

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

**December 12, 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, December 12, 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, <i>Chairman</i>	Position 9 -	Kathy Hubbard, <i>Treasurer</i>
Position 2 -	Tammi Wallace	Position 10 -	Michael Grover
Position 3 -	Randy Mitchmore, <i>Vice Chairman</i>	Position 11 -	Ellyn Wulfe
Position 4 -	Justin Singer	Position 12 -	Brad Nagar, <i>Asst. Secretary</i>
Position 5 -	Lane Llewellyn, <i>Secretary</i>	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, Wulfe and Edwards, thus constituting a quorum. Also present were David Hawes, Josh Hawes, Don Huml, Linda Clayton, Kristen Gonzales and Elisa Rodriguez, all with Hawes Hill Calderon, LLP; Clark Lord, Bracewell LLP; Caryn Adams, Municipal Accounts; Ray Lawrence, Lawrence & Associates; Pat Hall, Equi-Tax, Inc.; Barry Abrams, BlankRome; Dennis Beedon, Montrose Business Ambassador; and Officers Laureano and Beserra, both of Montrose HPD. Others attending the meeting were Pamela Pellegrino, Grant Beekler, Steven Leggett, John Lazaris, Diana Porcarello, Curtis McLemore, Patty Haugen, Taylor Galloway, Don Mascarelli, George J., W. Shuman, R. Evans, Geary Ashby, Gary Toy, Judy Borrell, Christopher Dennis, Carrie McCall, Emily Morgan, Paul Nguyen, Ravi Jaisingham, Lelia Rodgers, John Schreider, William Van Pelt, Andrew Leva, Dennis Gates, Michael Carrou, Jason Pennington, Karen Brotherton, Richard Robbins, J. Web, Daphne Scarbrough, M. P. Keper, Jeffrey Kolb, David Johnson, Leonard Bernard, Helen Bernard, Adam Vega, Joana Tagaropulos, Jim Bartley, Brett Littek, Shawn Baksh, Zoe Littlepage, Tran Vinh, Jila Tavakdi, Susie Thang, Keith Owen, Joan Bishop, Douglas Benson, Eduardo Loper, and William LaFuze.

Chairman Wynn called the meeting to order at 12:00 p.m.

**DISCUSS 1620 HAWTHORNE LTD vs MONTROSE MANAGEMENT DISTRICT.**

Mr. Lord stated the Board will be going into Executive Session to discuss *1620 Hawthorne LTD vs. Montrose Management District*.

**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.**

An Executive Session was called at 12:01 p.m.

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

The Board reconvened in Open Session at 12:59 p.m. No action was taken.

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

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

Director Hubbard reported the Finance Committee reviewed the Bookkeeper's Report and went over invoices and were recommending the Board approve payment of invoices. Upon a motion duly made by Director Hubbard, and being seconded by Director Glover, the Board voted unanimously to accept the Bookkeeper's Report and approved payment of invoices, as presented.

**RECEIVE PUBLIC COMMENTS.**

Director Mitchmore went over the rules and policies for public engagement: *"A statement of no more than 3 minutes may be made on items of general relevance. There will be no yielding of time to another person. State law prohibits the Board Chair or members of the Board from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law. Comments should be directed to the entire Board, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of time privileges."*

Mr. Lord read a statement regarding the *Hawthorne* lawsuit: *"The lawsuit remains pending and is not yet resolved. On November 28, 2016, the trial court signed an order in the Lawsuit (the "Judgment"). On December 30, 2016, the Judgment was set aside by the trial court, while not dismissing the case. Any ruling by the court remains subject to an appeal to the Fourteenth Texas Court of Appeals – the court that earlier reversed a previous ruling by the trial court. Unless and until the trial court issues a final judgment that orders a refund of any assessments, which will not occur until after all additional activities in the trial court have taken place, and after any appeal has been concluded, the District will have no obligation to refund any assessments collected."*

Public comments were received from Daphne Scarbrough, M.P. Kieper, Patty Haugen, Diana Porcarello, Jeffrey Kolb, Curtis McLemore, David Johnson, Joana Tagaropoulos, Jim Bartley, Grant Beekler, Brett Littek, Steven Leggett, Shawn Baksh, Tran Vihn, Susie Thang, Gary Mosley, Eduardo Loper and Geary Ashby discussed petitions for dissolution, questioning why their petition for dissolution was denied and

requesting that their petition be reinstated or if their petition for dissolution is not accepted to be dropped from the assessment roll. William LaFuze stated he came to listen to the issues and was disappointed in having to wait outside while the Board was in executive session and would appreciate the Board showing courtesy. The following individuals signed up for public comments but were not present at the time their name was called for public comments: Adam Vega, Zoe Littlepage, Jila Tavakoli, Keith Owen, Joan Bishop, Douglas Benson and Emily Morgan.

Mr. Hawes requested the individuals whose petition for dissolution were considered invalid and were requesting the petition for dissolution to be considered valid to please email Susan Hill at [shill@hhcllp.com](mailto:shill@hhcllp.com) to make the request in writing. He stated the request would be considered as a Texas Public Information Act request and Ms. Hill would have someone take another look at the petition for dissolution to see if it was valid.

Chairman Wynn announced the room being used for the meeting was only reserved until 1:30 p.m. and all other agenda items would be placed on the agenda for the next board meeting.

**ADJOURN.**

There being no further business to come before the Board, Chairman Wynn adjourned the meeting at 1:30 p.m.

(Seal)



Secretary