

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

December 10, 2019

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on December 10, 2019, 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 members of the Board were present, constituting a quorum:

Brenda Richter	-	President
Felix T. Amaro, Jr.	-	Treasurer
Chris Capers	-	Secretary
Lee Hill	-	Assistant Secretary

Director Robin Campbell was absent. Also present at the meeting were Mona Oliver, the District manager; Richard Fadal of TexaScapes, Inc.; Allen Douthitt of Bott & Douthitt, PLLC (“*Bott & Douthitt*”); Robert Anderson of Crossroads Utility Services LLC (“*Crossroads*”); Deputy Chris Williams of the Travis County Sheriff’s Department; Cheryl Allen of Public Finance Group, LLC; Jim Nias of Jackson Walker LLP; David Cook, a resident of the District; and Carter Dean 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. Mr. Cook addressed the Board, stating that he had received a notice of violation of restrictive covenants because his vehicle was not registered with the State of Texas. He stated that he had also received a fine for the violation. Mr. Cook asked why he had received the notice, stating that he believed his vehicle did not need to be registered since it was a classic car. Ms. Oliver stated that the fine was likely from his homeowners association (“*HOA*”), but his vehicle did need to be registered and the violation would be resolved if he did this. Mr. Cook agreed that he would register his vehicle. The Directors thanked Mr. Cook and he departed from the meeting. Director Richter next stated that the Board would consider approving the minutes of the November 20, 2019 Board meeting. Upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the minutes.

Director Richter then recognized Mr. Anderson for the purpose of receiving the operations manager’s report. Mr. Anderson reviewed Crossroads’ report, attached as **Exhibit “B”**, noting that all lab results had been satisfactory during the prior reporting period and the District had a reported water loss of 3.04%. He stated that he had four write-offs to present in accordance with the write-off list attached as **Exhibit “C”**, noting that the total amount to be written-off was \$684.32 after deposits were applied. He stated that the District currently had 2,059 occupied single family connections and a total of 3,067 accounts. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to approve the write-offs.

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, white Cyclamen, which he explained bloomed during the winter. He then presented a second plant, Taxus Media Densiflora, which he explained was a good foundation plant that would likely work well in the District. Mr. Fadal stated that he would test the plant in his backyard and, if it did well, he would plant it in the District. Mr. Fadal then reviewed the landscape maintenance report attached as **Exhibit "D"**. He reported that his crew was currently focusing on cleaning up fallen leaves and acorns, that the winter grasses were growing nicely, and that his crew was going to apply a fertilization touch-up to the grasses. Director Hill asked if his crew had sprayed the pecan trees with zinc. Mr. Fadal responded that they had not, but that they were applying a different fertilizer to the pecan trees.

Director Richter stated that the Board would next receive the District manager's report and recognized Ms. Oliver. Ms. Oliver called the Board's attention to her monthly reports included in the meeting packet. She asked if the Solid Waste Subcommittee had any comments relating to the solid waste report. Director Capers responded that the number of misses had decreased substantially from the prior month, from 18 to 1. Director Hill stated that he believed Texas Disposal Systems had been doing a better job recently. Ms. Oliver next stated that the well cistern project was ongoing, but should be completed by the January Board meeting.

Director Richter then stated that the Board would discuss District parks and recreational facilities. Ms. Oliver presented the Village @ Northtown parkland dedication report, stating that she and Mr. Foster had inspected the lots that Village @ Northtown was preparing to dedicate to the District. Mr. Dean stated that, according to Ms. Oliver and Mr. Foster, the lots were not ready to be dedicated, but were close. He stated that five of the lots required additional cleanup, but would be ready for dedication upon the District's receipt of the remaining outstanding legal documents, which he expected to receive soon. Mr. Nias stated that Village @ Northtown intended to finish the clean-up quickly and would post fiscal surety with the District to cover the remaining clean-up. Mr. Dean next stated that the improvements on the remaining two lots were yet to be complete and the District would need to receive approval of the improvements from the City of Austin before the lots could be accepted by the District and the related cash security held by the District released. He added that it had been agreed that the District would build the kiosk instead of Village@ Northtown, but that Village @ Northtown would pay for the construction. Mr. Nias explained that Village @ Northtown would attempt to have all of the improvements completed by the end of the year. Mr. Dean asked the Board how it would like to handle acceptance of the lots if Mr. Foster and he believed they were ready to be accepted before the January Board meeting. The Board agreed that the Village @ Northtown Subcommittee would be authorized to accept the lots if they were ready before the next Board meeting.

Director Richter stated that the Board would not receive an engineering report, as Mr. Foster was not present at the meeting.

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 "E"** and reviewed it with the Board. He recommended approval of a transfer by check from the District's JP Morgan Chase operating account to the ABC Bank operating account in the amount of \$170,000; a transfer from the JP Morgan Chase operating account to the ABC Bank manager's account in the amount of \$23,100; a transfer from the JP Morgan Chase operating account to the ABC Bank customer refund account in the amount of \$3,000; a transfer from the Compass lockbox account to the TexPool operating account in the amount of \$250,000; and a transfer from the TexPool general operating account to the ABC Bank operating account in the amount of

\$300,000, as listed on page one of his report. Mr. Douthitt then reviewed the checks being presented for approval, noting that the per diem to Director Campbell would be voided due to his absence. He stated that the District had not yet received a physical bill from the City of Austin for water and wastewater services provided during the prior month, but that it would be paid through the online portal upon review by the District's rate consultant. He reviewed the activity in the manager's account for the prior month. He then asked if the Board would like to continue its membership in the Capital Area Suburban Exchange (CASE) organization, as annual membership dues were due. The Board agreed that it did. After discussion, upon motion by Director Amaro and second by Director Hill, the Board voted 4-0 to approve the transfers and the payment of bills and invoices as presented, with the void noted.

Director Richter stated that the Board would not receive developers' or landowners' reports, as no developer or landowner was present at the meeting.

Director Richter next stated that Deputy Gonzalez was absent from the meeting, and asked Deputy Williams if he had a security report to present. Deputy Williams stated that he did not. Director Richter then reported that an abandoned dog had recently bitten multiple people at the Stony Creek dog park, noting that the Sheriff's Department handled the situation.

Director Richter then recognized Ms. Allen for purposes of receiving the financial advisor's report. Ms. Allen reviewed the financial advisor's report attached as **Exhibit "F"** and reported that the District's Unlimited Tax and Revenue Refunding Bonds, Series 2019 had sold in November, saving the District \$324,213.60. Ms. Allen then reviewed an analysis of the District's existing and projected future financial commitments and made recommendations regarding a proposed 2020 bond issuance. She stated that, if the Board approved moving forward with the proposed issuance, it would take a little less than a year to sell the bonds. Director Richter asked what was needed to move forward. Ms. Allen stated that the Board would need to pass a bond resolution at the next meeting. Director Hill stated that the District needed to issue bonds relatively soon because the District's force main needed to be replaced. Director Amaro agreed, adding that he believed the District should go forward with the proposed issuance in order to take advantage of low interest rates. After discussion, upon motion by Director Capers and second by Director Amaro, the Board voted 4-0 to move forward with the proposed issuance and place an item on the January Board meeting agenda to consider a bond resolution.

Director Richter then stated that the Board would discuss the wholesale water and wastewater rate challenge, and announced that the Board would convene in executive session as authorized by Section 551.071 of the Texas Government Code to receive legal advice from the District's attorney related to this matter. She announced that the time was 6:40 p.m. After executive session, the Board reconvened in open session at 6:50 p.m. and Director Richter announced that no action had been taken in executive session.

Director Richter recognized Mr. Dean for the purpose of receiving the attorney's report. Mr. Dean stated that the attorney directives were complete.

Director Richter then stated that the Board would conduct a performance review of the District manager, and announced that the Board would convene in executive session as authorized by Section 551.074 of the Texas Government Code to discuss personnel matters. She announced that the time was 6:52 p.m. After executive session, the Board reconvened in open session at 7:05 p.m. and Director Richter announced that no action had been taken in executive session. Director Richter stated that the District manager's salary adjustment would be considered by the Compensation and Employee Retirement System Subcommittee and reported at the January Board meeting.

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



Date: 1/28/2020



Chris Capers, Secretary
Board of Directors

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 9:54
a.m. on Dec. 5, 2019, 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 5 day of December, 2019.

Brian K. Gilbert
Printed Name: Brian K. Gilbert
Company: Diligent Delivery

NORTHTOWN MUNICIPAL UTILITY
DISTRICT

December 10, 2019,

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, December 10, 2019**, 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 November 20, 2019 Board meeting;
3. District operations manager and utility operator's report and related action items, including:
 - (a) Utility operations and repairs;
 - (b) Billing report and write-offs;
4. Landscape maintenance report and related action items, including proposals;
5. District manager's report and related action items, including:
 - (a) Directives;
 - (b) Restrictive Covenant Subcommittee report, including covenant violations and enforcement actions;
 - (c) Monthly expenditure report;
 - (d) Reservation ledger;
 - (e) Solid waste services, including monthly report from Texas Disposal Services and directive;
 - (f) Purchase requests and/or proposals;
 - (g) Well cistern project, including pay estimates and/or change orders;
 - (h) New Facility Construction Subcommittee report and related action items, including update on architectural contract with Fatter & Evans, Architects, Inc.;
6. District parks and recreational facilities and related action items, including:
 - (a) Subcommittee report;
 - (b) Purchase requests and proposals;
 - (c) Monthly expenditure report;
 - (d) Repairs and maintenance;
 - (e) Village at Northtown parkland dedication, including:
 - (i) Property inspection report;
 - (ii) Status of kiosk;
 - (iii) Parkland acceptance;

- (iv) Cash Security Agreements related to Park Improvements (Storm Sewer Pipe and Parking Lot and Trails) and related action;
- 7. District engineer's report and related action items, including:
 - (a) Directives;
 - (b) Development update, including:
 - (i) Pflugerville ISD tract;
 - (ii) Village at Northtown, Section 2;
 - (iii) Harris Ridge Extension Project;
 - (iv) Village at Northtown Section 3 (John Henry Faulk Road), including approving any pay estimates and/or change orders;
 - (v) Village at Northtown Multifamily (Yintai);
 - (vi) Edenbrook Multifamily;
 - (vii) Village at Northtown Multifamily (North Wells Branch);
 - (viii) Lakes Retail Center;
 - (c) MS4 Permitting update;
 - (d) Dessau Road force main replacement project;
- 8. District bookkeeper's report and related action items, including:
 - (a) Payment of bills and invoices;
 - (b) Fund transfers;
 - (c) Investments;
 - (d) Developer escrow report and reconciliation;
- 9. Reports from developers' and landowners' representatives;
- 10. District security, including:
 - (a) Report from Travis County Sheriff's Department, including related action items;
 - (b) Security Subcommittee report, including purchase requests and related action items;
- 11. Financial Advisor's report, including:
 - (a) Status of bond refunding and related action items; and
 - (b) Recommendation regarding proposed 2020 bond issuance;
- 12. Wholesale water rate case update, including report from Wholesale Water and Wastewater Rate Challenge Subcommittee;
- 13. Attorney's report, including directives;
- 14. Review of District Manager and any related salary adjustment;
- 15. 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)



Armed with a sword

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.



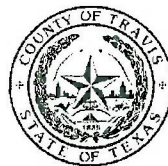
Came to hand and posted on a Bulletin Board in the Courthouse,
 Austin, Travis County, Texas on this the 5 day of
December 2019.
 Dana DeBeauvoir
 County Clerk, Travis County, Texas
 By E. Medina Deputy
E. MEDINA

COPY

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
 Travis County, Texas



201981708

Dec 05, 2019 09:54 AM

Fee: \$3.00 MEDINAE

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, Mona Oliver, hereby certify that at
11:30 a.m. on December 4, 2019, 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 4th day of December, 2019.


Printed Name: Mona Oliver
Company: Northtown M.U.D.