

**MINUTES  
OF THE  
BOARD OF DIRECTORS MEETING**

**June 11, 2019**

THE STATE OF TEXAS  
COUNTY OF HARRIS  
OAKMONT PUBLIC UTILITY DISTRICT

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The Board of Directors (the "Board") of Oakmont Public Utility District (the "District") met in regular session, open to the public, at Auburn Lakes Recreation Center, the District's designated meeting place inside the boundaries of the District, on Tuesday, June 11, 2019 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
Jennifer Smith	-	Assistant Secretary
David Doiron	-	Assistant Secretary

All members of the Board were present, thus constituting a quorum.

In attendance were those members of the public that provided their names on the Exhibit "A" attached hereto.

Additionally, in attendance were: Tina DeAses of The Risher Companies, the District's Recreation Manager; Tom Dillard of Champions Hydro-lawn ("Champions"); Richard Rankin with Hays Utility South Corporation ("Hays"); Nathaniel Jackson and Aaron Bennett with Jones & Carter, Inc. ("J&C"); Pat Hall of EquiTax Inc., the District's Tax Assessor/Collector ("TAC"); Debra Loggins of L&S District Services, LLC, the District's Bookkeeper; and Mallory Craig, of Coats | Rose, P.C., the District's legal counsel ("Coats | Rose").

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

**HEAR FROM THE PUBLIC**

The Board then opened the floor to receive comments from the public. The Board recognized those that expressed their interest in addressing the Board with their name signed on the sheet attached hereto as Exhibit "C". The Board heard comments regarding the impact the swim team has had on the community.

After all comments were received, the public comment period was closed and the Board resumed regular business.

## CONSENT AGENDA

### APPROVE MINUTES OF MEETING HELD MAY 14, 2019

The Board considered the minutes of the meeting held May 14, 2019, which were distributed to the Board for review prior to the meeting.

### BOOKKEEPER'S REPORT

The Board considered the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "D," and payment of the checks listed therein.

### TAX ASSESSOR/COLLECTOR'S REPORT

The Board next considered the TAC's Report, a copy of which is attached hereto as Exhibit "E," and payment of the checks listed therein.

After consideration, upon a motion made by Director Warren, seconded by Director Simmons, the Board voted unanimously to approve the consent agenda items.

## ACTION AGENDA

### APPROVE HANDWRITTEN CHECKS

The Board recognized Ms. Loggins, who presented four handwritten checks for the Board's approval – two checks to Aquatic Management and two checks to Jones and Carter.

After review and consideration, upon a motion by Director Hebert, seconded by Director Smith, the Board voted unanimously to approve payment of the handwritten checks.

### RECEIVE PRELIMINARY VALUE OF PROPERTY WITHIN DISTRICT

The Board then recognized Ms. Hall, who noted that she has received the preliminary taxable value of the District for 2019. She noted that the District's preliminary value is around \$448,000,000, which is an increase of around \$12,000,000 from the previous year. No action was taken.

### OPERATOR'S REPORT

Next, the Board recognized Mr. Rankin, who presented and reviewed the Operator's Report, the details of which are contained in the report attached hereto as Exhibit "F." He reported on the following:

- the total connection count is 1,164;
- the water accountability ratio was 97.89%; and
- there were no excursions for the month.

Mr. Rankin also presented a request from a resident for the waiver of a reconnection fee. After discussion, upon a motion by Director Hebert, seconded by Director Simmons, the Board voted unanimously to waive the fee to the extent that such fee exceeds the actual costs to the District.

After review and discussion, upon a motion duly made by Director Hebert, seconded by Director Warren, the Board unanimously voted to approve the Operator's Report as presented.

#### **REVIEW ENGINEER'S REPORT**

The Board next received the Engineer's Report. Mr. Jackson reviewed J&C's written report, the full details of which are attached hereto as Exhibit "G." Mr. Jackson reviewed the report in full, though no action items were acted upon.

After full review of the Engineer's Report and discussion, upon a motion by Director Warren, seconded by Director Smith, the Board voted unanimously to approve the Engineer's Report as presented.

#### **HEAR REPORT FROM RECREATION CENTER MANAGER**

The Board recognized Ms. DeAses. Ms. DeAses noted that a group of teenagers were caught climbing the shade structures installed over the playground and that she has since added a sign stating that such structures should not be climbed. A formal report was not presented, and no action was taken.

#### **RECEIVE REPORT FROM CHAMPIONS HYDRO-LAWN**

The Board recognized Mr. Dillard, who presented a report for Champions Hydro-lawn, though a formal report was not presented. Mr. Dillard noted that one of bollards at the East Detention Pond was vandalized, but that it was not completely destroyed. He noted that it will be repaired and he is looking to whether a second bollard should be installed. No action was taken.

#### **HEAR ATTORNEY'S REPORT**

The Board recognized Ms. Craig, who presented and reviewed a memorandum regarding the Open Meetings Act, a copy of which is attached hereto as Exhibit "H". No action was taken.

#### **RECONSTITUTE RECREATION COMMITTEE AND AUTHORIZE PURCHASES**

The Board then discussed reconstituting the Recreation Committee. After full discussion and consideration, upon a motion by Director Simmons, seconded by Director Smith, the Board, by majority vote, reconstituted the Recreation Committee to be comprised of Director Hebert and Director Doiron. Director Warren opposed the vote.

The Board then considered authorizing the Recreation Committee to approve repairs and purchases up to a certain dollar amount. After discussion, upon a motion by Director Warren,

seconded by Director Hebert, the Board voted unanimously to authorize the Recreation Committee to approve repairs and purchases up to \$5,000.

### **REVIEW DISTRICT EMAILS**

Ms. Craig then presented the Board with emails received by the Board's email address since the date of the last Board meeting. Ms. Craig noted that all emails received have been addressed and handled. Copies of the emails are attached hereto as Exhibit "I."

### **HEAR FROM THE PUBLIC**

The Board then opened the floor to receive comments from the public. The Board recognized Ms. Colleen Julien, who presented a request for the swim team to have an agenda item on the recreation meeting agenda and to meet with the Board to discuss the next swim season. No action was taken and no other comments were presented.

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

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PASSED, APPROVED and ADOPTED this July 11, 2019.

(DISTRICT SEAL)



*Kerry Simons*  
Secretary, Board of Directors



**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 **regular** session, open to the public, at **7:00 p.m.**, on **Tuesday, June 11, 2019**, at the **Auburn Lakes Recreation Center**, a meeting location inside the District, at which meeting the following items will be considered:

1. Hear from the public.

**CONSENT AGENDA**

2. Approval of minutes from meeting held May 14, 2019.
3. Approval of Bookkeeper's Report, including:
  - a. Approve payment of bills submitted to the District;
  - b. Review Investment Report and authorize necessary action in connection therewith; and
  - c. Amend budget to reflect Champions Hydrolawn services fee increase for Pines Interceptor Swale maintenance.
4. Approval of Tax Assessor/Collector's Report, including:
  - a. Approve tax report and authorize payment of invoices from tax account.

**ACTION AGENDA**

5. Review Operator's Report and consider taking action thereon, including:
  - a. Authorization of termination of water and sewer service to delinquent accounts; and
  - b. Authorize Operator to make necessary repairs to water and sanitary sewer system.
6. Review Engineer's Report and consider taking action thereon, including:
  - a. Authorize preparation of plans, advertisement of bids and/or award of contracts for District facilities;
  - b. Approve pay estimates and change orders on contracts for District facilities;
  - c. Hear report on status of all District facilities and consider taking action thereon; and
  - d. Consider taking any necessary action relating to the Engineer's Report, including initiation of new projects.
7. Hear report from Recreation Center Manager, and consider acting thereon, including:
  - a. Review and consider approving proposals for purchase of recreation equipment, repairs to facilities, and/or authorizing camps and activities;
  - b. Consider authorizing Recreation Center Manager to proceed with projects, purchases, and repairs as directed by the Board.
8. Hear report from Champions Hydrolawn and consider taking any necessary action thereon, including approving proposals for repairs or work at the detention ponds.
9. Hear from Attorney, including:
  - a. Receive Open Meetings Act refresher.
10. Consider reconstituting Recreation Committee and providing authorization to such committee for purchases.
11. Review District Emails.
12. 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, and 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 4th day of June, 2019

(DISTRICT SEAL)



OAKMONT PUBLIC UTILITY DISTRICT

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







Oakmont PUD  
Summary Bookkeeping Report  
June 11, 2019

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GENERAL OPERATING ACCOUNT - Compass Bank

Ending Balance from last meeting	\$	66,815.72
Add in voided check #4746 written to Director Smith	+	138.53
Receipts	+	120,083.87
Withdrawals and checks	-	149,783.10
Ending Balance at June 11, 2019	\$	37,255.02
<u>Investments</u>		
Money Market Account at Compass Bank	\$	1,641,916.57
CD/Compass Bank dated 1/16/19 due 8/19/19 at 2.16%		1,750,000.00
CD/Central Bank dated 1/16/19 due 8/19/19 at 2.30%		1,250,000.00
Total Operating Funds	\$	4,679,171.59
12 month Operating Reserve		(2,521,000.00)
Net Operating Funds	\$	2,158,171.59

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RECREATIONAL FACILITIES FUND - Compass Bank

Ending Balance from last meeting	\$	40,071.11
Add in voided check #2158 written to Direct TV	+	25.17
Rec Facility Revenue (rentals, storage, pool passes & rec fees)	+	5,863.00
Interest earned on account	+	20.30
Total Receipts	+	5,883.30
Withdrawals and checks	-	32,075.71
Ending Balance at June 11, 2019	\$	13,903.87
<u>Investments</u>		
Rec Money Market Account at Compass Bank	\$	200,121.22
Total Recreational Facilities Funds	\$	214,025.09

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CAPITAL PROJECTS FUND - Compass Bank

Ending Balance from last meeting ( no activity) \$ 12,170.47

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PARK CAPITAL PROJECTS FUND - Compass Bank

Ending Balance from last meeting \$ 601,577.54

Receipts + 123.61

Withdrawals - 18.00

Ending Balance at June 11, 2019 \$ 601,683.15

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DEBT SERVICE FUND - Compass Bank

Ending Balance from last meeting \$ 510,444.69

Receipts + 100.16

Withdrawals - 1,630.50

Ending Balance at June 11, 2019 \$ 508,914.35

Investments \$ 1,860,000.00

Total Debt Service Funds \$ 2,368,914.35

Next Debt Service Payment due September 1, 2019 - \$478,791.25

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**Oakmont PUD**  
**Cash Analysis**  
**June 11, 2019**

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GENERAL OPERATING ACCOUNT - Compass Bank

Ending Balance from last meeting		\$	66,815.72
Add in voided check #4746 written to Director Smith		+	138.53
<u>Receipts</u>			
Accounts Receivable Collections		+	120,040.74
Interest earned on account		+	43.13
<u>Withdrawals</u>			
Payments to United States Treasury for payroll taxes on director fees from previous meeting		-	252.46
NSF items		-	350.17
Bank service charge		-	25.50
Checks presented for signatures June 11, 2019			
4776 - David Doiron, director fee for 6/11/19 meeting - \$150.00, less taxes - ( \$11.48)		-	138.52
4777 - Jennifer Smith, director fee for 6/11/19 meeting - \$150.00, less taxes - ( \$11.47)		-	138.53
4778 - Kerry Simmons, director fee for 6/11/19 meeting - \$150.00, less taxes - ( \$11.47)		-	138.53
4779 - Shaun Hebert, director fee for 6/11/19 meeting - \$150.00, less taxes - ( \$11.47)		-	138.53
4780 - Ty Warren, director fee for 6/11/19 meeting - \$150.00, less taxes - ( \$11.48)		-	138.52
4781 - David Doiron, director fee for 5/22/19 meeting & 6/3/19 Northampton MUD meeting - \$300.00, less taxes - ( 22.95)		-	277.05
4782 - Jennifer Smith, director fees for 5/22/19 meeting - \$150.00, less taxes - ( \$11.47)		-	138.53
4783 - Kerry Simmons, director fee for 5/22/19 meeting & 6/3/19 Northampton MUD meeting - \$300.00, less taxes - ( \$22.95)		-	277.05
4784 - Shaun Hebert, director fee for 5/22/19 meeting - \$150.00, less taxes - ( \$11.48)		-	138.52
4785 - Ty Warren, director fee for 5/22/19 meeting - \$150.00, less taxes - ( \$11.47)		-	138.53
4786 - Champions Hydro-Lawn, May Maintenance - \$2,783.72, SWQ Annual Renewal - \$2,100.00, East Detention Pond - \$2,522.00		-	7,405.72
4787 - Constellation New Energy, Inc., 25134 1/2 Haverford - \$4,957.39, 6950 1/2 West Rayford - \$308.33		-	5,265.72
4788 - Hays Utility South Corporation, maintenance and operations for May		-	15,820.02
4789 - L & S District Services, LLC, bookkeeping fees and expenses for May		-	1,266.65
4790 - Lake Pro, Inc., lake management		-	668.96
4791 - MURR Inc., landscape design and consultation		-	4,022.80
4792 - North Harris County Regional Water Authority, pumpage fees		-	64,133.30
4793 - Northampton WWTP, sewer service for April		-	25,368.26
4794 - Off Cinco, website expenses		-	355.00
4795 - Residential Recycling of Texas, trash and recycling service for June		-	18,693.45
4796 - Silversand Services, landscape services		-	4,466.65
4797 - Coldwell Bank United Realtor, refund		-	26.13
Total Disbursements		\$	149,783.10
Ending Balance at June 11, 2019		\$	37,255.02

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GENERAL OPERATING ACCOUNT - Continued

Investments

Money Market Account at Compass Bank	\$ 1,641,916.57
CD/Compass Bank dated 1/16/19 due 8/19/19 at 2.16%	\$ 1,750,000.00
CD/Central Bank dated 1/16/19 due 8/19/19 at 2.30%	\$ 1,250,000.00
	<hr/>
Total Operating Funds	\$ 4,679,171.59
12 month Operating Reserve	<hr/> ( 2,521,000.00)
Net Operating Funds	\$ 2,158,171.59

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RECREATIONAL FACILITIES FUND - Compass Bank

Ending Balance from last meeting	\$ 40,071.11
Add in voided check #2158 written to Direct TV	+ 25.17
<u>Receipts</u>	
Rent	+ 3,383.00
Storage fees	+ 200.00
Rec fees	+ 45.00
Pool fees	+ 2,235.00
Interest earned on account	+ 20.30
Total Receipts	<hr/> \$ 5,883.30
<u>Withdrawals</u>	
Bank service charge	- 18.00
Checks presented for signatures June 11, 2019	
2163 - Aquatic Management of Houston, Inc., pool management contract for lifeguarding services	- 14,492.50
2164 - AT&T, internet service	- 116.23
2165 - CenterPoint Energy, 25005 Northcrest	- 23.07
2166 - Comcast, cable service	- 240.67
2167 - Constellation New Energy, Inc., 25005 Northcrest - \$632.81, 25005 Northcrest B - \$598.47	- 1,231.28
2168 - Risher Fitness Equipment, Inc., Athletix equipment	- 410.35
2169 - Risher Fitness Management, Inc., management fees - \$11,120.00, expenses - \$1,828.83	- 12,948.83
2170 - Silversand Services, landscape maintenance	- 2,091.28
2171 - Vanguard Cleaning Systems of Greater Houston, cleaning services & supplies for June	- 391.00
2172 - Nathaniel Jones, refund	- 112.50
2173 - ReadyRefresh, blank check for rental fee	-
Total Disbursements	<hr/> \$ 32,075.71
Ending Balance at June 11, 2019	\$ 13,903.87
<u>Investments</u>	
REC Money Market Account at Compass Bank	<hr/> \$ 200,121.22
Total Recreational Facilities Funds	\$ 214,025.09

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CAPITAL PROJECTS FUND - Compass Bank

Ending Balance from last meeting (no activity) \$ 12,170.47

---

PARK CAPITAL PROJECTS FUND - Compass Bank

Ending Balance from last meeting \$ 601,577.54

Receipts

Interest earned on account + 123.61

Withdrawals

Bank service charge - 18.00

Total Disbursements \$ 18.00

Ending Balance at June 11, 2019 \$ 601,683.15

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DEBT SERVICE FUND - Compass Bank

Ending Balance from last meeting \$ 510,444.69

Receipts

Interest earned on account + 100.16

Withdrawals

Wire to Regions Bank, paying agent fee - 1,612.50

Bank service charge - 18.00

Total Disbursements \$ 1,630.50

Ending Balance at June 11, 2019 \$ 508,914.35

Investments

CD/Green Bank dated 2/27/19 due 2/21/20 at 2.54% 545,000.00

CD/Texas Capital Bank dated 2/27/19 due 8/21/19 at 2.25% 245,000.00

CD/Allegiance Bank dated 2/27/19 due 8/21/19 at 2.20% 245,000.00

CD/Central Bank dated 3/5/19 due 9/18/19 at 2.50% 825,000.00

Total Investments \$ 1,860,000.00

Total Debt Service Funds \$ 2,368,914.35

Next Debt Service Payment due September 1, 2019 - \$478,791.25

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## Oakmont PUD General Operating Fund Profit & Loss Budget Performance April 2019

	Apr 19	Budget	Oct '18 - Apr 19	YTD Budget	Annual Budget
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
<b>Water Revenue</b>					
4100 · Customer Service Fees - Water	21,378.41	24,167.00	127,624.43	169,165.00	290,000.00
4150 · NHCRWA Collections	60,929.80	62,500.00	243,251.61	437,500.00	750,000.00
<b>Total Water Revenue</b>	82,308.21	86,667.00	370,876.04	606,665.00	1,040,000.00
<b>Sewer Revenue</b>					
4200 · Customer Service Fees - Sewer	40,746.24	38,942.00	284,436.80	272,590.00	467,300.00
<b>Total Sewer Revenue</b>	40,746.24	38,942.00	284,436.80	272,590.00	467,300.00
<b>Other Revenues</b>					
4320 · Maintenance Taxes	12,889.45	0.00	939,252.63	896,300.00	896,300.00
4330 · Penalties and Interest	692.07	1,575.00	8,503.62	11,025.00	18,900.00
4380 · Termination/Reconnection/NSF Fe	55.00	150.00	630.00	1,050.00	1,800.00
4400 · Transfer/Connection Fees	227.50	250.00	1,690.00	1,750.00	3,000.00
5380 · Miscellaneous Income	0.00	8.00	0.00	60.00	100.00
5385 · Storage space lease	0.00	100.00	900.00	700.00	1,200.00
5391 · Interest Income	578.98	1,000.00	35,701.00	7,000.00	12,000.00
5505 · Recreational Fees	0.00	333.00	1,477.00	2,335.00	4,000.00
5510 · Rent of Facilities	0.00	833.00	5,659.88	5,835.00	10,000.00
5515 · Pool Passes	0.00	417.00	348.00	2,915.00	5,000.00
5520 · Maintenance Tax - Recreational	0.00	0.00	407,808.99	407,800.00	426,800.00
<b>Total Other Revenues</b>	14,443.00	4,666.00	1,401,971.12	1,336,770.00	1,379,100.00
<b>Total Income</b>	137,497.45	130,275.00	2,057,283.96	2,216,025.00	2,886,400.00
<b>Expense</b>					
<b>Water Expenses</b>					
6124 · Laboratory Expense	230.00	292.00	2,836.00	2,040.00	3,500.00
6126 · Permit Fees	0.00	0.00	2,793.00	2,800.00	2,800.00
6127 · NHCRWA Pumpage Fee	61,680.85	62,500.00	239,779.65	437,500.00	750,000.00
6135 · Repairs & Maintenance	3,165.75	9,150.00	25,854.58	64,050.00	109,800.00
6142 · Chemicals	995.95	750.00	4,241.11	5,250.00	9,000.00
6151 · Telephone	0.00	50.00	0.00	350.00	600.00
6152 · Utilities	4,537.39	4,750.00	24,544.14	33,250.00	57,000.00
6170 · Tap Connection Expense	0.00	0.00	85.00	0.00	0.00
<b>Total Water Expenses</b>	70,609.94	77,492.00	300,133.48	545,240.00	932,700.00

## Oakmont PUD General Operating Fund Profit & Loss Budget Performance April 2019

	Apr 19	Budget	Oct '18 - Apr 19	YTD Budget	Annual Budget
<b>Sewer Expenses</b>					
6201 · Purchased Sewer Service	25,368.26	16,667.00	126,284.17	116,665.00	200,000.00
6235 · Repair and Maintenance	0.00	1,358.00	0.00	9,510.00	16,300.00
6235.01 · Sewer System - Manhole survey	0.00	1,667.00	0.00	11,665.00	20,000.00
6275 · Sewer Inspection Expense	0.00	458.00	0.00	3,210.00	5,500.00
<b>Total Sewer Expenses</b>	<b>25,368.26</b>	<b>20,150.00</b>	<b>126,284.17</b>	<b>141,050.00</b>	<b>241,800.00</b>
<b>Other Expenses</b>					
6310 · Director Fees	1,800.00	2,500.00	13,800.00	17,500.00	30,000.00
6314 · Payroll Taxes	137.70	200.00	1,055.72	1,400.00	2,400.00
6320 · Legal Fees	4,403.35	5,417.00	30,526.40	37,915.00	65,000.00
6321 · Auditing Fees	0.00	0.00	10,974.52	11,000.00	11,000.00
6322 · Engineering Fees	4,163.75	5,000.00	36,156.50	35,000.00	60,000.00
6322.10 · Eng. Fees-GIS	0.00	600.00	3,000.00	4,200.00	7,200.00
6325 · Election Expense	0.00	0.00	0.00	0.00	15,000.00
6326 · TCEQ Assessment Fees	0.00	0.00	3,630.79	3,800.00	3,800.00
6332 · Operator Expense	5,740.92	6,000.00	40,863.00	42,000.00	72,000.00
6333 · Bookkeeping Fees	1,266.30	1,300.00	8,981.95	9,100.00	15,600.00
6335 · Drainage Maint. Champions	19,477.35	8,214.00	41,730.52	57,493.00	98,563.00
6336 · Lake Management - Lake Pro	764.59	750.00	8,725.40	5,250.00	9,000.00
6337 · M102 Ditch Maintenance	0.00	500.00	0.00	3,500.00	6,000.00
6341 · Landscape - Silversand	11,484.06	1,850.00	11,484.06	12,950.00	22,200.00
6342 · Landscape-Repairs & Maintenance	38,137.32	2,083.00	38,662.32	14,585.00	25,000.00
6352 · Utilities	284.39	350.00	2,144.54	2,450.00	4,200.00
6353 · Insurance	0.00	0.00	16,165.34	16,200.00	16,200.00
6354 · Travel Expense	0.00	500.00	1,233.02	3,500.00	6,000.00
6356 · Registration/Membership Fees	355.00	355.00	1,840.00	1,840.00	3,600.00
6359 · Other Expenses	69.00	83.00	546.88	585.00	1,000.00
6360 · Website Expense	355.00	583.00	2,600.00	4,085.00	7,000.00
6375 · CSI Inspections	0.00	21.00	0.00	145.00	250.00
6379 · Customer Service Agreement	90.00	50.00	510.00	350.00	600.00
6380 · Termination/Reconnection/NSF Ex	390.67	833.00	3,732.06	5,835.00	10,000.00
6399 · Garbage Expense	18,849.86	18,525.00	129,397.75	129,675.00	222,300.00
<b>Total Other Expenses</b>	<b>107,769.26</b>	<b>55,714.00</b>	<b>407,760.77</b>	<b>420,358.00</b>	<b>713,913.00</b>
<b>Recreational Facilities</b>					
6411 · Rec Facilities Management Fee	11,120.00	11,167.00	77,225.00	78,165.00	134,000.00
6412 · Pool Management Fee	0.00	5,250.00	1,200.00	36,750.00	63,000.00
6413 · Pool - Lifeguards	0.00	0.00	0.00	0.00	1,000.00
6422 · Engineering Fees	580.00	1,250.00	18,675.50	8,750.00	15,000.00
6424 · Landscape Architech Fees	-19,710.70	1,704.00	0.00	11,930.00	20,450.00
6425 · Landscape Contract Silversands	-7,453.35	2,083.00	20,869.69	14,585.00	25,000.00
6435 · Repairs & Maintenance - Rec	0.00	3,333.00	4,295.50	23,335.00	40,000.00
6435.01 · Maintenance and Repairs - Pool	9,977.68	2,917.00	19,761.49	20,415.00	35,000.00
6435.02 · M & R - Rec Cleaning Services	391.00	400.00	2,737.00	2,800.00	4,800.00
6436 · Repairs & Maint. Landscaping	6,702.13	1,704.00	17,893.02	11,930.00	20,450.00

## Oakmont PUD General Operating Fund Profit & Loss Budget Performance April 2019

	Apr 19	Budget	Oct '18 - Apr 19	YTD Budget	Annual Budget
6440 · Supplies-Rec Center	596.77	1,250.00	8,619.66	8,750.00	15,000.00
6451 · Telephone/Internet Expense	322.86	292.00	2,685.05	2,040.00	3,500.00
6452 · Utilities - Rec Facilities	956.43	1,225.00	7,083.41	8,575.00	14,700.00
6453 · Insurance-Rec Facilities	0.00	0.00	9,335.66	9,300.00	9,300.00
6459 · Other Expense	0.00	42.00	0.00	290.00	500.00
<b>Total Recreational Facilities</b>	<b>3,482.82</b>	<b>32,617.00</b>	<b>190,380.98</b>	<b>237,615.00</b>	<b>401,700.00</b>
<b>Total Expense</b>	<b>207,230.28</b>	<b>185,973.00</b>	<b>1,024,559.40</b>	<b>1,344,263.00</b>	<b>2,290,113.00</b>
<b>Net Ordinary Income</b>	<b>-69,732.83</b>	<b>-55,698.00</b>	<b>1,032,724.56</b>	<b>871,762.00</b>	<b>596,287.00</b>
<b>Other Income/Expense</b>					
<b>Capital Outlay</b>					
7300.01 · Recreation Improvements	0.00	0.00	0.00	0.00	120,000.00
7300.08 · Water Plant Recoating & Improve	0.00	0.00	0.00	0.00	80,000.00
7300.09 · M-102 Channel Rep & Improvement	0.00	0.00	0.00	0.00	31,000.00
<b>Total Capital Outlay</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>231,000.00</b>
<b>Total Other Expense</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>231,000.00</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-231,000.00</b>
<b>Net Income</b>	<b>-69,732.83</b>	<b>-55,698.00</b>	<b>1,032,724.56</b>	<b>871,762.00</b>	<b>365,287.00</b>



**Oakmont PUD**  
**Series 2014 Park Bonds**  
**June 11, 2019**

<u>CONSTRUCTION COSTS</u>	TCEQ Approved Amount	District <u>Expenditure</u>	Over (Under)
Auburn Lakes - Landscaping	\$ 44,723	\$ 44,723.16	\$ 0.16
Auburn Lakes Estates Sections 1&2 - Landscaping and Sidewalks	14,579	14,579.44	0.44
Auburn Lakes Pines Section 3 - Landscaping	13,658	13,658.29	0.29
Auburn Lakes Reserve Section 2 - Landscaping	11,103	11,103.20	0.20
Auburn Lakes Retreat Sections 1,2 & 3 - Landscaping	9,957	9,956.75	( 0.25)
Auburn Lakes East Detention Basin - Landscaping	1,820	1,820.00	0.00
Auburn Lakes West Detention Basin - Landscaping	64,442	59,046.50	( 5,395.50)
Auburn Lakes Entrance / Water Plant - Landscaping	6,130	6,130.00	0.00
Auburn Lakes Estates Section 2 - Sidewalks	22,050	22,050.00	0.00
Auburn Lakes Pines Section 3 & 4 - Sidewalks	5,200	5,200.00	0.00
Auburn Lakes Retreat Sections 2 & 4 - Sidewalks	7,491	7,490.92	( 0.08)
Auburn Lakes Reserve Section 1/ Recreation Center - Sidewalks	7,000	7,000.00	0.00
Auburn Lakes Recreation Center - Sitework, Utilities, Paving, etc...	421,336	421,335.80	( 0.20)
Auburn Lakes Estates - Amenisty Lake Engineering	822	822.00	0.00
Auburn Lakes Pines Section 1,2,3 & 4 - Land Costs	81,767	81,767.11	0.11
Auburn Lakes Village Section 2 - Land Costs	28,135	28,134.59	( 0.41)
Auburn Lakes Reserve Section 1,2 & 4 - Land Costs	47,114	47,113.78	( 0.22)
Auburn Lakes Retreat Sections 1,2,3,4 & 5 - Land Costs	121,958	121,956.57	( 1.43)
Auburn Lakes Estates Section 1 & 2 - Land Costs	250,789	250,788.55	( 0.45)
Recreation Center - Land Costs	149,731	149,731.02	0.02
Auburn Lakes East Detention Pond - Landscaping	288,000	0.00	( 288,000.00)
Auburn Lakes Recreation Center / Lot Paving	212,000	0.00	( 212,000.00)
 <u>NON-CONSTRUCTION COSTS</u>			
Legal Fees	70,350	70,350.00	0.00
Fiscal Agent Fees	58,000	49,400.00	( 8,600.00)
Developer Interest	301,443	254,150.68	( 47,292.32)
BAN Interest	6,556	6,557.04	1.04
Bond Discount	72,208	72,207.60	( 0.40)
Bond Issuance Expenses	44,959	37,016.45	( 7,942.55)
BAN Issuance Costs	12,048	22,394.56	10,346.56
TCEQ Bond Issuance Expenses	6,675	6,175.00	( 500.00)
Attorney General Fee	2,470	2,470.00	0.00
Bond Application Report Cost	45,000	47,464.63	2,464.63
Contingency	40,486	0.00	( 40,486)
 TOTAL	 \$ 2,470,000	 \$ 1,872,593.64	 \$ ( 597,406.36)
 Proceeds from Series 2014 Park Bonds	 \$ 2,470,000.00		
Interest Income/Bank Service charges	4,276.79		
Expenditures from Bond Proceeds	( 1,872,593.64)		
 Total Capital Projects Funds from Series 2014 Park Bonds		 \$ 601,683.15	

**Oakmont PUD  
Series 2013 Bonds  
June 11, 2019**

<u>CONSTRUCTION COSTS</u>	TCEQ Approved Amount	District <u>Expenditure</u>	Over <u>( Under)</u>
Auburn Lakes Retreat & Reserve, Section 5 Utilities	\$ 661,400	\$ 661,399.55	\$ ( 0.45)
Auburn Lakes Retreat & Reserve, Section 5 Clearing and Grubbing	24,743	24,744.14	1.14
Storm Water Pollution Prevention	25,200	31,979.90	6,779.90
Engineering	226,317	145,342.73	( 80,974.27)
Water Plant No. 1 Expansion Phase III	335,000	339,000.00	4,000.00
Contingencies	33,500		( 33,500.00)
Engineering	55,275	57,697.10	2,422.10
 <u>NON-CONSTRUCTION COSTS</u>			
Legal Fees	40,500	40,500.00	0.00
Fiscal Agent Fees	32,400	32,400.00	0.00
Developer Interest	30,758	26,846.06	( 3,911.94)
Bond Discount	48,600	48,600.00	0.00
Bond Issuance Expenses	55,137	32,862.84	( 22,474.16)
TCEQ Bond Issuance Expenses	4,550	4,050.00	( 500.00)
Attorney General Fee	1,620	1,620.00	0.00
Bond Application Report Cost	45,000	32,728.55	( 12,271.45)
Contingency	0		0
<b>TOTAL</b>	<b>\$ 1,620,000</b>	<b>\$ 1,479,570.87</b>	<b>\$ ( 140,429.13)</b>
Funds remaining from Series 2012		\$ 71,191.16	
Proceeds from Series 2013 Bonds	\$ 1,620,000.00		
Interest Income / Bank Service charges	248.23		
Surplus funds used for Water Well Rework	( 199,698.05)		
Expenditures from Bond Proceeds	<u>( 1,479,570.87)</u>		
<b>Total Capital Projects Funds from Series 2013</b>		<b>\$ 12,170.47</b>	

**Oakmont PUD**Proposed  
Amended  
Budget  
FYE 9/30/19**Revenues**

Water Revenue	290,000.00
Tap Connection Fees	0.00
NHCRWA Fees	750,000.00
Sewer Revenue	467,300.00
Sewer Inspection Revenue	0.00
Sewer Lease Revenue	0.00
Maintenance Tax	896,300.00
Penalty and Interest	18,900.00
Disconnection/Reconnection Fees	1,800.00
Transfer/Connection Fees	3,000.00
Pre/Post Inspections	0.00
Customer Service Inspections	0.00
Miscellaneous Income	100.00
Storage space lease	1,200.00
Interest Income	12,000.00
<b>General Revenue</b>	<b>2,440,600.00</b>

Recreational Fees	4,000.00
Rent of Facilities	10,000.00
Pool Passes	5,000.00
Maintenance Tax - Park	426,800.00
<b>Rec / Park Revenue</b>	<b>445,800.00</b>

**Total Revenue****2,886,400.00****Water Expenses**

Laboratory Fees	3,500.00
Permit Fees	2,800.00
NHCRWA Expense	750,000.00
Maintenance and Repair	109,800.00
Chemicals	9,000.00
Telephone Expense	600.00
Utilities	57,000.00

**Sewer Expenses**

Purchased Sewer Service	200,000.00
Maintenance and Repair	16,300.00
Sanitary Sewer System - Manhole survey	20,000.00
Sewer Inspection Expense	5,500.00

**Other Operating Expenses**

Directors Fees	30,000.00
Payroll Tax Expense	2,400.00
Legal Fees	65,000.00
Audit Fees	11,000.00
Engineering Fees	60,000.00
Engineering Fees - GIS Web Hosting & Maintenance	7,200.00
Election Expense	15,000.00

TCEQ Assessment Fees	3,800.00
Operator Expense	72,000.00
Bookkeeping Fees	15,600.00
Drainage Facilities Maintenance - Champions	104,892.00
Lake Management - Lake Pro	9,000.00
M102 Ditch Maintenance - Northampton MUD	6,000.00
Landscape - Monthly Contract - Silversands	22,200.00
Landscape - Repairs & Maintenance	25,000.00
Utilities	4,200.00
Insurance	16,200.00
Travel Expense	6,000.00
Registration/Membership Fees	3,600.00
Other Expenses	1,000.00
Website Expenses	7,000.00
Builder Inspection Expense	0.00
Customer Service Inspection	250.00
Customer Service Agreements	600.00
Termination/Reconnection Expense	10,000.00
Garbage Expense	222,300.00

**Total Expenses** **1,894,742.00**

#### Recreational Expenses

Management Expenses	134,000.00
Management Expenses - Pool	63,000.00
Pool - Lifeguards	1,000.00
Engineering Fees - Rec	15,000.00
Landscape - Architect	20,450.00
Rec Landscape - Monthly Contract - Silversands	25,000.00
Repairs & Maintenance - Rec Facilities	40,000.00
Repairs & Maintenance - Pool	35,000.00
Repairs & Maintenance - Rec Cleaning Services - Vanguard	4,800.00
Repairs & Maintenance - Landscaping	20,450.00
Supplies - Rec	15,000.00
Telephone/Internet Expense	3,500.00
Utilities	14,700.00
Insurance - Rec Facilities	9,300.00
Other Expense - Rec	500.00

**Total Recreational Expenses** **401,700.00**

#### Capital Expenses

Recreational Improvements (1)	120,000.00
Water Plant Recoating & Improvements	80,000.00
M-102 Channel repairs	31,000.00
	231,000.00

**Net Gain or Loss** **358,958.00**

(1) Maintenance tax rate of \$.21 m&o and .10 park on preliminary value of \$435,504,013 @ 98%

**EQUI-TAX INC**  
**TAX ASSESSOR'S REPORT**  
**OAKMONT PUD**  
**May 2019**

**HISTORICAL TAX SUMMARY**

YEAR	RATE	LEVY AMOUNT	OUTSTANDING	\$ COLLECTED	PCT
2018	0.86000	3,749,795.25	17,243.83	3,732,551.42	99.5%
2017	0.87000	3,924,744.21	3,881.19	3,920,863.02	99.9%
2016	0.90000	4,096,852.90	154.40	4,096,698.50	99.9%
2015	1.00000	4,323,475.38	58.72	4,323,416.66	99.9%
2014	1.10000	4,061,864.51	62.99	4,061,801.52	99.9%
2013	1.24000	3,467,912.00	0.00	3,467,912.00	100.0%
2012	1.25000	2,694,759.40	0.00	2,694,759.40	100.0%
2011	1.25000	2,392,418.77	0.00	2,392,418.77	100.0%
2010	1.25000	2,050,001.10	0.00	2,050,001.10	100.0%
2009	1.25000	1,946,314.80	0.00	1,946,314.80	100.0%
2008	1.25000	1,455,912.14	0.00	1,455,912.14	100.0%
2007	1.25000	801,413.83	0.00	801,413.83	100.0%
2006	1.30000	346,274.73	0.00	346,274.73	100.0%
2005	1.35000	165,094.12	0.00	165,094.12	100.0%

**FISCAL YEAR**  
**10/01/18 TO 09/30/19**

<b>BEGINNING CASH BALANCE</b>	<b>44,303.07</b>	<b>40,881.70</b>
	<u>CURRENT MONTH</u>	<u>YEAR TO DATE</u>
<b>REVENUE</b>		
2018 - TAXES	20,046.62	3,732,551.42
2017 - TAXES		1,912.45
2016 - TAXES		12.75
PRIOR - TAXES		202.87
PENALTY & INTEREST	2,056.99	7,574.61
COLLECTION FEES		570.99
OVERPAYMENTS		5,219.92
MISC REVENUE	0.02	132.05
CAD ADJ DUE TAXPAYER	43.00	851.23
<b>TOTAL REVENUE</b>	<b>22,146.63</b>	<b>3,749,028.29</b>
<b>DISBURSEMENTS</b>	CHECK #	
TAX ASSESSOR FEE	1668	1,926.63
M/O TRANSFER		912,718.10
PARKS		434,343.52
D/S TRANSFER		2,340,443.53
MISC. DISBURSEMENTS		348.75
COMPUTER & POSTAGE		3,634.30
LEGAL FEES		611.11
TAX ASSESSOR BOND		50.00
BANK CHARGE		0.00
LEGAL NOTICES		845.90
REFUND - OVERPAYMENTS	**	0.02
REFUND - CAD LAWSUITS	1669	94.27
REFUND - CAD CORR.		712.37
CENTRAL APPRAISAL DIST.		13,933.00
<b>TOTAL DISBURSEMENTS</b>	<b>2,020.92</b>	<b>3,725,481.21</b>
<b>ENDING CASH BALANCE</b>	<b>64,428.78</b>	<b>64,428.78</b>





**OAKMONT PUD**  
**DEPOSITORY PLEDGE REPORT**  
**May 2019**

Depository Bank	Wells Fargo Bank
Depository Pledge Agreement Signed	Nov-14
Minutes Confirming Collateral Pledge	Nov-14
Custodian Bank	Bank of New York Mellon
Collateral Receipt	10/31/2018
Annual Bank Audit	Dec-18
Monthly Statement of Value	<b>4/30/2019</b>

**Type of Collateral**

**Market Value**

Wells Fargo Bank monitors Balances daily and places Securities as necessary

**Oakmont Public Utility District  
2017 vs. 2018 Value Comparison**

	<b>2017</b>	<b>2018</b>	<b>Variance / Reduction in 2018</b>
Village of Auburn Lakes Sec 1	24,689,282	24,095,138	(594,144)
Village of Auburn Lakes Sec 2	24,764,330	23,749,904	(1,014,426)
Auburn Lakes Estates Sec 1 R/P	30,893,809	32,245,502	1,351,693
Auburn Lakes Retreat Sec 1	24,953,237	21,244,345	(3,708,892)
Auburn Lakes Pines Sec 1	13,101,059	12,688,732	(412,327)
Auburn Lakes Pines Sec 2	10,829,598	10,824,598	(5,000)
Auburn Lakes Reserve Sec 1 Amend	16,956,054	16,035,220	(920,834)
Auburn Lakes Reserve Sec 2	26,687,528	25,017,044	(1,670,484)
Auburn Lakes Retreat Sec 2	18,900,785	16,854,851	(2,045,934)
Auburn Lakes Pines Sec 3	19,071,409	18,767,383	(304,026)
Auburn Lakes Retreat Sec 3	32,302,290	28,991,010	(3,311,280)
Auburn Lakes Reserve Sec 3	27,415,420	26,578,246	(837,174)
Auburn Lakes Estates Sec 2	43,732,077	43,545,239	(186,838)
Auburn Lakes Pines Sec 4	20,675,411	20,301,499	(373,912)
Auburn Lakes Retreat Sec 4	18,029,830	16,063,381	(1,966,449)
Auburn Lakes Pines Sec 5	24,938,085	24,552,234	(385,851)
Auburn Lakes Reserve Sec 4	17,417,565	16,790,618	(626,947)
Auburn Lakes Retreat Sec 5	27,948,597	24,243,627	(3,704,970)
Auburn Lakes Reserve Sec 5	14,794,949	14,721,621	(73,328)
	<b>438,103,332</b>	<b>417,312,210</b>	<b>(20,791,123)</b>





**DATE**  
**6/11/2019**

**MONTHLY OPERATIONS REPORT**  
**OAKMONT PUBLIC UTILITY DISTRICT**

METER COUNT	
Occupied	1,135
Vacant	6
Commercial	2
Commercial O/D	2
Builder	1
Irrigation/Esplanade	18
<b>Total</b>	<b>1,164</b>

BILLED CONSUMPTION		
04/12/19	to	05/13/19
Residential		13,475,000
Builders		0
Commercial O/D		33,000
Commercial		160,000
Irrigation		947,000
<b>Total Gallons</b>		<b>14,615,000</b>

Total Consumption: 14,615,000

Plant Pumpage: 14,930,000

Billed Percentage of Water: 97.89%

#1

Calculated Well GPM 1,403

Design Well GPM 1,400

Well Pumpage 14,930,000

Arrears for the Month of	APRIL	to	Month of	MAY
Cut-Off Notices Mailed	04/18/19	Meter Read Date		05/13/19
Number of Notices Mailed	48	Billing Date		05/22/19
Cut-Off Date	05/16/19	Mailing Date		05/23/19
Number of Actual Cut-Offs	6	Due Date		06/17/19



# OAKMONT PUBLIC UTILITY DISTRICT

DATE  
6/11/2019

## MONTHLY OPERATIONS SUMMARY

### WATER PRODUCTION

May-19

Total Water Pumped for Calendar Month of :      May-19      **16,658,000**      Gallons

Pumpage 2019 Year to Date:      **58,424,000**      Gallons

Distribution System Chlorine Residual Reporting:

<b>Average</b>	<u>2.02</u>	mg/l.
<b>Maximum</b>	<u>2.40</u>	mg/l.
<b>Minimum</b>	<u>1.69</u>	mg/l.

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TEXAS DEPARTMENT OF HEALTH I.D. NO. 1010337

Bacteriological Analysis :      4

Samples Taken On :      05/08/19

All samples were returned negative from the state approved testing laboratory.

**OAKMONT PUBLIC UTILITY DISTRICT  
MONTHLY OPERATIONS SUMMARY**

DATE  
6/11/2019

**BILLING & COLLECTION REPORT  
May-19**

<b>Balance Forward</b>	<u>Total</u>
As of 04/18/19	\$ 125,765.76

**Collection Period:**

	04/18/19	TO	05/22/19
Deposit	\$		800.00
Water	\$		20,986.43
Sewer	\$		40,849.85
Connect	\$		342.50
Penalty	\$		1,275.40
RWA Fee	\$		59,286.23
Undistributed Overpayments	\$		1,976.73
<b>TOTAL</b>	\$		<b>125,517.14</b>

**Current Adjustments:**

\$ 1,665.14

**Current Billing for**

May-19

	04/12/19	TO	05/13/19
Deposit	\$		-
Water	\$		21,314.55
Sewer	\$		40,463.28
Connect	\$		-
Penalty	\$		920.82
RWA Fee	\$		60,958.48
<b>TOTAL</b>	\$		<b>123,657.13</b>

**TOTAL RECEIVABLE**

\$ 125,570.89

Billing Report Through: 05/22/19  
 Deposits on file for the district: \$94,257.50  
 Credit Card Payments: 246  
 Bank Draft Payments: 266  
 E Payments: 76

Consumption: 14,615,000  
 Electronic Transfer: 273  
 Paperless: 141

# OAKMONT PUBLIC UTILITY DISTRICT

## MONTHLY OPERATIONS SUMMARY WASTEWATER TREATMENT PLANT

April-19

TPDES Permit # 10910-001  
TX0058548

Expires: 3/1/2018

Effluent Quality Data: Reported for: April-19

	<u>Previous Month</u>	<u>Reported</u>	<u>Permitted</u>	<u>Excursion</u>
DO Minimum	7.00 mg/l	7.02 mg/l	4.00 mg/l	NO
pH Minimum	7.09 su	7.09 su	6.00 s.u.	NO
pH Maximum	7.48 su	7.54 su	9.00 s.u.	NO
TSS Average	3.64 mg/l	3.81 mg/l	15.00 mg/l	NO
TSS Maximum	7.26 mg/l	6.46 mg/l	40.00 mg/l	NO
TSS lbs/day	22.41 lbs/day	13.31 lbs/day	144.00 lbs/day	NO
NH3-N Average	0.12 mg/l	0.10 mg/l	3.00 mg/l	NO
NH3-N Maximum	0.53 mg/l	0.25 mg/l	10.00 mg/l	NO
NH3-N lbs/day	0.76 lbs/day	0.39 lbs/day	29.00 lbs/day	NO
Flow Average	0.751 mgd	0.688 mgd	0.750 mgd	NO
CL2 Res Min	1.00 mg/l	1.09 mg/l	1.00 mg/l	NO
CL2 Res Max	0.09 mg/l	0.09 mg/l	0.10 mg/l	NO
E Coli Avg.	1.43 mpn	1.76 mpn	63 mpn	NO
E Coli Maximum	3.00 mpn	3.10 mpn	200 mpn	NO
BOD 5 Average	4.02 mg/l	3.88 mg/l	10.00 mg/l	NO
BOD 5 Maximum	5.90 mg/l	6.59 mg/l	25.00 mg/l	NO
BOD 5 lbs/day	24.35 lbs/day	13.72 lbs/day	63.00 lbs/day	NO
Total Treated	20,640,000 gallons			
Effluent Quality Compliant with Discharge Permit ?			YES	

# OAKMONT PUBLIC UTILITY DISTRICT

6/11/2019

## CUT-OFF LIST STATUS

May 16, 2019

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>STATUS</u>
Taylor, Legredis	24942 Corbingate Dr	\$237.53	PD/ON
Yepiz, Ricardo	6411 Holden Mills Dr	\$362.38	PD/ON
Thomas, Cheriyan	24910 Summer Chase Dr	\$269.45	PD/ON
Miller, Thanh	25310 Evergreen Bend Dr	\$262.83	PD/ON
Little, Tonya & Jason	25307 Shaded Springs Ln	\$302.82	LETTER PENDING
Bramlett, Allison	6819 Redwood Terrace Ln	\$280.78	PD/ON

May 20, 2019

Dear Board of Directors of Oakmont P.U.D.,

I respectfully ask for the second \$100 reconnect fee to be waived on our account. Our account was disconnected because I overlooked the payment before a surprise trip for our Anniversary and my parents were here with our 2 kids and didn't know we were behind in payments so my dad turned the water back on. My husband and I were on a cruise so we could not be reached for him to ask. I know you are asking, if you can go on a cruise, how can you not pay the bill? We took money out of my husband's retirement to catch up on bills. We have been behind on everything because he changed jobs in March which meant also changing health insurance. I have had ovarian cancer since Sept 2009 and finally had to retire in December 2017. I have a type of cancer they will never go into remission and am therefore always on some type of chemo. Once one doesn't work anymore, we switch to a different one. Due to pre authorizations and insurance requirements, we had to pay in addition to COBRA, quite a few medical expenses with reduced paychecks as he stopped one job and started the other. One treatment without insurance is \$15,000. With the surprise of the trip and getting my family ready I just overlooked the payment. But we got out just enough from retirement to catch up. I paid the bill as soon as we got off the ship once I saw the email but we had already been charged one re-connect fee. So today, it got cut off again because I didn't pay the first reconnect fee on Saturday, I thought it would be billed on the next month's statement We still need to catch up on the house payment. If you review our account, we have not been cut off before. I am asking for understanding and \$100 may not seem like much but it is a whole lot to us right now. I can send in any documentation you may need to verify anything I've stated in this letter.

Thank you for your time and consideration.

Respectfully,

Tonya Little

25307 Shaded Spring Lane

Spring, Texas 77389



1575 Sawdust Road, Suite 400  
The Woodlands, Texas 77380-3795  
Tel: 281.363.4039  
Fax: 281.363.3459  
www.jonescarter.com

June 6, 2019

Board of Directors  
Oakmont Public Utility District  
c/o Coats | Rose  
9 Greenway Plaza, Suite 1100  
Houston, Texas 77046

Re: Engineering Report  
Board Meeting of June 11, 2019

Dear Directors:

The following information summarizes our activities on your behalf since your last meeting:

- M102 Channel Repair** – It is our understanding the Interlocal Agreement was approved by the Harris County Commissioners Court. We expect Harris County Flood Control District will provide an invoice for the repairs soon.
- Surplus Funds and Change in Scope Application** – No updates this month.
- WoodsEdge Church Sidewalks** – It is our understanding the easement across the Church property has been recorded and sent to KISD’s attorney for consideration.

**Projects in Proximity to Oakmont PUD**

**Gosling 2:**

No update. Construction is scheduled for completion in Q4 2019 (Updated 04/17/19).

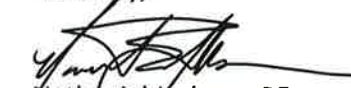
**Gosling 3**

No update. The project is nearing design completion. Project to advertise in Q3 2019 (Updated 04/10/19).

**Gosling Bridge**

No update. Project is currently in the Study Phase (Updated 4/17/19). Final Design scheduled to begin Feb 2020 (Community Impact Jan 16, 2019).

Sincerely,

  
Nathaniel Jackson, PE  
Client Manager



NEJ/ab

K:\W5489\W5489-0900-00 General Consultation\Meeting Files\Status Reports\2019\Status Report 6-2019.doc

# MEMORANDUM

**TO:** Board of Directors  
Oakmont Public Utility District

**FROM:** Mallory J. Craig

**DATE:** June 11, 2019

**RE:** Open Meetings Act

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Oakmont Public Utility District (the “District”) is governed by many rules and statutes, including the Open Meetings Act contained in Chapter 551, Texas Government Code. A simplified and basic summary of the Open Meetings Act is that a governmental body is to conduct all discussion, deliberation, and decisions in an open meeting, and if any discussion, deliberation, or decisions happen outside of an open meeting, those members of the governmental body are subject to potential criminal and civil penalties. There are many nuances to the Open Meetings Act, including that a quorum of members may not discuss, deliberate, and make decisions outside of a meeting.

Section 551.143 is entitled “Prohibited Series of Communications; Offense; Penalty. This section has always been referred to as the “walking quorum” section, and it was recently amended by the 2019 Texas Legislature. The statute now reads:

(a) A member of a governmental body commits an offense if the member:

(1) knowingly engages in at least one communication among a series of communication that each occur outside of a meeting authorized by this chapter and that concern an issue within the jurisdiction of the governmental body in which the members engaging in the individual communications constitute fewer than a quorum of members but the members engaging in the series of communications constitute a quorum of members; and

(2) knew at the time the member in engaged in the communication that the series of communications:

(A) involved or would involve a quorum; and

(B) would constitute a deliberation once a quorum of members engaged in the series of communications.

Section 551.001(2) defines “deliberation” as: “a verbal or written exchange between a quorum of a governmental body ... concerning an issue within the jurisdiction of the governmental body.”





Section 551.143 (b) goes on to provide that an offense under subsection (a) is a misdemeanor punishable with a fine of at least \$100 to \$500, one to six months in county jail, or both a fine and confinement.

Types of issues that would be considered within the jurisdiction of the governmental body include, but are not limited to:

- Contract amendment, interpretation, or enforcement;
- Providing authorization to a consultant to proceed with an action;
- Deliberation on a new matter concerning District property, facilities, policies, or funds; or
- Matters that a director would submit as a per diem that has not been previously discussed with the Board.

The types of communications that would constitute an offense under Section 551.143(a) include the following:

- Emailing a Director information, discussing the information, and then sending that discussion to another Director to provide their opinion on the matter.
- Calling a Director, asking for their opinion, stance, or approval for an action, then calling another Director to gain their opinion, stance, or approval, and so on and so forth.
- Meeting individually with one Director, then meeting one-on-one with another Director regarding the same matter.

Take away: Having discussions, deliberations, or making decisions outside of a meeting about a matter that is within the District's jurisdiction between more than one Director, whether directly or by a series of communications, violates the Open Meetings Act. All discussion, deliberation, and decisions must be made during an open meeting.

### E. Meetings of Less than a Quorum to Evade the Act: “Walking Quorums”

On occasion, a governmental body has tried to avoid complying with the Act by deliberating about public business without a quorum being physically present in one place and claiming that this was not a “meeting” within the Act.<sup>144</sup> Conducting secret deliberations and voting over the telephone, when no statute authorized this, was one such method.<sup>145</sup>

A “walking quorum” is described in *Esperanza Peace and Justice Center v. City of San Antonio*.<sup>146</sup> The night before an open city council meeting was to be held, the mayor met with several city council members in the city manager’s office and spoke with others by telephone about the city budget. A decision was made that night and ratified at the public meeting the next day. The federal court stated that it would violate the spirit of the Act and render a result not intended by the Legislature “[i]f a governmental body may circumvent the Act’s requirements by ‘walking quorums’ or serial meetings of less than a quorum, and then ratify at a public meeting the votes already taken in private.”<sup>147</sup> The *Esperanza* court said that a meeting of less than a quorum is not subject to the Act “when there is no intent to avoid the Act’s requirements.”<sup>148</sup>

On the other hand, the Act would apply to meetings of groups of less than a quorum where a quorum or more of a body attempted to avoid the purposes of the Act by deliberately meeting in groups less than a quorum in closed sessions to discuss and/or deliberate public business, and then ratifying their actions as a quorum in a subsequent public meeting.<sup>149</sup>

The evidence showed that the city council intended to avoid the Act. For example, the mayor met with council members constituting less than a quorum to reach a conclusion; the city manager kept track of the number of council members present so as to avoid a formal quorum; the consensus reached was memorialized in a memorandum containing the signatures of each council member; and the consensus was “manifested” when adopted at an open meeting.<sup>150</sup>

### F. New Technologies and Social Media

In response to its charge to consider how advances in technology and increased use of social media affect the communications of governmental bodies, the Senate Committee on State Affairs prepared an Interim Report to the 82nd Legislature.<sup>151</sup> The Interim Report acknowledged the challenge that new technologies present in complying with the Act. It said:

<sup>144</sup> One court of appeals stated that “[o]ne board member asking another board member her opinion on a matter does not constitute a deliberation of public business.” *Foreman v. Whitty*, 392 S.W.3d 265, 277 (Tex. App.—San Antonio 2012, no pet.).

<sup>145</sup> See *Hitt v. Mabry*, 687 S.W.2d 791, 793, 796 (Tex. App.—San Antonio 1985, no writ).

<sup>146</sup> *Esperanza Peace & Justice Ctr. v. City of San Antonio*, 316 F. Supp. 2d 433 (W.D. Tex. 2001).

<sup>147</sup> *Id.* at 476.

<sup>148</sup> *Id.*

<sup>149</sup> *Id.* at 476–77.

<sup>150</sup> See *id.*

<sup>151</sup> SENATE COMMITTEE ON STATE AFFAIRS, INTERIM REPORT TO THE 82D LEGISLATURE at 59 (Dec. 2010).

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**Subject:** Note from Nichole Graham to your Facebook Page Auburn Lakes Recreation Center / Oakmont PUD  
**From:** Nichole Graham <nicholegraham79@icloud.com>  
**Date:** Tue, Jun 04, 2019 4:30 pm  
**To:** board@texaspud.com

Are there swim lessons available?

Sent from my iPhone



**Subject:** Oakmont PUD: DM: Email Subscribers  
**From:** Off Cinco Updates <updates@offcinco.com>  
**Date:** Mon, Jun 03, 2019 12:12 pm  
**To:** TexasPUD <board@texasrud.com>  
**Cc:** Off Cinco Updates <updates@offcinco.com>

Hello,

As of 2019-05-31 there are 140 (+3) email subscribers.

Please let us know if there is any news or information that you would like us to send out via email and/or text. Some suggestions are:

- Garbage holidays or news
- Water plant or pump maintenance
- District events
- Pool or Rec center events

Sincerely,

Off Cinco Updates  
[updates@offcinco.com](mailto:updates@offcinco.com)  
(713) 560-0610

OFF CINCO  
23501 Cinco Ranch Blvd.  
Suite H120-177  
Katy, Texas 77494  
[offcinco.com](http://offcinco.com)

PLEASE NOTE: Website updates sent via email are processed within 6-8 hours on average, Monday through Friday. If you have an urgent or weekend update please call or text (713) 560-0610.

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.....CONFIDENTIALITY NOTICE.....

The information in this email may be confidential and/or privileged. This email is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this email and its attachment, if any, or the information contained herein is prohibited. If you received this email in error please immediately notify the sender by return email and delete this email from your system.

**Subject:** Monthly Analytics Report  
**From:** noreply-analytics@google.com  
**Date:** Sat, Jun 01, 2019 6:25 am  
**To:** board@texaspub.com  
**Attach:** Analytics Oakmont PUD Monthly Report 20190501-20190531.pdf

analytics@offcinco.com has shared a report from Google Analytics with you.  
The report is attached.

analytics@offcinco.com also included a message:

Hello,

Please find attached the monthly analytics report for Oakmont Public  
Utility District (TexasPUD.com).

Off Cinco

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This is a report email from Google Analytics. You received this email because analytics@offcinco.com requested this report be sent to you. If you would like to opt out of emails from this user, go to [https://www.google.com/analytics/web/optout?token=OMq1rWsBAAA.acFFod3P4Bm99U6-h3wyRBmcs37GNhs1cktElbgPbxizTp8hM0kR1en1YY3feLSnz7Hdemf1UDcEOtvM5X2XfQ.iN2nPj01mCN8rVIQ04uxMA&email=board%40texaspub.com&hl=en\\_US](https://www.google.com/analytics/web/optout?token=OMq1rWsBAAA.acFFod3P4Bm99U6-h3wyRBmcs37GNhs1cktElbgPbxizTp8hM0kR1en1YY3feLSnz7Hdemf1UDcEOtvM5X2XfQ.iN2nPj01mCN8rVIQ04uxMA&email=board%40texaspub.com&hl=en_US)

**Subject:** Note from Lucy Shults to your Facebook Page Auburn Lakes Recreation Center / Oakmont PUD  
**From:** Lucy & Lawnie Shults <lshults@yahoo.com>  
**Date:** Mon, May 20, 2019 11:18 am  
**To:** board@texaspud.com

Hi! Do you guys have a list of personal trainers that would work with me at the AL fitness center?

Thanks!

Sent from my iPhone

**Subject:** Texas PUD Contact Form  
**From:** OPUD Board <board@texaspud.com>  
**Date:** Thu, May 16, 2019 5:11 pm  
**To:** OPUD Board <board@texaspud.com>

From: Niram Patterson  
Email: <npatter@swbell.net>  
Phone: 2817982787

Message Body:

How to I get a key to the exercise room at the recreation center? Is there a cost for Auburn Lakes homeowners?

—  
This e-mail was sent from a contact form on TexasPUD.com.

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