

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

Minutes of Meeting of Board of Directors

March 18, 2021

The Board of Directors (“Board”) of Northwest Harris County Municipal Utility District No. 5 (“District”) met via teleconference on March 18, 2021, 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 Mr. Nelson Gaez of Brown & Gay Engineers, Ms. Kayla Crigger of Municipal Accounts & Consulting, Mr. Jason Buckley of Clark Condon, Mr. Ken Love and Mr. Austin Muse of Municipal District Services, LLC, Mr. Michael Kaska of KB Homes, Mr. Reagan Ruckert of IDS Engineering, Mr. David Kulkarni of Guefen Development Partners, Mr. Russell Thompson, 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 February 18, 2021, and upon motion duly made, seconded and unanimously carried, the Board approved the minutes as presented.

2. The Board recognized Mr. Jason Buckley who reported on the Phase 1 Trail project, including acquisition of easements, construction of bridges, trail nodes and mid-block crossings. Mr. Buckley advised that the architect is working with the engineer to develop a maintenance package. Mr. Buckley presented a proposal for an hourly contract for services not included in the current contract which was approved by the Board. The Board approved Change Order No. 4 and Pay Estimate No. 9 and Mr. Buckley reported on the status of plan approval for the trails Phase 2.

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. Ms. Crigger then presented a proposed amended bookkeeper's contract. After discussion, upon unanimous vote, the Board approved the amended contract.

5. The Board then reviewed the operator's report reflecting 12 taps during the previous month bringing the total connections in the District to 7,645. The Board reviewed the billing and collections summary and the operation of the water plants and the sewer treatment plants. It appeared that 88.0% 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 Board discussed the impact of the recent severe winter weather on the District's facilities and considered a request from the resident at 13511 Northsun Lane for the expense of repairing the resident's sanitary sewer line which had been infiltrated by tree roots. Mr. Muse reviewed the circumstances with the Board, and upon unanimous vote, the Board agreed that the repair is the resident's responsibility and therefore denied the request. The Board considered adoption of a procedure for considering requests for adjustment of water bills related to water loss in the recent storm and agreed to suspend water terminations on delinquent accounts and waive penalties and interest. The Board authorized the operator to adjust any water bill to the previous months consumption if the resident can demonstrate a loss related to the storm. After discussion by the Board, upon unanimous vote, the Board approved the operator's report.

6. 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 97.0% collected.

7. The Board then recognized Mr. Nelson Gaez who presented the engineer's report. The engineer reviewed with the Board the status of the SCADA system improvements, and upon unanimous vote, the Board accepted a proposal from VT SCADA for related services. Mr. Gaez reported on the status of the Water Plant No. 5 design and the Board approved the Pay Estimates reflected in the engineer's report. The Board reviewed a bid tabulation for Water Plant No. 4 improvements, and upon unanimous vote, authorized award of the contract to the low bidder as recommended by the engineer. The Board considered a proposal for surveying to establish the accuracy of the District's boundary map, and upon unanimous vote, the Board approved the proposal in an amount not to exceed \$10,000. The engineer reported on the status of several annexation requests including a request for annexation of a 12-acre tract to be acquired by Guefen Development. The Board discussed the matter and deferred consideration until further information regarding the project is provided. The Board considered a utility commitment request for a Clearwater Car Wash and agreed to issue the request provided certain easements are conveyed to the District and conditioned on review of the development plan. After further discussion, upon unanimous vote, the engineer's report was approved by the Board.

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


Secretary