

MINUTES
METROPOLITAN TRANSIT AUTHORITY
OF HARRIS COUNTY, TEXAS
BOARD OF DIRECTORS
REGULAR BOARD MEETING
THURSDAY, JULY 22, 2010

The Regular Board Meeting of the Metropolitan Transit Authority Board of Directors was called to order at 9:06 a.m. by Chairman Gilbert A. Garcia. Board Secretary, Jackie L. Freeman, and Board Members Burt Ballanfant, Dwight Jefferson, Carrin Patman, Christof Spieler, C. Jim Stewart, III and Trini Mendenhall-Sosa were present and constituted a quorum. Vice Chairman Allen Watson was absent.

As the first item for business, Chairman Gilbert A. Garcia called for a motion for approval of the minutes of the Regular Board Meeting of June 17, 2010 and the Special Board Meeting of June 1, 2010. Board Member Stewart moved for approval of the minutes. The motion was seconded by Board Member Sosa. All Board Members present voted in favor.

MOTION NO. 2010- 50

Chairman Garcia next 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. Ms. Theresa Bradley – requested additional transit service for Bus Route 86, the FM 1960 Crosstown. She stated that weekend service is needed and service should be added to meet the needs of students attending the nearby Lone Star College. She also suggested extending the route so that persons who work at the Bush Intercontinental Airport have easier access to their jobs. Ms. Bradley stated that she had spoken to METRO staff, but found explanations of budgetary constraints unacceptable.

Board Member Christof Spieler noted the volume of patronage to and from the airport and suggested further review to determine if the ridership justifies the costs of operations.

Ms. Bradley explained that some persons who work at the airport spend \$80 per week on gasoline or they car pool. She stated that it can take three hours to reach the airport using the existing routes.

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John Sedlak, METRO's Executive Vice President, requested additional information and suggested that Ms. Bradley meet with staff to review service needs and alternative routes.

Acting President & CEO, George Greanias, explained that METRO staff is looking at alternate methods of service delivery to address demands that are difficult to accommodate based on the more traditional transit service analyses. METRO is studying the various ways to meet customer needs.

2. Mr. Mark Smith- complained that he did not receive a return call when he telephoned Mr. Greanias' office for a possible meeting. He stated that METRO's approach to customer service needs improvement. The transit information provided is sometimes inaccurate.

3. Ms. Regina Goodwin did not appear when called upon to speak.

4. Mr. Mike McMahon - requested a light rail station at Chimney Rock on the University Line. He also questioned whether the Gulfton area will have a station.

METRO's Vice President of Infrastructure & Service Development, Richard White, explained that the University alignment has been submitted to the FTA, and METRO is awaiting a Record of Decision. However, METRO is not precluded from constructing an additional station.

Board Member Spieler noted that the area is densely populated and would be well- served by an additional station. Board Member Spieler agreed to work with staff in reviewing the feasibility of adding a station to the route.

5. Mr. Mark Hogue - requested additional services on Bus Route 53.

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Mr. Greanias explained that Mr. Hogue's request has been carefully reviewed. However, the current level of ridership does not justify the service extension. METRO must constantly find the right balance of available resources, service to the customers and the need to serve as many people as possible.

6. Ms. Stacy Johnson did not appear when called upon to speak.
7. Mr. Hilda Hyatt did not appear when called upon to speak.

Following the Public Comment portion of the meeting, Chairman Garcia recognized the presence in the audience, of Mr. Lee Kemp, Chairman of the Board of the Denver Regional Transportation District.

Chairman Garcia next called upon Mr. Greanias for the President & CEO's Monthly Business Report. Mr. Greanias began his report by congratulating Rail Operations staff for achieving a perfect safety record, to date, for the month of June. He also praised the traveling public and noted how people are more accustomed to the presence of a light rail system on Main Street. Mr. Greanias thanked Board Member Spieler for participating in the inauguration of changes in the hours in which bicycles can be brought onto the rail systems. Staff and the biking community are working together so that bike riders have more opportunities to use the system, while avoiding inconvenience to the non- bike riding customers.

Board Member Spieler noted the importance of responsiveness, even on relatively small issues. He complimented staff for its quick response to a complaint of a locked under floor bin on a park and ride bus. Andy Skabowski, Acting VP of Operations, instructed staff to immediately examine all under floor bus bins to ensure that they are unlocked and available to accommodate bicycle storage.

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Mr. Greanias reported that he had visited METRO's Call Center where he watched the employees respond to customer calls. He complimented Cheryl Parker, a Call Center employee, for her ability to quickly respond to a wide variety of questions, from the Q Card, to bus schedules, to taking the correct bus route for a particular destination. Mr. Greanias also complimented the METROLift dispatch operators who know their customers and are cognizant of their particular physical needs.

Board Member Ballanfant suggested that the Board receive additional information regarding past efforts to accommodate bicycles on transit vehicles, the evaluation process and current plans.

Mr. Greanias stated that METRO's first step is to extend the hours that bikes are permitted on the light rail vehicles. The new rail vehicles are slightly longer with a different door configuration. These new rail cars may provide more space that can be used for the bicycles. Mr. Greanias explained that safety issues make the placement of bike racks more problematic. Bike racks are still under review.

Chairman Garcia then called for consideration of the Consent Agenda, containing Agenda Items 4, 5, 6, 7, 8, 9, 10 and 11. He also asked for any comments from the Board Members regarding the matters on the Consent Agenda.

Board Member Ballanfant noted that Agenda Item 8 seeks Board authorization for the acquisition of 100 buses. He asked if expenditures should be reduced or delayed pending further consideration of METRO's cash flow and sales tax receipts.

Chairman Garcia stated that sales tax revenues are under careful review, especially as we enter the budget season.

Judge Dwight Jefferson explained that METRO is slightly under budget on expenditures.

Board Member Stewart added that the number of buses to be acquired is not "set in stone". However, older vehicles require more maintenance, thereby increasing maintenance costs. He noted that Operations will not seek to acquire the vehicles if revenues do not support such action. Board Member Stewart added that METRO must also maintain a proper balance between building a rail system and meeting its responsibilities to properly maintain the bus system.

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Board Member Spieler added that the Consent Agenda includes items that create a better experience for the passengers. The new buses to be acquired are more comfortable, quieter and more reliable. Downtown bus shelters will be cleaned. New Park & Ride service will address needed service in the 288 Corridor,

Mr. Greanias stated that staff will present various scenarios with its budget proposals. He added that the Federal Transit Administration has developed the "state of good repair" concept to encourage transit agencies to carefully consider their ability to maintain the facilities and equipment that they operate.

Chairman Garcia made special note of Agenda Item 5 which includes the re-assignment of grant funds from radios to buses. He also explained that Agenda Item 11 seeks to increase the authorized amount under the Job Order Contract for the single incident requiring facility repairs. It is not a permanent authorization to exceed the \$200,000 work authorization limit.

Chairman Garcia then called for a Motion to approve the Consent Agenda. Board Member Spieler so moved. Board Member Sosa seconded the Motion and all Board Members present voted in favor. The Motion passed panel, 8-0.

MOTION NO. 2010 - 51

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

1. Approval of project(s) recommended for JARC and New Freedom funding; authorization for the President & CEO for execution of interagency agreements with sponsors of selected projects, the filing of grant applications for receipt of program funds, and the execution of the resulting FTA grant agreements; and other administrative actions as necessary that may be associated with grant requirements.

RESOLUTION NO. 2010 – 49

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2. Approval of the revised FY2009 and FY2010 Section 5307 Houston Urbanized Area (UZA) Formula grant Programs of Projects; authorization to submit a grant amendment request for the FY2009 program and an application for the FY2010 program; authorization for the President & CEO to conduct required administrative grant actions, and execute the subsequent FTA grant agreements.

RESOLUTION NO. 2010- 50

3. Authorization for the President & CEO to negotiate, execute, and deliver a service contract with Innovation Management Solutions, Inc. for Metro Solutions document control management services, in the not-to-exceed amount of \$737,372.

RESOLUTION NO. 2010 -51

4. Authorization for the President & CEO to negotiate, execute, and deliver a modification to the personal service contract with Dhiren Chakraborty for consultant services in support of METRO Solutions, for an amount not-to-exceed \$125,000.

RESOLUTION NO. 2010 - 52

5. Authorization for the President & CEO to execute and deliver a contract modification with Daimler Bus North America for the purchase of 100 buses for an amount not-to-exceed \$53,224,535.

RESOLUTION NO. 2010 -53

6. Authorization for the President & CEO to execute and deliver a contract with the Houston Downtown Management District for trash removal, pressure washing and general clean up of Bus Stop/Bus Shelter sites in the Central Business District, for an amount not to exceed \$274,061.

RESOLUTION NO. 2010 - 54

7. Authorization for the President & CEO to negotiate, execute, and deliver a contract with Preferred Technologies, Inc. to perform fiber cable repair and one-call cable locator service for fiber cable infrastructure, in an amount not-to-exceed \$783,103.80.

RESOLUTION NO. 2010 - 55

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8. Authorization for the President & CEO to waive the \$200,000 Job Order Contract work authorization limitation and execute a work authorization for repairs to the 1900 Main Street Administration Building for an amount not to exceed \$550,000.

RESOLUTION NO. 2010-56

At 9:54 a.m., Chairman Garcia convened the meeting into EXECUTIVE SESSION, pursuant to the Texas Government Code §551.071, §551.072, §551.074, and §551.0763 to consult with the Board's attorneys regarding pending or potential litigation, including Cause No. 2010-24578, Higgins v. Wilson, et al, legal matters in which the attorneys' duties are governed by the State Bar of Texas Code of Conduct; deliberations pursuant to the Act, to deliberate the purchase, lease, exchange or value of real property; personnel matters, security matters and devices, and legal issues regarding contract negotiations that may result in potential litigation.

The regular Board meeting re-convened into public session at 10:55 a.m.

As the next item for business, Board Member Ballanfant moved termination of the current contract with the firm of McDade, Smith, Gould, Johnson, Mason and Company. He further moved that the President & CEO be authorized to execute and deliver a one-year contract with the firm for real estate brokerage services to be performed on a commission fee basis for selected properties. The Motion was seconded by Board Member Carrin Patman.

Board Member Spieler stated that real estate owners are also stake-holders and taxpayers. Real estate matters will be treated fairly.

Chairman Garcia explained that this Board action will accomplish three important things. It will clearly define METRO's relationship with the firm of McDade, Smith. It will clearly set out the real estate transactions in which McDade Smith will be involved. Finally, it will bring flexibility of transactions and commissions back to METRO.

Chairman Garcia then called for a vote, and all Board Members present voted their approval.

MOTION NO. 2010-52
RESOLUTION NO. 2010-57

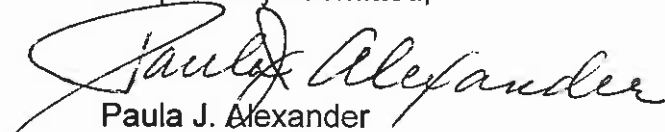
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There being no other matters to come before the Board, Board Secretary Freeman moved to adjourn. Board Member Stewart seconded the Motion. All Board Members voted in favor.

MOTION NO. 2010-53

The meeting adjourned at 10:59 a.m.

Respectfully submitted,


Paula J. Alexander
Assistant Secretary