked City Council Member Sue Lovell if she agrees with Mr. Bazan's comment that her Committee was unable to complete the review process.

Council Member Lovell explained that three meetings were held. A vote was held before the full City Council. The Consent Agreement was approved, 13 – 2.

Mr. Bazan then stated his belief that METRO is not operating in a business – like manner, and has not responded properly to his Open Records requests.

Chairman Wolff read a note from Catherine Griffin of Houston City Council Member Peter Brown's office thanking METRO for its review of alignment alternatives in the University Corridor.

Minutes of the Regular Meeting  
of the Metropolitan Transit  
Authority Board of Directors  
July 24, 2008  
Page Five

19. Mr. Richard Freeman – complained of being injured while on a transit vehicle. Mr. Freeman stated that he once drove a bus in the city.

Following Mr. Freeman's comments, Chairman Wolff announced that he had to attend to another METRO-related matter. Thus, the Board would consider the agenda action items now and Vice Chairman Smith would preside over the remainder of the meeting.

Chairman Wolff then called for consideration of the Summary Agenda consisting of Agenda Items 5, 6, 7, 8, 10, 11, 12, 13, 15, 16 and 17. Board Member DeMontrond moved approval of the Summary Agenda. Board Member Stewart seconded the Motion and all Board Members present voted in favor.

MOTION NO. 2008 – 20

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

1. Amending METRO's fuel price risk management policy to eliminate a date certain for hedging activity.

RESOLUTION NO. 2008 – 48

2. Approving the expenditures of funds for payment of professional services provided by selected Civil Engineers for design development, conceptual and preliminary engineering for the METRO Solutions Project for an amount not to exceed \$12.4 million and authorization for the President & Chief Executive Officer to execute and deliver contracts for such services.

RESOLUTION NO. 2008 – 49

3. Authorization for the President & Chief Executive Officer to execute and deliver a contract for services associated with direct bus service to the Intercontinental Airport with Kennedi Taylor Concierges, Inc. for an amount not to exceed \$1,650,000.

RESOLUTION NO. 2008 – 50

4. Authorization for the President & Chief Executive Officer to execute and deliver modification of contracts with selected firms for community outreach services in support of METRO Solutions to extend the period of performance and amount of expenditures for a total amount not to exceed \$1.5 million.

RESOLUTION NO. 2008 – 51

5. Authorization for the President & Chief Executive Officer to execute and deliver a contract for medical examinations services with Texas Occupational Medical Institute for an amount not to exceed \$750,000.

RESOLUTION NO. 2008 – 52

6. Authorization for the President & Chief Executive Officer to deliver a contract with KNORR Brake Corporation, to overhaul the brake and suspension system for an amount not to exceed \$1,284,555.67.

RESOLUTION NO. 2008 – 53

7. Authorization for the President & Chief Executive Officer to deliver a three (3) year, firm fixed price service contract with Republic Services of Texas, LTD for collection, transportation, and disposal of solid waste (trash) generated at all METRO facilities for an amount not to exceed \$367,894.

RESOLUTION NO. 2008 – 54

8. Authorization for the President & Chief Executive Officer to award a three (3) year, firm fixed price service contract with Liquid Environmental Solutions of Texas, LLC for the collection, transportation, and disposal of Class 1 waste generated at all METRO facilities for an amount not to exceed \$320,008.

RESOLUTION NO. 2008 – 55

9. Authorization for the President & Chief Executive Officer to deliver a modification to the contract with Lewis Realty Advisors' for the appraisal process for METRO Solutions Phase 2 for an amount not to exceed \$8.6 million.

RESOLUTION NO. 2008 – 56

10. Authorization for the President & Chief Executive Officer to negotiate, execute and deliver documents toward an agreement for transit oriented development at the Southeast Transit Center with OST & Scottcrest Transit Venture or an entity to be formed by the partners of such entity.

RESOLUTION NO. 2008 – 57

11. Authorization for the President & Chief Executive Officer to declare surplus property at 4600 Harrisburg Boulevard and negotiate, execute and deliver agreements and other documents for the sale of property.

RESOLUTION NO. 2008 – 58

Board Secretary Jackie Freeman moved that the Board adopt a modification to the eastern segment of the University Corridor alignment. From the Wheeler Station, the modification will proceed east on Wheeler, north on Hutchins, east on Cleburne, north on Dowling and then east on Alabama Street to the University of Houston main campus. Board Secretary Freeman's Motion was seconded by Vice Chairman Gerald Smith and all Board Members present voted in favor.

MOTION NO. 2008 – 21

RESOLUTION NO. 2008 – 59

Board Member Stewart stated that the current labor agreement between METRO and Local 260 of the Transport Workers Union will expire July 31, 2008. Board Member Stewart then moved that the President & Chief Executive Officer be authorized and directed to prepare and submit a last and best offer to Local 260 in the event that no satisfactory agreement is reached by July 31. Board Member DeMontrond seconded the Motion and all Board Members present voted in favor.

MOTION NO. 2008 – 22

RESOLUTION NO. 2008 – 60

Chairman Wolff left the meeting at 2:48 p.m. and Vice Chairman Gerald Smith presided over the remainder of the meeting. Vice Chairman Smith then continued with the Public Comment portion of the meeting and called upon those members of the public who had not yet had an opportunity to speak before the Board. The persons who spoke, and the substance of their comments were as follows:

Minutes of the Regular Meeting  
of the Metropolitan Transit  
Authority Board of Directors  
July 24, 2008  
Page Eight

20. Mr. Hartwell Remsburg – stated that he is moving out of the city and will not be able to come to the Board meetings. He asked that METRO reconsider its policy of permitting bicycles on the light rail vehicles. Mr. Remsburg also commended Auturo Jackson, Director of Transportation Programs, for his helpfulness and his “fine representation” of METRO.

21. Mr. Curtis Williams – of Dee’s Ultimate Service, complained of the management of his contract with METRO. Mr. Williams alleged that invoices were not paid timely, that he was often threatened with contract termination, and that some METRO staff were unprofessional and unethical.

Mr. Feeley asked that he refer his complaints to METRO’s transit police department.

Vice Chairman Smith asked that staff report back to the Board on its findings.

22. Mr. Reginald Hardy – of Hardy & Hardy, complained of unprofessional and unethical treatment in the management of his contract with METRO. His company provided bus shelter cleaning services. He stated that the scope of work increased but he was not paid for the extra work.

Mr. Feeley added that he would also initiate a review of the business practices relative to the bus shelter cleaning contract and report back to the Board.

At the conclusion of the public comment portion of the meeting, Vice Chairman Smith called upon Mr. Frank J. Wilson for his Monthly Business Report.

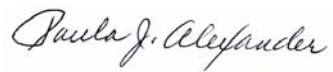
Mr. Wilson stated that the successful implementation of the METRO Q Fare Card is well known in the transit industry. Members of the American Public Transit Association fare collection committee will visit METRO soon to learn about the fare structure and fare media. Mr. Wilson commended those staff members who worked to make the implementation a success and asked them to step forward for further recognition.



Minutes of the Regular Meeting  
of the Metropolitan Transit  
Authority Board of Directors  
July 24, 2008  
Page Nine

There being no other matters to come before the Board for consideration,  
the meeting adjourned at 3:05 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Paula J. Alexander".

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Paula J. Alexander  
Assistant Secretary