

**MINUTES
METROPOLITAN TRANSIT AUTHORITY
BOARD OF DIRECTORS
REGULAR BOARD MEETING
OCTOBER 15, 2009**

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 commenced at 11:10 a.m., was publicly announced and concluded at 11:47 a.m. The regularly-scheduled monthly Board of Directors' ("Board") meeting convened and was called to order at 1 p.m. by Board Vice Chairman George DeMontrond, III. Board Members present were Board Secretary Mr. Jackie L. Freeman and Board Members Mr. Terence Fontaine, Ms. Carmen Orta, Ms. Trinidad Mendenhall Sosa, and Mr. C. Jim Stewart, III. The members present constituted a quorum.

MOTION NO. 2009-38

Board Vice Chairman George DeMontrond, III, convened the meeting and called for a motion for approval of the minutes of the regularly-scheduled Board Meeting of September 17, 2009. Board Member Stewart moved for approval of the minutes. The motion was seconded by Board Member Fontaine. All Board Members present voted in favor and the motion to approve the September 17, 2009, minutes passed.

Vice Chairman DeMontrond 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. Jessie Williams:** Ms. Williams informed the Board that she was a former employee who had been fired. Ms. Williams said that she was before the Board to ask to be reinstated. She stated she had been through a lot of tribulations and was now much better.

Vice Chairman DeMontrond confirmed the facts of Ms. Williams's case, specifically that on two occasions Ms. Williams was not in possession of her driver's license while on duty and that a lack of driver's license was a violation of METRO's rules. Ms. Williams confirmed the stated facts were correct. Vice Chairman DeMontrond asked Ms. Williams if she had pursued the matter through the grievance process. Ms. Williams said she had, but she had trouble finding the correct person to whom she should speak.

Vice Chairman DeMontrond invited Kimberely Wells, METRO's Director of Labor Relations, to speak on the matter. Ms. Wells stated that Ms. Williams did participate in the grievance dispute procedures. Ms. Wells stated that the two violations happened within thirty days of each other. Ms. Wells pointed out other violations and other factors in Ms. Williams's history at METRO that indicated the appropriateness of the termination.

Vice Chairman DeMontrond indicated that while he does not want to interfere with the standard process and though he suspected the outcome would be the same, he would suggest that someone take a second look at the matter. Mr. Wilson stated that if Vice Chairman DeMontrond wished to take that action, Ms. Wilson would recommend that Rosalyn West, METRO's Employee Advocacy Officer, review the issues. Vice Chairman DeMontrond advised Ms. Williams that he would instruct Ms. West to review the facts surrounding Ms. Williams's situation.

2. **Mr. Earl Ray Price**: When called to present his comments, Mr. Price did not appear.
3. **Mr. Mark Rodriguez**: When called to present his comments, Mr. Rodriguez did not appear.
4. **Ms. Billie Roberts**: When called to present her comments, Ms. Roberts did not appear.
5. **Mr. Ed Hartwell**: Mr. Hartwell stated that his purpose for signing up to speak was to thank the Board for their service to the community. He pointed out that the public may not be aware that they work without compensation. Mr. Hartwell named individual members of the Board of Directors and METRO's Executive Management team, including Art Jackson and David Feeley, stating that they had been good friends to him over the years. Mr. Hartwell told the Board Members that he believes that they should allow Ms. Orta a bit more time to speak.

Vice Chairman DeMontrond called for the President & CEO's business report.

Mr. Wilson provided a comparison of how METRO has weathered the economic downturn in contrast to other transit agencies. Specifically, Mr. Wilson pointed out the problems the Chicago Transit Authority has had, including being forced to implement service cuts, eliminate free services for the elderly and students, implement reductions in force, and other rather difficult measures. Mr. Wilson concluded his report by stating that while he is very sympathetic for the hard times other agencies are experiencing, he cannot help but be grateful that METRO is not experiencing those same difficulties and is, in fact, doing well.

Vice Chairman DeMontrond called for consideration of the Summary Agenda, which included Agenda Items 5, 6, 7, 9, 10, 11, 12, 13, 14, and 15. Board Member Mendenhall Sosa moved for approval of the Summary Agenda. Board Member Fontaine seconded the Motion and all Board Members who were present voted in favor of the motion to approve the Summary Agenda.

MOTION NO. 2009-39

RESOLUTION NO. 2009-81

Approval of the pricing methodologies and the sale of Contractual Obligations.

RESOLUTION NO. 2009-82

Authorization for the President & CEO to negotiate, execute, and deliver a contract with JPMorgan Chase for depository services.

RESOLUTION NO. 2009-83

Approving and adopting the Investment Policies and Strategies for Fiscal Year 2010.

RESOLUTION NO. 2009-84

Approving the funding for the re-configuration and expansion of TranStar Facilities.

RESOLUTION NO. 2009-85

Authorizing the President & CEO to purchase Motorola Radios.

RESOLUTION NO. 2009-86

Authorizing the President & CEO to negotiate, execute, and deliver necessary contract for implementation and operation of the HOT Lanes conversion project.

RESOLUTION NO. 2009-87

Authorizing the President & CEO to execute and deliver contracts with Texas Video & Post and VT2 for public information and education broadcasts.

RESOLUTION NO. 2009-88

Authorization for the President & CEO to execute a requirements contract with ISI Contracting, Inc., to provide construction and installation of transit improvements in support of METRO's Capital Improvement Program.

RESOLUTION NO. 2009-89

Authorization for the President & CEO to execute and deliver a contract with Cravens Partners, Ltd. for the construction of the South Point Park and Ride expansion project.

RESOLUTION NO. 2009-90

Authorization for the President & CEO to negotiate, execute, and deliver an agreement with the Texas Department of Transportation for the use of State right-of-way in support of METRO Solutions.

MOTION NO. 2009-40

Board Member Terrence Fontaine presented Agenda Item 8 and moved for the approval of a three-year contract for engine parts with Stewart & Stevenson, LLP in an amount not to exceed \$4,508,658. Board Member C. Jim Stewart, III, abstained from discussion of the matter. The motion was seconded by Board Member Freeman and was approved unanimously by all Board Members present with the exception of Board Member C. Jim Stewart, III, who abstained from voting on the matter.

RESOLUTION NO. 2009-91

Authorizing the President & CEO to execute and deliver a contract with Stewart & Stevenson, LLC for the purchase and delivery of Detroit Diesel engine parts.

MOTION NO. 2009 -41

Board Secretary Jackie L. Freeman presented Agenda Item 16 and moved that the Board of Directors authorize METRO staff to conduct public hearings to determine the public necessity of acquisition of certain parcels and aerial easements in furtherance of the METRO Solutions project. Board Member C. Jim Stewart, III seconded the motion, which was then unanimously approved by all Board Members present.

RESOLUTION NO. 2009-92

Authorizing METRO staff to conduct public hearings to determine the public necessity of acquisition of certain parcels and aerial easements in furtherance of the METRO Solutions project.

There being no other matters to come before the Board for its consideration, the meeting adjourned at 1:17 p.m. The next regularly-scheduled Board Meeting is scheduled for November 19, 2009, at 1:00 p.m.

Respectfully submitted,



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