

MINUTES OF THE
MIDTOWN MANAGEMENT DISTRICT
BOARD OF DIRECTORS MEETING

August 1, 2012

The Board of Directors of the Midtown Management District held a meeting, open to the public, on the 1st day of August 2012 at 6:00 p.m. at the Central Bank Community Room, located at 2217 Milam, Houston, Texas, 77002, inside the boundaries of the District, and the roll was called of the duly appointed members of the Board, to-wit:

Roger Neal
Katherine Cabaniss
Willie Coleman, Jr.
William Tilney
F. Charles LeBlanc
Ramiro Orta
Eileen Morris

John G. Castillo
Vernus Swisher
William Franks
Gayle R. Fortson
Gary Noble
M. Todd Triggs

All of the above were present except Directors LeBlanc, Orta and Morris thus constituting a quorum.

In addition, present at the meeting were Matt Thibodeaux, Kandi Schramm, Cynthia Alvarado, Katherine Mestousis and Marlon Marshall and Peggy Foreman of Burney & Foreman. Also present were Dwayne Zimmermann, Jim Stern, John Curtis, Andrew Norris, Eric Melchor, Nancy Darst, Dianne Reece, Cheryl Shulman, Vicki Luna, Jay Vinekar, Yasmina Platt, Fred Ghabriel, Willie Bright, Monte Large and Edward Bouquet.

Cynthia Alvarado called the roll of the Board of Directors and verified that a quorum was present.

Chairman Triggs called the meeting to order and welcomed guests.

RECEIVE PUBLIC COMMENTS

Chairman Triggs invited guests to introduce themselves and make comments to the Board. Several residents asked about recycling for the Midtown community. Mr. Thibodeaux stated that a recycling program for Midtown is in the discussion phase. A new Midtown resident asked about the role and function of the District. Cynthia Alvarado gave a brief overview of the services provided by the District.

CONSENT AGENDA

- a. **Approve Minutes for the July 11, 2012 regular Board meeting.**
- b. **Approve the June 2012 Financial Report.**
- c. **Approve the payment of invoices for August 2012.**
- d. **Approve Equi-Tax Report for July 2012.**
- e. **Approve renewal of District's insurance policy.**

Director Swisher made a motion to approve the Consent Agenda. The motion was seconded by Director Coleman and carried by unanimous vote.

RECEIVE COMMITTEE ACTIVITY REPORTS

A. Executive

Chairman Triggs gave a brief report on matters discussed at the July 2012 Executive Committee meeting. He advised the Board that Director Lee resigned from the Board and cited the fact that he was relocating outside of the District. Mr. Triggs announced that anyone interested in becoming a member of the Board of Directors, should submit their resume to Cynthia Alvarado. He also announced that Katherine Mestousis had submitted her resignation and would be leaving the District in mid-August.

B. Public Safety

Director Tilney reported on the activities of the Public Safety Committee. He reported that the current crime statistics for Midtown show no significant increase or decrease over the prior year.

Director Tilney also reported that conditions surrounding the Bahá'í Center at 2914 Fannin, appeared to be improving since SEARCH has taken proactive measures to address the issue. He also stated that the HPD reported numerous calls for service to the area and was working to help to identify solutions to excessive loitering in the area.

In addition, Director Tilney informed the Board that Pacesetters, which provides day laborers for hire, is in the process of being sold. He stated that he was hopeful that the sale of this business would have a positive impact on the negative activity surrounding that location.

Finally, Director Tilney reported that improvements were planned for Baldwin Park, including lighting enhancements to improve visibility in certain areas of the park.

C. Marketing

Cynthia Alvarado reported that Director Morris had accepted the appointment as Chair of the Marketing Committee. She also advised the Board that Squidzink was continuing its work on upgrading the Midtown website, which is scheduled to launch in early September 2012.

D. Service & Maintenance

Marlon Marshall reported on the activities of the Service & Maintenance Committee. He advised the Board that METRO had approached the District about trimming certain trees in the public right of way and reminded the Board that the total amount budgeted for tree trimming was \$3000.00, which would be insufficient to pay for this service. Mr. Marshall also stated that Metro was asking the District to pay track closure fees during the tree trimming process. Mr. Marshall stated that he discussed the matter with METRO representatives and is awaiting additional information regarding the Scope of Services they are requesting. Several Board members expressed concern about the District's obligations with respect to METRO's request and asked that the contract with METRO

be reviewed before any further action is taken. Mr. Marshall reported that he is still awaiting a response from METRO regarding the District's efforts to partner with METRO to address landscape maintenance issues along the METRORail on Main Street.

i. Ratify termination of contract with Lone Star Pool for maintenance of the water fountain in Midtown Park.

Mr. Marshall advised the Board that the District was in the process of terminating the fountain maintenance contract with Lone Star Pool since the fountain is not currently in use and will not be in use while the District is making improvements to the Midtown Park, which is expected to take approximately 6 months. He stated that the contract allows for cancellation without penalty but does require a 30-day notice of cancellation.

Director Coleman made a motion to ratify all actions relating to termination of the fountain maintenance contract with Lone Star Pool. The motion was seconded by Director Fortson. Following all discussion, the motion carried by unanimous vote.

E. Urban Planning

Director Coleman reported that the Urban Planning Committee is working on generating ideas and plans for coordinating the activities of the various "arts" organizations in Midtown in order to encourage more promote the arts and provide an economic impact to Midtown.

F. Finance

Director Noble reported on the activities of the Finance Committee. He pointed out that while collections are currently at approximately 97%, the Committee will review the District's policies and procedures relating to its collection efforts at the August 2012 Finance Committee meeting.

G. Nominating

Director Fortson reported that there was no update from the Nominating Committee at this time.

i. Review, discuss and take necessary action regarding consideration of candidates to fill vacancies in Board positions 2 & 7.

Tabled.

REPORT ON CAPITAL PROJECTS OF THE MIDTOWN REDEVELOPMENT AUTHORITY (MRA).

Marlon Marshall gave a report on the status of the MRA capital projects. Mr. Marshall reported that work on the Bagby Street Reconstruction Project has resumed and that the expected completion date is June 2013. Mr. Marshall also reported that the Midtown Park Improvements Project contract is projected to go out for bid in August 2012. He reported that the official kickoff meeting with TxDOT was held recently to discuss the reconstruction of Caroline Street and the Midtown staff and consultants presented the preliminary concept design and project layout to representatives of TxDOT and the City

of Houston ("the City"). Mr. Marshall stated that the Caroline Street project schedule was "very aggressive" and would include a meeting with stakeholders regarding the project.

Matt Thibodeaux reported on the recent street overlays on Austin and Crawford Streets and stated that the partnership with the City had been a "win-win" for both Midtown and the City. He stated that he and City representatives were exploring opportunities to do similar projects in the future. Director Neal complimented the street overlay work and stated that the efforts should be expedited. He asked the Staff to take a look at Anita Street to see if it would be a candidate for a street overlay. Director Franks asked the Staff to pay particular attention to the east side of Midtown where several new residential developments are expected over the next few years.

WITH RESPECT TO THE FOREGOING AGENDA ITEMS, CONDUCT AN EXECUTIVE SESSION WITH REGARDS TO THE FOLLOWING, AS APPROPROATE AND NECESSARY.

- a. Consultation with attorney (Section 551.071, Texas Government Code);
- b. Personnel matters (Section 551.074, Texas Government Code).

There was no executive session.

RECONVENE THE PUBLIC SESSION AND, IF NECESSARY, TAKE ACTION ON MATTERS DISCUSSED DURING THE EXECUTIVE SESSION.

There was no executive session.

REVIEW, DISCUSS AND TAKE NECESSARY ACTION REGARDING MIDTOWN MOMENTUM FOR THE ARTS.

Cynthia Alvarado reported that the Midtown Momentum for the Arts presentation would be postponed until a later date in an effort to reevaluate the program and gather additional information.

Ms. Alvarado updated the Board on the status of the Cultural Arts & Entertainment District designation application and reported on an arts workshop she attended on the "Creative Economy of Houston". She gave a summary of a study commissioned by the Houston Arts Alliance, the University of Houston and the Greater Houston Partnership which discussed the significant impact of the "Creative Sector" on the Houston Economy.

There was general discussion of how Midtown can work cooperatively with the arts community to develop complimentary programming that can facilitate economic development in Midtown.

REVIEW, DISCUSS AND TAKE NECESSARY ACTION REGARDING NCECA PUBLIC ART PROJECT IN MIDTOWN PARK, MARCH 2013.

Cynthia Alvarado reported that the District had been contacted by representatives of the National Council on Education for the Ceramic Arts ("NCECA ") with a request that

NCECA artists be allowed to install and display various items of "public art" in Midtown Park during its national conference which will take place in Houston in March 2013. Ms. Alvarado stated that she would continue to work with the group on the logistics relating to its request and report back to the Board at a future meeting.

OTHER BUSINESS / ANNOUNCEMENTS

None.

NEXT MEETING DATE

Chair Triggs announced that the next Board meeting would be on Wednesday, September 5, 2012 at 11:00 a.m. at the Midtown offices located at 410 Pierce Street, Houston, Texas 77002.

ADJOURN

There being no further business, the meeting was adjourned.

William R. Franks, Board Secretary

Date