

MINUTES OF THE
MIDTOWN MANAGEMENT DISTRICT
BOARD OF DIRECTORS MEETING

February 6, 2013

The Board of Directors of the Midtown Management District held a meeting, open to the public, on the 6th day of February 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 | Eileen Morris |
| Eric Melchor | John G. Castillo |
| Katherine Cabaniss | Vernus Swisher |
| Willie Coleman, Jr. | William Franks |
| William Tilney | Gayle R. Fortson |
| Bryn Poland | Gary Noble |
| F. Charles LeBlanc | Ramiro Orta |
| M. Todd Triggs | |

All of the above were present except Directors Melchor, Cabaniss, LeBlanc, Orta and Triggs and 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, Vicki Luna and Louis Ibarra of Houston Community College, Alberto Castanon of RISE, Deputy A. Clopton and Sgt. O. Haynes Precinct 7 Deputy Constables, Ramona Crayton of METRO and Midtown residents Marylene Chan, Mary Litwin, Karen Powers, Jerry Keeth, Ben Robles, Ed Valker, Buddy Bouquet and Candace Busker.

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

Vice Chair Swisher called the meeting to order and welcomed guests.

RECEIVE PUBLIC COMMENTS

Vice Chair Swisher invited guests to introduce themselves and make comments to the Board.

Several guests requested information regarding certain buildings and raised issues about the condition of such buildings and the status of tree trimming services in Midtown. Vice Chair Swisher asked the Midtown Staff to gather more information and respond as appropriate.

CONSENT AGENDA

- a. **Approve Minutes for the January 9, 2013 regular Board meeting.**
- b. **Approve the December 2012 Financial Report.**
- c. **Approve the payment of invoices for February 2013.**
- d. **Approve the Equi-Tax Report for January 2013.**

Cynthia Alvarado advised the Board that the January 2013 Equi-Tax Report only reflects payments received and processed as of January 30th and that a significant number of additional payments postmarked as of January 31st had been received and were in the process of being posted and deposited. Ms. Alvarado stated that such amounts will be reflected on the February 2013 Equi-Tax Report.

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

RATIFY AND TAKE NECESSARY ACTION REGARDING THE INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH HARRIS COUNTY FOR THE PERIOD BEGINNING FEBRUARY 28, 2013.

Peggy Foreman reminded the Board that just prior to the November 2012 Board meeting, the District received a request from the Harris County Attorney's office to extend the term of the 2012 Interlocal Agreement for Law Enforcement Services to February 28, 2013 to allow Harris County to align the term of its law enforcement services agreements with its fiscal year. Ms. Foreman stated that current 2013 Agreement with Harris County would have a term that begins March 1, 2013 and ends February 28, 2014. She stated that the Agreement was in substantially the same form as the 2012 Agreement with Harris County and that the monthly payment would remain the same. Ms. Foreman advised that the Board Chair approved the current 2013 Agreement so that it could be sent to Commissioner's Court for approval in sufficient time so as not to have any lapse in services from the Precinct 7 Constable's office.

Director Coleman made a motion to ratify the Interlocal Agreement for law enforcement services with Harris County for the period beginning February 28, 2013. The motion was seconded by Director Fortson. Following all discussion, the motion carried by unanimous vote.

REVIEW, DISCUSS AND TAKE NECESSARY ACTION REGARDING AMENDMENT TO THE FOLLOWING RESOLUTION.

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY TITLE 43, PART 1, CHAPTER 11, SUBCHAPTER E OF THE TEXAS ADMINISTRATIVE CODE, AND OTHER STATE AND FEDERAL STATUTES ADMINISTERED BY THE TEXAS DEPARTMENT OF TRANSPORTATION

Peggy Foreman reported that the Resolution relating to the District's application for federal transportation assistance adopted at the November 2012 Board meeting stated that the 20% local share for the Holman Street Pedestrian Improvements Project was \$478,400, however it was later learned that the correct amount for the 20% local share is \$598,000. Ms. Foreman asked that the Board authorize an amended and restated Resolution to reflect the correct amount of \$598,000.

Director Poland made a motion to amend the Resolution as presented. The motion was seconded by Director Fortson and carried by unanimous vote.

RECEIVE COMMITTEE ACTIVITY REPORTS

A. Executive Committee

Vice Chair Swisher reported that matters considered at the January 29, 2013 Executive Committee meeting would be discussed as part of the various committee reports.

B. Public Safety Committee

Director Tilney reported on the activities of the Public Safety Committee. He introduced Sgt. Haynes who had recently taken over as the supervisor of the Midtown Deputy Constables. Director Tilney stated that the January 2013 crime report from the South Central Division showed a slight uptick in certain crimes in Midtown

Director Tilney reported that there have been a number of complaints about activities in and surrounding "Club Myst" located on San Jacinto Street. He stated that the situation has improved and that several residents have reported seeing an increased presence of Precinct 7 Deputy Constables in the area.

Finally, Director Tilney announced that after 6 years of service on the Board, he had tendered his resignation effective immediately due to family concerns. Various Board members thanked him for his service on the Board and as Chair of the Public Safety Committee and for his commitment to Midtown.

C. Marketing Committee

Director Morris reported on the activities of the Marketing Committee. She stated that the January 15, 2013 Committee meeting at Eyeful Art Murals and Designs was very well attended.

Cynthia Alvarado gave an update on plans for the 7th Annual Midtown Art in the Park stating that the goal for this year's event is to showcase art and highlight the urban lifestyle. She reported that artists and major Houston based arts organizations are contacting the District to participate in the 2013 Art in the Park event.

Director Morris reported that the City's B-Cycle Bike Share Program has agreed to set up a temporary bike share station in Midtown at Art in the Park for use by those attending the event as a way to showcase B-Cycle.

Finally, Director Morris invited all to attend the next Marketing Committee meeting to be held at the Buffalo Soldiers National Museum on Tuesday, February 19 at 4:00 p.m.

D. Service & Maintenance Committee

Marlon Marshall reported on the activities of the Service & Maintenance Committee. He stated that representatives of METRO are being responsive regarding maintenance issues along the MetroRail line.

Mr. Marshall reported that the Field Services Team is pruning trees on Elgin Street and performing the seasonal color change out of plants. He also reported that the District was able recover approximately \$5,500.00 for damages resulting from an automobile accident on Elgin Street. Mr. Marshall asked that residents assist the District by getting license plate numbers of vehicles that cause damage to District's assets in the parks and public right-of-way and

reporting any such accidents to the District offices. Director Neal requested more information on the street overlay program and the District's plans for tree planting in February.

E. Urban Planning Committee

Director Coleman reported on the activities of the Urban Planning Committee. He gave a brief update on development projects in Midtown and announced that Alamo Draft House has changed its plans to locate in Midtown.

F. Finance Committee

Director Noble reported on the activities of the Finance Committee. He stated that the Marketing Committee was requesting an additional \$5000 to pay costs incurred as a result of moving the event to the SuperBlock site and adding 2 additional events. Director Noble reported that the Finance Committee is making recommendation that the Board approve the request.

Director Fortson made a motion to recommend the allocation of an additional \$5,000 for the 2013 Midtown Art in the Park event as presented. The motion was seconded by Director Morris. Following all discussion, the motion carried by unanimous vote.

Director Noble reported that the Committee and the Staff continue to manage maturing CD's containing various reserve funds consistent with District policies.

G. Nominating Committee

Director Fortson reported that the Nominating Committee was in the process of interviewing potential candidates to fill vacant Board positions and would bring recommendations to the Board at future Board meetings.

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 – All pavers and crosswalk work has been completed. The Staff is coordinating with CenterPoint to relocate utilities. Installation of landscaping, rain gardens, and trees is now underway and will continue over the next 3 to 4 months. The Staff is working with the City of Houston to try and get new parking meters installed.

Caroline Street Project – 60% design plans have been submitted to TxDOT for review. The entire review process is expected to take approximately 4-5 months.

Gray Street Project, Phase II – The sidewalks on the south side of Gray Street are complete. Work is currently underway on the pavers from Austin to Chenevert and once completed the contractors will north side of Gray Street. The entire Project is scheduled for completion in April 2013.

Baldwin and Glover Parks Project –The Midtown Staff, the design team and the contractor are still working with the City of Houston legal department to finalize a Right of Entry Agreement for each park site.

Midtown Park – The Staff received construction bids at the end of January 2013 and is currently evaluating the bids in hopes of making a recommendation to the MRA Board at their February 2013 meeting later this month. The goal is to have construction begin sometime in March 2013.

Holman Street – 90% design plans have been submitted to the City of Houston for consideration. The Staff and design team are awaiting a response from the City.

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

Vice Chair Vern Swisher announced that he will be serving as Chair of the Mayor Public Safety Advisory Committee and invited anyone interested in public safety issues to feel free to contact him.

NEXT MEETING DATE

Vice Chair Swisher announced that the next Board meeting will be on Wednesday, March 6, 2013, at 11:00 a.m. in the 3rd floor conference room of the Midtown Offices, located at 410 Pierce, Houston, Texas.

ADJOURN

There being no further business, the meeting was adjourned.



William R. Franks, Board Secretary

Date: 6-6-13