



**MINUTES OF THE MIDTOWN MANAGEMENT DISTRICT  
BOARD OF DIRECTORS MEETING**

**September 12, 2017**

The Board of Directors of the Midtown Management District held a regular meeting, open to the public, on Tuesday, September 12, 2017, at 11:00 a.m. in the third floor conference room of the Midtown Management District's offices, located at 410 Pierce St., Houston TX 77002, inside the boundaries of the District, and the roll was called of the duly appointed members of the Board, to-wit:

Darcy John Lefsrud	Eileen J. Morris
Amar Mohite	Debbie Tyler Dillard
James Llamas	Dana Woodruff
Willie Coleman	Marylene Chan
Nancy J.W. Darst	William R. Franks
Ben Robles	Jesus Davila
Allen Douglas	Gary Noble
Jason West	Charles Washington

All of the above were present, except for Directors Llamas, Coleman, Tyler Dillard, Davila, and Noble, thus constituting a quorum.

In addition, present at the meeting were Midtown Staff members Cynthia Alvarado, Michelle Ashton, Marlon Marshall, Kandi Schramm, Amaris Salinas, Mark Sullivan, David Thomas, Mark Leija, and Matt Thibodeaux; Peggy Foreman of Burney & Foreman; Mechelle Phillips of One World Strategy Group, LLC.; Clark Lord of Bracewell, LLP; Ana Ramirez of Texas Department of Transportation; Robert Benz of Texas Transportation Institute; Sgt. Odell Haynes and Deputy Grant of Precinct 7 Constable's office; Jesse Sampson and John Salt of S.E.A.L. Security Solutions, LLC.; Bert Baker and Nancy Hall of Central Bank Houston; Linda Trevino of METRO; and Midtown resident Thomas Wang.

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

Chair Franks called the meeting to order and welcomed everyone.

**RECEIVE PUBLIC COMMENTS**

There were no public comments.

**CONSENT AGENDA**

- A. APPROVE MINUTES FOR THE AUGUST 2, 2017 BOARD MEETING**
- B. APPROVE FINANCIAL REPORT FOR THE MONTH OF JULY 2017**
- C. APPROVE PAYMENT OF INVOICES FOR AUGUST 2017**
- D. APPROVE EQUI-TAX REPORT FOR AUGUST 2017**
- E. RATIFY ANNUAL RENEWAL OF ZAPPLICATION®**

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

**REVIEW, DISCUSS AND TAKE NECESSARY ACTION REGARDING THE INVESTMENT REPORT FOR THE PERIOD ENDING JUNE 30, 2017**

Matt Thibodeaux reported that all funds are invested in authorized accounts with a .29% interest rate. Director Darst made a motion to accept the investment report. The motion was seconded by Director Mohite and carried by unanimous vote.

**REVIEW, DISCUSS AND TAKE NECESSARY ACTION REGARDING REQUEST TO AMEND THE INTERLOCAL AGREEMENT WITH THE CITY OF HOUSTON**

Peggy Foreman stated that the Board Chair received a verbal request from the City of Houston to reimburse the city for a portion of the cost to install a fence on a part on of the land under I-69 near Fiesta in an amount not to exceed \$15,000. Ms. Foreman expressed concern as to whether the project would be an eligible cost under the existing Interlocal Agreement with the city, but that she needed additional information regarding the project. She stated that there may be a need to act on the request prior to the next Board meeting and asked the Board to authorize a small ad hoc committee to consider the request and decide whether to approve the request subject to certain conditions.

Director Douglas asked whether the city's installation of the fence would violate the current Temporary Restraining Order (TRO) issued against the city. Ms. Foreman stated that she was generally aware of the TRO but was not knowledgeable about the specifics of the case. She stated that she and the Chair discussed various issues, including the TRO, with city representatives. Chair Franks shared that he has raised the issues with city representatives and was awaiting a response. He stated that the fenced area would be used to park buses for groups visiting the nearby museums. Director Mohite asked if the museums understand that the parking is a short-term temporary parking solution and will not continue once the deck over 69 is installed.

Director Woodruff asked if MMD has the funds for this project. David Thomas confirmed that the District has funds available because of unused funds that were budgeted for committee projects.

Chair Franks appointed Directors Douglas and Coleman to serve with him on an ad hoc committee to consider and approve the request and an amendment to the Interlocal Agreement if required, subject to ratification by the Board. Director Woodruff made a motion to authorize the ad hoc committee to consider and approve the request and an amendment to the Interlocal Agreement with the City of Houston, if necessary, for an amount not to exceed \$15,000. The motion was seconded by Director Washington and carried by unanimous vote.

**RECEIVE COMMITTEE ACTIVITY REPORTS AND REVIEW, DISCUSS AND TAKE NECESSARY ACTION REGARDING THE FOLLOWING, AS APPROPRIATE:**

**A. Service and Maintenance Committee – Darcy Lefsrud, Chair**

Director Lefsrud reported that Phase II of sidewalk repairs was delayed because of Hurricane Harvey, but he anticipates being able to begin work in October 2017. He reported that the Committee has been working on the budget for Fiscal Year 2018 and is looking at ways to include additional money for tree trimming and park programming. Finally, he stated that the Committee is reviewing the existing scope of services for the Field Services Team and is planning to issue an invitation to bid in October 2017.

**i. REQUEST FOR ADDITIONAL FUNDING FOR THE GLOVER PARK MAINTENANCE**

Director Lefsrud reported that bids for repairs to Elizabeth Glover Park were higher than expected and the Committee needs additional funds not to exceed \$13,000 for the project. He stated that there is a possibility for savings as well as the potential to defer some of the costs to the next fiscal year. Director Lefsrud stated that the Committee is requesting additional funds to assist with the project.

Chair Franks asked if any additional repairs resulted from the hurricane. Marlon Marshall stated that some trees along Bagby St. were lost and that some of the drainage grates on Elgin St. were missing. He stated that he is working to address the repairs at minimal or no cost to the District. Director Douglas stated that flooding issues should be flagged for Design Workshop to consider as they move forward with work on the strategic plan. Matt Thibodeaux agreed and stated that the Staff is looking at long-term solutions and are working with the city's Department of Public Works to explore ways to improve drainage in the southeast area of Midtown and along Elgin St. Director Mohite urged residents affected by Hurricane Harvey to report their damage to FEMA because that data is captured and impacts federal funding for Houston and Harris County.

**B. Cultural Arts and Entertainment Committee – Eileen Morris, Chair**

Director Morris reported that the Committee is busy planning for the second annual Mistletoe Market, which will be held on Saturday, November 18, 2017 and Sunday, November 19, 2017. She stated that applications from interested vendors are being accepted through October 13, 2017 and additional information is available via Midtown's eNews and social media. Cynthia Alvarado reminded everyone that the District is also participating in "Via Colori", a major city-wide chalk art festival, on November 18-19, 2017. She stated that Midtown purchased a 3-D art square next to the Stella Artois Stage and that the artist will be Jennifer Lang, a University of Houston graduate and Via Colori artist since 2013. Finally, Director Morris invited all to the next Committee meeting on Tuesday, September 19, 2017, at 3:30 p.m. at Central Bank.

**C. Marketing and Economic Development Committee – Debbie Tyler-Dillard, Chair**

Michelle Ashton reported that the *Midtown Buzz* has been distributed throughout Midtown and that a limited number of copies are available for distribution by apartment complexes and other organizations. She stated that the Committee is currently working on a new edition of the Cultural Arts and Entertainment Guide and will release it in November, 2017. Ms. Ashton reported that the Committee is working on placing an ad in the next three editions of the *OutSmart* magazine, including a special edition in October 2017 issue focusing on the impact of Hurricane Harvey. Ms. Ashton stated that the Midtown Awards will be announced during the opening of Midtown Park. Finally, she reported that the Committee plans to develop a Midtown app for launch in 2018 that will enhance Midtown's current mobile communications, including adding push notifications.

**D. Urban Planning Committee – Allen Douglas, Chair**

Director Douglas reported that Design Workshop will be conducting a public workshop on Tuesday, September 26 at 6:30 p.m. at Trinity Episcopal Church in Midtown to obtain community input on the strategic plan. He encouraged everyone to attend and participate in help to plan Midtown's future. Director Mohite stated that the Committee will work to ensure that Midtown's strategic plan compliments Plan Downtown and will circulate drafts of the strategic plan for review and comment. Director Douglas reported that based on survey results, Baldwin Park was identified as the preferred site for a Midtown Farmer's Market and that the Committee is working to confirm a day and time that does not conflict with other farmer's markets, such as Saturday or Sunday afternoons. He stated that the next steps will include talking with the Service and Maintenance Committee and City of Houston Parks Department to work on the logistics for the Farmer's Market. Director Douglas reminded the Board that the Committee is working to schedule another BikeHouston ride in November, 2017.

**i. RATIFY PARTICIPATION IN THE TXDOT BIKE COUNTER PROJECT**

Director Douglas advised the Board that the Committee received a request to participate in a bike counter project, where TxDOT would install a bike counter on Holman St. near the Spur 527 and the District would pay the cost of maintaining the bike counter, capturing and storing data. He stated that the cost would be \$600/year for five years and that TxDOT requires a letter of intent from the District to proceed, with a goal of eventually including this project in a maintenance agreement with the city.

Director Douglas made a motion to approve participation in the TxDOT bike counter project. The motion was seconded by Director Mohite. Following all discussion, the motion carried by unanimous vote.

**E. Finance and Budget Committee – Marylene Chan**

Director Woodruff reported that MMD expenditures are within budget and that as of September 12<sup>th</sup>, 98% of assessments have been collected for 2016.

**i. AUTHORIZE TRANSFER OF FUNDS FROM PUBLIC SAFETY TO SERVICES AND MAINTENANCE FOR GLOVER PARK MAINTENANCE**

Director Woodruff made a motion to authorize the transfer of up to \$13,000.00 from Public Safety to Service and Maintenance for Elizabeth Glover Park maintenance. The motion was seconded by Director Douglas and carried by unanimous vote.

**ii. UPDATE ON FY 2018 BUDGET PROCESS**

Director Woodruff stated that the timeline for 2018 budget planning is moving forward and that the Committees' budget requests are due on Friday, September 15, 2017. Chair Franks thanked the Committee for speeding up the budgeting process. Director Lesfrud asked if MMD can now budget less money for the electricity bill given the conversion to LED lights. Mr. Marshall stated that he will follow-up with CenterPoint but that it may be difficult to estimate the savings at this point given that installation has been staggered. Chair Franks asked if there has been a light survey since Hurricane Harvey to determine if the storm caused any outages. Mark Sullivan replied that he will check with the vendor that performs the light surveys for the District.

**F. Nominations Committee – Nancy Darst, Chair**

**i. UPDATE ON FILLING BOARD VACANCIES**

Director Darst reported that ten candidates were interviewed in August 2017 to fill two positions on the Board and that following the interviews six candidates were selected. She stated that the District is processing this group of candidates, including performing background check and the Committee plans to bring recommendations to the Board at the October 2017 Board meeting. Director Darst also advised the Board that an election of certain officers will be held at the October 2017 Board meeting.

**G. Public Safety Committee – Ben Robles, Chair**

Director Robles thanked all first responders for their work during and after Hurricane Harvey. He reminded those in attendance that Midtown participated in the city led clean-up of the encampment site under I-69 on August 10, 2017. He reported that the city determined that the conditions at the encampment constituted a health hazard. He reminded the Board that there was still a temporary restraining order preventing the city from enforcing its recently adopted ordinances relating to tents on public property. Director Robles reported that according to the last HPD count, the number of tents was down from 60 to 48.

Mark Leija updated the Board on his work since July 1, 2017, which including meeting with law enforcement teams, participating in a radio interview on NPR during Coffee with a Cop, and conducting a post-hurricane survey of the District. He stated that he is currently working with the Midtown staff in preparing for National Night Out. Cynthia Alvarado gave a report on the TABC hearing regarding Club Myst/Empire. She stated that the judge conducting the hearing now has 60 days to review the case before rendering a decision. Director Douglas reported that he has been in conversation with an attorney who is bringing an assault case against the club and has learned that the club operators may not have a “cabaret” license and that he was unsure whether this information was brought to the attention of TABC. Director Douglas asked the staff to follow-up with TABC and share whatever information the District might have.

Ms. Alvarado thanked Central Bank for sponsoring Coffee with a Cop and paying for the lunches of first responders. Director Robles announced that the next meeting is Tuesday, September 19, 2017 at 6 p.m. at Central Bank with a special guest speaker from County Attorney’s office.

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

Marlon Marshall gave the following report on the status of the current MRA capital improvement projects:

Midtown Park – The parking garage was slightly impacted by the storm. There was no flooding in the garage, but water did come down the ramp. The pumps worked as designed. The Park had some minor damage, including runoff from the berms and bayou walls, and general landscaping issues which are estimated to take approximately two weeks to address. The Staff expects the Park to be substantially complete by the end of the month.

Main St. – The Staff is working with METRO to get permission to partially shut down the street on weekends to allow the contractor to complete work in the median.

Holman St. – The project is awaiting final approval by the city.

Entry portals – The berm on the I-45 entry portal experienced some runoff from the hurricane. The entry portals on Spur 527 and Bagby St. are still waiting on CenterPoint for installation of permanent electricity.

Caroline St. – Contractors are mobilized and are in the process of finalizing required permits.

## **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).

The Board did not conduct an executive session at this meeting.

## **ANNOUNCEMENTS**

Amaris Salinas gave an overview of park programming. She stated that events resumed this past weekend with good turnout. Ms. Salinas reported that Second Sunday in Baldwin Park was cancelled at the city’s request because the city is focusing its resources on relief efforts. She reported that she is working with Silver Eagle to host a Texans kickoff party on Thursday, September 14, 2017 in Bagby Park.

Chairman Franks thanked the Staff and Midtown Community all for their work following Hurricane Harvey. He acknowledged the extraordinary help from Midtown property owner and former Board member Adam Brackman.

**NEXT MEETING DATE**

The next Midtown Management District Board of Directors meeting will be held on Wednesday, October 6, 2017, at 11:00 a.m. at the Midtown offices, 410 Pierce St.

**ADJOURN**

There being no other business, the meeting was adjourned.

  
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Eileen Morris  
Board Secretary

  
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Date