

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

Minutes of Meeting of Board of Directors

December 17, 2020

The Board of Directors (“Board”) of Northwest Harris County Municipal Utility District No. 5 (“District”) met via teleconference on December 17, 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. Julie Peak of Masterson Advisors, Ms. Keli Schroeder and Mr. Nelson Gaez of Brown & Gay Engineers, Ms. Kayla Crigger of Municipal Accounts & Consulting, Ms. Katie Golzarri of Clark Condon, Mr. Austin Muse of Municipal District Services, LLC, 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 November 19, 2020, and upon motion duly made, seconded and unanimously carried, the Board approved the minutes as presented.

2. The Board recognized Ms. Katie Golzarri who reported on the status of acquisition of easements for the trail project and the bridge installation. The Board approved Change Order No. 3 and Pay Application No. 6 on the Phase 1 Trails and Ms. Golzarri reported on the status of plans for the Phase 2 Trails as well as the Master Park Plan. After discussion, upon unanimous vote, the Board approved the landscape architect’s report.

3. 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, 2021. After review and discussion, upon unanimous vote, the Board approved the bookkeeper’s report and the checks listed thereon.

4. The Board acknowledged publication of Notice of Sale of the District’s \$8,845,000 Series 2021 Unlimited Tax Bonds. The Board recognized Ms. Julie Peak, the District’s financial advisor, who presented a tabulation of eight bids received for purchase of the Bonds and a recommendation for award of sale of the Bonds. It appeared that the low bidder

was SAMCO Capital Markets with Build America Mutual insurance and a net interest cost of 1.827886%. The Board considered the bids, and upon unanimous vote, the Board adopted the attached Order awarding sale of the Bonds to SAMCO Capital Markets.

5. The Board then considered a Bond Order including form of Bond, Paying Agent/Registrar Agreement, Official Statement and various certificates and documents related to the issuance of the Bonds, approval by the Attorney General of the State of Texas, registration by the Comptroller of Public Accounts and delivery to the purchaser, and upon unanimous vote, all documents were approved by the Board. The Board further authorized the President, Vice President and Secretary, as well as the District consultants, to take such action as is necessary to cause the Bonds to be approved and delivered.

6. The Board then reviewed the operator's report reflecting 27 taps during the previous month bringing the total connections in the District to 7,609. The Board reviewed the billing and collections summary and the operation of the water plants and the sewer treatment plants. It appeared that 88.4% 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. 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 the first week in January 2021. The Board also approved all action items reflected in the operator's report.

7. Mr. Austin Muse then presented a proposed amended operator's fee schedule, and after discussion, upon unanimous vote, the fee schedule was approved by the Board.

8. The attorney for the District then advised that based on information provided by the Harris County Tax Assessor's Office, the District's 2020 taxes are 1.25% collected.

9. The Board then recognized Ms. Keli Schroeder who presented the engineer's report. The Board approved the pay applications and change orders in the report and Ms. Schroeder discussed the need to prepare a Risk and Resiliency Report. The Board then considered a settlement of the claim against Costello Engineering for additional work required for the extension of the pedestrian bridge located close to Spring Cypress, and upon unanimous vote, the Board agreed to accept payment of \$10,017.31 from Costello. The Board considered a Consent to Encroachment for a monument sign and agreed that the encroachment would be allowed if a Consent to Encroachment document is executed. After further discussion, upon unanimous vote, the engineer's report was approved by the Board.

10. The Board then considered the attached order annexing 34.5858 acres of land into the District, and upon unanimous vote, the order was approved by the Board.

11. The attorney for the District then discussed with the Board the requirement to file a report regarding the District's eminent domain authority with the State

Comptroller of Public Accounts, and upon unanimous vote, the report was approved by the Board and the attorney was authorized to file the report as required by law.

12. The Board then considered a law enforcement contract with Harris County to be effective March 1, 2021, and after discussion, upon unanimous vote, the agreement was approved and executed.

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


Secretary