

- NOTICE OF MEETING -
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING
MONDAY, MAY 21, 2007; 4:00 P.M.
2910 EAST FIFTH STREET, AUSTIN, TEXAS 78702

- MINUTES -

BOARD MEMBERS PRESENT

Chairman Lee Walker
Mayor Pro Tem John Trevino
Mayor Pro Tem Fred Harless
Council Member Lee Leffingwell
Council Member Brewster McCracken

STAFF PRESENT

Fred Gilliam, President/CEO
Sallie Crosby, Chief Counsel
Gina Estrada, Executive Assistant/Board Liaison
SUPPORT STAFF

The Capital Metropolitan Transportation Authority Board of Directors convened its Board Meeting on May 21, 2007 and was called to order by Chairman Walker at 4:01 p.m.

- A G E N D A -

Consent Items:

1. Approval of a resolution authorizing the President/CEO or his designee to finalize and execute August 2007 Service Changes.
Ms. Ora Houston and Business and Neighborhood associations thanked the Board and Staff for expending the orange dillo.
 2. Approval of Board Minutes from April 30, 2007, Board Meeting, and April 30, 2007 Public Hearing.
- It was moved by Trevino seconded by Harless to approve consent items. The motion carried a vote of 5 ayes (Trevino, Walker, Harless, Leffingwell and McCracken) 0 nays.

Items for Presentations Review Consideration and Possible Action:

3. Approval of a resolution authorizing the President/CEO or his designee to finalize and execute contracts with Evins Personnel Consultants, Inc. and KeyStaff for Primary Temporary Services for a five year base period and five one year options for a cumulative amount not to exceed \$7,500,000.
Council Member Leffingwell asked if the contractor pays benefits? Donna Simmons said they don't but it is offered to the employees and if CMTA would to pay for those benefits it would cost approx. 300,000.
It was moved by Harless seconded by Trevino to approve item. The motion carried a vote of 3 ayes (Trevino, Walker and Harless) 2 nays (Leffingwell and McCracken).

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4. Approval of a resolution authorizing the President/CEO or his designee to finalize and execute a contract with Consulting Solutions Net for IT Temporary Staffing Services for a five year base period and five one year options for a cumulative amount not to exceed \$2,000,000. Same question and answer was asked.

It was moved by Harless seconded by Trevino to approve item. The motion carried a vote of 3 ayes (Trevino, Walker and Harless) 2 nays (Leffingwell and McCracken).

5. Approval of a resolution authorizing the President/CEO or his designee to finalize and execute a contract with Indra Systems, Inc. for the purchase of Ticket Vending Machines for a two (2) year base period, and eight (8) one (1) year options for a cumulative amount not to exceed \$5,311,283.

Cynthia Hernandez, EVP of Administration and Finance gave the attached presentation.

It was moved by Trevino seconded by McCracken to approve item. The motion carried a vote of 5 ayes (Trevino, Walker, McCracken, Leffingwell and Harless) 0 nays.

6. Approval of a resolution authorizing the President/CEO or his designee to finalize and execute a contract with Veolia Transportation Services, Inc. for a period of 76 months for the provision of Freight and Urban Commuter Rail Operations and Maintenance in an amount not to exceed \$111,744,603.

Rich Krisak with Commuter Rail gave the attached presentation. Council Member Leffingwell wanted more details on how this transition would take place and what the financial penalties may be. He also wanted some kind of assurance that if these are CMTA employees even though they are being managed or directed by a contractor that any final decisions with regard to them would be subject to CMTA approval. Mayor Pro Tem Trevino asked Aida Douglas with DBE that he would like to see the percentage to be 10% or above. Council Member McCracken said it is hard to approve a 111 million with no contract in front of you before we vote on it. He also said he appreciates everyone working with them and the board members. Chairman Walker said we pass the item for action tonight with the proviso that staff having been further informed by tonight discussion would negotiate to the best of their ability a contract and then bring it back to the Board.

It was then voted on: **NOW, THEREFORE, BE IT RESOLVED** by the Capital Metropolitan Transportation Authority Board of Directors authorizing the President/CEO or his designee to negotiate a contract with Veolia Transportation Services, Inc. for a period of 76 months for the provision of Freight and Urban Commuter Rail Operations and Maintenance in an amount not to exceed \$111,744,603 consistent with Board Resolution No. 2007-3019-025 and directing staff to bring the negotiated contract back to the Board for authority to execute.

It was moved by Harless seconded by Trevino to approve the above resolution. The motion carried a vote of 5 ayes (Trevino, Walker, Leffingwell, McCracken and Harless), 0 nays.

The board went into executive session at 4:02 p.m.

7. **Executive Session of Chapter 551 of the Texas Government Code:**

Chapter 551.072 – Real Property, Strategic Property Acquisitions.

Chapter 551.071 – Legal Advice, Labor Issues.

The board returned from executive session at 4:15 p.m.

Reports:

8. Great Customer Care. No report.

9. All System Go Long-Range Transit Plan, Regional Visioning and Mobility Projects. No report.

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10. Legislative Matters.

Andrea Lofye, VP of Government Affairs, HB 504, introduced by Rep. Naishtat and Sen. Wentworth, removes the subsidies for communities withdrawn from Capital Metro's service area. This bill has passed, was signed by Governor Perry, and became effective May 14, 2007. SB 132, introduced by Sen. Wentworth and Rep. Straus, allows buses to operate on roadway shoulders when traffic is congested and conditions allow safe operation. This bill passed the full Senate, passed the House Transportation Committee, but has not yet been considered by the full House. Appropriations Rider, sponsored by Rep. Dawnna Dukes and Sen. Wentworth, would appropriate funds for the State to enter into an interlocal agreement that would provide two years of access to Capital Metro fixed route services for Capitol complex employees. This measure died in the final days of the appropriations process. HB 1886, introduced by Rep. Callegari, would allow design-build processes for procurement. This measure has passed the House.

11. Central Texas Air Quality. No report.

12. Board of Director's Update by the President/CEO.

President Gilliam gave the attach presentation. He also mentioned that in front of the board members was a system map and that on June 2 at 9:00 a.m. the Leander Park and Ride grand opening, invited everyone to attend.

13. Update on the Access Advisory Committee (AAC) Julie Maloukis.

Ms. Maloukis gave the attached report.

Public Comment:

Local Union 1091 regarding Labor Relations. No show.

ADA Compliance: Reasonable modifications and equal access to communications are provided upon request. Please call 512-389-7583 (voice or 711 Relay) or email nancy.crowther@capmetro.org if you need more information.

BOARD OF DIRECTORS: Lee Walker, Chairman; Commissioner Margaret Gomez, Vice Chairperson; Alderman Fred Harless, Secretary; Council Member Lee Leffingwell; Council Member Brewster McCracken; Mayor Pro Tem John Trevino; and Mayor, City of Leander; John Cowman. Board Liaison: Gina Estrada 389-7458, email gina.estrada@capmetro.org

The Board of Directors may also announce it will go into Executive Session, if necessary, to receive advice from legal counsel regarding any item on this agenda in accordance with Section 551.071 of the Texas Government code.

It was moved by Cowman seconded by Harless to approve the above resolution. The motion carried a vote of 5 ayes (Gomez, McCracken, Harless, Martinez and Cowman) 0 nays.

The board meeting adjourned at 5:52 p.m.

Date: May 21, 2007

Gina Estrada
Executive Assistant/Board Liaison