

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

November 27, 2018

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on November 27, 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
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; Robert Anderson of Crossroads Utility Services, LLC (“*Crossroads*”); Scott Foster of 360 Professional Services, Inc.; Richard Fadal of TexaScapes, Inc.; Allen Douthitt of Bott & Douthitt, PLLC; Deputy Oscar Gonzalez of the Travis County Sheriff’s Department; and Jenn Scholl of Armbrust & Brown, PLLC (“*A&B*”).

Director Richter called the meeting to order at 5:47 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 next consider approving the Sworn Statements and Oaths of Office for Directors Capers, Hill, and Richter. Directors Capers, Hill, and Richter then took their Oaths of Office and read and affirmed their Sworn Statements. Director Amaro moved to accept the Sworn Statements and Oaths of Office for Directors Capers, Hill, and Richter. Upon second by Director Capers, the motion was adopted by a vote of 4-0.

Director Richter stated that the Board would next consider the election of officers. Director Hill recommended that Director Richter be elected President, Director Campbell be elected Vice President, and the remaining slate of officers remain unchanged. After discussion, the Board decided to postpone the election of officers until the next Board meeting, so that the Board could receive input from Director Campbell before making a decision.

Director Richter stated that the Board would next consider approving the consent items on the Board’s meeting agenda: the minutes of the October 23, 2018 Board meeting and a Revised District Registration Form. Ms. Scholl stated that, because the Revised District Registration Form would need to be updated to reflect both the

Directors' terms of office and the officers of the Board, she recommended that the Board postpone taking action on the Revised District Registration Form until after the election of officers at the next Board meeting. Director Hill stated that the Revised District Registration Form indicated that each term of office began on the applicable election date and he recommended that the Board consider changing this to the date that the Directors actually qualified for office, noting that State law provided that the earliest date that the Directors could qualify for office was the third day after election day. The Board discussed the terms of office on the Revised District Registration. Upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the minutes.

Director Richter then stated that the Board would discuss District security. Deputy Gonzalez reported that the crime statistics had increased for October, with three vehicle burglaries, one residential burglary, one report of criminal mischief, and one report of graffiti. He stated that there was only one package theft in October, but noted that he expected this number to increase as the holiday season approached. He stated that he and his crews would focus on having more of a presence to deter crime during the holiday season. 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"**. 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. She recognized Mr. Fadal, who presented the plant of the month, Aloe Freckles, a member of the aloe vera family. Mr. Fadal then reviewed his report, attached as **Exhibit "E"**, with the Board. He reported that his crews had completed the standard maintenance tasks and the District's parks had been over-seeded, top-dressed, and fertilized, noting that the thinner areas would be spot treated. He then reported that the trees and irrigation improvements that were approved at the last Board meeting had been installed.

Director Richter stated that the Board would next receive the District manager's report and recognized Ms. Oliver. Ms. Oliver presented her monthly report, attached as **Exhibit "F"**, and reviewed it with the Board. Director Capers reported that Texas Disposal Systems ("*TDS*") was investigating why an entire block of pick-ups had been missed and stated that he would keep the Board updated on the issue. Ms. Oliver then presented the proposal from Travelers Indemnity Company for computer fraud coverage attached as **Exhibit "G"**, which she noted contained two options. Director Amaro stated that he and Director Campbell had reviewed the proposal and recommended that the District proceed with option #2. He stated that option #2 was only \$100 more than option #1 and would include coverage for Ms. Oliver, which was not included option #1. Director Capers noted that the District's address would need to be corrected in the proposal. After discussion, upon motion by Director Capers and second by Director Hill,

the Board voted 4-0 to approve option #2 in the proposal, subject to correction of the District's address.

Director Richter stated that the Board would next discuss park matters. Ms. Oliver called the Board's attention to the proposal from TCB Construction, Inc. in the amount of \$16,440 attached as **Exhibit "H"** for a sidewalk at the 50 Acre Park, which she noted was provided for in the master park plan. She stated that the original budget for the sidewalk was only \$10,000, but noted that the original budget was only an estimate and did not take into account inflation and increased costs over the years. She stated that the Park Committee had reviewed the issue and recommended proceeding with the proposal, rather than scaling back on the design of the sidewalk to meet the original \$10,000 budget. Director Richter asked if the District had sufficient funds budgeted to cover the additional cost. Mr. Douthitt confirmed that sufficient funds had been budgeted. Ms. Oliver then presented the proposal from TexaScapes, Inc. for a ponding water solution at the 50 Acre Park parking lot attached as **Exhibit "I"**. Mr. Fadal explained that the turf adjacent to the sidewalks had risen over time due to sediment and atmospheric dust accumulation and had formed a lip that prevented water from draining off the sidewalks. He stated that the proposal was to cut down the turf, re-seed the area, and install a French drain. Director Capers asked if the proposal included maintenance costs. Mr. Fadal stated that he did not think that there would be any maintenance items after the work was completed, but his crews would monitor the area and report any issues to the Board. Ms. Oliver then presented the proposal from TexaScapes, Inc. for tree plantings at the 50 Acre Park attached as **Exhibit "J"**, noting that these tree plantings were also provided for in the master park plan. Director Hill asked where the trees would be planted. Mr. Fadal indicated that the trees would be planted between the trail below the dog park and the creek near the adjacent street. He pointed out that the proposal was for fewer trees of a larger size than the last proposal for tree plantings. After discussion, upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the proposals, as presented. Ms. Oliver then stated that the Park Subcommittee recommended that she, in conjunction with the Park Subcommittee, be authorized to negotiate and execute an agreement with Central Texas Well Maintenance for well maintenance from December 1, 2018 through November 30, 2019. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 4-0 to authorize Ms. Oliver, in conjunction with the Park Subcommittee, to negotiate and execute a contract for well maintenance services, as requested.

Director Richter then stated that the Board would receive the engineer's report and recognized Mr. Foster. Mr. Foster presented his report, attached as **Exhibit "K"**, and reviewed it with the Board. He presented Pay Estimate No. 1 in the amount of \$57,904.20, attached as **Exhibit "L"**, for Village at Northtown Section 3 and recommended approval. Mr. Foster reported that the Pflugerville ISD Tract was substantially complete and pending final acceptance, review of the updated plans for the Village at Northtown Section 2 was pending, construction of the Heatherwilde Retail Center was scheduled to be completed before the end of the year, the pond for the Harris Ridge Extension Project was scheduled to be completed in January of 2019, and the road was scheduled to be completed in May of 2019. He then advised the Board

that KB Homes had closed on the property in the Village at Northtown Section 3. He stated that he was still working to obtain input from the Texas Commission on Environmental Quality (“TCEQ”) on the MS4 permit, noting that the TCEQ was still reviewing reports from 2016 and had not yet accepted the reports from 2017. He advised the Board that he had contacted the City of Austin regarding a follow-up meeting on the Dessau Road force main replacement project and stated that the meeting was scheduled to occur sometime in December. Director Hill then requested that the Board have more detailed discussions about what funds would be used to finance this project as well as other future District projects and requested that the Board provide notice of District projects to residents on the District’s website or otherwise. The Board generally agreed. Mr. Foster stated that he would keep this in mind for District projects and coordinate as necessary. After discussion, upon motion by Director Capers and second by Director Amaro, the Board voted 4-0 to approve the Pay Estimate, as presented.

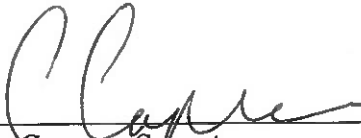
Director Richter then recognized Mr. Douthitt for purposes of receiving the bookkeeper’s report. Mr. Douthitt presented the updated cash activity report attached as **Exhibit “M”**. He recommended approval of a transfer by check from the District’s JPMorgan Chase Bank operating account to the JP Morgan Chase Bank manager’s account in the amount of \$36,800; a transfer from the District’s Compass Bank lockbox account to the JP Morgan Chase Bank operating account in the amount of \$90,000; and a transfer from the Logic general operating account to the JPMorgan Chase Bank operating account in the amount of \$200,000, as noted on page one of his report. Mr. Douthitt then reviewed the payments that had been made out of the bookkeeper’s account during the prior month, noting that these had primarily been utility payments, deposit refunds, and other time-sensitive payments. Mr. Douthitt pointed out that the per diem to Director Campbell would be voided due to his absence from the meeting. Upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the transfers and the payment of the bills and invoices, as presented, with the void noted.

Director Richter then recognized Mr. Anderson for purposes of receiving the operations manager’s report. Mr. Anderson reviewed Crossroads’ report, attached as **Exhibit “N”**, noting that the District had 2,957 occupied single-family connections and a total of 3,017 accounts as of the end of October. He reported that all lab results had been satisfactory. He noted that the District’s water loss had decreased slightly to 6.77%. Mr. Anderson then presented the eight write-offs listed on **Exhibit “O”**, totaling \$1,519.24, and requested approval, subject to his confirmation that none of the accounts had been paid. After discussion, upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the write-offs, as requested. Mr. Anderson concluded his report by stating that the TCEQ, pursuant to a mandate adopted by the United States Environmental Protection Agency, had required the City of Austin and all wholesale providers that obtained their water supply from the City of Austin to provide an additional letter to their customers that summarized the events of the recent boil water notice that had been issued by the City. He stated that he would coordinate preparation of the required letter, noting that it would be sent to customers in their monthly bills.

There being no developers' or landowners' representatives present wishing to address the Board and no attorney's report, Director Richter stated that the Board would conduct consultant reviews. Director Richter then noted that the Board would convene in executive session as authorized by Sections 551.074 of the Texas Government Code. She announced that the time was 6:36 p.m. After the executive session for a consultant review of Deputy Gonzales of the Travis County Sheriff's Department, the Board reconvened in open session at 6:47 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, upon a motion by Director Amaro and second by Director Hill, the Board voted 4-0 to adjourn.

(SEAL)



Chris Capers, Secretary
Board of Directors

Date: 12/18/18

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 10:46
a.m. on Nov. 21, 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 21 day of November, 2018.

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

NORTHTOWN MUNICIPAL UTILITY DISTRICT

November 27, 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, November 27, 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;

DIRECTOR ITEMS

2. Sworn statements and oaths of office for Directors Capers, Hill and Richter;
3. Election of Officers;

CONSENT ITEMS

(These items may be considered and acted upon collectively. Any of these items may be pulled for discussion upon the request of any member of the Board.)

4. Minutes of October 23, 2018 Board meeting;
5. Revised District Registration Form;

DISCUSSION/ACTION ITEMS

6. District security, including:
 - (a) Report from Travis County Sheriff's Department;
 - (b) Subcommittee report, including purchase requests;
 - (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);
7. Landscape maintenance, including; report from landscape maintenance contractor;
8. District manager's report, including:
 - (a) Monthly report;
 - (b) Restrictive Covenant Subcommittee 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) Purchase requests and/or proposals;
 - (h) Computer fraud insurance;

9. Park matters, including:
 - (a) Subcommittee report:
 - (i) Purchase requests;
 - (ii) Proposals, including:
 - (A) TCB Construction, Inc. for sidewalk at 50 acre park
 - (B) TexaScapes, Inc.'s Proposal No. 9424 for ponding water solutions at 50 acre park parking lot;
 - (C) TexaScapes, Inc.'s Proposal No. 9418 for tree plantings at 50 acre park;
 - (iii) Well maintenance agreement;
 - (b) Monthly expenditure report;
10. Report from District's engineer, including:
 - (a) Development update, including:
 - (i) Pflugerville ISD tract;
 - (ii) Village at Northtown, Section 2;
 - (iii) Heatherwilde Retail Center;
 - (iv) Harris Ridge Extension Project;
 - (v) Village at Northtown Section 3, Lot 5, Block C;
 - (vi) Village at Northtown Section 3 (John Henry Faulk Road), including change orders and pay estimates;
 - (vii) Village at Northtown Multifamily (Yintai)
 - (b) MS4 Permitting and 2018 Pond Inspections update;
 - (c) Dessau Road Force Main Replacement, including Infrastructure Subcommittee directive;
11. Report from District's bookkeeper, including:
 - (a) Payment of bills and invoices;
 - (b) Fund transfers;
 - (c) Investments;
 - (d) Developer escrow report and reconciliation;
12. Report from District's operations manager and utility operator, including:
 - (a) Directive;
 - (b) Utility operations and repairs;
 - (c) Billing report and write-offs;
13. Reports from developers' and landowners' representatives;
14. Attorney's report;
15. Consultant review, including Travis County Sheriff's Department officer;
16. 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 and Dangerous

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 21st day of
November 20 18.

Dana DeBeauvoir
County Clerk, Travis County, Texas

By *[Signature]* Deputy

RICK TOMS



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Nov 21, 2018 10:46 AM

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TOMSR: \$3.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS