

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

Minutes of Meeting of Board of Directors

May 20, 2021

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 May 20, 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 officers from Harris County Constable’s office, Mr. Jason Hajduk of IDS Engineering Group, 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. Ken Love and Mr. Austin Muse of Municipal District Services, LLC, Mr. Trey Villagran and Mr. Peter Barnhart of Caldwell Companies, Mr. Jennifer Lembcke of Valencia Pines Homeowners Association, Mr. Jonathan White of L Squared Engineering, Mr. Robbie Thompson of 4 Plex Investments, Mr. Blake Kridel of Storm Water Solutions, Mr. Noor Ali Sunesara, Mr. Sergio Chacon of Interfield Engineering, residents of Northpoint subdivision, 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 April 15, 2021 and May 10, 2021, and upon motion duly made, seconded and unanimously carried, the Board approved the minutes as presented.

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

3. The Board recognized Mr. Peter Barnhart of Caldwell Companies who requested the Board consider annexation of 28 acres on Shaw Road to be developed as a gated community with a mix of master meters and individual meters to residences intended for rental purposes. The Board discussed the matter and agreed to annex the property and consider reimbursement depending on the ultimate development plan.

4. The Board then recognized Mr. Jason Hajduk on behalf of Woodmere Development who reminded the Board of the discussion regarding annexation of property to

serve as an extension of Telge North subdivision and advised an additional tract has been acquired by Woodmere so that the total acreage is 44 acres. Mr. Hajduk advised that the project would include pumped detention and a potential rerating of the District's wastewater treatment plant. The Board agreed to annex the property and encouraged Mr. Hajduk to consider redesign of the detention facilities to avoid pump detention, if possible.

5. The Board then recognized representatives of 4 Plex Investments who requested the Board consider annexation and service to a 16-acre tract which would include 4-plexes and a master meter to the entire project with the density of approximately ten units per acre. The Board discussed the matter and agreed to consider annexation and service to the property provided the density is reduced to improve the quality of the subdivision.

6. The Board then recognized Mr. Sergio Chacon of Interfield representing the owners of a 4.62-acre tract north of the Grand Parkway. The Board acknowledged its previous agreement to annex and provide water service only to the tract. It appeared that the deposit to cover annexations costs had been paid to Costello and that Costello should be requested to return any unused deposit. The Board agreed to proceed with the annexation upon receipt by BGE of the necessary deposit to cover costs.

7. The Board then acknowledged its 2010 commitment to the Stockton Foundation to annex a 9-acre tract on the southeast corner of Telge Road and Boudreaux Road. The Board recognized that the commitment is subject to the landowner paying the cost of annexation and agreed to proceed in accordance with the commitment.

8. The Board recognized Ms. Katie Golzarri who reported on the status of development of the trail Phase 1 and plans for Phase 2. The Board approved Pay Application No. 11 on the Phase 1 construction. Ms. Golzarri also presented a bid tabulation reflecting bids from Storm Water Solutions and Champions Hydro-Lawn for maintenance of all detention facilities and the trail. The Board discussed the matter and agreed that Directors Collins and Milberger should meet with both contractors to get a better understanding of the details of the bids. The Board recognized residents of Northpoint subdivision who requested that a node along the trail in the area of one residence should be relocated. The Board was also requested to install bollards in various locations along the trail as well as guard rails or something comparable in certain areas and give the Northpoint HOA authority to construct a sidewalk on a District lift station site to avoid damage to Northpoint HOA's landscaping. The Board discussed each matter with the residents and the District's landscape architect and agreed to take such action on each matter as is recommended by the architect.

9. The Board reviewed the 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.

10. The Board then reviewed the operator's report reflecting 40 taps during the previous month bringing the total connections in the District to 7,706. The Board reviewed

the billing and collections summary and the operation of the water plants and the sewer treatment plants. It appeared that 93.2% 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. Mr. Muse reviewed with the Board the fire hydrant inspection report and presented an appeal from Mr. Bruce Litvin with respect to damage related to the recent severe winter weather following closure of the resident's account. The Board discussed the matter and agreed to deny the appeal. 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.

11. 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 98.75% collected.

12. The Board then recognized Ms. Keli Schroeder who presented the engineer's report. The Board considered a bid tabulation for the construction of Water Plant No. 5 and the engineer recommended award to W.W. Payton Corporation with a low bid \$8,609,000 and to approve a change order for selection of a different tank manufacturer which would increase the cost by \$195,000. The Board considered the matter and authorized award as recommended. Ms. Schroeder reviewed with the Board all items contained in the engineer's report and the Board approved all action items as reflected therein. After further discussion, upon unanimous vote, the engineer's report was approved by the Board.

13. The Board then recognized Mr. Charles Fischer who presented his resignation from the Board. The Board discussed the matter and accepted the resignation and thanked Mr. Fischer for his service on the Board particularly with respect to financial matters and the District's website.

14. The Board then considered appointment of a director to fill the vacancy created by Mr. Fischer's resignation and agreed to consider the matter further at a special Board meeting to be held on June 3, 2021.

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


Secretary