

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

April 23, 2019

THE STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS           §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on April 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 Mona Oliver, the District manager; Scott Foster of 360 Professional Services, Inc.; 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; 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 26, 2019 Board meeting. After discussion, 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 there had been a couple of auto thefts in March, noting that both of the vehicles had been recovered. He stated that there had also been one burglary off of Lampting where the front door had been kicked in during the middle of the day while the resident was gone. He stated that there had been another reported burglary, but that there had been no forced entry, and one package stolen off of a porch. Ms. Oliver reported that Deputy Gonzales’ canine had been measured for his vest. She also reported that the National Night Out was scheduled for September 14<sup>th</sup> and that she had been in contact with Sheriff’s Department to coordinate its participation. Ms. Oliver added that she had posted the photos from the 2018 National Night Out. She then requested that the Board approve a budget of \$3,000 for the 2019 National Night Out, which was the same as in 2018. After discussion, upon motion by Director Amaro and

second by Director Capers, the Board voted 4-0 to approve the proposed budget for the National Night Out.

Director Richter then stated that the Board would consider landscape maintenance matters and recognized Mr. Fadal, who presented the plant of the month, *Savlia Gregii* "Mirage". Mr. Fadal then reported that his crews had applied fire ant bait and spot-treated the mounds, noting that the ants were generally dying off, except for the new mounds created when new queens flew in. He stated that his crews had released about 30,000 ladybugs. Mr. Fadal stated that the pond work was almost complete and that perennials had been planted in the dog park. Mr. Fadal then presented Proposal No. 9476 for the annual park sport fields repair and topdressing attached as **Exhibit "B"**, noting that he anticipated doing this work in June, once the rye grass started slowing down. He then presented Proposal No. 9479 for the 2019 poison ivy treatment attached as **Exhibit "C"** and requested approval, noting that this would allow up to four different treatments. After discussion, upon motion by Director Capers and second by Director Amaro, the Board voted 4-0 to approve the proposals.

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, including the monthly expenditure report and the reservation ledger. She stated that she had received two bids for the irrigation cistern replacement project and that the low bidder had been Forsythe Brothers Infrastructure, Inc. ("*Forsythe*") for a bid amount of \$142,500. She recommended award of the contract to Forsythe. Upon motion by Director Capers and second by Director Amaro, the Board voted 4-0 to approve the award of the contract to Forsythe, as recommended.

Ms. Oliver then reviewed the Rerate Notice and Benefit Verification Form from Texas Municipal League Intergovernmental Risk Pool attached as **Exhibit "D"**. She pointed out that there had not been any premium increase. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to authorize Ms. Oliver to execute and approve the forms. Ms. Oliver stated that she had not yet received the COBRA Continuation Coverage of Administrative Agreement, but requested authorization to approve it once it was received. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to authorize Ms. Oliver to execute the Agreement contingent upon Ms. Littlefield's review and approval.

Director Richter then stated that the Board would discuss District parks and recreational facilities. Ms. Oliver stated that the MeadowPointe and Wildflower improvement projects were underway, noting that she had checked the staking and made a few minor adjustments.

Director Richter stated that the Board would next receive the engineer's report and recognized Mr. Foster. Mr. Foster presented his report, attached as **Exhibit "E"**, and reviewed it with the Board. He stated that the gas station at Heatherwilde should be open for business by the next Board meeting. He then presented Pay Estimates No. 1 and 2 from DNT Construction in the amounts of \$513,872.55 and \$670,275.90, attached as **Exhibits "F"** and **"G"**, for Village at Northtown Section 3 – Lot 5, Block C (KB

Homes) and recommended approval. Upon motion by Director Hill and second by Director Amaro, the Board voted 4-0 to approve the Pay Estimates. The Board asked Mr. Foster to ask for an update on the detention pond project and he agreed to obtain one from Village@Northtown.

Mr. Foster advised the Board that the District's Year 5 report relating to the MS4 permit would be submitted by the end of June.

Mr. Foster stated that he had received the survey work related to the Dessau Road Force Main Replacement project and proposed a worksession be scheduled for Tuesday, May 21<sup>st</sup>. The Board concurred and Ms. Littlefield agreed to coordinate the scheduling of this special meeting.

Director Richter then recognized Mr. Douthitt for purposes of receiving the bookkeeper's report. He presented the updated cash activity report attached as **Exhibit "H"** 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 operating account in the amount of \$200,000; a transfer by check from the JP Morgan Chase Bank operating account to the ABC Bank manager's account in the amount of \$9,700; a transfer from the District's Compass Bank lockbox account to the TexPool operating account in the amount of \$80,000; a transfer from the Logic tax account to the Logic general operating account in the amount of \$9,431.18; a transfer from the District's Logic tax account to the Logic debt service account in the amount of \$10,000; and a transfer from TexPool operating account to the ABC Bank operating account in the amount of \$250,000, as listed on page one of his report. Mr. Douthitt reported that the District was ahead of budget for the month. He 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 and noted that the per diem to Director Campbell would need to be voided due to his absence. He stated that the District was running well ahead of plan. After discussion, upon motion by Director Capers 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.

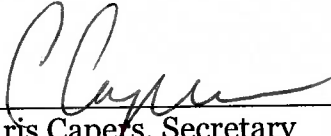
Director Richter then recognized Mr. Anderson for purpose of receiving the operations manager's report. Mr. Anderson reviewed Crossroads' report, attached as **Exhibit "I"**, noting that all lab results had been satisfactory during the prior reporting period. He stated that there had been another significant water gain of 74.29% reported the preceding month. He stated that he had met with the City and that they were still working on the problem. Mr. Anderson then called the Board's attention to the write-offs listed on **Exhibit "J"**, totaling \$1,233.07. He stated that one of these was attributable to a customer who had paid by credit card, then disputed the charge after her deposit refund check was issued, but fortunately Ms. Melton was able to stop payment on the deposit refund check. Upon motion by Director Amaro and second by Director Capers, the Board voted 4-0 to approve the write-offs.

There being no developers' or landowners' representatives present to address the Board, Director Richter stated that the Board would next receive the attorney's report. Ms. Littlefield noted that an item relating to homestead exemptions appeared under her report. Director Hill then discussed the residence homestead exemptions in the District and distributed the information attached as **Exhibit "K"**. He stated that at 3% or 4% was not moving the needle, just moving the chairs. He stated that if no one else proposed to increase the exemption amount, he would move for a 4% exemption at the next Board meeting and asked that this be included on the next meeting agenda. Ms. Littlefield agreed to do so. Director Amaro stated that he and Director Campbell were working on scheduling a meeting with Ms. Allen. Ms. Littlefield then presented the Texas Municipal League Summary of Claim Experience Report and reviewed it with the Board.

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

(SEAL)



  
Chris Capers, Secretary  
Board of Directors

Date: May 28, 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, NEIL C MAGGUSKY, hereby certify that at 12:18  
P.m. on APRIL 18, 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 18 day of APRIL, 2019.

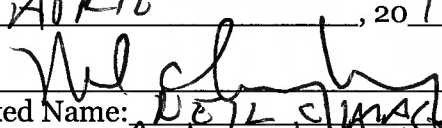
  
Printed Name: NEIL C MAGGUSKY  
Company: Diligent Delivery

EXHIBIT A

NORTHTOWN MUNICIPAL UTILITY DISTRICT

April 23, 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, April 23, 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 March 26, 2019 Board meeting;
3. District security, including:
  - (a) Report from Travis County Sheriff's Department, including related action items;
  - (b) Subcommittee report, including related purchase requests and action items;
  - (c) National Night Out, including budget request;
4. Landscape maintenance report and related action items, including:
  - (a) Proposal 9476 for park sport fields annual repair and topdressing;
  - (b) Proposal 9479 for 2019 poison ivy treatment;
5. District manager's report and related action items, including:
  - (a) Restrictive Covenant Subcommittee report, covenant violations and enforcement actions;
  - (b) Monthly expenditure report;
  - (c) Reservation ledger;
  - (d) Solid waste services, including monthly report from Texas Disposal Services;
  - (e) Purchase requests and/or proposals;
  - (f) Well cistern project, including review of bids and award of contract;
  - (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. District parks and recreational facilities and related action items, including:
  - (a) Subcommittee report;
  - (b) Purchase requests and proposals;
  - (c) Monthly expenditure report;
  - (d) Meadowpointe and Wildflower Park improvements;
7. District engineer's report and related action, 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, including approving any pay estimates and/or change orders;
  - (vi) Village at Northtown Section 3 (John Henry Faulk Road), including approving any pay estimates and/or change orders;
  - (vii) Village at Northtown Multifamily (Yintai);
  - (viii) Edenbrook Multifamily;
  - (ix) Village at Northtown Multifamily (North Wells Branch);
  - (x) Dessau Retail Center;
  - (b) MS4 Permitting and 2018 Pond Inspections update;
  - (c) Dessau Road force main replacement project, including scheduling work session;
8. District bookkeeper's report and related action, 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, including:
- (a) Utility operations and repairs, including Dessau Road force main repair;
  - (b) Billing report and write-offs;
10. Reports from developers' and landowners' representatives;
11. Attorney's report and related action, including:
- (a) Residence homestead exemption, including reports from Budget/Finance/Investments Subcommittee and Public Finance Group LLC and respective directives;
  - (b) TML Summary of Claim Experience Report;
12. 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)



*[Handwritten Signature]*  
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 Attorney for the District

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 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 18<sup>th</sup> day of  
April 2019.  
 Dana DeBeauvoir  
 County Clerk, Travis County, Texas  
 By [Handwritten Signature] Deputy  
**D. CAMPOS JR.**



**COPY**  
 OFFICIAL PUBLIC RECORDS  
*[Handwritten Signature]*  
 Dana DeBeauvoir, County Clerk  
 Travis County, Texas



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  
8:30 A.m. on April 17<sup>th</sup>, 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 19<sup>th</sup> day of April, 2019.

Ernest Robles  
Printed Name: Ernest Robles  
Company: Northtown MUD