

MINUTES OF THE BOARD OF DIRECTORS MEETING  
TIRZ 17 Redevelopment Authority/Memorial City Redevelopment Authority  
City of Houston, Texas  
May 25, 2010

The Board of Directors (the "Board") of the TIRZ 17 Redevelopment Authority/Memorial City Redevelopment Authority (the "Authority") met in regular session, open to the public, on May 25, 2010, in the HEB Community Room, 9710 Katy Freeway, Houston, Texas.

Board members in attendance:

Charles Turet, Chair

Ann T. Givens

Dr. Zach Hodges

Ken Arnold

Brad Freels

Board members not in attendance:

Glenn Airola

Dan Moody, III

Consultants in attendance:

Pat Hall and Michelle Lofton - ETI Bookkeeping Services

Rafael Ortega, Derek St. John, Mark Scates, and Marty Kobs - Lockwood, Andrews & Newnam, Inc. ("LAN")

Trey Lary and Susan Hostetler - Allen Boone Humphries Robinson LLP ("ABHR")

Michael McCall - McCall Gibson Swedlund Barfoot PLLC

Darin Weinheimer - Kudela & Weinheimer

Staff in attendance:

Pat Walters - Executive Director

City of Houston Representatives in attendance:

Melissa White - Council Member Jolanda Jones' office

Will Dabney - Council Member Brenda Stardig's office

Julia Gee and Jesse Bounds - Economic Development, City of Houston ("City")

**1. Call Meeting to Order**

Director Turet called the meeting to order. All agenda items were considered in order.

**2. Public Comments**

Mr. Chuck Davidson commented on the North Gessner improvement plans and staffing for the Authority, and expressed support of the TIRZ 17 Regional Drainage Study.

Ms. Donna Freedman commented on detention and drainage projects 1 and 2 in the draft CIP.

Ms. Maxine Nash expressed support for the improvements on the north side of IH-10.

Ms. Donna Collum expressed support of the Westview esplanade improvements and requested that landscaping be installed at the esplanade at 1054 Wisterwood in connection with the Westview project.

Mr. Hugh Rawl commented on the draft CIP and completion of the TIRZ 17 Regional Drainage Study before beginning any drainage projects.

Mr. Michael Birdsong expressed support for the Westview esplanade project and new commercial development in the area.

Ms. Roberta Prazak commented on drainage projects and the Memorial City Management District.

### **3. Minutes of the April 27, 2010 Meeting**

The Board reviewed the minutes of the April 27, 2010, meeting. Following discussion, Director Arnold moved to approve the minutes as submitted. The motion was seconded by Director Hodges and carried by unanimous vote.

### **4. Financial and Bookkeeping Matters**

Ms. Hall reviewed the financial report for April and presented checks for payment. Following review and discussion, Director Thomas made a motion to approve the financial report and the payment of the bills presented. Director Arnold seconded the motion, and it passed unanimously.

### **5. Draft FY 2011 budget**

Mr. Walters discussed the draft fiscal year 2011 budget and placeholders in the 2011-2015 CIP for drainage project nos. 1 and 2, to be further identified once the TIRZ 17 Regional Drainage Study is complete. No action was necessary for this agenda item.

### **6. Engage Null-Lairson, P.C. to Prepare Financial Statement**

Mr. Walters stated that at the City's request, the Authority will prepare a Financial Statement for submission to its auditor. The Board reviewed a proposal from Null-Lairson, P.C. to prepare the Authority's Financial Statement. Following review

and discussion, Director Arnold made a motion to engage Null-Lairson, P.C. to prepare the Financial Statement for the fiscal year ending June 30, 2010, for a fee not to exceed \$9,000. Director Hodges seconded the motion, which passed unanimously.

**7. Engage McCall Gibson Swedlund Barfoot PLLC to Perform Annual Financial Audit**

The Board reviewed a proposal to conduct the Authority's audit for the fiscal year ending June 30, 2010. Following review and discussion, Director Thomas made a motion to engage McCall Gibson Swedlund Barfoot PLLC to conduct the Authority's audit for the fiscal year ending June 30, 2010, for an estimated fee of \$7,000 to \$8,000. The motion was seconded by Director Freels and carried by unanimous vote.

**8. Gessner Road Widening Project**

Mr. St. John reported that the Gessner widening project is substantially complete. Mr. St. John discussed water line easements needed for the project to be obtained from Target and Wells Fargo Bank. Following discussion, Mr. Ortega stated that LAN will compile a brief summary of lessons learned from the Gessner project that may be applied to other Authority projects.

**9. Bunker Hill Widening Project**

Mr. St. John updated the Board regarding the Bunker Hill widening project. No action was necessary for this agenda item.

**10. IH-10 East Bound Frontage Road and Bunker Hill Turning Lanes**

Mr. St. John reviewed the proposal for Batterson, L.L.P. in the amount of \$2,337.50, to modify the middle through lane on the IH-10 eastbound frontage road at Bunker Hill, to an optional turn/through lane. No action was necessary for this agenda item. Director Turet announced that he would abstain from participation in any matters relating to contracts with Batterson, L.L.P.

**11. Kimberley Lane near Beltway 8 Drainage Improvements**

Mr. St. John then discussed drainage improvements to Kimberley Lane near Beltway 8. He reported that right-of-way issues are being addressed. Mr. St. John reviewed options for rehabilitating the sanitary sewer trunkline beneath the Kimberley Lane pavement. Mr. St. John said one option is for the Authority to repair the sanitary sewer line during the project and the second option is for the City to make the sanitary sewer line repairs after the project is complete. Following discussion, Mr. Ortega stated that LAN will review the advantages and disadvantages of these options and make a recommendation to the Board.

Mr. St. John reviewed a proposal for additional engineering services relating to Kimberley Lane roadway improvements, in an amount not to exceed \$96,136.00. Following review and discussion and based on the engineer's recommendation, Director Arnold made a motion to approve the additional engineering services in an amount not to exceed \$96,136.00. Director Hodges seconded the motion, which passed by unanimous vote.

## **12. TIRZ 17 Regional Drainage Study**

Mr. St. John discussed development and calibration of the existing conditions model for the TIRZ 17 Regional Drainage Study, and presented the calibrated model. Mr. St. John stated that the Authority is working with the City and the Harris County Flood Control District ("HCFCD") regarding the study, and a public meeting will be held to review the existing conditions model. He discussed the impact of the Ditch W140-01 desiltation project, which the HCFCD plans to start in 60 to 90 days.

## **13. Proposal for Lumpkin Road Preliminary Engineering Report and Detailed Design**

Mr. St. John reviewed a proposal for preparation of a Preliminary Engineering Report and detailed design proposal for roadway, pedestrian, drainage, bikeway, and traffic improvements to Lumpkin Road from IH-10 to Westview Drive. The Board discussed obtaining a variance for a median for this section of Lumpkin Road. Director Arnold asked Mr. Dabney and Ms. White to request that Council Members Stardig and Jones assist the Authority in obtaining the City approval of the variance. Following review and discussion and based upon the engineer's recommendation, Director Freels made a motion to approve LAN's Preliminary Engineering Report and detailed design proposal in the amount of \$495,767 for roadway, pedestrian, drainage, bikeway, and traffic improvements to Lumpkin Road from IH-10 to Westview Drive. Director Thomas seconded the motion, and it carried unanimously.

## **14. Westview Esplanade Project**

Mr. Walters reviewed the status of landscaping improvements to the Westview esplanade. He reviewed a change order in the amount of \$6,990, consisting of \$2,499.49 to remove concrete under an esplanade and \$4,491 to revise the irrigation water supply tie-in. Following review and discussion and based upon the landscape architect's recommendation, Director Hodges made a motion to approve Change Order No. 1 in the amount of \$6,990.49, to the contract for the Westview esplanade project. The motion was seconded by Director Arnold, and passed by unanimous vote.

**15. Convene in Executive Session pursuant to Chapter 551.072, Texas Government Code, to deliberate the purchase, exchange, lease or value of real property**

At 8:56 a.m., Director Turet announced the Board would convene in executive session to conduct a private consultation with its attorney regarding the purchase, exchange, lease, or value of real property.

**16. Reconvene in Open Session and authorize appropriate action regarding the purchase, exchange, lease or value of real property, including authorizing negotiations and execution of Purchase Agreements**

At 9:00 a.m., Director Turet announced the Board would reconvene in open session. No action was taken.

**17. Town and Country Way Widening Project**

No action was necessary for this agenda item.

**18. Adjournment**

There being no additional matters for the Board's consideration, Director Arnold moved to adjourn the meeting. Director Thomas seconded the motion, and it passed by unanimous vote.

Approved:

---

Chuck Turet, Chair  
TIRZ 17 Redevelopment Authority/Memorial City Redevelopment Authority  
City of Houston, Texas