

A RESOLUTION

AMENDING METRO'S FUEL PRICE RISK MANAGEMENT POLICY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, by way of Resolution 2006-18, the Board of Directors approved and adopted a Fuel Risk Management Policy to provide a fiscally sound framework for minimizing operating budget variances caused by volatile fuel prices; and

WHEREAS, the Fuel Risk Management Policy (also hereinafter, "the Policy") requires that METRO determine, by July 15 of each year, the fuel and energy needs that are eligible to be hedged for the following fiscal year; and

WHEREAS, current market conditions make it more prudent to eliminate a date certain, i.e. July 15, for hedging activity under the Fuel Risk Managements Policy; and

WHEREAS, the Board of Directors is of the opinion that the Policy requires more flexibility to better respond to the current fuel supply and price climate;

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

Section 1. The Board of Directors hereby adopts the Fuel Price Risk Management Policy, as amended, which is attached hereto as Attachment A


Section 2. This resolution is effective immediately upon passage.



PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

APPROVING THE EXPENDITURE OF FUNDS FOR PAYMENT FOR PROFESSIONAL SERVICES PROVIDED BY SELECTED CIVIL ENGINEERS; AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER SUCH DOCUMENTS AS NECESSARY, WITH THE APPROPRIATE PARTIES, FOR PAYMENT OF PROFESSIONAL SERVICES PROVIDED BY THE SELECTED CIVIL ENGINEERS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, METRO's enabling legislation, at Subchapter Q of Chapter 451, Texas Transportation Code ("Subchapter Q"), provides for the selection of civil engineers ("selected civil engineers") under the hybrid delivery system method of procurement used by the transit authority for certain complex transit projects; and

WHEREAS, by way of Resolution 2006-37, METRO entered into contract with selected civil engineers for design development, conceptual and preliminary engineering for METRO Solutions travel corridors; and

WHEREAS, in accordance with Subchapter Q, the selected civil engineers continued to provide professional services through a facility provider, WGTMC; and

WHEREAS, METRO and WGTMC discontinued negotiations for implementation of METRO Solutions, and administration of the selected civil engineers' work was subsequently transferred to a professional team headed by Granite Construction pending completion of negotiations with a new facility provider; and

WHEREAS, additional funding is needed to enable a continuation of professional services provided by the selected civil engineers and to avoid schedule delays until negotiations are completed with a new facility provider;

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

Section 1. The Board of Directors hereby approves funding for an amount not to exceed \$12.4 million for payment for professional services provided by the selected civil engineers in furtherance of METRO Solutions.

Section 2. The President & CEO is hereby authorized and directed to negotiate, execute and deliver such documents as may be necessary, and with the appropriate parties, for a continuation of professional services and payment of such services provided by the selected civil engineers.

Section 3. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008



ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT WITH KENNEDI TAYLOR CONCIERGES IN SUPPORT OF METRO'S AIRPORT DIRECT PREMIUM BUS SERVICE; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, METRO will implement premium direct bus service between the Downtown Transit Center and the Bush Intercontinental Airport (hereinafter, "Airport Direct Service"); and

WHEREAS, concierge service will be used as a compliment to the Airport Direct Service to accommodate travelers; and

WHEREAS, METRO solicited proposals for concierge services; and

WHEREAS, Kennedy Taylor Concierges submitted the most favorable proposal and is best qualified to do the work;

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 a contract with Kennedy Taylor Concierges, Inc. for concierge services in support of METRO's Airport Direct Service, for a total amount not to exceed \$1,650,000.


Section 2. This resolution is effective immediately upon passage.



PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER MODIFICATIONS TO SELECTED AGREEMENTS FOR COMMUNITY OUTREACH AND SMALL BUSINESS ACTIVITIES IN SUPPORT OF METRO SOLUTIONS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, by way of Board Resolution 2008-36, METRO assumed the temporary administration of several contracts and subcontracts upon the discontinuation of negotiations with the previously designated Facility Provider; and

WHEREAS, certain contracts and subcontracts temporarily assumed by METRO provided Community Outreach and Small Business activities in support of METRO Solutions; and

WHEREAS, it is necessary to modify the contracts and subcontracts to increase the maximized authorized expenditures and extend the period of performance;

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 modifications to those certain Community Outreach/Small & Disadvantaged Business contracts and subcontracts to extend the period of performance and increase the maximum authorized expenditures by a total amount not to exceed \$1.5 million.

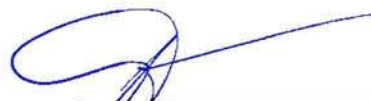
Section 2. This resolution is effective immediately upon passage.



PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT WITH TEXAS OCCUPATIONAL MEDICINE INSTITUTE FOR OCCUPATIONAL HEALTH EXAMINATIONS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, it is often necessary to assess the fitness of applicants or employees to perform the duties of their positions; and

WHEREAS, METRO requires medical examination services for pre-employment physicals, fitness-for-duty examinations, return-to-duty physicals and other occupational health examinations and treatments; and

WHEREAS, Texas Occupational Medical Institute has been determined most qualified to provide the necessary services;

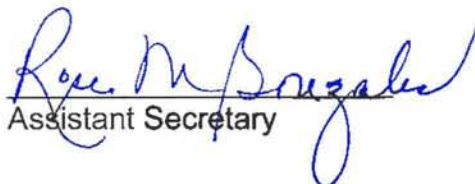
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver a contract with Texas Occupational Medical Institute for occupational health examinations, for an amount not to exceed \$750,000.

Section 2. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman



A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH KNORR BRAKE CORPORATION FOR OVERHAUL OF LIGHT RAIL VEHICLE BRAKE AND SUSPENSION SYSTEMS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, METRO solicited bids for overhaul of the brake and suspension systems of the light rail vehicles; and

WHEREAS, KNORR Brake Corporation submitted the lowest responsive and responsible bid;

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 execute and deliver a contract with KNORR Brake Corporation for the overhaul of brake and suspension systems of the light rail vehicles for an amount not to exceed \$1,284,555.67.

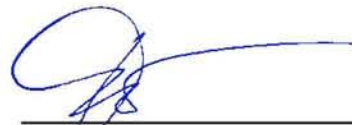
Section 2. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:



Assistant Secretary



David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH REPUBLIC SERVICES OF TEXAS, LTD FOR THE COLLECTION, TRANSPORT AND DISPOSAL OF SOLID WASTE MATERIAL; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, it is necessary that solid waste material at METRO's facilities be collected and transported for disposition; and

WHEREAS, Republic Services of Texas, Ltd submitted the lowest responsive and responsible bid for provisions of these services;

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 execute and deliver a contract with Republic Services of Texas, Ltd. for the collection, transport and disposal of solid waste material, for an amount not to exceed \$367,894.00.

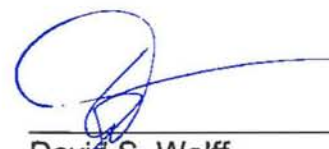
Section 2. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:



Assistant Secretary



David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH LIQUID ENVIRONMENTAL SOLUTIONS OF TEXAS, LLC FOR COLLECTION, TRANSPORT AND DISPOSAL OF CLASS 1 WASTE MATERIALS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

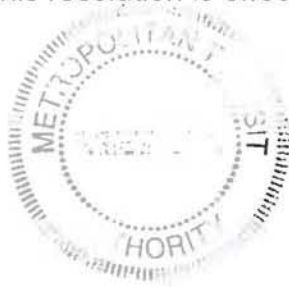
WHEREAS, METRO issued and Invitation for Bids for the collection, transport and disposition of Class 1 Waste Materials; and

WHEREAS, Liquid Environmental Solutions of Texas, LLC submitted the lowest responsive and responsible bid;

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 execute and deliver a contract with Liquid Environmental Solutions of Texas, LLC for the collection, transport and disposal of Class 1 waste materials for an amount not to exceed \$320,008.00.


Section 2. This resolution is effective immediately upon passage.



PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A MODIFICATION TO THE CONTRACT WITH LEWIS REALTY ADVISORS ; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, METRO entered into contract with Lewis Realty Advisors for property review appraisal services in support of METRO Solutions; and

WHEREAS, it is necessary to modify the contract with Lewis Realty Advisors to increase the maximum authorized expenditures under the contract;

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 a modification to the contract with Lewis Realty Advisors, increasing the maximum authorized expenditures under the contract by an amount not to exceed \$8.6 million.

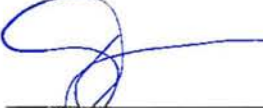
Section 2. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:



Assistant Secretary



David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A CONTRACT FOR THE DEVELOPMENT OF PROPERTY IN SUPPORT OF THE SOUTHEAST TRANSIT CENTER; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, METRO's Southeast Transit Center, located in the vicinity of Old Spanish Trail and Scottcrest, serves a significant number of patrons and enables more efficient access to and from major points of destination; and

WHEREAS, certain METRO – owned property adjacent to the Southeast Transit Center is appropriate for mixed-use development that would compliment the existing transit facility; and

WHEREAS, METRO has received a proposal (hereinafter "the Proposal") for commercial and residential development of approximately five (5) acres of land adjacent to the Southeast Transit Center; and

WHEREAS, the METRO Board of Directors has reviewed the Proposal and is of the opinion that the Proposal promotes community enrichment which will lead to increased transit ridership, economic revitalization and neighborhood infrastructure improvements ; and

WHEREAS, there is considerable community support for development of the property surrounding the Southeast Transit Center;

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 a contract with OST & Scottcrest Transit Venture, or an entity to be formed by the partners of such entity, for multi-use development of property surrounding the Southeast Transit Center, located at Old Spanish Trail and Scottcrest in Houston, Harris County, Texas

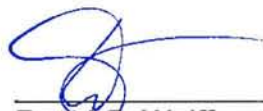
Section 2. This resolution is effective immediately upon passage.



PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

DECLARING CERTAIN PROPERTY AS SURPLUS; AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER APPROPRIATE DOCUMENTS FOR SALE OF THE SURPLUS PROPERTY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, in furtherance of METRO Solutions, METRO acquired a certain tract of land located at 4600 Harrisburg Blvd. in Houston, Harris County, Texas; and

WHEREAS, staff has determined that a portion of that certain tract of land, consisting of approximately 22,373 sq. ft. (hereinafter referred to as "the Property") is not needed for current or future transit development; and

WHEREAS, the Board of Directors hereby declares the Property as surplus to METRO's needs; and further finds that the Property is appropriate for sale at its appraised value; and

WHEREAS, METRO has received an offer to purchase the Property;

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

Section 1. The Board of Directors hereby declares that certain portion of a tract of land, consisting of approximately 22,373 sq. ft. out of that tract of land located at 4600 Harrisburg Blvd, Houston, Harris County, Texas, as surplus to METRO's needs and appropriate for sale at its appraised value.


Section 2. The President & CEO is hereby authorized and directed to undertake such administrative action as necessary for sale of the Property, and negotiate, execute and deliver all appropriate documents to effectuate the sale of the Property.

Section 3. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

ADOPTING A MODIFICATION TO THE ALIGNMENT FOR THE UNIVERSITY CORRIDOR LOCALLY PREFERRED ALTERNATIVE; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, by way of Resolution No. 2007-88, the Board of Directors adopted a Locally Preferred Alternative for an alignment for the University Corridor that would include transit development on its eastern portion, extending east of Main Street along Wheeler Street, then along Ennis and Alabama to the University of Houston; and

WHEREAS, Resolution No. 2007-88, also authorized the President & CEO to take further administrative action, as appropriate, to conduct further studies and analyses necessary for any refinement of the University Corridor alignment; and

WHEREAS, METRO has obtained community input and engineering refinement with respect to the eastern portion of the University Corridor alignment; and

WHEREAS, following input from the community and additional preliminary analyses, a modification to the eastern portion of the University Corridor alignment has been suggested; and

WHEREAS, the Board of Directors has carefully considered the suggested modification and finds that it is technically feasible; and

WHEREAS, it is appropriate that the eastern portion of the University Corridor alignment be modified;

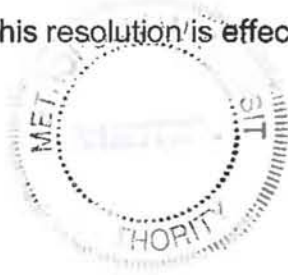
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The METRO Board of Directors hereby adopts a modification to the eastern portion of the University Corridor alignment for that portion beginning from the

Wheeler Station, to then proceed east on Wheeler, then along portions of Hutchins, Cleburne and Dowling Streets, then east on Alabama to the University of Houston main campus.

Section 2. The President & CEO is hereby authorized and directed to take such administrative action as appropriate in furtherance of any additional studies and analyses necessary to address all applicable federal requirements.


Section 3. This resolution is effective immediately upon passage.



PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:


Assistant Secretary


David S. Wolff
Chairman

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO PREPARE AND SUBMIT A LAST AND BEST OFFER TO LOCAL 260, TRANSPORT WORKERS UNION OF AMERICA, IF METRO AND LOCAL 260 ARE UNABLE TO REACH AGREEMENT ON A NEW LABOR AGREEMENT; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO has entered into a labor agreement with Local 260, Transport Workers Union of America, which agreement expires on July 31, 2008; and

WHEREAS, discussions are ongoing for a new labor agreement; and

WHEREAS, the labor agreement contains an impasse procedure which provides that if no satisfactory subsequent agreement is reached between METRO and Local 260, METRO shall submit its last and best offer to the Union as the first step in invoking the impasse procedure; and

WHEREAS, the Board of Directors urges the parties to continue to engage in good-faith negotiations to reach a satisfactory labor agreement to follow on after the current agreement; and

WHEREAS, if no satisfactory agreement can be reached before the July 31, 2008 expiration of the current labor agreement, the Board of Directors is of the opinion that it is appropriate to authorize the President & CEO to prepare and submit a last and best offer to Local 260 as provided for in the impasse procedures of the current labor agreement;

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 prepare and submit a last and best offer to Local 260, Transport Workers Union of America, on or before July 31, 2008 if no satisfactory agreement is reached with Local 260 on a labor agreement to succeed the current labor agreement which expires on July 31, 2008.

Section 2. This resolution is effective immediately upon passage.

PASSED this 24th day of July, 2008
APPROVED this 24th day of July, 2008

ATTEST:




Assistant Secretary


David S. Wolff
Chairman