

A RESOLUTION

AUTHORIZING THE PAYMENT OF ATTORNEYS FEES IN THE MATTERS OF LLOYD E. KELLEY v. FRANK J. WILSON, ET AL, CAUSE NO. 2010-11963 IN THE 61ST JUDICIAL COURT; AND PAULINE HIGGINS v. FRANK J. WILSON, ET AL, CAUSE NO. 2010-24578 IN THE 127TH JUDICIAL DISTRICT COURT; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO has been sued in two separate lawsuits, styled Lloyd E. Kelley v. Frank J. Wilson, et al, Cause No. 2010-11963 in the 61st Judicial District; and in Pauline Higgins v. Frank J. Wilson, et al, Cause No. 2010-24578, in the 127th Judicial District Court; and

WHEREAS, President & CEO, Frank J. Wilson has been individually named as a Defendant in the lawsuits; and

WHEREAS, in the lawsuits, Frank J. Wilson is being sued on matters related to the discharge of his duties; and

WHEREAS, Frank J. Wilson has retained the services of private counsel to represent him in the lawsuits; and

WHEREAS, METRO's payment of the legal fees incurred by Frank J. Wilson serves a public purpose in a matter of public interest requiring a vigorous defense; and

WHEREAS, in the matters regarding the lawsuits, Frank J. Wilson acted in good faith and within his official duties.

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

Section 1. The Board of Directors hereby authorizes payment of legal fees with the firm of Gibbs & Bruns to cover the defense of Frank J. Wilson in the lawsuits referenced in this Resolution.

Section 2. The Board of Directors hereby delegates to the Chairman of the METRO Board the authority to make appropriate findings of public purpose and good faith on behalf of the Board and to authorize the payment of legal fees of any other METRO employees in the lawsuits if deemed appropriate under the terms, conditions and restrictions as discussed in Executive Session.

Section 3. This resolution is effective immediately upon passage.

PASSED this 7th day of May, 2010
APPROVED this 7th day of May, 2010

ATTEST:




Assistant Secretary

Gilbert A. Garcia
Chairman

A RESOLUTION

ACCEPTING THE RESIGNATION OF FRANK J. WILSON; AUTHORIZING THE EXECUTION OF A SEPARATION AGREEMENT WITH FRANK J. WILSON AND COMMENDING HIM FOR HIS SERVICE TO THE METROPOLITAN TRANSIT AUTHORITY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, Frank J. Wilson has given notice of his resignation from employment;
and

WHEREAS, Frank J. Wilson has served METRO for approximately six years as its President & CEO; and

WHEREAS, Frank J. Wilson has served METRO and the community with honor and distinction by his implementation and administration of transit services that have benefited the entire region; and

WHEREAS, the Board of Directors wishes to express its gratitude to Frank J. Wilson for his dedicated commitment to public transit and his contributions to area mobility.

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

Section 1. The Board of Directors hereby accepts the resignation of Frank J. Wilson as METRO's President & CEO, and further authorizes the Chairman of the Board of Directors to negotiate, execute and deliver a mutual separation agreement with Frank J. Wilson in accordance with the terms and conditions as discussed in Executive Session.

Section 2. This resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 7th day of May, 2010
APPROVED this 7th day of May, 2010

Gilbert A. Garcia
Chairman

A RESOLUTION

APPOINTMENT OF GEORGE GREANIAS AS ACTING PRESIDENT & CEO OF THE METROPOLITAN TRANSIT AUTHORITY; REVISING THE LIST OF PERSONS AUTHORIZED TO TRANSFER AND WITHDRAW FUNDS FROM BANKING INSTITUTIONS ON METRO'S BEHALF; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, recent developments require the appointment of an acting President & CEO to ensure continued day to day operations of METRO in the absence of the permanent holder of that office; and

WHEREAS, the acting President & CEO should have full authority to carry out the duties and responsibilities of such office; and

WHEREAS, Article IV §3 of METRO's By-Laws provides that the Board, by Resolution, may designate authorized representatives of METRO to make withdrawals and transfers of funds from financial accounts; and

WHEREAS, it is appropriate that the acting President & CEO be added to the list of those persons authorized to make transfers and withdrawals of funds from METRO accounts.

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

Section 1. George Greanias is hereby appointed acting President & CEO, with full authority to carry out the duties and responsibilities of the President & CEO, until such time as the services of the acting President & CEO are no longer required.

Section 2. George Greanias is hereby added to that list of persons authorized to make transfers and withdrawals of funds from METRO's bank accounts.

Section 3. The Secretary or any Assistant Secretary is hereby authorized and directed to certify this Resolution to the banking institutions in which METRO's funds are deposited.

Section 4. The Banks or any one of them shall be promptly notified in writing by the Secretary or any Assistant Secretary of any change in this Resolution and until the Banks or any one of them have actually received such notice in writing, the Banks or any one of them are authorized to act in pursuance of this Resolution.

Section. 5. This resolution is effective immediately upon passage.

PASSED this 7th day of May, 2010
APPROVED this 7th day of May, 2010

ATTEST:



Assistant Secretary



Gilbert A. Garcia
Chairman

ATTACHMENT A
METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS
PERSONNEL AUTHORIZED TO ENGAGE IN BANKING TRANSACTIONS

Effective: 07-May-10
Resolution: TBD

I. Personnel Authorized to Approve Withdrawals

Account Number	Account Title	Authorized Signers	Facs(1)
Bank Name	Authorized Limits	Name Title	
630031864	-Under \$5,000	1. George Greanias Acting President & Chief Executive Officer	Y
Operating Account	Any signature 1-5	2. John M. Sedlak Executive Vice President	Y
JPMorgan Chase -	-\$5,000 and Over	3. Louise T. Richman VP & Chief Financial Officer	N
San Angelo	Any 2 signatures 1-5	4. Phil Nguyen Director of Treasury Services	N
		5. Debbie Sechler Sr. Director of Acctg./Controller	N
30109006087	-Under \$5,000	1. George Greanias Acting President & Chief Executive Officer	Y
Payroll Account	Any signature 1-5	2. John M. Sedlak Executive Vice President	Y
JPMorgan Chase	-\$5,000 and Over	3. Louise T. Richman VP & Chief Financial Officer	N
	Any 2 signatures 1-5	4. Phil Nguyen Director of Treasury Services	N
		5. Debbie Sechler Sr. Director of Acctg./Controller	N
100794073	-Under \$1,500	1. George Greanias Acting President & Chief Executive Officer	Y
Risk Management Claims	Any signature 1-7	2. John M. Sedlak Executive Vice President	Y
JPMorgan Chase	-Under \$5,000	3. Louise T. Richman VP & Chief Financial Officer	N
	Any signature 1-6	4. Phil Nguyen Director of Treasury Services	N
	-\$5,000 and Over	5. Debbie Sechler Sr. Director of Acctg./Controller	N
	Any 2 signatures 1-6	6. Tim R. Kriner Director of Risk Management	N
		7. Irma Salazar Manager of Claims	N
3803056633	-Maximum Allowable	1. George Greanias Acting President & Chief Executive Officer	Y
Refunds Account	Amount = \$5,000	2. Louise T. Richman VP & Chief Financial Officer	N
Guaranty Federal Savings	Any signature 1-4	3. Phil Nguyen Director of Treasury Services	N
		4. Debbie Sechler Sr. Director of Acctg./Controller	N

II. Personnel Authorized to Execute Funds Transfers Between METRO Accounts Only

Any individual 1-4	1. Louise T. Richman VP & Chief Financial Officer
	2. Phil Nguyen Director of Treasury Services
Unlimited Authorization	3. Lisa W. Oliver Manager of Banking, Investments and Debt Services
	4. Michael Curran Pensions, Trust & Tax Revenue Administrator

III. Personnel Authorized to Execute Investment Transactions

Any individual 1-4 may initiate transaction	1. Louise T. Richman VP & Chief Financial Officer
	2. Phil Nguyen Director of Treasury Services
Any individual 1-4, other than the initiator, must approve the transaction	3. Lisa W. Oliver Manager of Banking, Investments and Debt Services
	4. Michael Curran Pensions, Trust & Tax Revenue Administrator

IV. Personnel Authorized to Execute External Funds Transfers

- Any individual 1-6 may initiate transactions with accompanying appropriately approved payment requests.	1. George Greanias Acting President & Chief Executive Officer
	2. John M. Sedlak Executive Vice President
	3. Louise T. Richman VP & Chief Financial Officer
	4. Phil Nguyen Director of Treasury Services
-Written authorization required, any individual 1-6.	5. Lisa W. Oliver Manager of Banking, Investments and Debt Services
	6. Michael Curran Pensions, Trust & Tax Revenue Administrator

(1) Facs = Facsimile or Digitized Signature acceptable.

ATTACHMENT A
METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS
PERSONNEL AUTHORIZED TO ENGAGE IN BANKING TRANSACTIONS
Metroplitan Transit Authority of Harris County Construction Account
Effective: 07-May-10
Resolution: TBD

I. Personnel Authorized to Approve Withdrawals

Account Number	Account Title	Bank Name	Authorized Limits	Name	Authorized Signers	Title	Facs(1)
113427331	Master Account	JPMorgan Chase	-Under \$5,000, Any Signature	1. George Greanias	Acting President & Chief Executive Officer		Y
				2. John M. Sedlak	Executive Vice President		Y
			-\$5,000 and Over	3. Louise T. Richman	VP & Chief Financial Officer		N
			Any 2 signatures 1-5	4. Phil Nguyen	Director of Treasury Services		N
				5. Debbie Sechler	Sr. Director of Acctg./Controller		N
6300069229	Disbursement Account	JPMorgan Chase - San Angelo	-Under \$5,000, Any Signature	1. George Greanias	Acting President & Chief Executive Officer		Y
				2. John M. Sedlak	Executive Vice President		Y
			-\$5,000 and Over	3. Louise T. Richman	VP & Chief Financial Officer		N
			Any 2 signatures 1-5	4. Phil Nguyen	Director of Treasury Services		N
				5. Debbie Sechler	Sr. Director of Acctg./Controller		N

II. Personnel Authorized to Execute Funds Transfers Between METRO Accounts Only

- Any individual 1-4 Unlimited Authorization	1. Louise T. Richman	VP & Chief Financial Officer
	2. Phil Nguyen	Director of Treasury Services
	3. Lisa W. Oliver	Manager of Banking, Investments and Debt Services
	4. Michael Curran	Pensions, Trust & Tax Revenue Administrator

III. Personnel Authorized to Execute Investment Transactions

- Any individual 1-4 may initiate transaction	1. Louise T. Richman	VP & Chief Financial Officer
	2. Phil Nguyen	Director of Treasury Services
- Any individual 1-4 other than the initiator, must approve the transaction	3. Lisa W. Oliver	Manager of Banking, Investments and Debt Services
	4. Michael Curran	Pensions, Trust & Tax Revenue Administrator

IV. Personnel Authorized to Execute External Funds Transfers

- Any individual 1-6 may initiate transactions with accompanying appropriately approved payment requests.	1. George Greanias	Acting President & Chief Executive Officer
	2. John M. Sedlak	Executive Vice President
	3. Louise T. Richman	VP & Chief Financial Officer
	4. Phil Nguyen	Director of Treasury Services
-Written authorization required, any individual 1-6.	5. Lisa W. Oliver	Manager of Banking, Investments and Debt Services
	6. Michael Curran	Pensions, Trust & Tax Revenue Administrator

(1) Facs = Facsimile or Digitized Signature acceptable.

A RESOLUTION

AUTHORIZING THE ENGAGEMENT OF AN EXECUTIVE SEARCH FIRM FOR THE PURPOSE OF SELECTING APPROPRIATE CANDIDATES FOR THE POSITION OF PRESIDENT & CHIEF EXECUTIVE OFFICER; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is in need of the services of an executive search firm for the purpose of finding appropriate candidates for the position of President & Chief Executive Officer; and

WHEREAS, the terms and conditions of the engagement of a search firm have been discussed in Executive Session.

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

Section 1. The Board of Directors hereby authorizes the engagement of an executive search firm for the selection of qualified candidates for President & CEO in accordance with the terms and conditions as discussed in Executive Session.

Section 2. This resolution is effective immediately upon passage.

ATTEST:




Assistant Secretary

PASSED this 7th day of May, 2010
APPROVED this 7th day of May, 2010

Gilbert A. Garcia
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A REQUIREMENTS CONTRACT WITH SIEMENS INDUSTRY, INC. FOR THE PURCHASE AND DELIVERY OF PARTS FOR METRO'S S70 LIGHT RAIL VEHICLES FOR AN AMOUNT NOT TO EXCEED \$1,432,658.21; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is in need of light rail vehicle parts for its fleet of S70 light rail vehicles; and

WHEREAS, METRO solicited bids for light rail vehicle parts; and

WHEREAS, Siemens Industry, Inc. provided the lowest responsive and responsible bid in response to the solicitation.

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to execute and deliver a two year requirements contract with Siemens Industry, Inc. for the purchase of light rail vehicle parts for an amount not to exceed \$1,432,658.21.


Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010

ATTEST:


Assistant Secretary





Gilbert A. Garcia
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A REQUIREMENTS CONTRACT WITH KNORR BRAKE CORPORATION FOR THE PURCHASE AND DELIVERY OF BRAKE PARTS FOR METRO'S S70 LIGHT RAIL VEHICLES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is in need of light rail vehicle brake parts for its fleet of S70 light rail vehicles; and

WHEREAS, METRO solicited bids for light rail vehicle brake parts; and

WHEREAS, Knorr Brake Corporation provided the lowest responsive and responsible bid in response to the solicitation.

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to execute and deliver a two-year requirements contract with Knorr Brake Corporation for the purchase of light rail vehicle brake parts for an amount not to exceed \$346,174.13.

Section 2. This Board Resolution is effective immediately upon passage.



ATTEST:


Assistant Secretary

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010



Gilbert A. Garcia
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A REQUIREMENTS CONTRACT WITH ADA RESOURCES FOR THE PURCHASE AND DELIVERY OF MULTI-GRADE ENGINE OIL FOR METRO'S BUSES FOR AN AMOUNT NOT TO EXCEED \$301,895; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is in need of multi-grade engine oil for its fleet of buses; and

WHEREAS, METRO solicited bids for multi-grade engine oil SAE 15W40, CJ4;

WHEREAS, ADA Resources provided the lowest responsive and responsible bid in response to the solicitation.

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to execute and deliver a requirements contract with ADA Resources for the purchase of multi-grade engine oil for an amount not to exceed \$301,895.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010

ATTEST:


Assistant Secretary





Gilbert A. Garcia
Chairman

RESOLUTION AUTHORIZING THE ISSUANCE SALE AND DELIVERY OF PUBLIC SECURITIES; AND MAKING FINDING AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, the staff of the Metropolitan Transit Authority of Harris County, Texas ("Authority") has recommended to the Board of Directors (the "Board") that it approve the issuance, sale and delivery of METRO's Sales and Use Tax Contractual Obligations, Series 2010A-1 and Taxable Series 2010A-2 (Direct Subsidy Build America Bonds) (together, the "Public Securities"), and adopt the authorizing resolution; and

WHEREAS, it is recommended to use a "Parameter Pricing Committee" comprised of two members of the Board of Directors to evaluate and approve the pricing of the Contractual Obligations where the true interest cost does not exceed 5.5%; and

WHEREAS, it is recommended to engage Siebert Brandford Shank as lead underwriter for the issuance, and CITI, RBC Capital Markets and Ramirez & Company as co-managing underwriters for the issuance of the obligations.

WHEREAS, the Board has reviewed and accepted the staff's recommendations;

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

Section 1. Approval of Issuance, Sale and Deliver of Public Securities. The Board hereby approves the issuance, sale and delivery of the Public Securities and adopts the resolution attached hereto as Attachment A.

Section 2. The Board hereby approves the use of a "Parameter Pricing Committee" comprised of two members of the Board of Directors to evaluate and approve the pricing of the Contractual Obligations where the true interest cost does not exceed 5.5%

Section 3. The Board approves the engagement of Siebert Brandford Shank as lead underwriter for the issuance, and CITI, RBC Capital Markets and Ramirez & Company as co-managing underwriters for the issuance of the obligations.

Section 4. Effective Date. This Resolution is effective immediately upon passage.

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010

ATTEST:


Assistant Secretary





Gilbert A. Garcia
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A MODIFICATION TO THE TRANSPORTATION IMPROVEMENT AGREEMENT FOR DESIGNATED AND FUTURE DESIGNATED PROJECTS WITH THE CITY OF HOUSTON; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO has committed to the dedication of 25% of its sales tax revenues for projects for the General Mobility; and

WHEREAS, in 1999, METRO and the City of Houston executed the Transportation Improvement Agreement for Designated and Future Designated Projects ("Agreement") to provide for the expenditure of funds for eligible general mobility projects; and

WHEREAS, METRO and the City of Houston wish to extend the term of the Agreement;

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to execute and deliver a modification to the Transportation Improvement Agreement for Designated and Future Designated Projects with the City of Houston, extending the term of the Agreement through June 30, 2010.

Section 2. This resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010



Gilbert A. Garcia
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE CONSTRUCTION OF US-290 DIAMOND LANES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO operates commuter bus service from its Cypress Park & Ride facility, located near the intersection of US-290 and Skinner Road, to the Houston Central Business District; and

WHEREAS, commuter bus service to and from the Cypress Park & Ride lot often encounters significant delays due to traffic congestion along a 6-mile section of US-290; and

WHEREAS, mobility will be greatly enhanced by the construction of Diamond Lanes; and

WHEREAS, sufficient width exists along the shoulder of US-290 to accommodate the necessary design, construction, re-stripping and signage for conversion of a portion of US-290 to Diamond Lanes; and

WHEREAS, the Texas Department of Transportation has agreed to administer conversion of a segment of US-290 into Diamond Lanes; and

WHEREAS, METRO is willing to fund the costs for design, construction and signage for the Diamond Lanes.

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

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver an advanced funding agreement with The Texas Department of Transportation for the construction of Diamond Lane on US-290 for a total not-to-exceed amount of \$687,692.00.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010

ATTEST:


Assistant Secretary





Gilbert A. Garcia
Chairman

A RESOLUTION

APPROVING AND AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$4,400,000 FOR THE FACILITY PROVIDER'S SMALL BUSINESS/DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FOR METRO SOLUTIONS PHASE 2, FOR THE PERIOD JUNE 15, 2010 THROUGH SEPTEMBER 30, 2011; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, the Board of Directors previously authorized the President & CEO to execute and deliver a contract with a Facility Provider for the design, build and operation of the METRO Solutions light rail segments; and

WHEREAS, the Facility Provider's contract includes a Small Business/Disadvantaged Business Enterprise Program; and

WHEREAS, the Small Business/Disadvantaged Business Enterprise Program has provided small business training, targeted outreach for procurement activities, debriefing activities, dispute resolution, identification and other activities in support of eligible firms; and

WHEREAS, additional activities will be required for implementation of a construction workforce training program, implementation of a retention program to ensure that small businesses successfully complete contract commitments, and capacity assessment to expand the pool of small businesses; and

WHEREAS, funding is needed for the costs of these additional activities for the period from June 15, 2010 through September 30, 2011.

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

Section 1. The Board of Directors hereby authorizes and approves funding in an amount not to exceed \$4.4 million to fund the Small Business/Disadvantaged Business Enterprise program for the period from June 15, 2010 through September 30, 2011. Staff will report to the Board on the status of program activities, particularly, workforce training, before the end of the current fiscal year.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010

ATTEST:


Assistant Secretary

The seal of the Metropolitan Transit Authority is circular. It features the word "METRO." in the center, with "METROPOLITAN TRANSIT" around the top and "AUTHORITY" around the bottom. The seal is partially overlaid by the signature and title of the Assistant Secretary.



Gilbert A. Garcia
Chairman

RESOLUTION TO CREATE RECORDS MANAGEMENT POLICIES AND PROCEDURES

STATE OF TEXAS §
METROPOLITAN TRANSIT AUTHORITY §
OF HARRIS COUNTY, TEXAS §

WHEREAS, the Board of Directors of METRO desires to facilitate openness in government and wants METRO to be transparent in all its operations;

WHEREAS, the management of public documents is essential to openness and transparency in government;

WHEREAS, Title 6, Subtitle C, Local Government Code (Local Government Records Act), provides that any special-purpose authority must establish by resolution an active and continuing records management program to be administered by a Records Management Officer; and

WHEREAS, Metropolitan Transit Authority of Houston ("METRO") desires to adopt a resolution for that purpose and to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping and open government and transparency;

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

SECTION 1. DEFINITION OF RECORDS. METRO will define its records consistent with the statutory definition of records for local governments in the Local Government Records Act. Therefore, all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information record media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the State, created or received by METRO or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of METRO and shall be created, maintained, and disposed of in accordance with the provisions of this Resolution or procedures authorized by it and in no other manner.

SECTION 2. METRO RECORDS DECLARED PUBLIC PROPERTY. All METRO records as defined in Section 1 of this resolution are hereby declared to be the property of METRO. No METRO official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may

have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is expressly prohibited.

SECTION 3. POLICY. It is hereby declared to be the policy of METRO to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all METRO records through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

SECTION 4. DESIGNATION OF RECORDS MANAGEMENT OFFICER. The Board of Directors hereby designates Terrence Fontaine, to serve as Records Management Officer for METRO. In the event of the resignation, retirement, dismissal, or removal of the Records Management Officer by action of the Board or the President and CEO, the President and CEO shall promptly designate another individual to serve as Records Management Officer. The individual designated as Records Management Officer shall file his or her name with the director and librarian of the Texas State Library within thirty days of the date of designation, as provided by state law. The Records Management Officer will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of METRO are carried out in accordance with the requirements of the Local Government Records Act. The Board hereby directs that appropriate resources be made available to the Records Management Officer to insure compliance with the purposes of this resolution. The Records Management Officer is directed to develop internal procedures necessary to implement the Records Management Policy. The Board delegates authority to the Chairman of the Board to approve the procedures after consultation with the President and CEO and the Records Management Officer.

SECTION 5. REQUIRED FILINGS WITH STATE AGENCY. The Board herein directs the Records Management Officer to file a copy of this resolution with the Texas State Library and Archives Commission. The Board also directs the Records Management Officer to file Form 504, the Designation of Local Government Records Management Officer, with the Texas State Library and Archives Commission.

SECTION 6. RECORDS RETENTION SCHEDULE. The Board adopts as its policy the utilization and adherence to the records retention schedules as set forth by the Texas State Library and Archives Commission in Schedule GR (Records Common to All Local Governments) and Schedule PW (Records of Public Works and Services). The Board directs the Records Management Officer to file Form 508: Declaration of Compliance with Records Scheduling Requirements of the Local Government Act with the Texas State Library and Archives Commission. Any destruction of records of METRO must be in accordance with these schedules and the Local Government Records Act.

SECTION 7. E-MAIL RETENTION. The Board adopts as policy the retention of all e-mail transmissions indefinitely. To accomplish that policy, METRO staff must increase METRO electronic capacity to store and retrieve e-mail transmissions. By separate action, the Board will consider purchases to provide additional hardware and software so as to increase electronic archival and retrieval capacity to accomplish this policy.

SECTION 8. INTERIM PROTECTION OF RECORDS. The Board herein mandates that METRO continue with its present prohibition against the destruction of any records (documents) of any kind until the procedures to implement this policy are in place and operational and the Board of Directors have so acknowledged. Nothing in this policy should be read as to allow for the destruction of any document or record responsive to any outstanding request for public information at the time this policy is adopted.

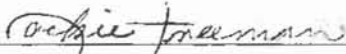
SECTION 9. FOLLOW-UP REPORT. The President and CEO and the Records Management Officer are directed to report back to the Board after 90 days on the status of the implementation of this Records Management Policy.

APPROVED AND ADOPTED, May 18, 2010.

BOARD OF DIRECTORS OF THE
METROPOLITAN TRANSIT AUTHORITY OF
HARRIS COUNTY, TEXAS



By: 
Gilbert Garcia, Chairman

By: 
Jackie L. Freeman, Secretary

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXPEND CAPITAL FUNDING FOR THE PURCHASE OF HARDWARE AND SOFTWARE FOR THE MANAGEMENT AND STORAGE OF ELECTRONIC MAIL COMMUNICATIONS FOR AN AMOUNT NOT TO EXCEED \$441,000; AUTHORIZING THE PRESIDENT & CEO TO TAKE SUCH ADMINISTRATIVE ACTION AS NECESSARY FOR ENHANCED E-MAIL MANAGEMENT PRACTICES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO's current e-mail management environment has been reviewed; and

WHEREAS, METRO is in need of software and hardware for better management of its electronic mail communications; and

WHEREAS, the e-mail hardware and software environment will provide for anticipated storage growth and a more robust solution; and

WHEREAS, it is anticipated that additional personnel will be needed to assist in the management of e-mail communications; and

WHEREAS, it is appropriate that the President & CEO be authorized to take such administrative action as necessary to implement enhanced e-mail management practices.

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

Section 1. The Board of Directors hereby authorizes the expenditure of funds for the purchase of hardware and software for the management and storage of electronic mail communications for an amount not to exceed \$441,000.

Section 2. The President & CEO is hereby authorized and directed to take such administrative action as required, including the hiring of additional personnel, for implementation of enhanced e-mail management practices.

Section 3. This Board Resolution is effective immediately upon passage.

PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010

ATTEST:


Assistant Secretary





Gilbert A. Garcia
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER APPROPRIATE DOCUMENTS FOR THE EXCHANGE OF A 1.6 ACRE PARCEL OF LAND, OWNED BY METRO, FOR A 1.6 ACRE TRACT OF LAND, OWNED BY 8TH WONDER PROPERTY LP; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, in 2001 METRO purchased a certain 6.3 acre tract of land located at the northwest corner of Fannin Street South and West Belfort (hereinafter "the METRO parcel") for transit development as a part of the Main Street (Red Line) light rail alignment; and

WHEREAS, the METRO parcel lies adjacent to a 109 acre tract of land owned by 8th Wonder Property, LP; and

WHEREAS, 8th Wonder Property, LP is willing to deed 1.6 acres of its property to METRO in exchange for conveyance of 1.6 acres out of the METRO parcel to 8th Wonder Property, LP; thus providing METRO with land of the desired configuration for future transit development; and

WHEREAS, 8th Wonder Property, LP is also willing to donate to METRO a 0.6813 acre parcel of land along West Belfort.

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

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver appropriate documents for the exchange of that certain 1.6 acre

parcel of land, located in the vicinity of the Northwest corner of Fannin Street South and West Belfort, for a 1.6 parcel of land owned by 8th Wonder Property, LP, and to take such additional administrative action as necessary to effectuate such exchange of property.

Section 2. The Board hereby approves conveyance, to METRO, of a 0.6813 tract of land along West Belfort, said tract of land to be donated to METRO by 8th Wonder Property, LP.

Section 3. This action is contingent upon final review and approval by the Chairman as discussed in Executive Session.

Section 4. This Board Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 18th day of May, 2010
APPROVED this 18th day of May, 2010



Gilbert A. Garcia
Chairman