

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

October 22, 2019

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on October 22, 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
Chris Capers	-	Secretary
Lee Hill	-	Assistant Secretary
Felix T. Amaro, Jr.	-	Treasurer

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 Oscar Gonzalez of the Travis County Sheriff’s Department; Scott Foster of 360 Professional Services, Inc.; Barnaby Evans of Fatter & Evans Architects, Inc. (“*Fatter & Evans*”); 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. There being none, Director Richter stated that the Board would consider approving the minutes of the September 24, 2019 Board meeting. Upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the minutes.

Director Richter stated that the Board would next discuss District security and recognized Deputy Gonzalez. Deputy Gonzalez presented the September security report and crime statistics. He reported that September had been another fairly slow month, with one auto theft and one burglary. He stated that he was still unable to locate vehicle burglaries in the new crime reporting database. Director Hill thanked Deputy Gonzalez for participating in the National Night Out event. Ms. Oliver then called the Board’s attention to the Application for Secondary Employment of Law Enforcement attached as **Exhibit “B”**; the Liability Agreement for Law Enforcement Related to Secondary Employment attached as **Exhibit “C”**; and the Agreement with Regard to Use of Vehicle(s) in Connection with Off Duty Employment of County Peace Officer(s) attached as **Exhibit “D”** and requested approval. After discussion, upon motion by Director Capers and second by Director Hill, the Board voted 4-0 to approve the Application and Agreements, as presented.

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, Mexican Bush Sage, and explained that it was easy to grow and typically grew between four to six feet tall.

Director Richter asked whether there was any Mexican Bush Sage within the District and Mr. Fadal responded that there was and explained the lifecycle and seasonal pruning of the plant. Mr. Fadal then reviewed the landscape maintenance report attached as **Exhibit "E"**. He noted that his crews had performed the standard maintenance tasks throughout the District and had additionally begun top-dressing and over-seeding the irrigated parks and soccer fields, as approved at the prior Board meeting, which they would finish the next week. He stated that his crews would be applying fire ant bait soon throughout the District.

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 reported that she had sent a letter to Ms. Pfeifer regarding her ban from the parks and that Ms. Pfeifer had responded and confirmed that she would attend the January 2020 Board meeting to request removal of the ban. Ms. Oliver stated that she had coordinated with the webmaster to post photographs from the National Night Out event on the District website. She next stated that she had contacted Andrew York of A&B to handle the issue at 100 Friendship Quilt Lane. Ms. Oliver then presented the purchase request for ten new meeting chairs, noting that the ones currently in use were old and torn. Director Hill asked that Ms. Oliver consider purchasing the chairs from National Business Furniture, since its furniture was known to be of good quality. Director Richter stated that primary consideration when purchasing the new chairs should be quality and durability and the Board agreed. Ms. Oliver agreed to consult Director Hill when purchasing the chairs. After discussion, upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to approve the purchase of new chairs for an amount not to exceed \$7,000. Ms. Oliver then reported that the transducers were not working on the uninterruptable power source project and requested the authority to request and approve a proposal for their repair. After discussion, upon motion by Director Capers and second by Director Hill, the Board voted 4-0 to authorize the Uninterruptable Power Source Subcommittee to approve a proposal for the repairs for a targeted amount of \$6,000, and not to exceed an amount of \$8,000. Ms. Oliver next reported that the stone skirt and doors were going to be installed on the well cistern project during the next week.

Ms. Oliver then presented the proposal from Central Texas Water Maintenance in the amount of \$15,948 for the uninterruptable power source project, attached as **Exhibit "F"**, noting that the items on the proposal were the items of moderate to low priority that were presented at the September Board meeting, but were postponed in favor of completing the higher priority items. After discussion, upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the proposal.

Ms. Oliver then presented the Water System Maintenance Agreement with Central Texas Water Maintenance, attached as **Exhibit "G"**, for maintenance of the District's water well irrigation supply system for the Stoney Creek Park and Wildflower Park, noting that the current agreement would expire soon. She recommended approval of the agreement. After discussion, upon motion by Director Capers and second by Director Hill, the Board voted 4-0 to approve the Agreement.

Ms. Oliver next stated that the New Facility Construction Subcommittee had conducted interviews of architects for the construction of the District office and park pavilions and a representative from the architecture firm selected was present. Director Hill introduced Mr. Evans to the Board. Director Hill stated that the Subcommittee had originally looked at 12 architecture firms, interviewed two, and selected Fatter & Evans. Mr. Foster stated that Fatter & Evans was the best fit for the District's needs and was a smaller firm very attentive to client needs. Director Richter stated that the District had a good history working with smaller firms, adding that Fatter & Evans also had experience working with the City of Austin (the "City"). Mr. Evans

expressed his gratitude to the Board and stated that he was working with Mr. Foster to define the scope of the proposed projects more narrowly in order to arrive at an estimate of the costs of the structures and of his firm's services. Mr. Foster requested that Mr. Dean find an appropriate form contract to use. Director Hill reminded the Board that it would not be able to use bond proceeds to fund the District office and park pavilions, but that issuing bonds to fund the upcoming sewer projects would allow other District revenue to be used for these projects. After discussion, upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to authorize the New Facility Construction Subcommittee to negotiate a contract and pricing for the architectural services of Fatter & Evans.

Director Richter then stated that the Board would discuss District parks and recreational facilities. Ms. Oliver reported that the Meadowpointe and Wildflower Park improvements were wrapping up and should be complete by the November Board meeting.

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 "H"**. He reported that he had been in contact with Travis County to request that it give the District notice of the application of petroleum emulsion to roads within the District going forward. He next stated that he expected the Village at Northtown Section 3 (John Henry Faulk Road) development to be finalized and ready for District acceptance by the end of November. Mr. Foster presented Pay Estimates No. 13 and 14 for the development in the amounts of \$41,697 and \$29,100.17, attached as **Exhibits "I"** and **"J"**, respectively, and recommended approval. He then stated that the Village at Northtown Multifamily (Edenbrook) development, which had been on hold since February 2018, was moving forward, noting that he had recently received plans from the developer. He reported that homes were beginning to be built in the Village at Northtown Multifamily (North Wells Branch) development. Director Hill asked Mr. Anderson if he would notify Texas Disposal Services when these homes were tapped. Mr. Anderson responded that Crossroads informed Texas Disposal Services of new service addresses on a weekly basis. Mr. Foster then stated that he had received minor comments from the City on the plans for the Dessau Road force main replacement contract, adding that he had addressed those comments and would submit revised plans to the City for review later in the week. He stated that Ms. Littlefield had met with the developer's attorney regarding the progress of the Village @ Northtown parkland dedication. He added that progress was being made on the parkland dedication, and that Lot 7, Block C was close to being ready for acceptance. Director Richter stated that the parkland dedication was taking too long to complete and that the Board expected substantially more progress on this item going forward. The Board agreed. After discussion, upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the Pay Estimates.

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 "K"** 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 \$180,000; a transfer from the JP Morgan Chase operating account to the ABC Bank manager account in the amount of \$51,400; JP Morgan Chase Bank operating account to the ABC Bank customer refund account in the amount of \$5,000; a transfer from the JP Morgan Chase Bank operating account to the TexPool Park account in the amount of \$39,874.98; a transfer from the TexPool general operating account to the ABC Bank operating account in the amount of \$350,000; a transfer from the District's Compass Bank lockbox account to the TexPool operating account in the amount of \$250,000; a transfer from the Logic tax account to the Logic general operating account in the amount of \$21,001.66; and a transfer from the Logic tax account to the Logic debt service account in the amount of \$5,000, 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, and called the Board's attention to the additional payments that had been added to the check register after the packet date, including the September solid waste fees and the water and wastewater purchases from the City. He then reviewed the activity in the manager's account for the prior month. He stated that City had sent a bill for water and wastewater purchases in the incorrect amount, but recommended that the District pay it, as he was sure that the City would make an adjustment to the bill the following month. Mr. Douthitt then reported that the bill from Travis County Water District No. 10 was for the District's share of legal fees incurred in connection with the pending rate case with the City. Director Amaro asked if the bill was higher because progress had been made on the case and Mr. Douthitt responded that it appeared so, based on the legal fee billing entries. After discussion, upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the transfers 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 "L"**, noting that all lab results had been satisfactory during the prior reporting period and the District had a reported water loss of 3.56%. He stated that he had six write-offs to present in accordance with the write-off list attached as **Exhibit "M"**, noting that the amount to be written-off was \$752.53 after deposits were applied. He stated that the District currently had 2,948 occupied single family connections and a total of 3,037 accounts. Upon motion by Director Capers and second by Director Amaro, the Board voted 4-0 to approve the write-offs.

There being no developers' and landowners' reports, Director Richter recognized Mr. Dean for the purpose of receiving the attorney's report. Mr. Dean stated that the attorney directives were all complete. He then discussed the status of the Village @ Northtown parkland dedication with the Board, reiterating that progress had been made, as reflected in the revised status table, but that he would use his best efforts to work with Mr. Foster and the developer to have the pending items completed. The Board asked Mr. Dean to ensure that the chart was color-coded going forward so that the Board could tell how the chart had changed from its prior iteration.

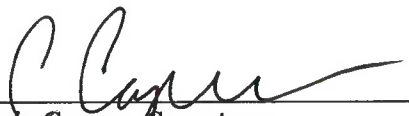
Director Richter stated that the Board would conduct consultant reviews and announced that the Board would convene in executive session as authorized by Section 551.074 of the Texas Government Code to discuss personnel matters. She announced that the time was 6:44 p.m. After the executive session for consultant review of Travis County Sheriff's Department officer, Deputy Gonzalez, the Board reconvened in open session at 6:52 p.m. and Director Richter announced that no action had been taken in executive session.

Director Richter then stated that the Board would discuss future agenda items and its Holiday meeting schedule. After discussion, the Board agreed that the November 26 meeting would be rescheduled for November 20 at 5:45 p.m. Mr. Fadal noted that he had a conflicting meeting and would possibly arrive late. The Board then agreed that the December 24 meeting would be rescheduled for December 10 at 5:45 p.m. Mr. Foster stated that he had a conflict and would not be able to make the meeting.

Director Hill stated that he would like compliance with America's Water Infrastructure Act of 2018 to be on the agenda for the November Board meeting. Mr. Dean agreed to add this to the agenda.



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


Chris Capers, Secretary
Board of Directors

Date: November 20, 2019

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 12:42
p.m. on Oct. 17, 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 17 day of October, 2019.

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

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 October 15th, 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 15th day of October, 2019.

Ernest Robles
Printed Name: Ernest Robles
Company: Northtown MUD

ORIGINAL
FILED FOR RECORD

NORTHTOWN MUNICIPAL UTILITY
DISTRICT

October 22, 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, October 22, 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 September 24, 2019 Board meeting;
3. 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;
 - (c) Renewal of contracts, including:
 - (i) Application for Secondary Employment of Law Enforcement;
 - (ii) Liability Agreement for Law Enforcement Related Secondary Employment;
 - (iii) Agreement with Regard to Use of Vehicle(s) in Connection with Off Duty Employment of County Peace Officer(s);
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;
 - (f) Purchase requests and/or proposals;
 - (g) Well cistern project, including pay estimates and/or change orders;
 - (h) Update regarding uninterruptable power source project and related action, including approving any related proposals;
 - (i) Renewal of Central Texas Water Maintenance contract;
 - (j) New Facility Construction Subcommittee report and related action, including:
 - (i) Directive;
 - (ii) Selection of architect for District office and park pavilions;

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) Meadowpointe and Wildflower Park improvements, including pay estimates, change orders, and project acceptance;

7. District engineer's report and related action items, including:
 - (a) Directive;
 - (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), including developer request for access through future parkland;
 - (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. District operations manager and utility operator's report and related action items, including:
 - (a) Utility operations and repairs;
 - (b) Billing report and write-offs;

10. Reports from developers' and landowners' representatives;

11. Attorney's report, including:
 - (a) Directives;
 - (b) Village at Northtown parkland dedication;

12. Consultant review, including Travis County Sheriff's Department officer;

13. Future agenda items Holiday meeting schedule.

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 Brown

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.

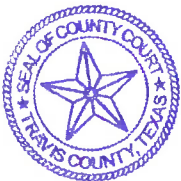
Came to hand and posted on a Bulletin Board in the Courthouse,
Austin, Travis County, Texas on this the 17th day of

October 2019

Dana DeBeauvoir
County Clerk, Travis County, Texas

By *D. Campos Jr.* Deputy

D. CAMPOS JR.



COPY
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir
Dana DeBeauvoir, County Clerk
Travis County, Texas