

**MINUTES**  
**METROPOLITAN TRANSIT AUTHORITY**  
**BOARD OF DIRECTORS**  
**REGULAR BOARD MEETING**  
**April 23, 2009**

Beginning at 11:40 a.m., an Executive Session with the Board of the Metropolitan Transit Authority of Harris County, Texas ("METRO") preceded the regularly-scheduled board meeting. The Executive Session, which was publicly announced, concluded in the board room at 12:20 p.m. The regularly-scheduled monthly Board of Directors' ("Board") meeting was convened and called to order at 1:07 p.m. by Board Chairman David S. Wolff. Board Members present were Mr. George DeMontrond, III, Vice-Chairman; Mr. Gerald Smith, Vice-Chairman; Mr. C. Jim Stewart, III; Mrs. Trinidad Mendenhall-Sosa; and Mr. Burt Ballanfant. Board Secretary Jackie Freeman and Board Members Mrs. Carmen Orta and Bishop James W.E. Dixon, II, were not present. The members present constituted a quorum.

MOTION NO. 2009-12

Board Chairman David S. Wolff convened the meeting and called for a motion for approval of the minutes of the regularly-scheduled Board Meeting of March 19, 2009. Vice-Chairman Smith moved for approval of the minutes. The motion was seconded by Board Member Mendenhall-Sosa. All Board Members present voted in favor and the motion to approve the March 19, 2009, minutes passed.

Board Chairman Wolff invited those members of the public who had requested to speak before the Board to make their individual presentations. The public speakers and their comments are summarized below:

1. **Ms. Jessica Hulsey**: Ms. Hulsey expressed her support for METRO, and for the service and inspection facility to be located in front of Texas Street. She stated that most residents in her area, the East End Second Ward community, are also supportive of METRO and pleased about the project. She thanked METRO employees who have attended the local monthly civic meetings, and stated that she and her fellow community members are ready for the project to move forward. She further stated that they are noticing new business in the area. In closing she requested a short and informal meeting with Mr. Wilson.

Chairman Wolff responded with comments regarding the effect of negative responses from some community members with regard to the overpass proposal. He stated that the negative responses could delay the project, in part because of soil contamination found in the area that would greatly complicate alternate proposals. He stated that flooding is also an issue. Chairman Wolff encouraged Ms. Hulsey and other supportive residents to speak with their local representatives.

2. **Mr. Sergio Davila**: Mr. Davila expressed his support for the idea of an overpass on the East End. He stated that he is an engineer and that he believes flooding

would pose a serious problem. He further stated there are plenty of people, and especially leaders in the community, who disagree with the underpass proposal. Mr. Wolff reiterated his prior suggestion that the speaker and those who share his opinions express them to their local political representatives.

3. **Mr. Clifton Casimire**: Mr. Casimire expressed his anger regarding a bus operator who was not stopping in the proper location, which caused the speaker's sister and her children to have to enter the street to board the bus. Mr. Casimire, however, expressed his opinion that, overall, METRO is doing a good job.
4. **Mr. James Patsch-Galvan**: Mr. Patsch-Galvan complained that the METRO bus service is unreliable in District H. He claimed that the poor service caused him to miss a candidate's forum, in which he was to participate as a candidate for the District H seat. He claimed that he took a North Main bus that should have taken him to the Heights post office, but instead turned in the opposite direction. He also stated he wants bus shelters along Quitman.

Mr. Wilson and Chairman Wolff suggested that he obtain bus information from the computer or customer service lines.

5. **Mr. Mark Hogue**: Mr. Hogue expressed his happiness that Route 32 would be starting soon and that Route 53 had been re-routed.
6. **Mr. Rudy Sutherland**: Mr. Sutherland introduced himself as the managing director of Aljucar, LLC. He expressed concerns about the METRO procurement process and communication as they pertain to small business. He expressed his belief that there is a perception that one must be in the Board's favor or politically connected to obtain business. He stated that his communications to Chairman Wolff and Mr. Wilson have not been addressed. Mr. Sutherland requested a meeting with Mr. Wilson and Chairman Wolff.

Vice Chairman Smith expressed his offense at the suggestion that the Board was not inclusive and was demonstrating favoritism. Mr. Wilson responded to the allegation that the speaker's request for an audience went unaddressed by having all those who had been instructed to meet with the speaker to stand. Numerous METRO staff members stood.

Mr. Sutherland was informed by Ms. Higgins that his time had expired. He continued to speak. Chairman Wolff informed him, again, that his time had expired.

7. **Mrs. Elaine Kubicek**: Ms. Kubicek informed the Board that Route 204 was always overcrowded during the evening rush hour. Mr. Wilson said the issue would be investigated. Mr. Demontrond inquired as to whether there was a better method for this information to be received and addressed by METRO. Mr. Demontrond was informed that there was a better method. Ms. Kubicek said her emails and calls did not receive responses.

There being no further comments from the public, Chairman Wolff asked Mr. Frank Wilson, President and CEO ("President"), to deliver his business report.

Mr. Wilson began his report by stating that the contract with the Facility Provider, the Parsons Group, had been signed on Tuesday [April 21] and the vehicle supply contract was signed Wednesday [April 22]. This concluded the President & CEO's monthly report.

Chairman Wolff announced that Mr. Frank Wilson was celebrating his five-year anniversary with METRO. Chairman Wolff presented Mr. Wilson with a gold anniversary pin in recognition of his tenure with METRO.

Chairman Wolff provided a summarization of the Booz Allen Audit, highlighting the increase in ridership and the increase of only 5% in operating costs, well below the 13% inflation rate.

Mr. Wilson expressed his appreciation to the Board for inviting him to METRO, and his opinion that his decision to come to METRO was a good one. He expressed the importance of the work just ahead for the organization. He thanked the organization, its staff and the Board for the success of the past five years.

Chairman Wolff shared the opinion of the immediate past head of the FTA that the METRO Board of Directors has been specifically cited as one that performs exceedingly well.

Chairman Wolff called for consideration of the Summary Agenda, which included Agenda Items 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21. Vice-Chairman DeMontrond moved for approval of the Summary Agenda. Board Member Stewart seconded the Motion and all Board Members who were present voted in favor of the motion to approve the Summary Agenda.

MOTION NO. 2009-13

RESOLUTION NO. 2009-19

Authorizing the President & CEO to deliver an agreement with the Texas Department of Transportation for the expansion of the South Point Park & Ride lot.

RESOLUTION NO. 2009-20

Authorization for the President & CEO to execute and deliver a modification to the contract with TCB Transit to continue the University Corridor engineering effort.

RESOLUTION NO. 2009-21

Authorizing President & CEO to negotiate, execute, and deliver a contract for the lease of two light rail vehicles.

RESOLUTION NO. 2009-22

Authorizing the President & CEO to execute and deliver two (2) two-year requirements contracts for printing services: one with Absolute Color, and one with Southwest Precision Printers.

RESOLUTION NO. 2009-23

Authorizing the President & CEO to execute and deliver a two-year requirements contract to Best Letter Press, Inc. for bindery finishing services for METRO's Print Shop.

RESOLUTION NO. 2009-24

Authorizing the President & CEO to renew the Phoenix Disaster Recovery Site contract with Internap Network Services for the first option year.

RESOLUTION NO. 2009-25

Authorizing the President & CEO to execute a contract with Calence, LLC for implementation of a CISCO Contact Center Express system for the Customer Information Center and METROLift call centers.

RESOLUTION NO. 2009-26

Authorizing the President & CEO to execute a contract with Sigma Solutions, Inc. to provide equipment and implementation services for UNIX server replacements.

RESOLUTION NO. 2009-27

Authorizing the President & CEO to execute and deliver a three-year contract for drug specimen collection, breath alcohol testing, and Medical Review Officer services with Houston Medical Testing Services, Inc.

RESOLUTION NO. 2009-28

Authorizing the President & CEO to negotiate, execute, and deliver an individual selected professional services contract with Katharine M. Barnes on an as-needed basis for METRO Solutions, commuter rail, and transit-oriented development projects.

RESOLUTION NO. 2009-29

Authorizing the President & CEO to negotiate, execute, and deliver an individual selected professional services contract with Thomas Hemingway on an as-needed basis for METRO Solutions, commuter rail, and transit-oriented development projects.

RESOLUTION NO. 2009-30

Authorizing the President & CEO to execute and deliver a three-year performance period with two (2) one-year options service contract with American Janitorial Services, Ltd. of Houston.

RESOLUTION NO 2009-31

Approving underwriters for METRO Solutions financing.

RESOLUTION NO. 2009-32

Approving an increase in the authorized limit for commercial paper issuances; approving credit agreements, issuing and paying agent agreements, dealer agreements and other necessary documents for multiple series; approving the preparation of all financing and offering documents by the Authority's legal counsel, as required by the Texas Attorney General; authorizing the Chairman, Vice-Chairman, President & CEO, General Counsel and other appropriate officials to perform whatever acts are necessary to carry out the terms and provisions of this resolution.

RESOLUTION NO. 2009-33

Approving the Plan of Finance for Notice-to-Proceed No.1 and right-of-way acquisitions for METRO Solutions Phase II; and approving the preparation and distribution of Preliminary Offering Statements for the financing.

RESOLUTION NO. 2009-34

Approving the revised Debt Policy dated April 23, 2009.

RESOLUTION NO. 2009-35

Authorizing and directing the President & CEO to execute and deliver a contract with Centerpoint Energy for the use of real property to facilitate the operation of the Hillcroft Transit Center.

There being no other matters to come before the Board for its consideration, the meeting adjourned at 1:56 p.m. The next regularly-scheduled Board Meeting is scheduled for May 21, 2009, at 1:00 p.m.

Respectfully submitted,



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Pauline E. Higgins  
Senior Vice President, General Counsel, and Corporate Secretary  
Metropolitan Transit Authority of Harris County, Texas