

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

July 23, 2019

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on July 23, 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 Directors were present, constituting a quorum:

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

Director Robin Campbell was absent. Also present at the meeting were John Trube, Edward Johnson and Kristi Gutzman with JTA, a developer within the District; 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”); Dennis Hutchins and Joseph Longhurst, residents of the District; and Sue Brooks Littlefield of Armbrust & Brown, PLLC (“A&B”). Deputy Oscar Gonzalez of the Travis County Sheriff’s Department arrived later.

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 June 25, 2019 Board meeting. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 4-0 to approve the minutes.

Director Richter then stated that the Board would discuss District security. Ms. Oliver reported that Deputy Gonzalez was on his way and asked that the Board postpone this item until he arrived. The Board agreed to do so.

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, Variegated Agave Americana, which he explained was also known as White Striped Century Plant or White Striped Agave and was a native of Mexico and South Texas. Mr. Fadal then reviewed the landscape maintenance report attached as **Exhibit “B”**. He noted that his crews were actively mowing the greenbelts and wildflower areas because they were fairly dried-out. He stated that there was some ragweed coming up at the edges of the growing area and that his crews were trying to get it down before

September, when it pollinated. Director Hill asked who would undertake mowing the undeveloped areas along John Henry Faulk Road and Mr. Fadal responded that he would look at the maintenance map. Ms. Littlefield inquired if this was County right-of-way and Director Hill confirmed that it was. Mr. Foster agreed that this was a County maintenance area. Director Richter noted that several residents had arrived at the meeting and asked if they had any input and they responded that they did not.

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 the monthly reports included in the meeting packet. She noted that she was still looking for a local band for National Night Out. Director Hill agreed to contact the owner of a club he knew. Ms. Oliver asked if anyone had any input on solid waste. Director Capers asked about dumpsters and Ms. Oliver confirmed that they were now being emptied regularly. Ms. Oliver reported that the concrete pad for the well cistern project had been poured and was curing and the tank was scheduled to be delivered in August, noting that she hoped to have it installed by September.

Director Richter then stated that the Board would discuss District parks and recreational facilities. She noted that a Park Subcommittee meeting was scheduled for Thursday in preparation for the adoption of a new budget. Ms. Oliver stated that the installation of the Wildflower Park improvements had been pushed back, but the contractor hoped to start work on July 29th. Director Capers asked how long the installation would take and Ms. Oliver responded that it would take about a week. Mr. Foster stated that he had spoken to the Village@Northtown regarding the park issues on his list, but agreed with the developer that they were not a priority as the developer was focused on the pond as well as completing John Henry Faulk Road. He stated that he had relayed to the Village@Northtown that the area adjacent to the KB Home property would need to be cleaned up before it was accepted. Mr. Foster stated that the paving of John Henry Faulk Road was not complete, but Mr. Lind hoped to have it opened before school started. Director Amaro stated that there was already traffic on it.

Director Richter stated that the Board would next receive the engineer's report and recognized Mr. Foster. Mr. Foster reviewed his report, attached as **Exhibit "C"**, noting that he had provided the revised easement for the irrigation meter on school property to the engineer for the Village@Northtown and that it was to be recorded as part of their project. Mr. Foster then presented Pay Estimates No. 4 and 5, in the amounts of \$199,052.10 and \$163,549.95, attached as **Exhibits "D"** and **"E"**, respectively, for Village at Northtown Section 3, Lot 5, Block C (KB Homes) and recommended approval. Upon motion by Director Capers and second by Director Hill, the Board voted 4-0 to approve the Pay Estimates. Mr. Foster then presented Pay Estimate No. 10 in the amount of \$102,762, attached as **Exhibit "F"**, for Village at Northtown Section 3 (John Henry Faulk Road). He stated that he expected to present this project for acceptance in August. After discussion, upon motion by Director Capers and second by Director Hill, the Board voted 4-0 to approve the Pay Estimate.

Mr. Foster then reminded the Board that the owners of Village@Northtown multifamily tract had requested park access. He stated that the applicants were present, but his recommendation was that the Board consider authorizing the Park

Subcommittee to negotiate and execute any access agreement. Director Amaro moved that the Park Subcommittee be authorized to negotiate and execute the proposed access. Director Capers seconded the motion. Director Amaro then inquired whether there would be impervious cover. Mr. Foster responded that the access could be grasscrete, which looked like grass, but provided a surface that could be used for fire truck access. Upon being put to a vote, the motion was adopted by a vote of 4-0.

Mr. Foster reported that the force main project was under design.

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 "G"** and reviewed it with the Board. He recommended approval of a transfer by check from the District's JP Morgan Chase Bank operating account to the ABC Bank customer refund account in the amount of \$3,000; a transfer by check from the JP Morgan Chase Bank operating account to the ABC Bank operating account in the amount of \$190,000; a transfer from the JP Morgan Chase Bank operating account to the ABC Bank manager's account in the amount of \$42,400; a transfer from the District's Compass Bank lockbox account to the TexPool operating account in the amount of \$80,000; and a transfer from TexPool operating account to the ABC Bank operating account in the amount of \$150,000, as listed on page one of his report. Mr. Douthitt then called the Board's attention to the bond payments coming due and asked for authorization to make the principal and interest payments as noted. He then reviewed the checks being presented for approval and called the Board's attention to the additional payments that had been added to the check register after the packet date. He stated that the per diem to Director Campbell would be voided due to his absence. Mr. Douthitt stated that the shopping center that contained the District office had sold so he had voided the payment approved a month in advance and was presenting two lease payments for approval. He then reviewed the manager's activities for the month. He stated that the District was currently ahead of budget. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 4-0 to approve the transfers, the bond payments, and the payment of bills and invoices as presented, with the void noted.

Director Richter then recognized Mr. Anderson for the purpose of receiving the operations manager's report. Mr. Anderson reviewed Crossroads' report, attached as **Exhibit "H"**, noting that all lab results had been satisfactory during the prior reporting period and that the District had a reported water loss of 5.16%. He stated that he had no write-offs to present. He stated that the District currently had 2,950 occupied single family connections and a total of 3,016 accounts.

There being no developers' and landowners' reports, Director Richter recognized Ms. Littlefield for the purpose of receiving the attorney's report. Ms. Littlefield pointed out that the attorney directives were complete. She then presented the schedule for adopting the District's 2019-2020 budget and 2019 tax rate. Ms. Littlefield reviewed the schedule and reminded the Board that the Board's regular August and September Board meetings would be important ones.

Director Richter then recognized Deputy Gonzalez, who presented the June security report and crime statistics. He stated that there has been two auto thefts in Brookfield and noted that the keys had been left in the vehicles. He reported there had been one burglary of a residence, in which the home has been accessed through an unlocked back gate, and four vehicle burglaries, noting that three of the vehicles had been left unlocked. Ms. Oliver then reported that the District had received \$1200 in donations for The National Night Out event, and that the Austin Police Department was trying to arrange for attendance by some mounted patrol officers and might also be able to arrange for a helicopter.

Director Richter stated that the Board would next conduct a consultant review of Crossroads Utility Services, LLC, and noted that the Board would convene in executive session as authorized by Section 551.074 of the Texas Government Code to discuss this personnel matter. She announced that the time was 6:11 p.m. The Board reconvened in open session at 6:16 p.m. and Director Richter announced that no action had been taken in executive session.

At 6:16 p.m., Director Richter stated that the Board would convene in executive session as authorized by Section 551.071 of the Texas Government Code to receive legal advice. The Board reconvened in open session at 6:45 p.m. and Director Richter announced that no action had been taken in executive session.

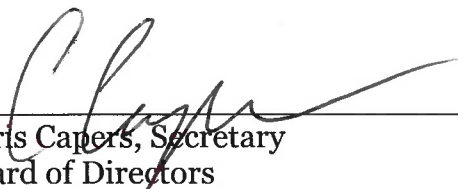
Director Richter then proposed that the Board appoint a Communication Subcommittee consisting of Director Hill and Director Campbell to work on issues relating to open records, records retention and communications, including website and email policies. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to do so. **The Board directed Ms. Littlefield to place an item to discuss a vehicle policy on the next meeting agenda and Ms. Littlefield agreed to do so. Director Capers then moved that the Board appoint himself and Director Hill to a subcommittee to evaluate an amendment to the District's rate order relating to the townhome customer class.** Director Hill seconded the motion, which was adopted by a vote of 4-0.

There being no further business to come before the Board, upon motion by Director Capers and second by Director Amaro, the Board voted 4-0 to adjourn the meeting.

(SEAL)



Date: 8/27/2019


Chris Capers, Secretary
Board of Directors