

**MINUTES OF  
PARKS AND RECREATION MEETING  
OF THE  
BOARD OF DIRECTORS**

**August 2, 2018**

THE STATE OF TEXAS  
COUNTY OF HARRIS  
OAKMONT PUBLIC UTILITY DISTRICT

§  
§  
§

The Board of Directors (the "Board") of Oakmont Public Utility District (the "District") met in special session, open to the public, at Auburn Lakes Recreation Center, the District's designated meeting place inside the boundaries of the District, on Thursday, August 2, 2018 at 7:00 p.m.; whereupon, the roll was called of the members of the Board, to-wit:

Ty Warren	-	President
Shaun Hebert	-	Vice President
Kerry Simmons	-	Secretary
Bruce Bramlett	-	Assistant Secretary
Jennifer Smith	-	Assistant Secretary

All members of the Board were present except Directors Simmons and Bramlett, thus constituting a quorum.

Also in attendance were those members of the public who provided their name on the sheet attached hereto as Exhibit "A".

Additionally, in attendance were Mallory Craig, attorney of Coats Rose, PC, the District's legal counsel.

WHEREUPON, the meeting was called to order in accordance with the posted meeting notice, which is attached hereto as Exhibit "B".

**DISCUSS CORRESPONDENCE FROM AUBURN LAKES HOMEOWNERS' ASSOCIATION**

Ms. Craig then presented the Board with emails and a letter from the Auburn Lakes Homeowner's Association (the "HOA"). The email correspondence is attached hereto as Exhibit "C". The letter correspondence is attached hereto as Exhibit "D". The Board reviewed and discussed the correspondence and commented on the HOA's decision to not hold a joint open meeting. No action was taken on this matter.

### **TAKE ACTION REGARDING MAINTENANCE AGREEMENT**

Ms. Craig then noted that the HOA has provided a draft Maintenance Agreement to be effective as of the date of termination of the previous agreement. Ms. Craig outlined the terms of the agreement and noted the changes from the previous agreement. The Board noted that the draft Maintenance Agreement provides for the District to maintain all irrigation systems and shoulder the cost of all water used to maintain the landscaping in the Open Spaces (as defined in such agreement).

After discussion, upon a motion by Director Warren, seconded by Director Hebert, the Board voted unanimously to authorize the District's Attorney to review and provide comments to the HOA's draft Maintenance Agreement.

### **HEAR FROM THE PUBLIC**

The Board then opened the floor to hear from the public on the matter of the HOA Maintenance Agreement. The Board received questions regarding the effect the termination of the agreement would have on the District's tax rate and budget and how the District foresees handling the costs of the proposed replacement agreement or termination of the agreement altogether.

There being no other business to come before the Board, the meeting was adjourned.

PASSED, APPROVED and ADOPTED this August 22, 2018.

(DISTRICT SEAL)



  
Secretary, Board of Directors

# OAKMONT PUD BOARD OF DIRECTORS MEETING SIGN-IN SHEET

August 2, 2018

Name	Name	Name
Patricia Barbalich	Robyn McNamara	
Krista Ebbert	Bill Holter	
David Ebbert		
Rania Fredericks		
Jennifer Hough		
Robyn Howley		
B S McKinney		
Diana Zaner		
Cory Zaner		
Marilynn Smith		
Steve Patti Ford		
Keri Guede		
Janet Murray		
Martin Sailer		
Christina Krebs		
Shirley Sinker		
Kristyn Carrillo		
Sarah Payne		
Sandi Oliver		



**OAKMONT PUBLIC UTILITY DISTRICT  
NOTICE OF MEETING**

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of Oakmont Public Utility District will meet in **special** session, open to the public, at **7:00 p.m.**, on **Thursday, August 2, 2018**, at the **Auburn Lakes Recreation Center**, a meeting location inside the District, at which meeting the following items will be considered:

- a. Discuss correspondence received from Auburn Lakes Homeowners' Association;
- b. Consider taking action regarding such correspondence and the Maintenance Agreement (Open Space) such as authorizing consultants to prepare new agreement; and
- c. Hear from the public.

Pursuant to V.T.C.A. Government Code, Chapter 551, the Board of Directors may convene in closed session in relation to any agenda item included in this Notice, such closed session will be held at the date, hour and place given in this Notice concerning any all subjects for any and all purposes permitted by V.T.C.A. Government Code, Chapter 551, including but not limited to pending or contemplated litigation, security matters and devices, personnel matters, real estate transactions or a private consultation with the attorney for the District on any or all subjects or matters authorized by law.

EXECUTED this 30th day of July, 2018.

(DISTRICT SEAL)



OAKMONT PUBLIC UTILITY DISTRICT

By:

*Mallory J. Craig*

Mallory J. Craig  
Coats Rose, P.C.

Attorneys for the District



CERTIFICATE OF POSTING OF NOTICE OF MEETING

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
OAKMONT PUBLIC UTILITY DISTRICT §

I, Janice Woodburn, the undersigned, hereby state that I posted the attached Notice of Meeting of the Board of Directors of Oakmont Public Utility District at the administrative office of the District, 9 Greenway Plaza, Suite 1100, Houston, Texas, on Monday, July 30, 2018, at 12:30 p.m., which time was not less than 72 hours prior to the scheduled time of the meeting.

  
(Name)

**OAKMONT PUBLIC UTILITY DISTRICT  
NOTICE OF MEETING**

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EXECUTED this 30th day of July, 2018.

(DISTRICT SEAL)



OAKMONT PUBLIC UTILITY DISTRICT

By: Mallory J. Craig  
Mallory J. Craig  
Coats Rose, P.C.  
Attorneys for the District

**OAKMONT PUBLIC UTILITY DISTRICT  
NOTICE OF MEETING**

**1321198**  
07/30/2018 PERSONAL  
\$9.00 MPR - NOTICE MTG

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EXECUTED this 30th day of July, 2018.

(DISTRICT SEAL)



OAKMONT PUBLIC UTILITY DISTRICT

By:

*Mallory J. Craig*  
Mallory J. Craig

Coats Rose, P.C.

Attorneys for the District

FILED  
2018 JUL 30 PM 2:02

**OAKMONT PUBLIC UTILITY DISTRICT  
NOTICE OF MEETING**

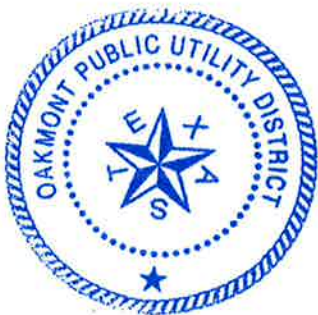
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EXECUTED this 30th day of July, 2018.

(DISTRICT SEAL)



OAKMONT PUBLIC UTILITY DISTRICT

By:

A handwritten signature in blue ink, reading 'Mallory J. Craig', is written over a horizontal line.

Mallory J. Craig  
Coats Rose, P.C.  
Attorneys for the District



## Mallory J. Craig

---

**From:** Mallory J. Craig  
**Sent:** Friday, July 27, 2018 10:42 AM  
**To:** 'Valerie Overbeck'  
**Cc:** (PUD) Bruce Bramlett; Bruce Bramlett  
**Subject:** RE: Oakmont & Auburn Lakes HOA

Thank you for the response. Unfortunately, the PUD Board only took action to authorize holding an open meeting with the full HOA board and the full PUD Board. Anything else will have to be authorized at a future open meeting. Please let me know if the HOA board would like to discuss this matter sooner rather than after the August 9<sup>th</sup> general PUD meeting.

Thank you,

**Mallory J. Craig**  
*Associate Attorney*

**COATS | ROSE**  
A PROFESSIONAL CORPORATION

**PLEASE NOTE:**

Effective June 1, 2018, our Houston Office address will now be:  
9 Greenway Plaza, **Suite 1000**, Houston, Texas 77046

9 Greenway Plaza, **Suite 1000**  
Houston, Texas 77046  
Direct: 713.653.5709 Fax: 713.651.0220  
[mcraig@coatsrose.com](mailto:mcraig@coatsrose.com)

**From:** Valerie Overbeck <[voverbeck@chaparralmanagement.com](mailto:voverbeck@chaparralmanagement.com)>  
**Sent:** Thursday, July 26, 2018 2:38 PM  
**To:** Mallory J. Craig <[mcraig@coatsrose.com](mailto:mcraig@coatsrose.com)>  
**Cc:** (PUD) Bruce Bramlett <[bruce@texaspud.com](mailto:bruce@texaspud.com)>; Bruce Bramlett <[bruce@battleshiptexas.org](mailto:bruce@battleshiptexas.org)>  
**Subject:** RE: Oakmont & Auburn Lakes HOA

Mallory,

The HOA is very interested in meeting with representatives from The Oakmont PUD regarding a new landscaping agreement. Given the importance of the subject of landscaping, we believe that the process that presents the best opportunity to arrive at an agreement acceptable to both parties, is a working session that would include two board members from The HOA and two members from The Oakmont PUD. In addition we suggest that Mallory Craig of Coats Rose and Valerie Overbeck from Chaparral Management be in attendance. The HOA is committed to serving the residents of Auburn Lakes as we believe are the members of The Oakmont PUD. The HOA also believes that the Auburn Lakes residents have every right to expect their representatives to come together and work for the community good. This focused effort with representative from both groups would allow for a new landscaping agreement to be agreed upon and once completed could be shared with Auburn Lakes residents and at that time afford an opportunity for any questions and input before it is ratified by both boards.

We look forward to your response.



Kindest regards,  
*Valerie Overbeck,*  
CMCA®, AMS®, PCAM®  
Community Manager

☎ 281-537-0957 Ext. 16  
☎ 281-537-0312

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**From:** Mallory J. Craig <[mcraig@coatsrose.com](mailto:mcraig@coatsrose.com)>  
**Sent:** Wednesday, July 25, 2018 8:14 PM  
**To:** Valerie Overbeck <[voverbeck@chaparralmanagement.com](mailto:voverbeck@chaparralmanagement.com)>  
**Cc:** (PUD) Bruce Bramlett <[bruce@texaspud.com](mailto:bruce@texaspud.com)>; Bruce Bramlett <[bruce@battleshiptexas.org](mailto:bruce@battleshiptexas.org)>  
**Subject:** Oakmont & Auburn Lakes HOA

Valerie,

The Oakmont Board would like to hold a joint open meeting with the Auburn Lakes HOA to discuss the contract termination. The open meeting is because the whole Oakmont Board would like to meet with the HOA Board to discuss this, and thus, it must be a posted public meeting. The Board would like to meet on August 2nd at 7pm. Can you please check with the HOA board members about their availability? If August 2nd does not work for the HOA Board, August 6th is also available.

Thank you,

Mallory J. Craig  
Coats Rose, P.C.

Sent from iPad - please excuse brevity and typos

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## Mallory J. Craig

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**From:** Valerie Overbeck <[voverbeck@chaparralmanagement.com](mailto:voverbeck@chaparralmanagement.com)>  
**Sent:** Thursday, August 2, 2018 8:52 AM  
**To:** Mallory J. Craig  
**Subject:** Oakmont PUD - Tonight's Meeting

Mallory,

Good morning. As a reminder, the Auburn Lakes Homeowners Association Board is willing to have two representatives meet with the two committee members from the Oakmont Public Utility District in a workshop with you present if the District wishes sit down together and work on finding a solution to the landscape maintenance agreement. As you are aware, no representative from the HOA will be in attendance at the meeting tonight.

The Board is working on preparing a revised agreement for the PUD's consideration to be reviewed tonight. I will get it to you as soon as it is ready so you can have it for the meeting.

Kindest regards,  
*Valerie Overbeck,*  
CMCA®, AMS®, PCAM®  
Community Manager

☎ 281-537-0957 Ext. 16  
📠 281-537-0312

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**Auburn Lakes HOA, Inc.**  
**CMC, Chaparral Management Company, Inc. AAMC®**  
P.O. Box 681007 ♦ Houston, TX 77268-1007  
14550 Torrey Chase, Suite 650 ♦ Houston, TX 77014  
Voice 281-537-0957 Fax 281-537-0312  
cmc@chaparralmanagement.com

August 2, 2018

Oakmont Public Utility District  
Board of Directors  
c/o Mallory Craig  
Coats, Rose, PC  
9 Greenway Plaza, Ste. 1100  
Houston, TX 77046

Certified Mail: \_\_\_\_\_  
And via email: [mcraig@coatsrose.com](mailto:mcraig@coatsrose.com)

Re: Maintenance Agreement

To Whom It May Concern:

Auburn Lakes Homeowners Association, Inc. previously sent notice of intent to terminate the Maintenance Agreement (Open Space) with Oakmont Public Utility District on December 31, 2018. The Association, after hearing the comments and concerns of the members, would like to commence negotiations with the District for a new agreement.

The Association has held the full responsibility of certain designated areas of open space of the reserves owned by the District. This responsibility encompasses a fiscal budgetary responsibility of over \$237,000.00. The Association has assumed this maintenance in efforts to assist the District with the open space reserves for the benefit of the members.

The mission statement of the District includes to preserve and distribute flood waters for irrigation, the reclamation of its arid, semiarid and other lands needing irrigation, the reclamation of drainage of its overflowed lands, and other lands needing drainage, the conservation and development of its forests and water. The irrigation systems on the open space are owned by the District that are installed on District land.

The Association has included for consideration to the District the revised proposal attached. This revision provides for the District to fulfill their mission in providing the necessary water and system maintenance for irrigation and drainage to the open space reserves owned by the District. The Association previously has covered this cost which has averaged approximately \$47,300/year for the last five years. The revision includes the District fulfilling their mission and handling the fiscal responsibility for the necessary water and system maintenance for irrigation and drainage for the land.

The Association does propose the continuation of responsibility for the mowing and landscaping maintenance in the designated open reserves. These costs, which will be over \$190,000.00 expense (over 80% of the total responsibility) covered by the Association to assist in maintaining the open spaces of Auburn Lakes.



The Association, on behalf of the members, does want to continue to have a collaborative effort in maintaining and preserving the quality of the community with the District. Please review the attached proposal. If the District would like to negotiate with the Association further on this matter, the Association will consider negotiations as an Executive Session matter with the committee members appointed from the District who handle HOA matters.

Sincerely,

Valerie Overbeck CMCA®, AMS™, PCAM®  
Managing Agent  
CMC, Chaparral Management Company, Inc. for  
Auburn Lakes Homeowners Association