

## A RESOLUTION

CANVASSING THE RETURNS OF THE JUNE 11, 1983 BOND ELECTION; DECLARING THE RESULTS THEREOF; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, in accordance with Chapter 141, Acts of the 63rd Legislature of the State of Texas, Regular Session, 1973, as amended (Article 1118x, Vernon's Texas Revised Civil Statutes, as amended) (the "Authority Act"), the Board of the Metropolitan Transit Authority (the "Authority") duly called an election to be held on Saturday, June 11, 1983 (the "Bond Election") in and throughout the territory of the Authority for the purpose of authorizing issuance of bonds payable wholly or partially from the Authority's local sales and use tax; and

WHEREAS, notice of the Bond Election was duly given in accordance with law, and such election was held in the manner required by law, and only the qualified voters of the Authority were permitted to vote at such election; and

WHEREAS, at the Bond Election the following proposition was submitted to the qualified voters of the Authority:

SHALL THE BOARD OF THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS (THE "AUTHORITY") BE AUTHORIZED TO ISSUE BONDS IN THE AMOUNT OF TWO BILLION THREE HUNDRED FIFTY MILLION DOLLARS (2,350,000,000), IN SUCH MANNER AND WITH SUCH TERMS AND CONDITIONS AS THE BOARD MAY DETERMINE, PAYABLE WHOLLY OR PARTIALLY FROM THE AUTHORITY'S LOCAL SALES AND USE TAX,

TOGETHER WITH ALL OR ANY PORTION OF THE OTHER REVENUES OF THE AUTHORITY AS THE BOARD MAY DETERMINE, FOR THE ACQUISITION, PURCHASE, CONSTRUCTION, RECONSTRUCTION, REPAIR, EQUIPPING, IMPROVEMENT OR EXTENSION OF THE AUTHORITY'S RAPID TRANSIT SYSTEM OR SYSTEMS AND ALL PROPERTIES THEREOF, WHETHER REAL, PERSONAL OR MIXED, CONSISTING OF CERTAIN BUS, RAIL AND RELATED IMPROVEMENTS, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) CHAPTER 141, ACTS OF THE 63RD LEGISLATURE OF THE STATE OF TEXAS, REGULAR SESSION, 1973 (ARTICLE 1118x, VERNON'S TEXAS CIVIL STATUTES), TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO?

(the "Proposition"); and

WHEREAS, the Authority Act provides that as soon as practicable after an election, the Board shall canvass the returns of the election and declare the results; and

WHEREAS, pursuant to the Texas Election Code, as amended, the presiding judges of the central counting stations for both Harris County and Fort Bend County voting precincts have each made a written return to the Board of the Authority of the Bond Election results for their respective precincts;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS;

Section 1. Calling and Conduct of Election. The Bond Election was duly and regularly called, notice thereof was given,

and such election was conducted in the manner required by State and Federal law and as provided in Board Resolution No. 83-42, as supplemented and amended by Board Resolution No. 83-50. The returns of the Bond Election were regularly made to this Board by the election officers pursuant to the Authority Act and the Texas Election Code, as amended.

Section 2. Canvass of Bond Election. There were cast at the Bond Election 111,579 votes by the qualified voters of the Authority, of which there were cast:

In Harris County Voting Precincts:

For the Proposition 41,573 votes

Against the Proposition 68,360 votes

In Fort Bend County Voting Precincts:

For the Proposition 401 votes

Against the Proposition 1245 votes

as shown in the official election returns heretofore returned and submitted to the Board.

Section 3. Declaration of Results. The Board hereby finds and declares that based upon the canvass of the returns described in Section 2 of this Resolution that 41,974 votes were cast for the Proposition and 69,605 votes were cast against the Proposition, and, therefore, a majority of the qualified voters of the Authority voting in the Bond Election, including absentee voting, voted against the Proposition, and the Proposition failed to pass.

Section 4. Authority of the General Manager. The General Manager shall have the authority to take, or cause to be taken, all further actions reasonable and necessary in connection with the Bond Election in order to ensure compliance with all provisions of law. All actions taken or to be taken by the General Manager pursuant to or consistent with this Resolution are hereby ratified and confirmed, including, but not limited to, the designation of substitute voting or polling places and the designation and appointment of replacement judges.

Section 5. Authorization to Execute. The Chairman of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Resolution on behalf of the Board; and the Chairman of the Board is authorized to do all other things legal and necessary in connection with the Bond Election.

Section 6. Notice of Meeting. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution is adopted was posted on a bulletin board located at a place convenient to the public at the administrative office of the Authority for at least 72 hours preceding the scheduled time of the meeting; that a copy of such written notice was furnished to the County Clerk of Harris County, Texas, in sufficient time for posting for at least 72 hours preceding the scheduled time of the meeting on a bulletin board located at a place convenient to the public in the County Courthouse; that a copy of such written notice was posted on a bulletin board located in the Harris County Courthouse for the time required by law preceding this meeting,


all as required by Article 6252-17, Vernon's Texas Revised Civil Statutes, as amended; and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered and formally acted upon.

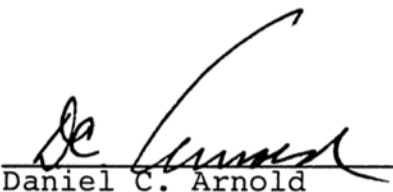
Section 7. Effective Date. This Resolution is effective immediately upon its passage and approval.

PASSED this June 16, 1983.

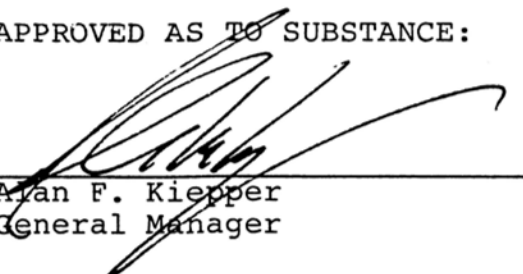
APPROVED this June 16, 1983.

ATTEST:

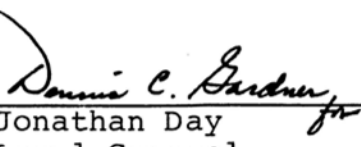
  
Gerald G. Acosta  
Secretary of the Board

  
Daniel C. Arnold  
Chairman of the Board

APPROVED AS TO SUBSTANCE:

  
Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:

  
Jonathan Day  
Legal Counsel

NJK1A/16

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH S & A SYSTEMS, INC. FOR FURNISHING AND INSTALLING A SEMI-AUTOMATIC FUEL MANAGEMENT SYSTEM AND EMERGENCY GENERATOR AT THE SHARPSTOWN BUS MAINTENANCE FACILITY.

WHEREAS, METRO issued an invitation for bids for the furnishing and installing of a semi-automatic fuel management system and emergency generator at the Sharpstown Bus Maintenance Facility; and

WHEREAS, two bids were submitted in response to the invitation; and

WHEREAS, the apparent low bid of TRAK Engineering, Inc. was determined to be nonresponsive to the bid requirement; and

WHEREAS, the bid of S & A Systems, Inc. has been determined to be responsive;

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

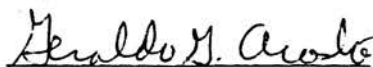
Section 1. The General Manager be and he is hereby authorized to execute a contract with S & A Systems, Inc. for the furnishing and installation of a semi-automatic fuel management system and emergency generator at the Sharpstown Bus Maintenance Facility at a total cost not to exceed \$114,800.

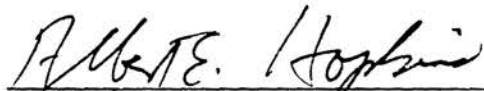
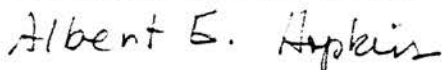
Section 2. This resolution is effective immediately upon passage.

PASSED this 22nd day of June, 1983.

APPROVED this 22nd day of June, 1983.

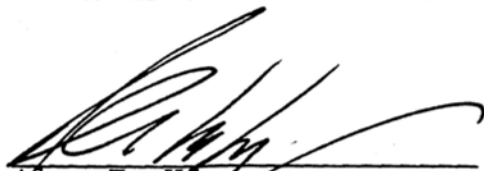
ATTEST:

  
Gerald G. Acosta  
Secretary

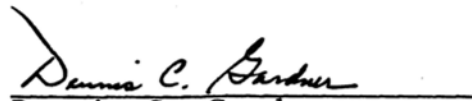
  
~~Daniel C. Arnold~~  
Vice-Chairman of the Board  


RESOLUTION NO. 83- 53 (Page 2)

APPROVED AS TO SUBSTANCE:

  
\_\_\_\_\_  
Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Dennis C. Gardner  
Staff Counsel

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO MODIFY CONTRACT S-357K WITH PORT CITY FORD TRUCK SALES AND CONTRACT S-356K WITH SNELSON AUTO SERVICES FOR MAINTENANCE OF NON-REVENUE VEHICLES.

WHEREAS, contracts with Port City Ford Truck Sales and Snelson Auto Services were entered into in January, 1983 for the maintenance of METRO's non-revenue vehicles; and

WHEREAS, the demand for maintenance services for the 132 automobiles and light-duty pick-up trucks maintained by Snelson Auto Services has exceeded original estimates and the requirements for maintenance to 13 heavy-duty trucks by Port City Ford Truck Sales has been less than estimated; and

WHEREAS, it is necessary to modify said contracts to properly reflect the demand for maintenance services;

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 amendments to contracts S-356K and S-357K to increase the contract amount of S-356K with Snelson Auto Services by \$40,000 and to decrease the authorized amount of contract S-357K with Port City Ford Truck Sales by \$40,000.

Section 2. The General Manager be and he is hereby authorized to extend the period of performance for both contracts S-356K and S-357K through September 30, 1983.

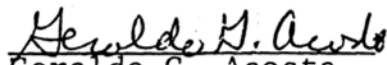


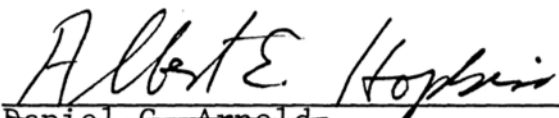
Section 3. This resolution is effective immediately upon passage.

PASSED this 22nd day of June, 1983.

APPROVED this 22nd day of June, 1983.

ATTEST:

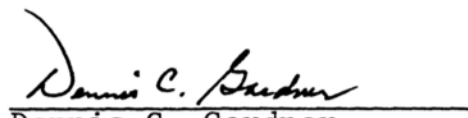
  
Gerald G. Acosta  
Secretary

  
~~Daniel G. Arnold~~  
Vice-Chairman of the Board  
Albert E. Hopkins

APPROVED AS TO SUBSTANCE:

  
Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:

  
Dennis C. Gardner  
Staff Counsel

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO CONTINUE BUS TIRE RENTAL SERVICES WITH GOODYEAR TIRE & RUBBER COMPANY FOR UP TO AN ADDITIONAL NINETY (90) DAYS (JULY, AUGUST, AND SEPTEMBER 1983).

WHEREAS, METRO has contracted with Goodyear Tire and Rubber Company for the past five (5) years; and the current contract is scheduled to expire June 30, 1983; and

WHEREAS, METRO staff has been evaluating a number of changes which should be embodied in a new contract; and

WHEREAS, a ninety (90) day period will permit recompeting this bus tire rental service program through the formal advertised method with improved terms and conditions; and

WHEREAS, bus tire rental services average \$100,000 per month;

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

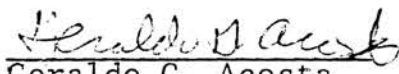
Section 1. The General Manager be and he is hereby authorized to continue services with Goodyear Tire and Rubber Company for an additional three (3) months in three (3) monthly increments at a total estimated cost of \$100,000 per month.

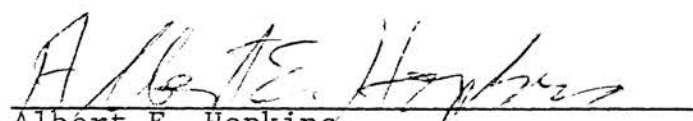
Section 2. This resolution is effective immediately upon passage.

PASSED this 22nd day of June, 1983.

APPROVED this 22nd day of June, 1983.

ATTEST:

  
Gerald G. Acosta  
Secretary

  
Albert E. Hopkins  
Vice-Chairman of the Board

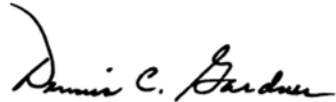
APPROVED AS TO SUBSTANCE:



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Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:



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Dennis C. Gardner  
Staff Counsel

A RESOLUTION

EXPRESSING THE BOARD'S INTENT TO REASSESS MASS TRANSIT SYSTEM ALTERNATIVES AND TO SEEK COMMUNITY PARTICIPATION IN DEVELOPMENT OF A COMPREHENSIVE MASS TRANSIT SYSTEM PLAN.

WHEREAS, the Board has previously adopted by way of Resolution No. 83-40 a comprehensive mass transit system capital improvement program; and

WHEREAS, a bond proposition to provide a significant portion of the financing for that capital improvement program was defeated by the voters at an election held on June 11, 1983; and

WHEREAS, the Board continues to be of the opinion that substantially improved mobility in the METRO service area in the long-term can be achieved only through development of a comprehensive mass transit system; and

WHEREAS, the Board is desirous of developing a mass transportation system capital improvement program which will effectively serve the existing and future needs of the community while having the support of the electorate;

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

Section 1. It is the intent of the Board to develop a revised mass transit system capital improvement program based upon a reassessment of the transportation requirements

of the service area, a further evaluation of the travel corridors and system alignments, and a reassessment of the appropriate technologies.

Section 2. It is the intent of the Board to solicit participation from the community to the greatest extent practical in the revision of the capital improvement program.

Section 3. The General Manager and METRO staff are directed to undertake all actions as are necessary and reasonable to develop alternative capital improvement plans for a regional mass transit system and to report their findings to the Board expeditiously.

Section 4. It is the intent of the Board to evaluate the alternative plans presented, to incorporate public comments and to adopt a revised capital improvement program.


Section 5. It is the intent of the Board to expand and improve bus service within the METRO area by the most expeditious means possible consistent with availability of capital, maintenance capability and the dictates of prudent planning.

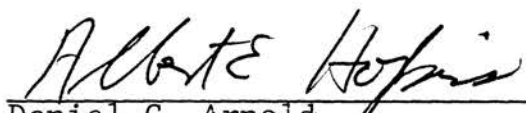
Section 6. This resolution is effective immediately upon passage.

PASSED this 22nd day of June, 1983.

APPROVED this 22nd day of June, 1983.

ATTEST:


  
Gerald G. Acosta  
Secretary

  
Daniel G. Arnold  
Vice-Chairman of the Board  
ALBERT E. HOPKINS

APPROVED AS TO SUBSTANCE:

  
\_\_\_\_\_  
Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Dennis C. Gardner  
Staff Counsel

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO TERMINATE THE LEASE FOR THE MILBY STREET TRANSIT MAINTENANCE FACILITY.

WHEREAS, METRO has a lease agreement with the City of Houston for the property known as the Milby Street Transit Maintenance Facility which runs through December of 1984; and

WHEREAS, it has been determined that METRO has no further need for the Milby Street Transit Maintenance Facility;

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

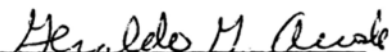
Section 1. The General Manager be and he is hereby authorized to notify the City of Houston of METRO's intent to terminate the lease agreement for the Milby Street Transit Maintenance Facility at the earliest possible date.

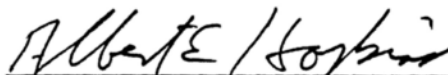
Section 2. This resolution is effective immediately upon passage.

PASSED this 22nd day of June, 1983.

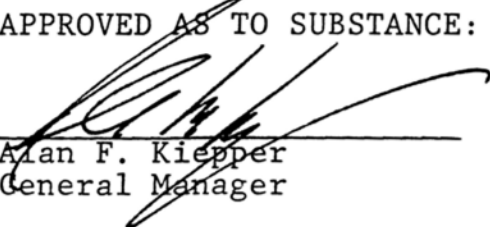
ATTEST:

APPROVED this 22nd day of June, 1983.

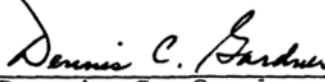
  
Gerald G. Acosta  
Secretary

  
~~Daniel C. Arnold~~  
Vice Chairman of the Board  
ALBERT E. HOPKINS

APPROVED AS TO SUBSTANCE:

  
Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:

  
Dennis C. Gardner  
Staff Counsel

A RESOLUTION

AMENDING RESOLUTION NO. 83-37 AUTHORIZING THE GENERAL MANAGER TO ACQUIRE UP TO TWELVE (12) ACRES OF LAND FOR THE CONSTRUCTION OF A PARK AND RIDE LOT AT THE WEST BELT AND KATY FREEWAY.

WHEREAS, METRO is desirous of constructing a park and ride lot in the vicinity of the terminus of the first stage of the Katy Freeway Authorized Vehicle Lane; and

WHEREAS, the Board has previously authorized the acquisition of a tract of land on West Belt, adjacent to the Katy Freeway, for the location of this park and ride lot, said tract containing approximately 10.7 acres by way of Resolution No. 83-37; and

WHEREAS, due to street widening and improvements being accomplished by the City of Houston, it appears desirable to purchase additional property to accommodate an alternate configuration; and

WHEREAS, negotiations with the owner of the property have resulted in an offer to sell up to twelve (12) acres of the property at a price of \$5.25 per square foot; and

WHEREAS, the Board of Directors is of the opinion that this is a fair price for the property, all factors considered, including the expenses associated with the eminent domain proceedings should same be necessary;

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

Section 1. The General Manager is authorized to purchase up to a twelve (12) acre tract of land out of the Christiana Williams Survey, A-834, Harris County, Texas, from the Ladish Co. at a cost not to exceed \$5.25 per square foot.



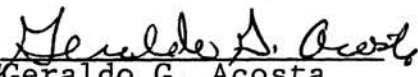
Section 2. The General Manager is authorized to execute all documents necessary to accomplish the acquisition of this property and to take any administrative actions necessary to complete the acquisition of this property.


Section 3. This resolution is effective immediately upon passage.

PASSED this 22nd day of June, 1983.

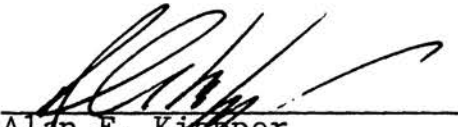
APPROVED this 22nd day of June, 1983.

ATTEST:

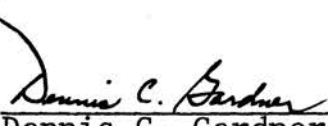
  
Gerald G. Acosta  
Secretary

  
Albert E. Hopkins  
Vice-Chairman of the Board

APPROVED AS TO SUBSTANCE:

  
Alan F. Kiepper  
General Manager

APPROVED AS TO FORM:

  
Dennis C. Gardner  
Staff Counsel

RESOLUTION NO. 83-59

MR. ALBERT HOPKINS RECEIVES RECOGNITION  
FOR BEING NAMED "PHARMACIST OF THE YEAR".