

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

November 20, 2019

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

A meeting of the Board of Directors of Northtown Municipal Utility District was held on November 20, 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

Directors Robin Campbell and Felix T. Amaro, Jr were absent. Also present at the meeting were Mona Oliver, the District manager; 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. (“*360 PSP*”); Barnaby Evans of Fatter & Evans Architects, Inc. (“*Fatter & Evans*”); James Kanirie, a resident of the District; and Carter Dean 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. Mr. Kanirie addressed the Board, stating that he had completed the fence on his property in compliance with the District’s deed restrictions. The Directors thanked him and Mr. Kanirie departed from the meeting. Director Richter then stated that the Board would consider approving the minutes of the October 22, 2019 Board meeting. Upon motion by Director Capers and second by Director Hill, the Board voted 3-0 to approve the minutes.

Director Richter stated that the Board would next discuss District security and recognized Deputy Gonzalez. Deputy Gonzalez presented the October security report and crime statistics. He reported that there were two vehicles burglaries, one home burglary, and one burglary of a realtor’s lockbox in October. Director Richter directed Mr. Dean to move the security report from its current position on the agenda to the position directly following the developers’ and landowners’ report on all future agendas.

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 2.06%. He stated that he had two write-offs to present in accordance with the write-off list attached as **Exhibit “C”**, noting that the amount to be written-off was \$276.53 after deposits were applied. He stated that the District currently had 3,030 occupied single family connections and a total of 3,049 accounts. Upon motion by Director Capers and second by Director Hill, the Board voted 3-0 to approve the write-offs. Director Richter directed Mr. Dean

to move the operations manager's report from its current position on the agenda to the position directly following the minutes on all future agendas.

Director Richter next stated that, since Mr. Fadal was absent from the meeting, and the landscape maintenance report attached as **Exhibit "D"** was typical, the Board would not consider the report.

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. Mr. Oliver reported that the Solid Waste Subcommittee had recently met with a representative of Texas Disposal Services ("**TDS**"). Director Hill stated that the Subcommittee had asked TDS to make a few changes to its report going forward, one of which was to include the reason for each missed solid waste pickup. Director Hill explained that including this would clarify whether misses were attributable to TDS or residents. Ms. Oliver next stated that the variable frequency drive ("**VFD**") in the electrical room had broken and would need to be replaced. She requested authorization to have the VFD replaced for an amount not to exceed \$3,500. Upon motion by Director Capers and second by Director Hill, the Board voted 3-0 to approve the purchase request. Ms. Oliver next stated that the well cistern had been overflowing and requested authorization to have Central Texas Water Maintenance ("**CTWM**") troubleshoot and resolve the issue. She stated that this was projected to cost \$1,420, if the cause of the issue was that CTWM suspected, but could cost more if the troubleshooting revealed that something else was causing the issue. Director Hill proposed that the Board authorize Ms. Oliver to have CTWM troubleshoot and perform the necessary repairs for an amount not to exceed \$2,000. Upon motion by Director Capers and second by Director Hill, the Board voted 3-0 to grant Ms. Oliver such authority. Ms. Oliver then reported that Mr. Dean was working with Mr. Evans on a contract with Fatter & Evans for architectural services for the proposed office building and pavilions. Mr. Foster added that the Board should expect an additional contract from a separate vendor at a subsequent Board meeting for data and security for the proposed office building. Director Hill proposed that the New Facility Construction Subcommittee be authorized to approve and execute the Fatter & Evans contract when it was completed. Upon motion by Director Hill and second by Director Capers, the Board voted 3-0 to grant such authority to the Subcommittee. Ms. Oliver then stated that she had received the proposal from 360 Professional Services, Inc. for engineering services relating to the Wildflower Park Pavilion and Park Improvements attached as **Exhibit "E"**, as well as the proposal related to the Settlers Meadow Administrative Office Building and Park Improvements attached as **Exhibit "F"**. Upon motion by Director Hill and second by Director Capers, the Board voted 3-0 to approve the proposals from 360 Professional Services, Inc. Ms. Oliver next requested authorization to hire one additional full-time employee. Director Hill asked Mr. Douthitt if paying an additional employee's salary was in the budget. Ms. Douthitt responded that it was. After discussion, upon motion by Director Capers and second by Director Hill, the Board voted 3-0 to grant Ms. Oliver such authority.

Director Richter then stated that the Board would discuss District parks and recreational facilities. Ms. Oliver presented the final pay application from G. Creek for the Wildflower Park improvements attached as **Exhibit "G"**. Director Hill stated that the safety stickers on some of the playground equipment were incorrect and needed to be replaced. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 3-0 to approve the pay application, contingent upon G. Creek replacing the incorrect safety stickers with correct ones. Ms. Oliver then stated that she had received the proposal from Hitchcock Design Group ("**Hitchcock**") for the design of various items for Settlers Meadow Park attached as **Exhibit "H"** and the proposal from Hitchcock for the design of various items for Wildflower Park attached as **Exhibit "I"**. Upon motion by Director Hill and second by Director Capers, the Board voted 3-0

to approve the proposals from Hitchcock. Ms. Oliver next requested an increase in the monthly spending authorization of the Park Subcommittee from \$1,000 to \$4,500, noting that there was very little that could be accomplished for under \$1,000. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 3-0 to approve the increased spending authorization.

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 "J"**. He reported that the developer for Village at Northtown Edenbrook multifamily development had recently responded to 360 PSI's February 2019 comments on the developer's plans. Mr. Foster next stated that the Village at Northtown Multi-family Project Access Subcommittee had negotiated an emergency access agreement with the developer in exchange for certain deed restrictions. He stated that the related documents were ready for the Subcommittee and the District's attorney to review. Mr. Foster then presented the proposal from 360 PSI to prepare an annual report to the Texas Commission on Environmental Quality ("TCEQ") attached as **Exhibit "K"**, noting that the report was due March 2020 in compliance with the District's MS4 Permit. Mr. Foster then stated that he would have an update for the Board on the Dessau Road force main replacement project in January 2020. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 3-0 to approve 360 PSI's proposal.

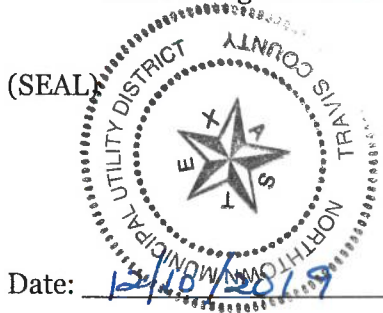
Director Richter then recognized Mr. Douthitt for purposes of receiving the bookkeeper's report. Mr. Douthitt presented the updated cash activity report attached as **Exhibit "L"** and reviewed it with the Board. He recommended approval of a transfer by check from the District's JP Morgan Chase operating account to the ABC Bank operating account in the amount of \$225,000; a transfer from the JP Morgan Chase operating account to the ABC Bank manager's account in the amount of \$44,500; JP Morgan Chase Bank operating account to the ABC Bank customer refund account in the amount of \$3,000; a transfer from the District's Compass Bank lockbox account to the TexPool operating account in the amount of \$225,000; and a transfer from the TexPool general operating account to ABC Bank operating account in the amount of \$250,000, as listed on page one of his report. Mr. Douthitt then reviewed the checks being presented for approval, noting that the per diems to Director Amaro and Director Campbell would be voided due to their absence. He reviewed the activity in the manager's account for the prior month. He reported that the amount paid to District's engineer was higher than usual since 360 PSI had paid the City of Austin out-of-pocket for a permit and the District was reimbursing 360 PSI for the cost. Mr. Douthitt then reported that he was making the year-end adjustments to the District's financial records before submitting them to the District's auditor. After discussion, upon motion by Director Hill and second by Director Capers, the Board voted 3-0 to approve the payment of bills and invoices as presented, with the voids noted.

There being no developers' or 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.

Director Richter then stated that the Board would consider the Village at Northtown parkland dedication, the related cash security agreements, cybersecurity training requirements, requirements for District officers and employees that create, receive, and maintain District records on private devices, and America's Water Infrastructure Act of 2018, 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 relating to these matters. She announced that the time was 6:21 p.m. After the executive session, the Board reconvened in open session at 6:51 p.m. and Director Richter announced that no action had been taken in executive session. Director Richter then directed Mr. Foster and Ms. Oliver to inspect the Village

at Northtown parkland lots before the end of the calendar year to determine whether they were ready for dedication to the District. She further directed Mr. Dean to include consideration of action on the cash security agreements on the January Board meeting agenda if Mr. Foster determined that the parkland was not ready for dedication.

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



  
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 8:42  
a.m. on November 14, 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 14 day of November, 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  
2:30 P.m. on November 13<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 13<sup>th</sup> day of November, 2019.

Ernest Robles  
Printed Name: Ernest Robles  
Company: Northtown MUD

NORTHTOWN MUNICIPAL UTILITY  
DISTRICT

November 20, 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 Wednesday, November 20, 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**

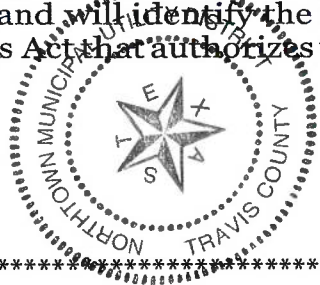
2. Minutes of October 22, 2019 Board meeting;
3. District security, including:
  - (a) Report from Travis County Sheriff's Department, including related action items;
  - (b) Security Subcommittee report, including purchase requests and related action items;
4. Landscape maintenance report and related action items, including proposals;
5. District manager's report and related action items, including:
  - (a) Restrictive Covenant Subcommittee report, including 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 pay estimates and/or change orders;
  - (g) New Facility Construction Subcommittee report and related action, including:
    - (i) Fatter & Evans Architects, Inc. proposal relating to new office building and Wildflower Park;
    - (ii) 360 Professional Services, Inc. proposal relating to Wildflower Park Pavilion and Park Improvements; and
    - (iii) 360 Professional Services, Inc. proposal relating to Settlers Meadow Administrative Office Building and Park Improvements;
  - (h) Personnel matters, including request for authorization to hire additional maintenance staff member;
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;
  - (f) Request to increase Park Subcommittee monthly spending authorization;
7. District engineer's report and related action items, including:
    - (a) 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;
    - (b) MS4 Permitting update, including proposals;
    - (c) 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. Financial Advisor's report, including:
    - (a) Status of refunding; and
    - (b) Recommendation regarding proposed 2020 bond issuance and related action;
  12. Attorney's report, including:
    - (a) Directives;
    - (b) Status of Village at Northtown, including
      - (i) parkland improvements and dedication;
      - (ii) Cash Security Agreements related to Park Improvements (Storm Sewer Pipe and Parking Lot and Trails) and related action;
    - (c) Cybersecurity training requirement;
    - (d) Requirements for District officers and employees that create, receive, and maintain District records on private devices;
    - (e) America's Water Infrastructure Act of 2018;
  13. 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)



*Eric Brown Littlefield*

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.

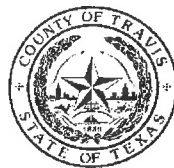
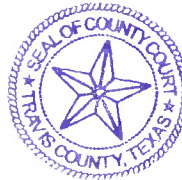
Came to hand and posted on a Bulletin Board in the Courthouse,  
Austin, Travis County, Texas on this the 14<sup>th</sup> day of

November 20 19

Dana DeBeauvoir  
County Clerk, Travis County, Texas

By *[Signature]* Deputy

**RICK TOMS**



**COPY**  
OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

201981625

Nov 14, 2019 08:42 AM

Fee: \$3.00 TOMSR