



CLEAR LAKE CITY COMMUNITY ASSOCIATION Revision of Founding Documents Committee Meeting Minutes October 31, 2018

The Clear Lake City Community Association, Inc. Board of Trustees Special Committee Revision of Founding Documents met at 10:00am on Wednesday, October 31 at the Clear Lake City Community Association Sports and Recreation Complex.

The meeting was called to order at 10:00am.

Those in attendance were:

Terry Canup – Chairman
Glenda Stroud
Linda Coblentz
Gay Heberle, Advisor
Margaret Maddox, Daughtry & Farine P.C. Law Firm
Rachel Morales, General Manager

Number of guests in attendance: 4

Terry thanked everyone for coming and asked Margaret Maddox to discuss the proposed legislative bill.

Margaret explained the following section of the proposed bill that would pertain to CLCCA and discussed adding the verbiage in red.

Sec. 206A.003 AMENDMENT OF RESTRICTION IMPOSING REGULAR ASSESSMENT. (a) A community association may approve and submit to a vote of the owners an amendment of a restriction imposing a regular assessment to modify the amount of the regular assessment *and/or 2) add the opportunity to vote on a special assessment.*

(b) The amendment of a restriction imposing a regular assessment to modify the amount of the regular assessment *and/or impose a special assessment* is approved if a majority of the owners in the subdivision who vote on the issue in accordance with Section 206A.004 vote in favor of the amendment.

(c) An amendment approved in accordance with this section and Section 206A.004 applies to all real property in the subdivision, including residential and commercial property.

(d) A document certifying that a majority of the owners voting on the issue approved the amendment of the restriction must be recorded in the real property records of the county in which the subdivision is located.

Sec. 206A.004. METHOD OF VOTING. (a) An amendment of a restriction that imposes a regular assessment must be voted on:

- (1) By a written ballot that states the substance of the amendment and specifies the date by which the community association must receive a ballot for the ballot to be counted; or
 - (2) At a meeting of the property owners in the subdivision.
- (b) The community association shall provide for mailing to each owner, as applicable:
- (1) the ballot under Subsection (a) (1); or
 - (2) notice of the meeting under Subsection (a) (2) that states the purpose of the meeting.
- (c) In conjunction with a vote by ballot or at a meeting under Subsection (a), the community association may provide for circulation of a petition in the subdivision.
- (d) The vote of multiple owners of a property ~~may~~ shall be reflected by the signature or vote of one of the owners.
- (e) The community association shall record a copy of the ballot or petition in the real property records in the county in which the subdivision is located before submission of the amendment to a vote of the owners.

Terry reminded the committee they started this process in asking for verbiage to impose a special assessment and to also revise the method of voting for any issue.

The committee formed a consensus to submit the first draft from legislature with the additional verbiage in red to the Board of Trustees for discussion and approval at the November 6 Special Meeting.

The meeting was adjourned at 10:15am

Terry Canup

Terry Canup
Chairman