# MINUTES OF THE MEETING OF THE MONTROSE MANAGEMENT DISTRICT BOARD OF DIRECTORS

#### November 14, 2016

#### DETERMINE QUORUM; CALL TO ORDER.

The Board of Directors of the Montrose Management District held a regular meeting, open to the public, on Monday, November 14, 2016, at 12:00 p.m. at St. Thomas University, 3800 Montrose Blvd., Malloy Hall, Carol Tatkon Boardroom, Houston, Texas 77006, inside the boundaries of the District, and the roll was called of the duly appointed members of the Board, to-wit:

Position 1 -	Claude Wynn, Chairman	Position 9 -	Kathy Hubbard, Treasurer
Position 2 -	Tammi Wallace	Position 10 -	Michael Grover
Position 3 -	Randy Mitchmore, Vice Chairman	Position 11 -	Ellyn Wulfe
Position 4 -	Justin Singer	Position 12 -	Brad Nagar, Asst. Secretary
Position 5 -	Lane Llewellyn, Secretary	Position 13 -	vacant
Position 6 -	Robert Jara	Position 14 -	Todd Edwards
Position 7 -	Ryan Haley	Position 15 -	vacant
Position 8 -	Stephen L. Madden		

and all were present, with the exception of Directors Singer, Haley, Madden and Edwards, thus constituting a quorum. Also present were Josh Hawes, Gretchen Larson, Tony Allender, Don Huml, Linda Clayton, Kristen Gonzales and Elisa Rodriguez, all with Hawes Hill Calderon, LLP; Clark Lord, Bracewell LLP; Caryn Adams, Municipal Accounts; Pat Hall, Equi-Tax; Ray Lawrence, Lawrence & Associates; and Dennis Beedon, Montrose Business Ambassador. Others attending the meeting were Officer Laureano, Montrose HPD; Tawny Tidwell, Montrose MD social medial strategist; Daphne Scarbrough, Richmond Avenue Coalition; and Taylor Goodall, resident. Chairman Wynn called the meeting to order at 12:00 p.m.

#### RECEIVE PUBLIC COMMENTS.

Daphne Scarbrough provided public comments on the Lovett Blvd esplanade project. Taylor Goodall with the Westmoreland Civic Association provided public comments on the mini cell towers. He reported problems of alley problems and occasional pop-up campsites around the Westmoreland area. He requested the District to help Westmoreland Civic Association with a study to come up with solutions for the issues in the alley and surrounding area.

#### APPROVE MINUTES OF REGULAR MEETING HELD OCTOBER 10, 2016.

Upon a motion duly made by Director Mitchmore, and being seconded by Director Hubbard, the Board voted unanimously to approve the Minutes of the October 10, 2016, Board meeting, as presented.

#### RECEIVE UPDATE AND RECOMMENDATIONS FROM FINANCE COMMITTEE.

#### a. Receive Assessment Collection Report.

Ms. Hall presented the Assessment Collection Report, included in the Board agenda materials, and answered questions. She reported a 99% collection rate of 2015 assessments and stated bills for the 2016 assessments were being sent out Thursday or Friday. No action from the Board was required.

### b. Receive and consider monthly financial report approve invoices for payment.

Director Hubbard reported the Finance Committee has reviewed the monthly financial report, Quarterly Investment Inventory Report and invoices and is recommending for approval. Upon a motion duly made by Director Hubbard, and being seconded by Director Llewellyn, the Board voted unanimously to accept the Monthly Financial Report and Quarterly Investment Inventory Report and approved payment of invoices, as presented.

#### **RECEIVE AND CONSIDER:**

- a. Accept Hearing Examiner's Report and Proposal for Decision for public hearing regarding supplemental assessment roll for the west zone
- b. Adopt Order Supplementing the Assessment Roll for the west zone; Levying Assessments Against the Property of the Supplemental Assessment Roll for the remainder of the 2016-Year Period; and Setting the Rate of Assessment for the year 2016 for the west zone
- c. Approve Amended Information Form for the west zone
- d. Accept Hearing Examiner's Report and Proposal for Decision for public hearing regarding supplemental assessment roll for the east zone
- e. Adopt Order Supplementing the Assessment Roll for the east zone; Levying Assessments Against the Property of the Supplemental Assessment Roll for the remainder of the 2016-Year Period; and Setting the Rate of Assessment for the year 2016 for the east zone
- f. Approve Amended Information Form for the east zone

Upon a motion duly made by Director Mitchmore, and being seconded by Director Wulfe, the Board voted unanimously to (a) accept the Hearing Examiner's Report and Proposal for Decision for public hearing regarding supplemental assessment roll for the west zone; (b) adopt the Order Supplementing the Assessment Roll for the west zone; Levying Assessments Against the Property of the Supplemental Assessment Roll for the remainder of the 2016-year period; and Setting the Rate of Assessment for the year 2016 for the west zone; (c) approve the Amended Information Form for the west zone; (d) accept the Hearing Examiner's Report and Proposal for Decision for public hearing regarding supplemental assessment roll for the east zone; (e) adopt Order Supplemental Assessment Roll for the remainder of the 2016-year Period; and Setting the Rate of Assessment for the year 2016 for the east zone; and (f) approve the Amended Information Form for the east zone.

#### RECEIVE UPDATE AND RECOMMENDATIONS FROM PUBLIC SAFETY COMMITTEE.

Mr. J. Hawes reported the Committee met on November 7, a copy of the Committee Minutes is included in the Board agenda materials. Officer Laureano presented the October Patrol Summary Report, included in the Board agenda materials, and answered questions. No action from the Board was required.

#### a. Approve renewal of lease for patrol vehicles

Mr. J. Hawes reviewed the lease proposal for two new patrol vehicles. He reported the term is for three years at a rate of \$469 per month per vehicle. Upon a motion duly made by Director Mitchmore, and being seconded by Director Wallace, the Board voted unanimously to approve a new lease agreement for two patrol vehicles at the rate of \$469.00 per month per vehicle.

### RECEIVE UPDATE AND RECOMMENDATIONS FROM MOBILITY AND VISUAL IMPROVEMENTS COMMITTEE.

Mr. Allender reported the Committee met on November 7, a copy of the Committee Minutes is included in the Board agenda materials. He reported the Special Parking Application is ready to be resubmitted to the City today. He reported a public forum will be held in December on the Special Parking Application. Mr. J. Hawes provided an update on the esplanade project.

#### a. Approve small cell tower design standard variance

Mr. Allender reported Zayo Communications has fabricated a composite pole that will be painted black and will look like a black metal pole. He stated he was requesting approval for the variance from the District's design standards. He reported the site at Westmoreland was questionable because of its proximity to homes and Zayo is working with us to relocate.

#### b. Approve proposal for tree trimming

Mr. J. Hawes reviewed the proposal from SMC Logistics in the amount of \$1,075.00, included in the Board agenda materials. He reported the proposal is for tree trimming where some of the trees are causing visibility issues.

#### c. Approve change order for bridge relighting project

Mr. Allender reported Change Order No. 1 is for the bridge lighting project and adds painting of the seven bridges to the contract. He stated the Change Order has been approved by TxDOT and he was requesting acknowledgment and approval from the Board.

Upon a motion duly made by Director Grover, and being seconded by Director Wulfe, the Board voted unanimously to (a) approve the request from Zayo Communications for a variance to the District's small cell tower design standards for a black composite pole; (b) approved the proposal from SMC Logistics in

the amount of \$1,075.00, for tree trimming, as presented; and (c) acknowledged and approved Change Order No. 1 for the bridge lighting project to add painting of the seven arch bridges to the contract.

### RECEIVE UPDATE AND RECOMMENDATIONS FROM MARKETING AND BUSINESS DEVELOPMENT COMMITTEE.

Ms. Larson reported the Public Relations and Marketing Report is included in the Board agenda materials for review. She reported the Holiday Decorating Contest winners will be announced on December 15 at Yucatan Taco Stand. Ms. Tidwell reported Twitter has verified the District's account.

a. Consider engaging the services of a branding and marketing firm to assist with review of current District Communications Plan and recommend implementation strategies and budget

Ms. Larson reported the Committee met to review proposals from CKP, Steel Branding and TPRB for a communications plan. She reported the Committee is requesting additional information from the vendors and is requesting the Board to authorize the Committee to move forward in choosing a vendor prior to the next Board meeting. Upon a motion duly made by Director Jara, and being seconded by Director Llewellyn, the Board voted unanimously to authorize the Committee to proceed in choosing a vendor and entering into an agreement.

#### RECEIVE UPDATE FROM BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE.

Ms. Larson reported the Committee met on October 26, a copy of the Committee Minutes is included in the Board agenda materials. She reported the Economic Development brochure is ready to go and will be passed out at the Real Estate Forum. Mr. Lawrence provided an update on the sponsors for the Real Estate Forum. He reported Len Cannon will be the emcee for the event and Andy Icken will be the speaker. He reviewed recent business performance data for the District and reported retail sales have increased approximately 48.5%, number of businesses have increased 12.1% and number of employees have increased 19.2%. No action from the Board was required.

#### RECEIVE EXECUTIVE DIRECTOR'S MONTHLY REPORT.

Mr. J. Hawes reported the Executive Director's Report is included in the Board agenda materials for review. No action from the Board was required.

#### CONSIDER PETITION PROCESS FOR REAUTHORIZATION OF THE SERVICE AND ASSESSMENT PLAN.

Mr. Lord reported this agenda item is to be discussed during Executive Session.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS LITIGATION, AND MATTERS RELATED TO THE SAME.

The Board convened in Executive Session at 12:31 p.m.

## RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION BY LEGAL COUNSEL RELATED TO EXECUTIVE SESSION.

The Board reconvened in Open Session at 1:35 p.m. Upon a motion duly made by Director Hubbard, and being seconded by Director Wallace, the Board voted unanimously to authorize staff to follow up on study as directed in Executive Session.

#### ANNOUNCEMENTS.

There were no announcements.

#### **ADJOURN**

There being no further business to come before the Board, Chairman Wynn adjourned the meeting at 1:36 p.m.

(Seal)



Secretary

Shwellyn