

**MINUTES OF MEETING OF THE BOARD OF DIRECTORS
NORTHTOWN MUNICIPAL UTILITY DISTRICT**

April 24, 2018

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on April 24, 2018, at the Wells Branch Tech Center, 1421 Wells Branch Parkway, Suite 106, Pflugerville, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the notice is attached as **Exhibit "A"**.

The following Directors were present, constituting a quorum:

Brenda Richter	-	Vice President
Chris Capers	-	Secretary
Felix T. Amaro, Jr.	-	Treasurer

Director Robin Campbell was absent and Director Lee Hill arrived later. Also present at the meeting were Mona Oliver, the District manager; Robert Anderson of Crossroads Utility Services, LLC ("*Crossroads*"); Scott Foster of 360 Professional Services, Inc.; Allen Douthitt of Bott & Douthitt, PLLC; Deputy Oscar Gonzalez of the Travis County Sheriff's Office; Richard Fadal of TexaScapes, Inc. ("*TexaScapes*"); and Sue Brooks Littlefield of Armbrust & Brown, PLLC ("*A&B*").

Director Richter called the meeting to order at 5:45 p.m. and stated that the Board would first receive resident communications and Board member announcements. There being none, Director Richter stated that the Board would consider approving the minutes of the March 27, 2018 Board meeting. Upon motion by Director Amaro and second by Director Capers, the Board voted 3-0 to approve the minutes.

Director Richter then stated that the Board would next discuss District security. Ms. Oliver reported that Deputy Gonzalez had responded to a call and asked to defer his report until later in the meeting.

Director Richter then stated that the Board would consider landscape maintenance matters and recognized Mr. Fadal. Mr. Fadal first presented the plant of the month, Pomegranate, which he explained flowered this time of the year and got 16 to 20 feet high and formed fruit in 30 to 60 days. Mr. Fadal then reviewed his report, attached as **Exhibit "B"**, with the Board and stated that his crews had pulled a considerable amount of the flowering Bastard Cabbage. He noted that his crews were in full swing on spring maintenance and that they would continue to mow around the wildflowers to allow a good percentage to go to seed. He called the Board's attention to the progress report on the proposals related to the dog park project that had been previously approved.

Director Richter stated that the Board would next receive the District manager's report and recognized Ms. Oliver. Ms. Oliver confirmed that she had provided all of the receipts and cancelled check for the dog agility equipment purchased to Mr. Douthitt as directed. She also reported that she had received the settlement check to resolve the abstract of judgment related to the property on Tapestry Cove. Ms. Oliver stated that she had approved the refund of a deposit for a pavilion rental because the event had to be cancelled due to a security issue that had occurred when the Travis County SWAT team had made an arrest in the District. She added that Texas Disposal Services had also been called off its route due to the incident. Ms. Oliver requested approval of the renewal of the Texas Municipal League ("TML") employee benefits coverage. Director Capers asked about the cost allocation and Ms. Oliver confirmed it was 100% of employee and 50% of family premiums were paid by the District. Upon motion by Director Amaro and second by Director Capers, the Board voted 3-0 to approve the Rerate Notice and Benefit Verification Form and the COBRA Continuation of Coverage Administrative Agreement for the renewal. Ms. Oliver then called the Board's attention to her monthly report, attached as Exhibit "C".

Director Richter stated that the Board would next discuss park matters. Mr. Foster reported that a resident survey relating to the Parks master plan was online. He stated that the consultant reported that a handful of responses had been received and that the consultant hoped for at least 100 responses. Director Capers stated that the survey was not particularly user-friendly. Director Richter responded that the new survey was "live" and should be easier to navigate.

Mr. Foster then presented the proposal from Stripe-it Up for asphalt striping of the Stonecreek Park Parking Lot, attached as Exhibit "D", and recommended its approval along with an allowance for replacement of any damaged curb stops at a cost of \$100 each with a total cost not to exceed \$6,705. Director Hill arrived at this time and questioned why this work was going to be scheduled when the park was in its highest usage period. Mr. Foster responded that the work would only require a short term, 24-hour closure of the parking lot, which he would coordinate with Ms. Oliver. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to approve the proposal.

Director Richter then asked that Mr. Fadal review the TexaScapes proposals included in the meeting packet. Mr. Fadal presented Proposal No. 9277 in the amount of \$8,999 for stone bed edging, attached as Exhibit "E", and explained that this work would be done once the fence project was complete and was intended to improve the appearance, but also to retain the soil and mulch within the bed. The Board members discussed the location and height of the edging. At this time, Deputy Gonzalez arrived at the meeting. Director Richter then called the Board's attention to Proposal No. 9303 for the park soccer fields annual repairs and topdressing attached as Exhibit "F". After discussion, upon motion by Director Amaro and second by Director Capers, the Board voted 3-0 to approve the two proposals, with Director Hill out of the room at the time of the vote.

Director Richter then requested that Deputy Gonzalez present his security report. Deputy Gonzalez stated that there had been three property crimes, one attempted

burglary and a couple of incidents of vandalism off of Merseyside. Ms. Oliver then requested approval of a budget of \$3,500 for National Night Out. Director Amaro confirmed that the Security Subcommittee was working on the National Night Out event and requested \$3,500 be budgeted for the event. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to approve the requested budget.

Director Richter stated that the Board would next receive the engineer's report and recognized Mr. Foster. Mr. Foster stated that he was still waiting to hear back from Bart Jennings on his request for a meeting. He then stated that Clifton Lind of Village@Northtown, Ltd. ("V@NT") had requested permission to enter the park to take out a section of pipe from the detention pond to replace it. Mr. Foster confirmed that, if any damage was done, V@NT would be responsible for the repair. Ms. Oliver agreed to document the condition of the area before and after the work was done. Mr. Foster then presented his report, attached as Exhibit "G", and reviewed it with the Board. He presented Pay Estimate No. 3 in the amount of \$111,719.61, attached as Exhibit "H", for the fence and facility assessment and recommended approval, but with payment to be withheld until the Subcommittee met with the contractor regarding the completion schedule and other matters and authorized its release. Director Richter asked when the work was required to be complete per the contract and Mr. Foster responded that the completion date was the end of April. Director Richter then asked what the chances were that the project would be completed by then. Mr. Foster responded that he thought the contractor would be 90 to 95% complete by the end of the week. Director Richter stated that the purpose of the project was to standardize fencing throughout the District for consistency and to improve property values. She stated that, when she thought about the work that was supposed to be done, it was difficult to be comfortable with it when it was over a million dollar project and there had been many problems, which the contractor didn't seem very concerned about. She stated that she felt it was important to meet with a principal of the contractor to ensure the District received value for what was done. She added that this was a topic of conversation throughout Pflugerville proper. Mr. Foster stated that the contractor acknowledged that it had a problem and that the time delay was new. Director Richter stated that the poor workmanship was a continuing theme. Mr. Foster acknowledged this and added that he had escalated the discussion to the president of the company. Director Amaro noted that new issues had arisen since the last Board meeting and that he had relayed this same position to Mr. Foster. Mr. Foster stated that the work the contractor was doing to repair the workmanship problems was acceptable, but the fact that the contractor had a shortage of material was new information. Director Hill stated that he appreciated that the contractor had addressed the concerns he had raised previously, but noted that the poles for the fencing at the big pond had not been cut off and the vegetation had never been trimmed and was brushing against the fencing, which he understood could potentially void the warranty. Ms. Oliver agreed to notify TexaScapes of the issue regarding the vegetation. Director Hill also stated that there were some gaps in the fencing at the small dog park which were large enough that a dog could slip through. He added that this was not his observation, but was feedback from dog park patrons. Director Hill then noted that, when he had raised the issue about the fencing at the pond near his home he had been told this would be addressed later. He stated that he felt too much had been done by the "seat of their pants" and noted that the contractor should

have been aware of the need for stair-stepping the fence before the project was underway and thought this could have been handled better on Mr. Foster's part. The Board then returned its discussion to the Pay Estimate and, upon motion by Director Hill and second by Director Capers, voted 4-0 to approve the Pay Estimate, subject to the contractor cutting and capping the fence poles and proper completion of all work included in the Pay Estimate and with the payment to be held pending Subcommittee approval of its release. Mr. Foster stated that the poles had been capped prior to the Board meeting. Director Amaro stated that he felt it was important that any issues raised by Ms. Oliver or Mr. Foster be addressed in real time. Ms. Oliver stated that Mr. Foster had been on site much more than anticipated due to the continuing problems. Director Amaro stated that this would be included in the discussion with the contractor.

Director Richter then recognized Mr. Douthitt for purposes of receiving the bookkeeper's report. Mr. Douthitt presented the updated cash activity report attached as **Exhibit "I"**. He recommended approval of a transfer by check from the District's JP Morgan Chase Bank operating account to the JP Morgan Chase Bank manager's account in the amount of \$26,500; a transfer from the District's Compass Bank lockbox account to the JP Morgan Chase Bank operating account in the amount of \$150,000; a transfer from the District's Logic tax account to the Logic general operating account in the amount of \$88,854.61; and a transfer from the District's Logic tax account to the Logic debt service account in the amount of \$65,000, as noted on page one of his report. Mr. Douthitt then reviewed the payments that had been made out of the manager's account during the prior month, noting that these had primarily been utility payments, deposit refunds, and other time-sensitive payments, and the payments that were being presented for approval, including the Pay Estimate for the fence project previously approved by the Board, which he would hold in accordance with the Board's motion. He noted that the per diem to Director Campbell would need to be voided due to his absence from the Board meeting. He reviewed the additional payments that had been added to the check register since the packet date. He explained that Home Depot had required a credit card for the dog agility course equipment and so there was a reimbursement to Ms. Oliver who had put the equipment on her credit card. After discussion, upon motion by Director Capers and second by Director Hill, the Board voted 4-0 to approve the transfers and payments as recommended, with the void noted.

Director Richter then recognized Mr. Anderson for purposes of receiving the operations manager's report. Mr. Anderson presented Crossroads' report, attached as **Exhibit "J"**, noting that the District had 2,955 occupied single-family connections and a total of 3,016 accounts as of the end of March. He reported that all lab results had been satisfactory. He noted that the District's water loss had gone down to 8.98% during the prior reporting period and that the leak detection company was scheduled to begin in early May. He then presented the write-off list attached as **Exhibit "K"**, totaling \$327.24, and requested approval. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to approve the write-offs. Mr. Anderson confirmed that the three reports due to the Texas Water Development Board had all been completed and filed on time.

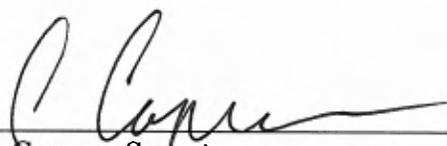
Director Richter stated that the Board would next receive developers' and landowners' representative reports. Director Hill reported on the Subcommittee meeting that had been held with Jim Nias and the modifications to the V@NT Utility Construction Agreement that had been approved.

There being no further reports, Director Richter stated that the Board would receive the attorney's report and recognized Ms. Littlefield. Ms. Littlefield called the Board's attention to the District's 2018 estimated taxable value.

Director Richter then stated that the Board would conduct consultant reviews and noted that the Board would convene in executive session for this purpose as authorized by Section 551.074 of the Texas Government Code. She announced that the time was 6:38 p.m. After a review of Scott Foster of 360 Professional Services, Inc., the Board reconvened in open session at 6:52 p.m. and Director Richter announced that no action had been taken in executive session.

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

(SEAL)



Chris Capers, Secretary
Board of Directors

Date: 5/23/18

CERTIFICATE OF PROVISION OF NOTICE OF MEETING FOR
NORTHTOWN MUNICIPAL UTILITY DISTRICT
TO THE TRAVIS COUNTY CLERK'S OFFICE

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Brian K. Gilbert, hereby certify that at 11:49
a.m. on Apr. 19, 2018, I provided two (2) copies of the attached
notice of meeting of the Board of Directors of Northtown Municipal Utility District to the Travis
County Clerk's office located at 5501 Airport Blvd., Austin, Texas for subsequent posting in
accordance with Section 551.054 of the Texas Government Code.

I understand that the attached notice was provided to the County Clerk in order to
comply with the Open Meetings provision of Chapter 551 of the Texas Government Code and
that the Board of Directors of Northtown Municipal Utility District will rely on this certificate in
determining whether the provisions of Chapter 551 of the Government Code have been satisfied.

Witness my signature this 19 day of April, 2018.

Brian K. Gilbert
Printed Name: Brian K. Gilbert
Company: Capital Courier

ORIGINAL
FILED FOR RECORD

NORTHTOWN MUNICIPAL UTILITY DISTRICT

April 24, 2018

TO: THE BOARD OF DIRECTORS OF NORTHTOWN MUNICIPAL UTILITY DISTRICT
AND ALL OTHER INTERESTED PARTIES:

Notice is hereby given that the Board of Directors of Northtown Municipal Utility District will hold a meeting at **5:45 p.m. on Tuesday, April 24, 2018**, at the District office located at the Wells Branch Tech Center, 1421 Wells Branch Parkway, Suite 106, Pflugerville, Texas. The following matters may be considered and acted upon at the meeting:

PUBLIC INPUT

1. Resident communications and Board member announcements;

DISCUSSION/ACTION ITEMS

2. Minutes of March 27, 2018 Board meeting;
3. District security, including:
 - (a) Report from Travis County Sheriff's Department;
 - (b) Subcommittee report, including purchase requests;
 - (c) Budget request of \$3,500 for National Night Out;
4. Landscape maintenance, including report from landscape maintenance contractor;
5. District manager's report, including:
 - (a) Directive;
 - (b) Monthly report;
 - (c) Restrictive covenant violations and enforcement actions;
 - (d) Monthly expenditure report;
 - (e) Reservation ledger;
 - (f) Solid waste services, including monthly report from Texas Disposal Services;
 - (g) Renewal of Texas Municipal League employee benefits coverage, including:
 - (i) Rerate notice and Benefit Verification Form;
 - (ii) COBRA Continuation of Coverage of Administrative Agreement;
6. Park matters, including:
 - (a) Subcommittee report:
 - (i) Parks Master Plan update;
 - (ii) Purchase requests;
 - (iii) Proposals, including:
 - (A) TexaScapes, Inc. Proposal No. 9277 for Stone Bed Edging;
 - (B) TexaScapes, Inc. Proposal No. 9303 for Park Soccer Fields Annual Repairs and Topdressing;
 - (C) Stripe-it-Up Estimate No. KY2025 for Stone Creek Parking Lot asphalt striping;
 - (b) Monthly expenditure report;
 - (c) Repairs and maintenance;

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7. Report from District engineer, including:
 - (a) Directive;
 - (b) Development update, including:
 - (i) Pflugerville ISD tract;
 - (ii) Village at Northtown, Section 2;
 - (iii) Heatherwilde Retail Center;
 - (iv) Harris Ridge Extension Project;
 - (v) John Henry Faulk Water and Wastewater Improvements;
 - (vi) Village at Northtown Section 3, Lot 5, Block C (KB Home);
 - (vii) Village at Northtown Section 3 (John Henry Faulk Road);
 - (c) District Fence and Facility Project, including approval of any proposals, pay estimates and change orders;
 - (d) Dessau Road Force Main Study update;
 - (e) MS4 Permitting and 2018 Pond Inspection update;
8. Report from District's bookkeeper, including:
 - (a) Payment of bills and invoices;
 - (b) Fund transfers;
 - (c) Investments;
 - (d) Developer escrow report and reconciliation;
9. Report from District's operations manager and utility operator, including:
 - (a) Utility operations and repairs;
 - (b) Billing report and write-offs;
10. Reports from developers' and landowners' representatives;
11. Attorney's report; including 2018 estimated taxable value;
12. Consultant reviews; including 360 Professional Services, Inc.; and
13. Future agenda items.

The Board of Directors is authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code, to convene in closed or executive session for certain purposes, including receiving legal advice from the District's attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); discussing security personnel or devices (Section 551.076); or discussing information technology security practices (Section 551.089). If the Board of Directors determines to go into executive session to discuss any item on this agenda, the presiding officer will announce that an executive session will be held and will identify the item to be discussed and the provision of the Open Meetings Act that authorizes the closed or executive session.

(SEAL)

Sam Paul Littlefield

Attorney for the District

Northtown Municipal Utility District is committed to compliance with the Americans With Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. Please call Armbrust & Brown, PLLC at (512) 435-2300 for additional information.



Came to hand and posted on a Bulletin Board in the Courthouse,
Austin, Travis County, Texas on this the 19 day of

Apr. 2018.

Dana DeBeauvoir
County Clerk, Travis County, Texas

By _____ Deputy

J. S. WILLIAMS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Apr 19, 2018 11:49 AM 201880623

WILLIAMSJ: \$3.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

{W0787299.2}

CERTIFICATE OF POSTING FOR
NORTHTOWN MUNICIPAL UTILITY DISTRICT
AT

(1) 14401 Harris Ridge Blvd. (park pavilion)
(2) 1421 Wells Branch Parkway, Suite 106 (district office)
PFLUGERVILLE, TEXAS 78660

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Ernest Robles, hereby certify that at
1:30 p.m. on April 18, 2018, I posted a copy of the
attached notice of meeting of the Board of Directors of Northtown Municipal Utility District at a
place readily accessible and convenient to the public within the boundaries of the District at the
locations noted above.

I understand that the notice was posted in order to comply with the Open Meetings
provisions of Chapter 551 of the Government Code and that the Board of Directors of Northtown
Municipal Utility District will rely on this certificate in determining whether the provisions of
Chapter 551 of the Government Code have been satisfied.

Witness my signature this 18th day of April, 2018.

Ernest Robles
Printed Name: Ernest Robles
Company: Northtown MUD