RESOLUTION NO. 84-103

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE FIVE CONTRACTS FOR ENVIRONMENTAL SUPPORT SERVICES.

WHEREAS, METRO is required to submit environmental impact statements for sites acquired for the construction of bus operating facilities, transit centers and transitways; and

WHEREAS, ten (10) prospective firms were independently evaluated for environmental support services; and

WHEREAS, Schimpeler-Corradino Associates/Quadrant Consultants; Barton-Aschman Associates, Wilbur Smith Associates, Damico-Zajicek & Associates, and Turner, Collie & Braden can provide the best services at competitive rates;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager is hereby authorized to execute individual requirement contracts with Schimpeler-Corradino Associates/Quadrant Consultants, Barton-Aschman Associates, Wilbur Smith Associates, Damico-Zajicek & Associates and Turner, Collie & Braden for environmental support services. Each contract shall be issued in an amount not to exceed $60,000.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984.
APPROVED this 20th day of December, 1984.

ATTEST:

Assistant Secretary

Chairman of the Board
RESOLUTION NO. 84-103

APPROVED AS TO SUBSTANCE:

[Signature]

Alan F. Klepper
General Manager

APPROVED AS TO FORM:

[Signature]

Dennis C. Gardner
Legal Counsel
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH JOHN PETTER CONSTRUCTION, INC. TO CONSTRUCT A DRIVER TRAINING FACILITY.

WHEREAS, METRO has not previously owned or operated a facility to train new bus operators; and

WHEREAS, in October, 1984, invitations for bid were issued for the construction of a training facility; and

WHEREAS, John Petter Construction, Inc. was the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to execute a contract with John Petter Construction, Inc. for the construction of a driver training facility at Market Street in an amount not to exceed $690,000.

Section 2. This resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

ATTEST:

Rose M. Gonzalez
Assistant Secretary

APPROVED AS TO SUBSTANCE:

Alan F. Kieppo
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel

John J. King
Chairman of the Board
RESOLUTION NO. 84-105

A RESOLUTION

ADOPTING AN ALLOCATION OF FUNDS FOR JOINT GOVERNMENTAL PROJECTS.

WHEREAS, the Board of Directors on June 28, 1984 adopted a policy of participating in mass transportation improvement projects with other governmental agencies within the METRO area; and

WHEREAS, the Board of Directors has expressed its intent to allocate $150,000,000 for funding of such joint governmental projects; and

WHEREAS, the Board is of the opinion that it is appropriate to allocate METRO's commitment among the City of Houston, Harris County and the suburban cities in the METRO area;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board hereby allocates through the fiscal year ending September 30, 1989 $150,000,000 in funding for joint governmental mass transportation improvement projects among the governmental entities within the METRO area consistent with the capital program heretofore adopted as follows:

<table>
<thead>
<tr>
<th>City</th>
<th>Percentage</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Houston</td>
<td>70%</td>
<td>$105,000,000 (including funds previously committed)</td>
</tr>
<tr>
<td>Harris County</td>
<td>20%</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Suburban Cities</td>
<td>5%</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>Future Allocation</td>
<td>5%</td>
<td>$7,500,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>100%</td>
<td><strong>$150,000,000</strong></td>
</tr>
</tbody>
</table>

Section 2. Each joint governmental mass transportation improvement project funded pursuant to this allocation of funds
is to be specifically approved by the Board prior to commencement of the project.

Section 3. The General Manager is directed to develop and present to the Board a listing of projects recommended for initiation in Fiscal Year 1985.

Section 4. This resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

ATTEST:

Rose M. Gonzales
Assistant Secretary

APPROVED AS TO SUBSTANCE:

Alan F. Kipper
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel
RESOLUTION NO. 84-106

A RESOLUTION

DESIGNATING MOBILITY IMPROVEMENT CAPITAL PROJECTS AS JOINT GOVERNMENTAL PROJECTS.

WHEREAS, other local governmental entities within the METRO service area have requested METRO's participation in the construction of various mobility-related capital projects; and

WHEREAS, METRO has previously established a policy to participate in joint projects which offer mass transit benefits; and

WHEREAS, the Board desires to designate joint projects for initiation in fiscal year 1985;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board hereby approves METRO's participation in the FY '85 Joint Projects with local governmental entities as set out in Exhibit A attached hereto.

Section 2. The General Manager is hereby authorized to negotiate master agreements and/or project agreements with local governments as may be necessary to establish the basis for the parties' participation in these projects.

Section 3. Each specific joint project agreement must be approved by the Board before its implementation.
Section 4. This resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

ATTEST:

Rose M. Gonzales
Assistant Secretary

APPROVED AS TO SUBSTANCE:

Alan F. Kieppo
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel

John J. King
Chairman of the Board
Total project value exceeds $40 million; Gessner/I-10 includes preliminary engineering only for FY85

<table>
<thead>
<tr>
<th>CIP</th>
<th>PROJECT LOCATION</th>
<th>DESCRIPTION</th>
<th>TOTAL (000 omitted)</th>
<th>COMMENTS</th>
<th>SUGGESTED SPONSOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>CN447</td>
<td>Elysian Viaduct Rehabilitation over Buffalo Bayou</td>
<td>Widen (4 to 6 lanes) &amp; reconstruct viaduct</td>
<td>$1,586</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN235</td>
<td>Fuqua (Hiram Clarke to Almeda)</td>
<td>Paving two 24' concrete roadways w/underground utilities</td>
<td>5,396</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN288</td>
<td>Kingspoint/Kleckley @ I-45</td>
<td>Redesign of intersection, realignment of Kleckley</td>
<td>350</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN485</td>
<td>Richmond (Fondren to Chimney Rock)</td>
<td>Widen from two 24' roadways to two 33' concrete roadways</td>
<td>2,025</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN282</td>
<td>Fondren (W. Airport to S. Main)</td>
<td>Paving two 33' concrete roadways w/underground utilities</td>
<td>3,100</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN521</td>
<td>Fannin (OST to S. Braeswood)</td>
<td>Widen road</td>
<td>1,500 est. Utilities; only ROW in CIP</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN190</td>
<td>Reed Road (S. Fray to Rosehaven)</td>
<td>Paving two 24' concrete roadways w/underground utilities</td>
<td>1,987</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN249</td>
<td>Homestead grade separation @ HBRR &amp; Hunting Bayou</td>
<td>Grade separation with twin bridges</td>
<td>6,853</td>
<td>$5,125 remaining to be spent</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN273</td>
<td>Lockwood (6200) between Kelly &amp; Shreveport</td>
<td>Construct grade separation over HBRR &amp; utilities</td>
<td>11,080</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN57</td>
<td>Homestead (Hiley to Touchstone)</td>
<td>Paving two 24' concrete roadways w/underground utilities</td>
<td>4,300</td>
<td>ROW required</td>
<td>C. of Houston</td>
</tr>
<tr>
<td>CN482</td>
<td>Hirsch (Liberty-Kelly)</td>
<td>Paving two 24' concrete roadways w/underground utilities</td>
<td>5,500</td>
<td>METRO desires to expedite schedule</td>
<td>METRO</td>
</tr>
<tr>
<td>CN290</td>
<td>Intersection Redesign</td>
<td>Redesign &amp; reconstruct intersections</td>
<td>9,000</td>
<td>ROW required</td>
<td>C. of Houston/METRO</td>
</tr>
<tr>
<td>N/A</td>
<td>Gessner/I-10 MKTRR (construction)</td>
<td>Grade separation</td>
<td>15,000</td>
<td>Only $1M in CIP; possible preliminary engineering only in FY85</td>
<td>Multi-agency</td>
</tr>
<tr>
<td>N/A</td>
<td>Old Katy Road (N. Post Oak to Washington)</td>
<td>Paving improvements to access to Katy Transitway</td>
<td>750</td>
<td>Not in CIP</td>
<td>METRO</td>
</tr>
<tr>
<td>N/A</td>
<td>Willowbend (S. Main - Holmes)</td>
<td>Paving roadway over SPRR access to Hiram Clarke BOF</td>
<td>600</td>
<td>Not in CIP</td>
<td>METRO</td>
</tr>
<tr>
<td>CIP#</td>
<td>PROJECT LOCATION</td>
<td>BENEFIT</td>
<td>ACCELERATE</td>
<td>MINIMIZES</td>
<td>EFFICIENT</td>
</tr>
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</tr>
<tr>
<td>CW447</td>
<td>Elysian Viaduct Rehabilitation over Buffalo Bayou</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CN235</td>
<td>Fuqua (Harm Clarke to Almeda)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CN288</td>
<td>Kingspoint/Kleckley @ I-45</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CW485</td>
<td>Richmond (Fondren to Chimney Rock)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CN282</td>
<td>Fondren (W. Airport to S. Main)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CN521</td>
<td>Fannin (GST to S. Braeswood)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CN190</td>
<td>Reed Road (S. Frwy to Rosehaven)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CH249</td>
<td>Homestead grade separation @ NBTRR &amp; Hunting Bayou</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CH273</td>
<td>Lockwood (6200) between Kelly &amp; Shreveport</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CW457</td>
<td>Homestead (Hiley to Touchstone)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CN482</td>
<td>Hirsch (Liberty-Kelly)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>CH290</td>
<td>Intersection redesign</td>
<td>Site specific benefits</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N/A</td>
<td>Gessner/I-10 MKTRR</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>N/A</td>
<td>Old Katy Road (W. Post Oak to I-10)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>N/A</td>
<td>Willowbend (S. Main-Holmes)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Project Location</td>
<td>Bus Routes</td>
<td>Current Total # Buses Per Hour</td>
<td>Transit Benefits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Elyssian viaduct rehabilitation over Buffalo Bayou, (CIP-CN447)</td>
<td>3-Langley Ltd. 6-Jensen plus buses in non-revenue service</td>
<td>24 Peak 14 Base</td>
<td>Provides access for buses between downtown and the Kashmere Maintenance Facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuqua (Hiram Clarke to Almeda), (CIP-CN235)</td>
<td>14-Hiram Clarke 22-Almeda 33-Post Oak Crosstown</td>
<td>13 Peak 10 Base</td>
<td>Provides access to the Hiram Clarke Transit Center</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kingspoint/Kleckley @ I-45, (CIP-CN282)</td>
<td>None</td>
<td>N/A</td>
<td>Will provide for transit penetration into an unserved area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richmond (Fondren to Chimney Rock) (CIP-CN485)</td>
<td>25-Richmond</td>
<td>12 Peak 6 Base</td>
<td>Allows for smoother traffic flow in area reducing conflict between buses and autos</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fondren (W. Airport to S. Main), (CIP-CN282)</td>
<td>None</td>
<td>N/A</td>
<td>Will provide for service expansion to Missouri City, and for access to the 270-Missouri City Park &amp; Ride lot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fondren (U.S.90 A - Intersection improvement, (CIP-CN282)</td>
<td>270-Missouri City P&amp;R</td>
<td>6 Peak 0 Base</td>
<td>Allows for local transit service to the north of U.S. 90A and to the 270 Missouri City Park &amp; Ride Lot; will improve access to corridor identified for long range plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fannin (OST to S. Braeswood), (CIP-CN521)</td>
<td>7-Med Center 14-Hiram Clarke 73-Bellfort Crosstown</td>
<td>30 Peak 20 Base</td>
<td>Allows for better bus egress/ingress operation in the TMC area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reed Road (S. Frwy to Rosehaven), (CIP-CN190)</td>
<td>None</td>
<td>N/A</td>
<td>Improves access to Sunnyside area providing more opportunity for public transit in neighborhood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homestead grade separation @ MBTRR &amp; Hunting Bayou, (CIP-CN249)</td>
<td>77-Liberty</td>
<td>6 Peak 6 Base</td>
<td>Eliminates train delays</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lockwood (6200) between Kelley &amp; Shreveport, (CIP-CN273)</td>
<td>5-Kashmere Gardens 77-Liberty</td>
<td>10 Peak 6 Base</td>
<td>Eliminates train delays</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homestead (Hiley to Touchstone), (CIP-CN457)</td>
<td>5-Kashmere Gardens 77-Liberty</td>
<td>16 Peak 10 Base</td>
<td>Allows for a smoother traffic flow and benefits public transit on that portion of Homestead where buses operate.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hirsch (Liberty-Kelley), (CIP-CN482)</td>
<td>9-Hirsch Plus buses accessing Kashmere Maintenance Fac.</td>
<td>12 Peak 8 Base</td>
<td>Allows for service expansion, and provides better access to the Kashmere Maintenance Facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gessner/i-10 MKT Railroad grade separation</td>
<td>39-Long Point Memorial City 46-Gessner</td>
<td>8 Peak 8 Base</td>
<td>Eliminates schedule delays due to the railroad operation, which occurs during peak periods as well as midday; will eliminate vehicular conflict for long range plan options in Katy Corridor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Old Katy Road (N. Post Oak to Washington)</td>
<td>31 Memorial Ltd. 39 Long Point 221 Katy/Mason P&amp;R 210 Katy West Belt P&amp;R</td>
<td>24 Peak 4 Base</td>
<td>Improved road surface will provide for faster and smoother operation for routes using the Katy Transitway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Willowbend-Construction over the Southern Pacific Railroad between Holmes Road and S. Main</td>
<td>Buses accessing Hiram Clarke Maintenance Facility</td>
<td>N/A</td>
<td>Will facilitate access between the Hiram Clarke Bus Operating Facility and areas to the west.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### SUGGESTED JOINT PROJECTS

<table>
<thead>
<tr>
<th>PARTNER</th>
<th>PROJECT LOCATION</th>
<th>DESCRIPTION</th>
<th>TOTAL (000 omitted)</th>
<th>COMMENT/RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellaire</td>
<td>Bellaire/Blissonnet</td>
<td>Bellaire Transit Center Reroute Streets Major street improvements</td>
<td>$3,600</td>
<td>METRO recommends project; funding alternatives are a policy issue</td>
</tr>
<tr>
<td>Humble</td>
<td>Jetero &amp; Old Humble Road</td>
<td>Intersection Improvement</td>
<td>60</td>
<td>METRO recommends</td>
</tr>
<tr>
<td>Humble</td>
<td>N. Houston Ave. at Old FM 1960</td>
<td>Intersection Improvement</td>
<td>50</td>
<td>METRO recommends</td>
</tr>
<tr>
<td>Humble</td>
<td>Old FM 1960 at U.S.59</td>
<td>Widening &amp; street improvement from U.S.59 east to Charles Street</td>
<td>300</td>
<td>METRO recommends</td>
</tr>
<tr>
<td>Harris County</td>
<td>Greens Road at MD-PAC railroad</td>
<td>Grade separation at railroad</td>
<td>7,000</td>
<td>METRO recommends; Harris County request $2,445 METRO funds for 55% construction</td>
</tr>
<tr>
<td>Harris County</td>
<td>Park Row</td>
<td>Bridge over Langham Creek</td>
<td>320 est.</td>
<td>METRO recommends; possible additional street construction schedule</td>
</tr>
<tr>
<td>Miss. City</td>
<td>Fondren &amp; U.S.90A</td>
<td>Intersection Improvement</td>
<td>0</td>
<td>METRO recommends; included in METRO/City of Houston recommended project CH282 Fondren (W. Airport to S. Main)</td>
</tr>
<tr>
<td>PROJECT LOCATION</td>
<td>BENEFIT</td>
<td>ACCELERATE</td>
<td>MINIMIZES</td>
<td>EFFICIENT</td>
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<tr>
<td></td>
<td>TRANSIT</td>
<td>FLOW</td>
<td>BUS/AUTO</td>
<td>RESOURCE</td>
</tr>
<tr>
<td>Bellaire Bellaire/Bissonnet</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Humble Jetoro &amp; Old Humble Road</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Humble N. Houston Ave./Old FM1960</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Humble Old FM1960 at U.S.59</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Harris County Greens Road at NO-PAC railroad</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Harris County Park Row</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Harris Fondren &amp; U.S.90A</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Project Location</td>
<td>Bus Routes</td>
<td>Total # Buses Per Hour</td>
<td>Transit Benefits</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
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<td>---------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Bellaire/Blissonnet-Street relocation and improvements and the Southwest Transit</td>
<td>2-Bellaire</td>
<td>2h Peak</td>
<td>Facilitates transferring between routes at the Bellaire Transit Center</td>
<td></td>
</tr>
<tr>
<td>Center</td>
<td>33-Post Oak Crosstown</td>
<td>18 Base</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>65-Blissonnet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jetreo &amp; Atascocita Rd.- intersection improvement</td>
<td>none</td>
<td>N/A</td>
<td>Reduces traffic congestion which would facilitate the provision of transit service in the Humble/Atascocita area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Houston Avenue at Old F.M. 1960 -intersection improvements</td>
<td>none</td>
<td>N/A</td>
<td>Reduces traffic congestion which would facilitate the provision of local transit service in Humble; improves traffic flow to area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Old F.M. 1960 from U.S. 59 to Charles St.- widening and street improvement</td>
<td>none</td>
<td>N/A</td>
<td>Reduces traffic congestion which would facilitate the provision of local transit service in Humble; identified as access location in the long range plan</td>
<td></td>
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<td></td>
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<tr>
<td>Greens Road at MPRR - grade separation</td>
<td>none</td>
<td>N/A</td>
<td>Provides the opportunity to extend a current transit route from the Greenspoint area to Houston Intercontinental Airport.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Park Row (includes bridge over Langham Creek)</td>
<td>228 Addicks</td>
<td>1h Peak</td>
<td>Allows for the provision of local transit service to the Energy Corridor &amp; Park 10; and to facilitate access to the 228 Addicks Park &amp; Ride lot</td>
<td></td>
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<td></td>
<td></td>
<td>0 Base</td>
<td></td>
<td></td>
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</tbody>
</table>
A RESOLUTION

APPROVING THE CONSTRUCTION OF A GRADE SEPARATION AT THE INTERSECTION OF GREENS ROAD AND THE MISSOURI PACIFIC RAILROAD AS A JOINT PROJECT WITH HARRIS COUNTY SUBJECT TO ADOPTION OF A JOINT PROJECTS AGREEMENT BETWEEN HARRIS COUNTY AND METRO.

WHEREAS, the METRO Board of Directors has adopted a policy of participating in the construction of transportation improvement capital projects with other governmental entities within the METRO area; and

WHEREAS, Harris County has responded to METRO's solicitation of candidate joint projects with a proposal to construct a grade separation between Greens Road and the Missouri Pacific railroad; and

WHEREAS, the METRO Board of Directors is of the opinion that the mass transportation and mobility improvements associated with this project make it worthy of participation in by METRO; and

WHEREAS, the METRO Board of Directors wishes to approve of this grade separation construction as a joint project with Harris County subject to adoption of a Mass Transportation Improvement Projects Agreement by Harris County and METRO prescribing the terms and conditions for funding and construction of joint projects between Harris County and METRO;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The construction of a grade separation at the intersection of Greens Road and the Missouri Pacific railroad is hereby approved as a joint project with Harris County, subject to approval by the Harris County Commissioners Court and the METRO
Board of Directors of a Mass Transportation Improvement Projects Agreement between Harris County and METRO prescribing the terms and conditions for funding and construction of joint projects by Harris County and METRO.

Section 2. Subject to the provisions of Section 1 of this resolution, the Board approves funding of fifty-five percent (55%) of the cost of construction not to exceed the amount of $2,445,300.

Section 3. The General Manager or his designee is hereby authorized and directed to negotiate the terms and conditions of a Mass Transportation Improvement Projects Agreement with the representatives of Harris County.

Section 4. This resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

ATTEST:

Rose M. Gonzales
Assistant Secretary

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel
Resolution No. 84-1078

RESOLUTION AUTHORIZING THE ISSUANCE OF METROPOLITAN TRANSIT AUTHORITY (OF HARRIS COUNTY, TEXAS) RAPID TRANSIT SYSTEM REVENUE BONDS, SERIES 1984; PRESCRIBING THE TERMS AND CONDITIONS THEREOF; PROVIDING FOR THE PAYMENT THEREOF; MAKING OTHER PROVISIONS REGARDING SUCH BONDS AND MATTERS INCIDENT THERETO; AWARDING THE SALE OF THE BONDS; AND DECLARING AN EMERGENCY

BE IT RESOLVED BY THE BOARD OF THE METROPOLITAN TRANSIT AUTHORITY (OF HARRIS COUNTY, TEXAS) THAT:

ARTICLE ONE

SECTION 1.01: FINDINGS AND DETERMINATIONS. It is hereby officially found and determined that:

(a) The Authority as hereinafter defined is required by certain provisions of applicable federal tax law to issue tax-exempt obligations to provide, in part, funds for the acquisition of buses with respect to which the Authority intends to make a safe harbor lease; and

(b) The Authority is empowered by the Act (as hereinafter defined) to acquire and maintain a mass transit system and to issue such obligations in the form of bonds.

ARTICLE TWO

SECTION 2.01: DEFINITIONS. Unless otherwise expressly provided or unless the context otherwise requires, the terms defined in this Section shall have the respective following meanings for all purposes of this Resolution, except Article Four hereof, and any ordinance amendatory or supplemental hereeto:

Act. The term "Act" shall mean Article 1118x, Vernon's Texas Civil Statutes, as amended.

Additional Bonds. The term "Additional Bonds" shall mean the additional revenue bonds permitted to be issued by the Authority pursuant to Section 6.01 of this Resolution.

Authority. The term "Authority" shall mean the Metropolitan Transit Authority (of Harris County, Texas), and, where appropriate, the Board thereof, or any successor thereto as owner and operator of the System.
Bonds. The term "Bonds" shall mean any or all of the Series 1984 Bonds and each series of Additional Bonds from time to time hereafter issued.

Director of Treasury Services. The term "Director of Treasury Services" shall mean the Director of Treasury Services of the Authority, or his successor or person acting in such capacity.

Federal Payments. The term "Federal Payments" shall mean those funds received by the Authority from the federal government or any agency thereof with respect to any facilities or services of the System.

General Manager. The term "General Manager" shall mean the General Manager of the Authority, or his successor or person acting in such capacity.

Gross Revenues. The term "Gross Revenues" shall mean all income and revenues derived directly or indirectly by the Authority from the operation and use of and otherwise pertaining to the System, or any part thereof, whether resulting from extensions, enlargements, repairs, betterments or other improvements to the System, or otherwise, and includes, except to the extent hereinafter expressly excluded, all revenues received by the Authority from the System, including, without limitation, all rates, fares, tolls, charges, rents or other compensation for the use of the System, or for any service rendered by the Authority in the operation thereof. Gross Revenues expressly exclude:

(a) proceeds of any Bonds;

(b) interest or other investment income derived from Bond proceeds deposited to the credit of any construction fund, or applied to fund capitalized interest;

(c) any monies received as grants, appropriations, or gifts, the use of which is limited by the grantor or donor to the construction of capital improvements for the System, except to the extent any such monies shall be received as payments for the use of the System;

(d) insurance proceeds other than loss of use or business interruption insurance proceeds;

(e) sales and other taxes collected by the Authority on its behalf or on behalf of the State of Texas and any other taxing entities;

(f) Federal Payments received by the Authority unless the Authority first receives an opinion from nationally recognized bond counsel to the effect that such payments, if included in Gross Revenues, would not cause the interest on the Bonds to be includable within the gross income of the Owners thereof for federal income tax purposes; and
(g) the net proceeds received by the Authority from the disposition of any property of the System.

Inferior Lien Obligations. The term "Inferior Lien Obligations" shall mean each series of bonds, notes or other obligations permitted to be issued by the Authority pursuant to Section 6.02 of this Resolution as Inferior Lien Obligations secured in whole or in part by liens on the Net Revenues that are junior and subordinate to the lien on Net Revenues securing payment of the Bonds.

Net Revenues. The term "Net Revenues" shall mean the Gross Revenues remaining after the deduction of the Operation and Maintenance Expenses.

Operation and Maintenance Expenses. The term "Operation and Maintenance Expenses" shall mean all reasonable and necessary current expenses of the Authority, paid or accrued, of operating and maintaining the properties and facilities of the System, including, without limitation, all salaries, labor, materials and repairs; insurance and fidelity bond premiums; payments to pension and other funds and to any self-insurance fund not in excess of premiums which would otherwise be required for such insurance; any general and excise taxes or other governmental charges imposed by entities other than the Authority; costs of contractual and professional services and supplies for current operations; costs of issuance of Bonds for the System (except to the extent paid from the proceeds thereof); fiduciary costs; costs of collecting and refunding Gross Revenues; utility costs; any lawful refunds of any Gross Revenues; and all other administrative, general and commercial expenses, but excluding:

(a) any allowance for depreciation;

(b) costs of capital improvements;

(c) reserves for major capital improvements, System operations, maintenance or repair;

(d) any allowance for redemption of, or payment of interest or premium on, Bonds;

(e) any liabilities incurred in acquiring or improving properties of the System;

(f) liabilities based upon the Authority's negligence or other ground not based on contract; and

(g) so long as Federal Payments are excluded from Gross Revenues, an amount of expenses that would otherwise constitute Operation and Maintenance Expenses for such period equal to the Federal Payments for such period.

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Outstanding. The term "Outstanding" when used with reference to the Bonds means, as of a particular date, all such bonds theretofore and thereupon delivered except: (a) any such bond cancelled by or on behalf of the Authority at or before such date; (b) any such bond defeased pursuant to the defeasance provisions, if any, of the resolution authorizing its issuance or otherwise defeased as permitted by applicable law; (c) any such bond in lieu of or in substitution for which another bond shall have been delivered pursuant to the resolution authorizing the issuance of such bond.

Owner. The term "Owner" or "Registered Owner", when used with respect to any Bond shall mean the person or entity in whose name such Bond is registered in the Register. Any reference to a particular percentage or proportion of the Owners shall mean the Owners at a particular time of the specified percentage or proportion in aggregate principal amount of all Bonds then Outstanding under this Resolution.

Rapid Transit System or System. The term "System" shall mean all real and personal property of every kind and nature whatsoever, owned or held at any time by the Authority for mass transit purposes, including (without limiting the generality of the foregoing), land, interests in land, buildings, structures, rights-of-way, easements, franchises, rail lines, bus lines, stations, platforms, terminals, rolling stock, garages, shops, equipment and facilities (including vehicle parking areas and facilities and other facilities necessary or convenient for the beneficial use and access of persons and vehicles to stations, terminals, yards, cars, and buses), control houses, signals and land, facilities and equipment for the protection and environmental enhancement of all such facilities.

Register. The term "Register" shall mean the books of registration kept by the Registrar/Paying Agent in which are maintained the names and addresses of and the principal amounts registered to each Owner.

Registrar/Paying Agent. The term "Registrar/Paying Agent" shall mean, for the Series 1984 Bonds, Allied Bank of Texas, Houston, Texas, and its successors in that capacity.

Resolution. The term "Resolution" shall mean this Bond Resolution and all amendments hereof and supplements hereto.


SECTION 2.02: INTERPRETATIONS. All terms defined herein and all pronouns used in this Resolution shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Resolution have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or
restrict any of the terms or provisions hereof. This Resolution and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of the Bonds and the validity of the lien on the pledge of the Net Revenues to secure the payment of the Bonds.

ARTICLE THREE

TERMS OF THE SERIES 1984 BONDS

SECTION 3.01: NAME, AMOUNT, PURPOSE AND AUTHORIZATION. The Series 1984 Bonds, to be known and designated as METROPOLITAN TRANSIT AUTHORITY (OF HARRIS COUNTY, TEXAS) RAPID TRANSIT SYSTEM REVENUE BONDS, SERIES 1984 shall be issued in fully registered form, without coupons, in the aggregate principal amount of $2,000,000 for the acquisition, purchase, construction, reconstruction, repair, equipping, improvement or extension of the Authority's rapid transit system and all properties thereof, whether real, personal or mixed.

SECTION 3.02: DATE, DENOMINATION, INTEREST RATES, AND MATURITIES. The Series 1984 Bonds shall mature, subject to prior redemption as hereinafter provided, on May 31, 1986, and the Series 1984 Bonds shall bear interest at the rate of eight and one-eighth per cent (8 1/8%) per annum. The Series 1984 Bonds shall initially be evidenced by a series of bonds dated December 15, 1984, numbered from R-1 upward. Series 1984 Bonds delivered on transfer of or in exchange for other Series 1984 Bonds shall be numbered in order of their authentication by the Registrar/Paying Agent, shall be in the denomination of $5,000 or integral multiples thereof, and shall mature on the same date and bear interest at the same rate as the Series 1984 Bond or Series 1984 Bonds in lieu of which they are delivered. Interest shall be payable in the manner provided and on the dates stated in the FORM OF SERIES 1984 BONDS set forth in Article IV.

SECTION 3.03: REDEMPTION PRIOR TO MATURITY.

(a) On any date the Authority shall have the option of calling the Series 1984 Bonds for redemption prior to maturity, in whole or in part, for an amount equal to the accrued interest thereon to the date fixed for redemption.

(b) Principal may be redeemed in part only in integral multiples of $5,000. If a Series 1984 Bond subject to redemption is in a denomination larger than $5,000, a portion of such Series 1984 Bond may be redeemed, but only in integral multiples of $5,000. In selecting portions of Series 1984 Bonds for redemption, the Registrar/Paying Agent shall treat each Series 1984 Bond as representing that number of Series 1984 Bonds of $5,000 denomination which is obtained by dividing the principal amount of such Series 1984 Bond by $5,000. Upon surrender of any Series 1984 Bond for redemption in part, the Registrar/Paying Agent, in accordance with the provisions of the Resolution,
shall authenticate and deliver in exchange therefor a Bond or Series 1984 Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Series 1984 Bond so surrendered.

(c) Notice of any optional redemption identifying the Series 1984 Bonds to be redeemed in whole or in part shall be given by the Registrar/Paying Agent at least thirty (30) days prior to the date fixed for redemption by sending written notice by certified mail to the Registered Owner of each Series 1984 Bond to be redeemed in whole or in part at the address shown on the Register. Such notice shall state the redemption date, the redemption price, the amount of accrued interest payable on the redemption date, the place at which Series 1984 Bonds are to be surrendered for payment and, if less than the entire principal amount of a Series 1984 Bond is to be redeemed, the portion thereof to be redeemed. Any notice given as provided in this paragraph shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar/Paying Agent for the payment of the redemption price of the Series 1984 Bonds to be redeemed, plus accrued interest to the date fixed for redemption.

SECTION 3.04: MANNER OF PAYMENT, CHARACTERISTICS, EXECUTION AND AUTHENTICATION. The Registrar/Paying Agent is hereby appointed as the paying agent for the Series 1984 Bonds. The Series 1984 Bonds shall be payable, shall have the characteristics, shall be signed, executed and sealed and shall be authenticated, all as provided and in the manner indicated in the FORM OF SERIES 1984 BONDS set forth in Article IV of this Resolution. If any officer of the Authority whose manual or facsimile signature shall appear on the Series 1984 Bonds, as provided in the FORM OF SERIES 1984 BONDS, shall cease to be such officer before the authentication of the Series 1984 Bonds or before the delivery of the Series 1984 Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

SECTION 3.05: OWNERSHIP. The Authority, the Registrar/Paying Agent and any other person may treat the person in whose name any Series 1984 Bond is registered as the absolute owner of such Series 1984 Bond for the purpose of making and receiving payment of the principal thereof and premium, if any, thereon, and for the further purpose of making and receiving payment of the interest thereon, and for all other purposes, whether or not such Series 1984 Bond is overdue, and neither the Authority nor the Registrar/Paying Agent shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Owner of any Series 1984 Bond in accordance with this Section shall be valid and effectual and shall discharge the liability of the Authority and the Registrar/Paying Agent upon such Series 1984 Bond to the extent of the sums paid.

SECTION 3.06: REGISTRATION, TRANSFER AND EXCHANGE. So long as any Series 1984 Bonds remain outstanding, the Registrar/Paying Agent shall keep
the Register at its principal corporate trust office in which, subject to such reasonable regulations as it may prescribe, the Registrar/Paying Agent shall provide for the registration and transfer of the Series 1984 Bonds in accordance with the terms of this Resolution.

Each Series 1984 Bond shall be transferable only upon the presentation and surrender thereof at the principal corporate trust office of the Registrar/Paying Agent, duly endorsed for transfer, or accompanied by an assignment duly executed by the Registered Owner or his authorized representative in form satisfactory to the Registrar/Paying Agent. Upon due presentation of any Series 1984 Bond for transfer, the Registrar/Paying Agent shall authenticate and deliver in exchange therefor, within 72 hours after such presentation, a new Series 1984 Bond or Series 1984 Bonds, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Series 1984 Bond or Series 1984 Bonds so presented.

All Series 1984 Bonds shall be exchangeable upon the presentation and surrender thereof at the principal corporate trust office of the Registrar/Paying Agent for a Series 1984 Bond or Series 1984 Bonds of the same maturity and interest rate and in any authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of the Series 1984 Bond or Series 1984 Bonds presented for exchange. The Registrar/Paying Agent shall be and is hereby authorized to authenticate and deliver exchange Series 1984 Bonds in accordance with the provisions of this Section. Each Series 1984 Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Resolution to the same extent as the Series 1984 Bond or Series 1984 Bonds in lieu of which such Series 1984 Bond is delivered.

The Authority or the Registrar/Paying Agent may require the Owner of any Series 1984 Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Series 1984 Bond. Any fee or charge of the Registrar/Paying Agent for such transfer or exchange shall be paid by the Authority.

The Registrar/Paying Agent shall not be required to transfer or exchange any Series 1984 Bond during any period beginning fifteen (15) calendar days prior to the mailing of any notice of redemption by the Registrar/Paying Agent and ending on the date of the mailing of such notice of redemption.

SECTION 3.07: CANCELLATION. All Series 1984 Bonds paid or redeemed in accordance with this Resolution, and all Series 1984 Bonds in lieu of which exchange Series 1984 Bonds or replacement Series 1984 Bonds are authenticated and delivered in accordance herewith, shall be cancelled and destroyed upon the making of proper records regarding such payment or redemption. The Registrar/Paying Agent shall periodically furnish the Authority with certificates of destruction of such Series 1984 Bonds.
SECTION 3.08: REPLACEMENT BONDS. Upon the presentation and surrender to
the Registrar/Paying Agent of a mutilated Series 1984 Bond, the Regis-

trar/Paying Agent shall authenticate and deliver in exchange therefor a re-
placement Series 1984 Bond of like maturity, interest rate, and principal
amount, bearing a number not contemporaneously outstanding. The Authority or
the Registrar/Paying Agent may require the Owner of such Series 1984 Bond to
pay a sum sufficient to cover any tax or other governmental charge that may be
imposed in connection therewith and any other expenses connected therewith,
including the fees and expenses of the Registrar/Paying Agent.

If any Series 1984 Bond is lost, apparently destroyed, or wrongfully
taken, the Authority, pursuant to the applicable laws of the State of Texas
and in absence of notice or knowledge that such Series 1984 Bond has been
acquired by a bona fide purchaser, shall execute and the Registrar/Paying
Agent shall authenticate and deliver a replacement Series 1984 Bond of like
maturity, interest rate, and principal amount, bearing a number not contempo-
raneously outstanding, provided that the Owner thereof shall have:

(a) furnished to the Authority and the Registrar/Paying Agent satisfac-
tory evidence of the ownership of and the circumstances of the loss,
destruction or theft of such Series 1984 Bond;

(b) furnished such security or indemnity as may be required by the
Registrar/Paying Agent and the Authority to save them harmless;

(c) paid all expenses and charges in connection therewith, including,
but not limited to, printing costs, legal fees, fees of the Registrar/Paying
Agent and any tax or other governmental charge that may be imposed; and

(d) met any other reasonable requirements of the Authority and the Reg-
istrar/Paying Agent.

If, after the delivery of such replacement Series 1984 Bond, a bona fide pur-
chaser of the original Series 1984 Bond in lieu of which such replacement
Series 1984 Bond was issued presents for payment such original Series 1984
Bond, the Authority and the Registrar/Paying Agent shall be entitled to re-
cover such replacement Series 1984 Bond from the person to whom it was de-
levered or any person taking therefrom, except a bona fide purchaser, and
shall be entitled to recover upon the security or indemnity provided therefor
to the extent of any loss, damage, cost or expense incurred by the Authority
or the Registrar/Paying Agent in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken
Series 1984 Bond has become or is about to become due and payable, the Author-
ity in its discretion may, instead of issuing a replacement Series 1984 Bond,
authorize the Registrar/Paying Agent to pay such Series 1984 Bond.

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Each replacement Series 1984 Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Resolution to the same extent as the Series 1984 Bond or Series 1984 Bonds in lieu of which such replacement Series 1984 Bond is delivered.

ARTICLE FOUR

FORM OF SERIES 1984 BONDS AND CERTIFICATES

SECTION 4.01: FORM OF SERIES 1984 BONDS. The Series 1984 Bonds shall be in substantially the following form, with such additions, deletions and variations as may be necessary or desirable and permitted by this Resolution:

(Face of Bond)

United States of America
State of Texas

NUMBER
R-
REGISTERED

DENOMINATION
$-
REGISTERED

METROPOLITAN TRANSIT AUTHORITY
(OF HARRIS COUNTY, TEXAS)
Rapid Transit System Revenue Bond, Series 1984

INTEREST RATE:
8 1/8%

MATURITY DATE:
May 31, 1986

ISSUE DATE:
December 15, 1984

Registered Owner:

Principal Amount:

The METROPOLITAN TRANSIT AUTHORITY (OF HARRIS COUNTY, TEXAS), a public body corporate and politic (the "Authority"), for value received hereby promises to pay, solely from the Net Revenues hereinafter specified and from no other source, to the Registered Owner identified above or registered assigns, on the date specified above, upon presentation and surrender of this bond at the principal corporate trust office of ALLIED BANK OF TEXAS, HOUSTON, TEXAS (the "Registrar/Paying Agent"), the Principal Amount identified above, in any coin or currency of the United States of America which on the date of payment
of such principal is legal tender for the payment of debts due the United States of America, and to pay, solely from such Net Revenues, interest thereon at the rate shown above, calculated on the basis of a 360-day year composed of twelve 30-day months, from the later of the date of authentication hereof by the Registrar/Paying Agent or the most recent interest payment date to which interest has been paid or duly provided for. Interest on this bond is payable on May 31 and November 30 beginning May 31, 1985, by wire transfer of immediately available funds to the registered owner of record as of the previous April 15 and November 15 as shown on the books of registration kept by the Registrar/Paying Agent at such Registered Owner's banking address as it appears on such books, or, if no such banking address appears on such books, by check or draft mailed to the Registered Owner hereof as its address appears on such books.

THIS BOND IS ONE OF A DULY AUTHORIZED ISSUE OF BONDS, aggregating $2,000,000 (the "Series 1984 Bonds"), issued pursuant to a resolution adopted by the Board of the Authority (the "Resolution") for the acquisition, purchase, construction, reconstruction, repair, equipping, improvement or extension of the Authority's rapid transit system and all properties thereof, whether real, personal or mixed, under and pursuant to the authority of Article 1118x, Vernon's Texas Civil Statutes, as amended, and all other applicable law.

THIS BOND AND ALL OF THE SERIES 1984 BONDS are special obligations of the Authority that are equally and ratably payable from and secured by a lien on certain "Net Revenues" of the "System" of the Authority, all as more fully described and provided for in the Resolution. This bond and the series of which it is a part, together with the interest thereon, are payable solely from such Net Revenues and do not constitute an indebtedness or general obligation of the Authority and are not payable wholly or partially from any taxes, including local sales and use taxes, collected by the Authority. The Registered Owner of this bond shall never have the right to demand payment of this bond or the interest thereon out of any funds raised or to be raised by taxation.

ON ANY DATE the Authority shall have the option of calling the Series 1984 Bonds for redemption prior to maturity, in whole or in part, for an amount equal to the principal amount of such bonds redeemed plus the accrued interest thereon to the date fixed for redemption, all in accordance with the terms of the Resolution. When the Series 1984 Bonds have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Series 1984 Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely for the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after the redemption date on any Series 1984 Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.
THIS BOND IS TRANSFERABLE only upon presentation and surrender at the principal corporate office of the Registrar/Paying Agent, duly endorsed for transfer or accompanied by an assignment duly executed by the Registered Owner or his authorized representative, subject to the terms and conditions of the Resolution.

THE SERIES 1984 BONDS ARE EXCHANGEABLE at the principal corporate trust office of the Registrar/Paying Agent for the Series 1984 Bonds in the principal amount of $5,000 or any integral multiple thereof, subject to the terms and conditions of the Resolution.

THE REGISTRAR/PAYING AGENT IS NOT REQUIRED TO ACCEPT any Series 1984 Bond for transfer or exchange during the fifteen (15) days prior to mailing of any notice of redemption.

THE AUTHORITY HAS RESERVED THE RIGHT TO ISSUE ADDITIONAL BONDS and inferior lien obligations, subject to the restrictions contained in the Resolution, on a parity with, or subordinate and inferior to, the lien on the aforesaid Net Revenues securing this bond and the series of which it is a part.

THE RESOLUTION CONTAINS PROVISIONS permitting the Authority to amend the Resolution, and any such amendment shall be binding upon the Registered Owner of this bond without endorsement hereon or any reference to such amendment, provided that no amendment shall permit (1) an extension of the maturity of the principal of or the interest on this bond or (2) a reduction of the principal amount of this bond or the rate of interest thereon.

THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Resolution unless this bond either (1) is registered by the Comptroller of Public Accounts of the State of Texas by registration certificate manually endorsed hereon or (2) is authenticated by the Registrar/Paying Agent by due execution of the authentication certificate manually endorsed hereon. Such duly executed certificate of authentication shall be conclusive evidence that this bond was delivered by the Registrar/Paying Agent under the provisions of the Resolution.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that the issuance of the Series 1984 Bonds is duly authorized by law; that all acts, conditions and things required to exist and be done precedent to and in the issuance of the Series 1984 Bonds to render the same lawful and valid have been properly done and performed and have happened in regular and due time, form and manner, as required by law; that due provision has been made for the payment of the principal of and interest on the Bonds by granting a lien on and pledge of the Net Revenues as provided in the Resolution; and that the issuance of the Series 1984 Bonds does not exceed any constitutional or statutory limitation.
IN WITNESS WHEREOF, the Authority has caused its corporate seal to be impressed or placed in facsimile hereon and this bond to be signed by the Chairman of the Board of the Authority and countersigned by the Secretary of the Board by their manual, lithographed or printed facsimile signatures.

(AUTHENTICATION CERTIFICATE)

Chairman of the Board

Secretary of the Board

SECTION 4.02: REGISTRATION OF SERIES 1984 BONDS BY STATE COMPTROLLER. The Series 1984 Bonds initially delivered hereunder shall be registered by the Comptroller of Public Accounts of the State of Texas, as provided by law. The registration certificate of the Comptroller of Public Accounts shall be printed on such Series 1984 Bonds in substantially the following form:

OFFICE OF THE COMPTROLLER
THE STATE OF TEXAS

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding special obligation of the Metropolitan Transit Authority (of Harris County, Texas), payable from the revenues pledged to its payment by and in the resolution authorizing the same; and this bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF OFFICE this _______.

Comptroller of Public Accounts of the State of Texas

(SEAL)

SECTION 4.03: FORM OF AUTHENTICATION CERTIFICATE. The following form of authentication certificate shall be printed on the face of each of the Series 1984 Bonds:
AUTHENTICATION CERTIFICATE
This bond is one of the Series 1984 Bonds described in and delivered pursuant to the within-mentioned Resolution.

ALLIED BANK OF TEXAS

By ____________________________  
Authorized Officer

Authentication Date: ____________

SECTION 4.04: FORM OF ASSIGNMENT. The following form of assignment shall be printed on the back of each of the Series 1984 Bonds:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto __________________ the within bond and hereby irrevocably constitutes and appoints __________________ attorney to transfer said bond on the books kept for registration thereof, with full power of substitution in the premises.

DATED: __________________________  
Registered Owner

Signature Guaranteed: ______________
ARTICLE FIVE

SECURITY AND SOURCE OF PAYMENT FOR ALL BONDS

SECTION 5.01: PLEDGE AND SOURCE OF PAYMENT. (a) The Authority hereby covenants and agrees to transfer to and deposit with the Registrar/Paying Agent not later than each May 31 and November 30 while any Bonds are Outstanding an amount of Net Revenues sufficient to provide for the payment of all principal of and interest on the Bonds payable on such date and all expenses of providing for their full and timely payment, in accordance with their terms. The Registrar/Paying Agent shall use such amount for such purpose only.

(b) The Bonds shall constitute special obligations of the Authority that shall be payable solely from and shall be equally and ratably secured by a lien on the Net Revenues and do not constitute an indebtedness or general obligation of the Authority and are not payable wholly or partially from any taxes, including local sales and use taxes, collected by the Authority. For the benefit of the Owners of the Bonds the Authority hereby grants a lien on the Net Revenues to secure the payment of the principal of and interest on the Bonds and all expenses of providing for their full and timely payment in accordance with their terms. The Bonds shall be in all respects on a parity with and of equal dignity with one another. The owners of the Bonds shall never have the right to demand payment of the Bonds or the interest thereon out of any funds raised or to be raised by taxation.

SECTION 5.02: ESTABLISHMENT AND MAINTENANCE OF RATES. The Authority covenants to establish and maintain rates, fares, tolls, charges, rents or other compensation for the use of the System which, together with local sales and use taxes collected by the Authority, shall be sufficient to produce revenues that are at all times adequate (1) to pay all Operation and Maintenance Expenses; and (2) to pay the interest on and principal of the Bonds.

ARTICLE SIX

ADDITIONAL BONDS

SECTION 6.01: ADDITIONAL BONDS. The Authority reserves the right to issue, for any lawful System purpose, one or more installments of Additional Bonds secured on a parity with the Bonds; provided, however, that no such additional Bonds shall be issued unless the General Manager of the Authority certifies that, upon the issuance of such series of Bonds, the Authority will not be in default under any term or provision of any Bonds then Outstanding or any order pursuant to which any of such Bonds were issued.

SECTION 6.02: INFERIOR LIEN OBLIGATIONS. The Authority reserves the right to issue or incur, for any lawful System purpose, bonds, notes or other obligations secured in whole or in part by liens on the Net Revenues that are
junior and subordinate to the lien on Net Revenues securing payment of the Bonds. Such subordinate lien obligations may be further secured by any other source of payment lawfully available for such purposes.

ARTICLE SEVEN

COVENANTS AND PROVISIONS

RELATING TO ALL BONDS

SECTION 7.01: PUNCTUAL PAYMENT OF BONDS. The Authority will punctually pay or cause to be paid the interest on and principal of all Bonds according to the terms thereof and will faithfully do and perform, and at all times fully observe, any and all covenants, undertakings, stipulations and provisions contained in this Resolution and in any other ordinance authorizing the issuance of such Bonds.

SECTION 7.02: PLEDGE AND ENCUMBRANCE OF REVENUES. The Authority covenants and represents that it has the lawful power to create a lien on and to pledge the Net Revenues to secure the Bonds and has lawfully exercised such power under the Constitution and laws of the State of Texas.

SECTION 7.04: BONDHOLDERS REMEDIES. This Resolution shall constitute a contract between the Authority and the owners of the Bonds from time to time Outstanding, and this Resolution shall be and remain irrepealable until the Bonds and the interest thereon shall be fully paid or discharged or provision therefor shall have been made as provided herein. In the event of a default in the payment of the principal of or interest on any of the Bonds or a default in the performance of any duty or covenant provided by law or in this Resolution, the owner or owners of any of the Bonds may pursue all legal remedies afforded by the Constitution and laws of the State of Texas to compel the Authority to remedy such default and to prevent further default or defaults. Without in any way limiting the generality of the foregoing, it is expressly provided that any owner of any of the Bonds may at law or in equity, by suit, action, mandamus, or other proceedings, enforce and compel performance of all duties required to be performed by the Authority under this Resolution.

SECTION 7.04: LEGAL HOLIDAYS. In any case where the date of maturity of interest on or principal of the Bonds or the date fixed for redemption of any Bonds shall be in the Authority a legal holiday or a day on which a paying agent for the Bonds is authorized by law to close, then payment of interest or principal need not be made on such date but may be made on the next succeeding day not in the Authority a legal holiday or a day on which such paying agent is authorized by law to close with the same force and effect as if made on the date of maturity or the date fixed for redemption, and no interest shall accrue for the period from the date of maturity or redemption to the date of actual payment.
SECTION 7.05: TAX EXEMPTION. So long as any Bonds remain Outstanding, the Authority covenants that it will not take, or omit to take, any acts if to do so would cause interest on the Bonds to be includable within the gross income of the Owners thereof for federal income tax purposes.

ARTICLE EIGHT

THE REGISTRAR/PAYING AGENT

SECTION 8.01: ACCEPTANCE. The Registrar/Paying Agent, by undertaking the performance of the duties of the Registrar/Paying Agent hereunder, accepts and agrees to abide by the terms of this Resolution.

SECTION 8.02: TRUST FUNDS. All money transferred to the Registrar/Paying Agent under this Resolution shall be held in trust for the benefit of the Authority, shall be the property of the Authority and shall be disbursed in accordance with this Resolution.

SECTION 8.03: BONDS PRESENTED. Subject to the provisions of Section 8.04, all matured Bonds presented to the Registrar/Paying Agent for payment shall be paid without the necessity of further instructions from the Authority. Such Bonds shall be cancelled as provided herein.

SECTION 8.04: BONDS NOT TIMELY PRESENTED. The Registrar/Paying Agent shall remit to the Authority, upon receipt of the certificate provided for herein, a sum equal to the aggregate face amount of all Bonds which have not been presented for payment prior to the date specified in such certificate. Such certificate:

(a) shall specify the Bonds or portions thereof to which it applies and the amount of each;

(b) shall specify the date on which the Authority believes itself to be no longer obligated to pay such Bonds or portions thereof by virtue of the expiration of the applicable statute of limitations under the laws of the State of Texas; and

(c) shall be signed by the Chairman of the Board and attested by the Secretary of the Board.

The Registrar/Paying Agent shall have no liability to the Owners of the Bonds by virtue of actions taken in compliance with this Section.

SECTION 8.05: REGISTRAR/PAYING AGENT MAY OWN BONDS. The Registrar/Paying Agent, in its individual or any other capacity, may become the owner or pledgee of Bonds with the same rights it would have if it were not the Registrar/Paying Agent.
SECTION 8.06: SUCCESSOR REGISTRARS/PAYING AGENTS. If the Registrar/Paying Agent or its successor becomes unable for any reason to act as Registrar/Paying Agent hereunder, the Authority covenants that it will appoint a bank in the same city as the Registrar/Paying Agent initially appointed to perform the duties of Registrar/Paying Agent hereunder. Any successor Registrar/Paying Agent shall be either a national or state banking institution and a corporation organized and doing business under the laws of the United States of America or any State, which is authorized under such laws to exercise trust powers and is subject to supervision or examination by Federal or State authority.

ARTICLE NINE

ALTERATION OF RIGHTS AND DUTIES; AMENDMENT OF RESOLUTION

SECTION 9.01: ALTERATION OF RIGHTS AND DUTIES. The rights, duties and obligations of the Authority and the Owners of the Bonds are subject in all respects to all applicable federal and state laws including, without limitation, the provisions of federal law regarding the composition of indebtedness of political subdivisions, as the same now exist or may hereafter be amended.

SECTION 9.02: AMENDMENT OF RESOLUTION WITHOUT CONSENT. The Authority may, without the consent of or notice to any of the Owners of the Bonds, amend this Resolution for any one or more of the following purposes:

(a) to cure any ambiguity, defect, omission or inconsistent provision in this Resolution or in the Bonds, or to comply with any applicable provision of law or regulation of Federal agencies; provided, however, that such action shall not adversely affect the interests of the Owners of the Bonds;

(b) to change the terms or provisions of this Resolution to the extent necessary to prevent the interest on the Bonds from being includable within the gross income of the Owners thereof for federal income tax purposes;

(c) to grant to or confer upon the Owners of the Bonds any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners of the Bonds;

(d) to add to the covenants and agreements of the Authority contained in this Resolution other covenants and agreements of, or conditions or restrictions upon, the Authority or to surrender or eliminate any right or power reserved to or conferred upon the Authority in this Resolution; or

(e) to subject to the pledge of this Resolution additional Net Revenues which may include revenues, properties or other collateral.
SECTION 9.03: AMENDMENTS OF RESOLUTION REQUIRING CONSENT. The Authority may at any time adopt one or more resolutions amending, modifying, adding to or eliminating any of the provisions of this Resolution but, if such amendment is not of the character described in Section 9.02 hereof, only with the consent given in accordance with Section 9.04 hereof of the Owner or Owners of not less than a majority in aggregate unpaid principal amount of the Bonds then Outstanding and affected by such amendment, modification, addition or elimination; provided, however, that nothing in this Section shall permit (a) an extension of the maturity of the principal of or interest on any Bond issued hereunder, or (b) a reduction in the principal amount of any Bond or the rate of interest on any Bond, or (c) a privilege or priority of any Bond or Bonds over any other Bond or Bonds or (d) a reduction in the aggregate principal amount of the Bonds required for consent to such amendment.

SECTION 9.04: CONSENT OF OWNERS. Any consent required by Section 9.03 hereof by any Owner shall be in writing, may be in any number of concurrent writings of similar tenor and may be signed by such Owner or his duly authorized attorney. Proof of the execution of any such consent or of the writing appointing any such attorney and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Resolution, and shall be conclusive in favor of the Authority with regard to any action taken, suffered or omitted to be taken by the Authority under such instrument, namely:

(a) The fact and date of the execution by any person of any such writing may be proven by the certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such writing acknowledged before him the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of the ownership by any person of any Bond and the date of the ownership of same may be proven by a certificate executed by an appropriate officer of the Registrar/Paying Agent, stating that at the date thereof such Bond was registered in the name of such party in the Register.

In lieu of the foregoing the Authority may accept such other proofs of the foregoing as it shall deem appropriate.

Consents required pursuant to Section 9.03 shall be valid only if given following the giving of notice by or on behalf of the Authority requesting such consent and setting forth the substance of the amendment of this Resolution in respect of which such consent is sought and stating that copies thereof are available at the office of the General Manager for inspection. Such notice shall be given by certified mail to each Registered Owner of the Bonds affected at the address shown on the Register.

SECTION 9.05: REVOCATION OF CONSENT. Any consent by any Owner of a Bond pursuant to the provisions of this Article shall be irrevocable for a period
of six months from the date of mailing of the notice provided for in this Article and shall be conclusive and binding upon all future Owners of the same Bond and any Bond delivered on transfer thereof or in exchange for or replacement thereof during such period. Such consent may be revoked at any time after six months from the date of the first mailing of such notice by the Owner who gave such consent or by a successor in title, by filing notice thereof with the Registrar/Paying Agent, but such revocation shall not be effective if the Owners of a majority in aggregate principal amount of the Bonds Outstanding as in this Resolution defined have, prior to the attempted revocation, consented to and approved the amendment.

ARTICLE TEN

PROVISIONS CONCERNING SALE AND
APPLICATION OF PROCEEDS OF SERIES 1984 BONDS

SECTION 10.01: SALE OF SERIES 1984 BONDS. Sale of the Series 1984 Bonds is hereby awarded to Allied Bank of Texas for a purchase price of $2,000,000. It is hereby found and declared that the above price and terms of sale of the Series 1984 Bonds are the most advantageous reasonably obtainable by the Authority.

SECTION 10.02: APPROVAL, REGISTRATION AND INITIAL DELIVERY. The Director of Treasury Services is hereby authorized to have control and custody of the Series 1984 Bonds and all necessary records and proceedings pertaining thereto pending their delivery, and the General Manager, the Director of Treasury Services and other officers and employees of the Authority are hereby authorized and instructed to make such certifications and to execute such instruments as may be necessary to accomplish the initial delivery of the Series 1984 Bonds and to assure the investigation, examination and approval thereof by the Attorney General of the State of Texas and their registration by the State Comptroller of Public Accounts. Upon registration of the Series 1984 Bonds, the Comptroller of Public Accounts (or a deputy designated in writing to act for him) shall be requested to sign manually the Comptroller's Registration Certificate prescribed herein to be printed and endorsed on each initially delivered Series 1984 Bond and the seal of the Comptroller shall be impressed or printed or lithographed thereon. The General Manager shall be further authorized to make such agreements with the purchasers of the Series 1984 Bonds as may be necessary to assure that the same will be delivered to such purchasers in accordance with the terms of sale at the earliest practicable date after the adoption of this Resolution.

SECTION 10.03: APPLICATION OF PROCEEDS OF SERIES 1984 BONDS. Proceeds from the sale of the Series 1984 Bonds shall, promptly upon receipt by the Authority, be applied as directed by the General Manager or the Director of Treasury Services.
SECTION 10.04: NO ARBITRAGE. The Authority certifies that based upon all facts and estimates now known or reasonably expected to be in existence on the date the Series 1984 Bonds are delivered and paid for, the Authority reasonably expects that the proceeds of the Series 1984 Bonds will not be used in a manner that would cause the Series 1984 Bonds or any portion thereof to be an "arbitrage bond" under Section 103(c)(2) of the Internal Revenue Code of 1954, as amended, and the regulations prescribed thereunder. Furthermore, all officers, employees and agents of the Authority are authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the Authority as of the date the Series 1984 Bonds are delivered and paid for. In particular, all or any officers of the Authority are authorized to certify for the Authority the facts and circumstances and reasonable expectations of the Authority on the date the Series 1984 Bonds are delivered and paid for regarding the amount and use of the proceeds thereof. Moreover, the Authority covenants that it shall make such use of the proceeds of the Series 1984 Bonds, regulate investments of proceeds thereof and take such other and further actions as may be required so that the Series 1984 Bonds shall not be "arbitrage bonds" under Section 103(c)(2) of the Internal Revenue Code of 1954, as amended, and regulations prescribed from time to time thereunder.

ARTICLE ELEVEN

MISCELLANEOUS

SECTION 11.01: FURTHER PROCEDURES. The Chairman and Secretary of the Board, the General Manager and other appropriate officials of the Authority are hereby authorized and directed to do any and all things necessary and/or convenient to carry out the terms of this Resolution.

SECTION 11.02: SEVERABILITY. If any Section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 11.03: OPEN MEETING. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the Board at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public at the administrative office of the Authority for the time required by law preceding this meeting, as required by the Open Meetings Law, Article 6252-17, Vernon's Texas Civil Statutes, as amended, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The Board further ratifies, approves and confirms such written notice and the contents and posting thereof.
SECTION 11.04: DECLARATION OF EMERGENCY. It is hereby officially found and determined that a case of emergency and urgent public necessity exists which requires the holding of the meeting at which this Resolution is passed and further requires that this Resolution be passed finally and take effect immediately on the date of its introduction, such emergency and urgent public necessity being that the proceeds from the sale of the Series 1984 Bonds are required as soon as possible and without delay for the purposes set forth herein. The Board of the Authority has declared in writing the existence of such emergency and requested passage of this Resolution, and such Resolution is hereby passed finally on the date of its introduction and shall take effect immediately upon its passage.

SECTION 11.05: REPEALER. All orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

PASSED AND ADOPTED THIS 20th day of December, 1984.

Chairman, Board of the Metropolitan Transit Authority

ATTEST:

Secretary, Board of the Metropolitan Transit Authority

(SEAL)

APPROVED:

General Manager Metropolitan Transit Authority

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:600025:001
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE AND DELIVER A SAFE HARBOR LEASE WITH BALDOR ELECTRIC COMPANY.

WHEREAS, the Economic Recovery Act of 1981 contains new provisions relating to "Recovery Property"; and

WHEREAS, mass transit vehicles may qualify as "Recovery Property" in a leverage lease transaction; and

WHEREAS, leases structured under this arrangement allow for the sale of depreciation deductions for tax purposes to reduce the overall cost of buses purchased or rehabilitated during the calendar year; and

WHEREAS, Baldor Electric Company has offered the greatest return to METRO for execution of a Safe Harbor Lease under the Economic Recovery Act of 1981;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager is hereby authorized to execute and deliver a Safe Harbor lease with Baldor Electric Company for a return equal to 15.25% of the total asset value.
Section 2. This resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

ATTEST:

Rose M. Gonzalez
Assistant Secretary

APPROVED AS TO SUBSTANCE:

Alan F. Klepper
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel

John J. King
Chairman of the Board
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH THE TEXAS DEPARTMENT OF HUMAN RESOURCES FOR THE SALE OF SPECIAL BUS TICKETS TO MEDICAID RECIPIENTS.

WHEREAS, METRO has previously entered into a contract with the Texas Department of Human Resources for the sale of bus tickets to Medicaid recipients; and

WHEREAS, the existing contract with the Texas Department of Human Resources expires on December 31, 1984; and

WHEREAS, the Texas Department of Human Resources wishes to continue to provide bus tickets to Medicaid recipients for calendar year 1985;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager is hereby authorized to execute a contract with the Texas Department of Human Resources for the sale of special supply bus tickets to eligible Medicaid recipients at a cost of $3.00 for each ticket book, or a total amount of $54,000. Each ticket issued to the Texas Department of Human Resources will have an expiration date of December 31, 1984 printed on the ticket.
Section 2. This resolution is effective immediately upon passage.

ATTEST:

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

Rose M. Gonzales
Assistant Secretary

John J. King
Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel
RESOLUTION NO. 84-111

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AN AGREEMENT WITH CULLEN CENTER FOR LEASEHOLD IMPROVEMENTS AT THE 500 JEFFERSON BUILDING.

WHEREAS, METRO currently leases office space from Cullen Center at the 500 Jefferson Building; and

WHEREAS, METRO proposes to relocate personnel to offices which are currently unoccupied at the 500 Jefferson Building; and

WHEREAS, leasehold improvements are needed to accommodate the relocation of personnel;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to enter into an agreement with Cullen Center for leasehold improvements at the 500 Jefferson Building in an amount not to exceed $115,000.

Section 2. This resolution is effective immediately upon passage.

ATTEST:

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

Rose M. Gonzalo
Assistant Secretary

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel

John J. King
Chairman of the Board
RESOLUTION NO. 84-112

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH DATAPoint CORPORATION FOR THE LEASE AND MAINTENANCE OF COMPUTER EQUIPMENT.

WHEREAS, METRO uses Datapoint computer equipment in the operation of its CarShare/VanShare program and in the collection of Systems Planning data; and

WHEREAS, the CarShare/VanShare program and Systems Planning staff need computer equipment for daily operation; and

WHEREAS, no other companies are capable of maintaining Datapoint computer equipment except Datapoint Corporation;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to execute a contract on a sole-source basis, with Datapoint Corporation for the lease and maintenance of computer equipment in an amount not to exceed $27,468.

Section 2. This resolution is effective immediately upon passage.

PASSED this 20th day of December, 1984
APPROVED this 20th day of December, 1984

ATTEST:

John J. King
Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Klepper
General Manager

APPROVED AS TO FORM:

Dennis C. Gardner
Staff Counsel
RESOLUTION NO. 84-113

A RESOLUTION

WITHDRAWING THE WESTCHASE PROPERTY FROM CONSIDERATION AS THE SITE FOR A WEST BUS OPERATING FACILITY.

WHEREAS, the Board previously approved of the acquisition of approximately twenty (20) acres in the Westchase development located at the intersection of Richmond Avenue and Breezewood Drive as a site for the construction of a bus operating facility; and

WHEREAS, eminent domain proceedings were initiated to acquire the Westchase site; and

WHEREAS, the Special Commissioners' award in the eminent domain proceedings significantly exceeded METRO's determination of just compensation for the purchase of the property; and

WHEREAS, because of the significantly greater than anticipated property costs, the Board is of the opinion that the Westchase site should not be considered as a location for a bus operating facility;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The approximately twenty (20) acres of property located in the Westchase subdivision at the intersection of Richmond Avenue and Breezewood Drive is no longer desired as the site for a bus operating facility.

Section 2. The General Manager is hereby directed to undertake such actions as are necessary to terminate any activity to acquire the Westchase site, including the dismissal of any eminent domain proceedings and to compromise and settle of any and all claims arising from the acquisition activities.
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO UNDERTAKE ALL ACTIONS NECESSARY TO NEGOTIATE AN AGREEMENT OR AGREEMENTS FOR PURCHASE OF A SITE FOR THE WEST BUS OPERATING FACILITY AND AN ADJACENT PATRON FACILITY.

WHEREAS, METRO's service expansion plans require that a bus operating facility be constructed in the western portion of METRO's service area, commencing in the very near future; and

WHEREAS, the Board has determined to discontinue efforts to acquire a site in the Westchase development due to much greater-than-anticipated property acquisition costs; and

WHEREAS, the Board has reviewed numerous alternative sites to the Westchase site and has determined that a parcel in the southeastern corner of the Andrau Airpark tract is the most desirable alternative site; and

WHEREAS, the Board desires that the necessary efforts to purchase this site be undertaken in the most expeditious manner; and

WHEREAS, this location is also highly desirable for future development of a patron facility such as a park & ride lot or transit station under all of the long-range plan options;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to undertake all activities necessary to negotiate an agreement for the purchase of a parcel of land located in the southeastern corner of the Andrau Airpark tract located approximately at the intersection of Wilcrest Drive and the extension of Westpark Drive. The activities authorized by this resolution include but are not limited to conduct of a public hearing as to the suitability of this site,
A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE AN AGREEMENT OR AGREEMENTS FOR PURCHASE OF A SITE FOR A SOUTHEAST TRANSIT CENTER.

WHEREAS, the fiscal year 1985 METRO capital budget authorizes the acquisition of a site for and construction of a transit center in the southeastern portion of METRO's service area; and

WHEREAS, at a public hearing conducted in the region to be served by this transit center, a site in the vicinity of Old Spanish Trail and Scott Street was identified and received favorable public acceptance; and

WHEREAS, the Board desires that the development of a southeast transit center proceed expeditiously;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to undertake all actions necessary to negotiate an agreement for the purchase of a site in the vicinity of Old Spanish Trail and Scott Street for the purpose of construction and operation of a transit center. Any agreement so negotiated shall be subject to the approval of the Board.
RESOLUTION NO. 84-116

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR THE CONVEYANCE OF PROPERTY ALONG THE GULF FREEWAY CORRIDOR TO THE STATE FOR THE CONSTRUCTION OF MASS TRANSIT SUPPORT FACILITIES.

WHEREAS, the State Department of Highways and Public Transportation ("State") plans to construct a median transitway for use by high occupancy vehicles on a portion of Interstate Highway 45, otherwise known as the Gulf Freeway, from its intersection with Calhoun Street to its intersection with Choate Road; and

WHEREAS, the State and METRO are cooperating in the design of certain mass transit support facilities in conjunction with the Gulf Freeway transitway including facilities identified as the Lockwood Transit Center, and the Fuqua Vanpool Staging Area; and

WHEREAS, the State is acquiring right of way and is planning construction of mass transit support facilities as Federal Aid Highway Projects; and

WHEREAS, METRO has acquired or is acquiring in accordance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 certain right-of-way parcels of real property upon which part of the mass transit support facilities will be constructed; and

WHEREAS, it is necessary to enter into an agreement with the State to establish the basis for the conveyance of the parcels of
RESOLUTION NO. 84-117

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH YEARGINS WESTERN CONSTRUCTORS, INC. FOR PHASE II OF THE I-45 NORTH FREEWAY PROJECT.

WHEREAS, the I-45 North Freeway Project is entering into Phase II of construction; and

WHEREAS, invitations for bid were issued to forty-one (41) prospective bidders for Phase II construction; and

WHEREAS, Yeargin Western Constructors, Inc. was the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to execute a contract with Yeargin Western Constructors, Inc. for Phase II, I-45 North Freeway construction in an amount not to exceed $43,361,568.00. The contract shall include a performance incentive of $6,000 per day for up to 170 days with the total incentive amount not to exceed $1,020,000.

Section 2. This resolution is effective immediately upon passage.

ATTEST:

PASSED this 20th day of December, 1984.

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

APPROVED BY:

Dennis C. Gardner
Staff Counsel