

## **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**

Minutes of Meeting of Board of Directors

January 16, 2020

The Board of Directors (“Board”) of Northwest Harris County Municipal Utility District No. 5 (“District”) met at 14701 Spring Cypress Road, Cypress, Harris County, Texas, on January 16, 2020, in accordance with the duly posted notice of the meeting, with a quorum of directors present as follows:

Jeff P. Collins, President  
Larry L. Milberger, Vice President  
James Adams, Secretary  
Charles Fischer, Treasurer  
Bruce Gallun, Director

and the following absent:

None.

Also present were Ms. Keli Schroeder and Mr. Nelson Gaez of Brown & Gay Engineers, Ms. Kayla Crigger of Municipal Accounts & Consulting, Mr. Dane Plumbley of Lennar Homes, Ms. Katie Golzarri and Mr. Jason Buckley of Clark Condon, Mr. Austin Muse of Municipal District Services, LLC, Mr. Todd Johnson and Mr. Trey Villagran of Caldwell Companies, Mr. Louis Brown of Costello, Inc., Mr. Michael Brown of KB Home, Mr. Donald Thompson, a resident of Village Creek subdivision, officers from the Harris County Constable’s Office, and Mr. James D. Bonham, attorney for the District.

The President called the meeting to order and declared it open for such business as might properly come before it.

1. The Board considered the minutes of the meeting of December 19, 2019, and upon motion duly made, seconded and unanimously carried, the Board approved the minutes as presented.

2. The Board then recognized Mr. Donald Thompson, a resident of Village Creek, who thanked the Board for removing a dead pine tree from the detention pond in the area and requested the Board treat the other pine trees with a pesticide. The Board discussed the matter and agreed that pursuant to the detention pond maintenance agreement, the responsibility for pesticide treatment would fall on the homeowners association.

3. The Board recognized officers from the Harris County Constable’s Office who presented the law enforcement report for the previous month.

4. The Board reviewed the attached bookkeeper’s report, including the invoices reflected thereon and a schedule of District investments. The Board also reviewed a schedule of deposit refunds paid by check executed by the bookkeeper pursuant to the Board’s authorization. The Board also reviewed the general fund comparison of actual versus budgeted

revenues and expenditure for the fiscal year ending July 31, 2020. After review and discussion, upon unanimous vote, the Board approved the bookkeeper's report and the checks listed thereon.

5. The Board then reviewed the operator's report reflecting 19 taps during the previous month bringing the total connections in the District to 7,428. The Board reviewed the billing and collections summary and the operation of the water plants and the sewer treatment plants. It appeared that 105.2% of the water pumped during the previous month had been accounted for, and the report reflected no waste discharge permit violations during the reporting period. The Board discussed repairs and maintenance to the District's facilities since the last Board meeting. The operator presented two proposals from NTS for replacing pumps at Wastewater Treatment Plant No. 1 and Wastewater Treatment Plant No. 2. After discussion, upon unanimous vote, the Board approved both proposals. After discussion by the Board, upon unanimous vote, the Board approved the operator's report and authorized termination of service to all customers appearing on the delinquent list in accordance with the District's Rate Order.

6. The attorney for the District then advised that based on information provided by the Harris County Tax Assessor's Office, the District's 2019 taxes are 69.41% collected.

7. The Board then considered the attached Order adopting an over 65 or disabled tax exemption for the 2020 tax year, and upon unanimous vote, the Order was approved by the Board.

8. The Board then recognized Ms. Keli Schroeder who presented the engineer's report. Ms. Schroeder reported on the status of the capital improvements plan, the lift station and force main manhole inspection, and the GIS system conversion, and presented a proposal on each. The engineer also presented a proposal for improvement of the SCADA system and discussed with the Board the status of the Water Plant No. 5 design. Ms. Schroeder provided comments on the proposed water conservation initiative and reported to the Board on the review for plans for several commercial projects in the District. After discussion, the Board accepted each proposal presented by the engineer with the understanding that the SCADA system upgrade would be done on a time and materials basis. The Board reviewed bid tabulations for construction of the Willow Wood lift station and detention, and upon unanimous vote, the Board authorized award of the bids to the low bidder as recommended by the engineer. The engineer also reported to the Board that Storm Water Solutions had completed the repairs to the Rock Creek detention facility. After further discussion, upon unanimous vote, the engineer's report was approved by the Board.

9. The Board then considered the attached Order for Election of Directors to be held May 2, 2020, and discussed directors qualifications, election officials, and the notices required by law. After discussion, upon unanimous vote, the Board adopted the attached Order.

10. The attorney for the District then discussed with the Board recent legislation (Senate Bill 2/Tax Code Section 26.18) which requires a report be prepared and filed with the Texas Comptroller's Office and be posted on a website accessible to the public. The attorney presented the report for the Board's review and the Board discussed options for posting

to a website. After discussion, upon unanimous vote, the Board agreed that the report should be posted to the website created by the District's attorney.

11. The Board then discussed the District's Emergency Preparedness Plan and agreed to request the District's engineer to update the plan.

12. The Board then recognized Ms. Katie Golzarri who reported on the status of acquisition of easements for the Phase 1 trail project and advised that the project would be bid on January 24, 2020. The Board reviewed correspondence from the Rock Creek homeowners association requesting that the trail be rerouted so that it does not enter the Rock Creek subdivision. The Board discussed the matter and agreed to bid the project as is and consider a change order to remove the Rock Creek portion at a future date. Ms. Golzarri also reported on the status of the Phase 2 trail design.

13. The Board then recognized Mr. Todd Johnson who advised that Caldwell Companies intends to acquire a 12-acre site for an active adult development. The Board discussed the matter and indicated its willingness to provide service if the engineer's review determines that service is feasible.

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

  
Secretary