

**MINUTES OF THE MEETING OF THE
TIRZ 17 REDEVELOPMENT AUTHORITY/MEMORIAL CITY REDEVELOPMENT AUTHORITY and
TAX REINVESTMENT ZONE NUMBER SEVENTEEN
CITY OF HOUSTON, TEXAS
BOARD OF DIRECTORS**

June 23, 2016

ESTABLISH QUORUM AND CALL MEETING TO ORDER.

The Board of Directors of the TIRZ 17 Redevelopment Authority/Memorial City Redevelopment Authority and Tax Reinvestment Zone Number Seventeen, City of Houston, Texas, held a regular joint meeting on Thursday, June 23, 2016, at 8:00 a.m., at the Four Points by Sheraton, 10655 Katy Freeway, Wycliffe Room, Houston, Texas 77024, inside the boundaries of the TIRZ, open to the public, and the roll was called of the duly appointed members of the Board, to-wit:

Position 1 – Marshall B. Heins

Position 2 – John Rickel

Position 3 – David P. Durham

Position 4 – Ann T. Givens, *Chair*

Position 5 – Zachary R. Hodges

Position 6 – Brad Freels, *Vice-Chair*

Position 7 – Glenn E. Airola, *Secretary*

and all of the above were present, with the exception of Director Freels, thus constituting a quorum. Also present were Scott Bean and Linda Clayton, both of Hawes Hill Calderon, LLC; Jessica Holoubek, Allen Boone Humphries Robinson, LLP; and Michelle Lofton, ETI Bookkeeping Services. Others attending the meeting were Jennifer Curley, COH - Economic Development Dept.; Jack Valinski, COH; Virginia Blake, McCall Gibson Swedlund Barfoot PLLC; Muhammad Ali, LAN; Edward Conger, Klotz Associates; Virginia Gregory; Cynthia Neely, Bruce Nichols; Donna Freedman, David Tresch; Robert Benz; Jim Muckle and Roberta Prazak. Chair Givens called the meeting to order at 8:01 a.m.

RECEIVE PUBLIC COMMENTS.

Virginia Gregory discussed water flow and control and wanting a definitive plan on how the Authority is going to capture all the water going south. She further discussed toxins in the water. Cynthia Neely thanked Director Rickel for speaking at City Council in support of Bob Tucker. Bruce Nichols welcomed Directors Durham and Heins as the two new board members and thanked them for taking on the tasks. He stated Frostwood wants to work constructively with the Board and praised the Board members for moving forward with detention plans. Donna Freedman praised the community representatives for their attendance at the meetings. Roberta Prazak discussed some of the members of the board having a conflict of interest, being that they sit on the management district board and the TIRZ board. She stated she would like an update on the Town & Country project including traffic, mobility and drainage. She wanted to know why it has been on hold for so long. She further stated she wanted an update on Memorial Drive.

APPROVE MINUTES OF MAY 19, 2016, REGULAR MEETING.

Upon a motion duly made by Director Airola, and being seconded by Director Durham, the Board voted unanimously to approve the Minutes of the May 19, 2016, Board meeting, as presented.

RECEIVE FINANCIAL AND BOOKKEEPER'S REPORT, INCLUDING PAYMENT OF INVOICES, REVIEW OF INVESTMENTS AND PROJECT CASH FLOW REPORTS.

Ms. Lofton presented the monthly Bookkeeper's Report and went over invoices, included in the Board agenda materials. Upon a motion duly made by Director Rickel, and being seconded by Director Heins, the Board voted unanimously to accept the Bookkeeper's Report and approved payment of invoices, as presented.

PROPOSAL FROM McCALL GIBSON SWEDLUND BARFOOT PLLC TO PERFORM FY2016 AUDIT.

Ms. Blake reviewed the proposal, included in the Board agenda materials. She stated the estimated cost to perform the FY2016 audit was between \$9,500 and \$10,500. Upon a motion duly made by Director Rickel, and being seconded by Director Airola, the Board voted unanimously to approve the proposal from McCall Gibson Swedlund Barfoot PLLC to prepare the FY2016 audit in an estimated amount between \$9,500 and \$10,500, as presented.

LANDSCAPE MAINTENANCE CONTRACT WITH SEI, INC. FOR LUMPKIN AND BRIAR BRANCH DETENTION BASINS.

Mr. Bean reviewed the landscape maintenance contracts for Lumpkin and Briar Branch detention basins, included in the Board agenda materials. He stated the maintenance for the Briar Branch detention basin should have already been turned over to the City or Flood Control; however, there have been issues in turning the maintenance over and the contract would be on a month-to-month basis until it is turned over to the City and Flood Control. Mr. Ali explained the issues is with the driveway as the City nor Flood Control want to take the driveway. He stated he has been working with the City to solve the problem. Upon a motion duly made by Director Rickel, and being seconded by Chair Givens, the Board voted unanimously to approve the landscape maintenance contracts with SEI, Inc. for Lumpkin and Briar Branch detention basins, as presented.

RECEIVE ENGINEER'S REPORT FROM LAN, INCLUDING:

- b. Approval of Lumpkin Road Change Order No. 4, Pay Applications No. 15 and No. 16 (Final), and accept Contractor's Certification of Final Completion.**

Mr. Ali reviewed Change Order No. 4, Pay Applications No. 15 and No. 16 (Final) and the Contractor's Certification of Final Completion, included in the Board agenda materials. He stated all requirements have been met and LAN is recommending for approval. He stated LAN was recommending payment to the contractor for the 5% retainage on the project. Upon a motion duly made by Director Rickel, and being seconded by Director Hodges, the Board voted unanimously to approve Change Order No. 4, Pay

Applications No. 15 and 16 (Final) and approve acceptance of the Contractor's Certification of Final Completion, as presented.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY, WITH REGARD TO PENDING OR CONTEMPLATED LITIGATION; AND CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

The Board convened in Executive Session at 8:29 a.m.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTIONS REGARDING PRIVATE CONSULTATION WITH ATTORNEY, WITH REGARD TO PENDING OR CONTEMPLATED LITIGATION AND REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

The Board convened in open session at 8:56 a.m. Upon a motion duly made by Director Rickel, and being seconded by Director Airola, the Board voted unanimously to authorize Chair Givens to engage legal counsel.

a. Presentation from LAN on completion of Lumpkin Road project.

Mr. Ali made a presentation on the completion of the Lumpkin Road project. A copy of the presentation is available on the TIRZ 17 Memorial City Redevelopment Authority website.

ADJOURNMENT.

There being no further business to come before the Board, Chair Givens adjourned the meeting at 9:00 a.m.



Secretary