

MINUTES OF THE
MIDTOWN MANAGEMENT DISTRICT
BOARD OF DIRECTORS MEETING

December 5, 2012

The Board of Directors of the Midtown Management District held a meeting, open to the public, on the 5th day of December 2012 at 11:00 a.m. in the Midtown Offices, located at 410 Pierce Street, 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	John G. Castillo
Katherine Cabaniss	Vernus Swisher
Willie Coleman, Jr.	William Franks
William Tilney	Gayle R. Fortson
F. Charles LeBlanc	Gary Noble
Ramiro Orta	M. Todd Triggs
Eileen Morris	

All of the above were present except Directors Orta thus constituting a quorum.

In addition, present at the meeting were Cynthia Alvarado, Marlon Marshall, Kandi Schramm and Peggy Foreman of Burney & Foreman. Also present were, Bryn Poland, Eric Melchor Jim Stern and Scott Harbers.

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.

CONSENT AGENDA

- a. **Approve Minutes for the September 5, 2012 regular Board meeting.**
- b. **Approve Minutes for the October 3, 2012 regular Board meeting.**
- c. **Approve the Minutes for the November 7, 2012 regular Board meeting.**
- d. **Approve the October 2012 Financial Report**
- e. **Approve the payment of invoices for December 2012.**
- f. **Approve Equi-Tax Report for November 2012.**

The Managing Director announced that item #c was being pulled from the Consent Agenda and would be presented for approval at the January 2013 Board of Directors' meeting.

Director Swisher 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 District's fiscal year 2012 budget.

Director Noble presented the proposed FY 2013 Budget. Director Noble described the procedure used to develop the proposed FY 2013 Budget and thanked everyone who worked on the Budget. Director Noble stated that the proposed FY 2013 Budget had been reviewed and approved by the Finance Committee and the Executive Committee for recommendation to the Board.

Director Franks made a motion to approve the proposed FY 2013 Budget as presented. The motion was seconded by Director Castillo. Several Board members asked questions regarding the Budget and following all discussion the proposed FY 2013 Budget was adopted and carried by unanimous vote.

Discuss and take necessary action regarding annual review of the District's Investment Policy.

Peggy Foreman made a brief presentation regarding the District's Investment Policy. Ms. Foreman reminded the Board that State Law required that the Board review its investment policy annually. Ms. Foreman gave a general overview of the District's investment policy and stated that no changes to the Investment Policy were being recommended at this time.

Director LeBlanc made a motion to adopt the Investment Policy as presented. The motion was seconded by Director Coleman and carried by unanimous vote.

Discuss and take necessary action regarding annual review of the District's Qualified Broker/Dealers.

Ms. Foreman made a brief presentation regarding the District's annual review of Qualified Broker/Dealers. Director Neal asked that the matter be tabled to the January 2013 Board meeting to allow time to get answers to certain questions relating to the list of Qualified Broker/Dealer.

Chairman Triggs announced that the matter would be tabled until the January 2013 Board meeting.

Ratify and take necessary action regarding the 2013 Modified Interlocal Agreement for Law Enforcement Services with Harris County.

Peggy Foreman advised the Board that just prior to the November 2012 Board meeting, the District received a request from the Harris County Attorney's office to modify the term of the Interlocal Agreement with Harris County for Law Enforcement Services (the "Agreement"). Ms. Foreman stated that the prior Agreement with Harris County was set to terminate on December 31, 2012 and that under the modified Agreement the termination date was extended to February 28, 2013. She stated that all other terms and conditions of the Agreement remain unchanged. She explained that the primary purpose of the modification was to allow Harris County to align the term of its law enforcement services agreements with its fiscal year. Ms. Foreman stated that the timing of the request was such that it could not be placed on the agenda for the November 2012 Board meeting, but that a decision was required prior to the December 2012 Board meeting, therefore the Executive Director and the Board Chair approved the modification, subject to ratification by the Board at the December 2012 Board meeting.

Director Swisher made a motion to ratify approval of the modified Interlocal Agreement with Harris County for Law Enforcement Services. The motion was seconded by Director Coleman. Following all discussion, the motion was passed by unanimous vote.

RECEIVE COMMITTEE ACTIVITY REPORTS

A. Executive

Chairman Triggs stated that Executive Committee focused primarily on reviewing the FY 2013 Budget. He pointed out that other matters discussed by the Executive Committee would be presented in the various Committee reports. Chairman Triggs announced that the District would soon begin working on a new Service and Assessment Plan and that he would be appointing a Committee to lead the effort to secure community input on the Services that the District will provide in the future.

B. Public Safety

Director Tilney reported on the activities of the Public Safety Committee. He reported that the HPD Central Division crime statistics show an increase in certain crimes such as burglary of a motor vehicle and shoplifting, over the previous month, Director Tilney stated that according to HPD, an increase in property crimes historically occurs during the "holiday season". Director Tilney shared information regarding the Precinct 7 Theft Reduction Report Card which the Deputy Constables were distributing throughout Midtown to encourage Midtown residents and visitors to be more alert and to take proactive steps to reduce theft. Director Tilney stated that the Public Safety Committee is exploring a partnership with Constable Walker's office to modify the Theft Reduction Report Card to include the Midtown Logo and identify the random vehicle and home inspection as a service provided by the Midtown Management District. Cynthia Alvarado stated that she was working with Precinct 7 Deputy Constables to develop a "Holiday Safety Tips" informational section for inclusion in the Thursday eNews.

Finally, Director Tilney summarized a written report he provided to the Board regarding the benefits to the District of having secured the services of a Supervising Sergeant for the Midtown Community as part of the District's agreement with Harris County for Law Enforcement Services.

C. Marketing

Director Morris reported on the activities of the Marketing Committee. She stated that there has been a significant increase in attendance at Marketing Committee meetings since the Committee decided to hold its meetings at different art venues in Midtown. Ms. Morris reported that the Committee has focused on developing a strategic plan for 2013. Cynthia Alvarado announced that due to renovations of Baldwin Park, the 2013 Art in the Park event would be moved to 2800 Main, the future site of the "SuperBlock Park".

Director Morris stated that the next Marketing Committee meeting would be on December 11, 2012 at Art Square Studios and invited all to attend.

D. Service & Maintenance

Marlon Marshall reported on the activities of the Service & Maintenance Committee. He stated that the Field Services Team was working on end of year pruning and trimming of trees in addition to its general maintenance activities. Mr. Marshall also reported on the status of a claim for damages that was submitted to State Farm Insurance Company for approximately \$3700.00 for damages caused by an automobile accident on Elgin Street.

Director Bill Franks reported on his efforts to contact and arrange meetings with METRO officials to discuss solutions to the landscape maintenance issues along the MetroRail on Main Street. Marlon Marshall stated that METRO has responded with sporadic clean-up of debris along the rail line and that they would continue to work for a more consistent maintenance solution. Chairman Triggs thanked Director Franks for his work on the Main Street landscape maintenance issues.

E. Urban Planning

Director Coleman reported that the Urban Planning Committee had completed its work on the FY 2013 Budget. He thanked the Staff for their work on the Budget. Director Coleman extended an invitation to other Board members to join the Urban Planning Committee in 2013.

F. Finance

Director Noble reported on the activities of the Finance Committee. He also thanked the Staff for their work on the FY 2013 Budget.

G. Nominating

Director Fortson reported that the Nominating Committee would be conducting another round of interviews to fill two currently vacant Board positions and was also working on nominations for to fill positions being vacated by "term limited" Board members in June 2013 as well as officer elections to be held in May 2013.

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:

Bagby Street Reconstruction Project – Heaviest work has been completed. Construction is still on schedule with completion expected in June 2013.

Caroline Street Project – A public meeting will be held on December 13, 2012 at 6:00 p.m. in the Central Bank Community Room to share information and seek input from stakeholders regarding the Caroline Street reconstruction project. The Staff will post information about the meeting on the Midtown website, eNews and other social media outlets.

Gray Street Project, Phase II – Improvements on the west side of the street between Jackson and Chenevert are almost complete.

Baldwin and Glover Parks Project – Contacts have been awarded for park improvements and construction is expected to begin in January 2013.

Director Neal expressed concern about the loss of mature oak trees on Bagby Street. Mr. Marshall stated that the MRA Staff and Design Team were very concerned and careful to protect the trees in Midtown and that 3 of the trees that were lost had to be cut because the trees were damaged during the hurricane and had diseases that according to the forester were untreatable. He stated that one tree was lost due to damages caused by a private contractor working on a private project, not a Midtown Redevelopment Authority project. Director Neal asked that a report be given to the Midtown Community about the trees on Bagby Street since several people had spoken to him about the losses.

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.

OTHER BUSINESS / ANNOUNCEMENTS

None.

NEXT MEETING DATE

Chair Triggs announced that the next Board meeting would be on Wednesday, January 9, 2013 at 11::00 a.m. in the Midtown Offices.

ADJOURN

There being no further business, the meeting was adjourned.



William R. Franks, Board Secretary

Date: 1.9.2013