

**MINUTES OF MEETING OF THE BOARD OF DIRECTORS  
NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO. 1**

June 6, 2019

**THE STATE OF TEXAS** §

**COUNTY OF HARRIS** §

**NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO. 1** §

The Board of Directors (the “Board”) of Northgate Crossing Municipal Utility District No. 1 (the “District”) met in regular session, open to the public, at 23800 Interstate 45 North, Spring Texas, a designated meeting place of the Board inside the boundaries of the District, on June 6, 2019, whereupon the roll was called of the members of the Board, to-wit:

Jason Williams	President
Shane Holman	Vice President
Jim Helfrich	Secretary
Michael Lopez	Assistant Secretary/Assistant Vice President
Kenny Boeckelman	Assistant Secretary

All members of the Board were present except Director Boeckelman, thus constituting a quorum.

Also attending the meeting were Vanessa Hernandez with Myrtle Cruz, Inc. (“MCI”), Bookkeeper for the District; Jeff McKenzie, Michael Murr with Murr Incorporated, Landscape architect for the District; Patti Mace representing the Northwood Pines Homeowners Association (“HOA”); Bill Blich with Blich Associates, Inc. (“BAI”) and Bob Leared Interests (“BLI”), Financial Advisor and Tax Assessor/Collector, respectively to the District; Robert Atkinson with Edminster Henshaw Russ & Associates (“EH”), Engineer for the District; members of the public listed on the attached attendance Sheet; and Maria Salinas Parker of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), Attorneys for the District.

**CALL MEETING TO ORDER**

The meeting was called to order and the following business was transacted.

**LEVEE TOUR**

Due to wet weather conditions the tour of the Levee was postponed.

**HEAR FROM THE PUBLIC**

The Board recognized Mr. McKenzie. who requested an extension to the Letter of Commitment issued to the George Lake Properties.

Upon motion duly made and seconded, the Board voted unanimously to extend the commitment issued to the George Lake Properties.

**PEACE OFFICER’S REPORT**

In the absence of the Peace Officer, there was no Peace Officer’s Report.

**TAX ASSESSOR/COLLECTOR’S REPORT**

The Board next reviewed the Tax Assessor/Collector’s Report, a copy of which is attached hereto. The Board noted that the District has collected 99.3% of its 2018 taxes.

Upon motion duly made and seconded, the Board voted unanimously (i) to approve the Tax Assessor/Collector’s Report, and (ii) to authorize payment of the invoices presented for payment from the District’s Tax Account.

**FINANCIAL ADVISOR’S REPORT**

There was no Financial Advisor’s Report.

**BOOKKEEPER’S REPORT**

The Board then reviewed the Bookkeeper’s Report and Investment Report. Copies of such reports are attached hereto.

The Board reviewed the balances in each of the District's accounts and noted investments in each account. The Board also reviewed the activity in each account. The Board reviewed the invoices and the checks prepared in payment thereof.

The Directors then reviewed: (1) the Cash Flow Report for the District's Operating Fund; (2) the Budget Comparison; (3) the Pledged Security Report, and (4) the Investment Report, copies of which are included with the Bookkeeper's Report.

Upon motion duly made and seconded, the Board voted unanimously to approve (i) the Bookkeeper’s Report, (ii) the bills submitted for payment, and (iii) the Investment Report.

**STATUS REPORT FROM SALES REVENUE INC. (“SRI”)**

There was no report from SRI.

**ATTORNEY’S REPORT**

The Board recognized Ms. Parker, who presented the Attorney’s Report.

**Approval of Minutes**

Proposed minutes of the meeting of the Board held May 9, 2019, previously distributed to the Board, were presented for consideration and approval.

Upon motion duly made and seconded, the Board voted unanimously to approve the minutes of May 9, 2019 as submitted.

### **Amend Rate Order**

No action was taken on amending the Rate Order.

### **Policy Relating to Levee**

No action was taken in connection with the Levee Policy.

### **Consultant to Implement Emergency Preparedness Plan (“EAP”)**

Ms. Parker reminded the Board that at the meeting held on December 13, 2018, the Board agreed to consider accepting proposal for an administrator/coordinator of the District’s EAP. Ms. Parker stated that she has reached out to several companies to submit proposals.

### **Legislative Update**

Ms. Parker then updated the Board on legislative matters.

### **Unclaimed Property Report**

Consideration was next given to a proposed Resolution Regarding Unclaimed Property.

Ms. Parker noted that as of March 1 of each year property that is presumed to be abandoned, must be reported and released to the Comptroller on or before July 1.

Upon motion duly made and seconded, the Board voted unanimously to approve the Resolution Regarding Unclaimed Property, a copy of which is on file in the official records of the District.

### **ENGINEER’S REPORT**

The Board recognized Mr. Atkinson, who presented the Engineer’s Report, a copy of which is on file in the official records of the District.

### **Levee Inspection**

EHRA performed the monthly maintenance inspection of the levee earlier in the month. It was noted that the trailer at 902 Shirefield (as reported at the May meeting) is still parked on the levee. The Board recognized Ms. Parker, who stated that she contacted the homeowner, and he agreed to remove the trailer.

### **Spring Creek Erosion**

Erosion has been detected on the concrete cantilever retaining wall along Spring Creek that cuts into the levee. The wall was erected to repair damage sustained to the park trail owned by Harris County as a result of Hurricane Harvey. At the time the wall was being erected, the District expressed its concern with the scope of the repairs. LJA Engineers, Inc. (“LJA”), as agent for Harris County, was notified that the easement granted to Harris County did not convey or grant to Harris County the right to cut into the levee. LJA, engineer for Harris County, issued a letter on May 2, 2018, assuring the District that the area where the retaining wall cuts into the levee meets and passes prescribed design criteria to maintain stability. The District conducted a recent inspection of the levee

which revealed substantial erosion in the area where Harris County cut into the levee. The Board noted that with inclement weather a possibility at any time (the tax-day flood, Memorial Day flood and Hurricane Harvey), it is imperative that the erosion which threatens the integrity of the levee be repaired immediately. Mr. Atkinson stated that Harris County is repairing the erosion.

### **Storm Pump Station**

Inframark has excavated the area around the sink hole and televised the sink hole to determine the source of the sink hole. Inframark will excavate a small portion of the levee face to determine the cause of the sink hole. EHRA has an alternative solution to this matter and will discuss it Inframark.

### **Emergency Operations Building**

The contractor has been notified that the door is leaking. The contractor discovered the source of the leak in the area where the wall meets the floor. Also, there is a small hydraulic leak in unit 3. The District is holding final payment pending correction of these items.

### **Capital Projects**

A Capital Projects Study is being prepared, including rehabilitation of the wastewater collection system, rehabilitation of the lift station and manholes. Also included, will be rehabilitation of shared facilities with NG2.

Inframark will prepare a camera survey of the District's sanitary sewer collection system. EHRA will review the survey to determine the extent of repairs and rehabilitation of the sanitary sewer collection system which will be included in the Capital Projects Study.

### **NOAA 14 Volume 10**

NOAA has prepared precipitation frequency estimates for Texas. This information will be helpful in assessing extreme precipitation events and the design of necessary infrastructure to handle the extreme precipitation events. A study is being conducted on Spring Creek the results of which may require improvements to the levee. The Spring Creek study is expected to be complete by 2022.

### **District Map**

The District map was updated with an aerial photograph.

Upon motion duly made and seconded, the Board voted unanimously to approve the Engineer's Report.

### **OPERATIONS REPORT/TERMINATION OF SERVICE**

The Board next recognized Mr. Montano, who submitted to and reviewed with the Board the Operations Report, a copy of which is attached hereto.

Mr. Montano also presented a report on the Storm Station, which report is attached to the Operations Report.

Mr. Montano reported as noted below.

- i. The billed to pumped ratio was 105.13%.

- ii. There are 416 active connections in the District.
- iii. There were no accounts finalized with a balance under \$25, and one account finalized with a balance greater than \$25.
- iv. There were no excursions at the wastewater treatment plant.
- v. There are 26 accounts on the water termination list
- vi. Inframark recommended that all fuel lines for pumps at the Storm Station be replaced with stainless steel lines.
- viii. Certain commercial accounts were billed incorrectly. The irrigation meters were billed at the non-profit rate rather than the commercial rates, resulting in the accounts being underbilled for water usage. Inframark sent corrected bills to the commercial accounts.
- ix. The additional fuel tank for the storm station will be delivered on Friday. The cost is \$800 per month.

Upon motion duly made and seconded, the Board voted unanimously to (1) turn over the accounts finalized with a balance in excess of twenty-five dollars, if any, for collection, if any; (2) write off of the District's books the accounts finalized with a balance over twenty-five dollars, as presented, and (3) approve the Operations Report, including the Storm Water Pump Station Report, including replacing pump fuel lines with stainless steel lines.

### **Termination of Water Service**

Consideration was then given to the termination of water service to the accounts listed on the Termination List. The Board noted that there were no customers present at the meeting who wished to address the Board regarding their water bills or to protest termination of water service.

Upon motion duly made and seconded, the Board voted unanimously to authorize the Operator to terminate service to the accounts listed on the Termination List with the assistance of a peace officer, if necessary.

### **WEBSITE/OFFICE 365/AMENDED CONTRACT**

There was no website or Office 365 report.

### **LANDCAPE ARCHITECT REPORT/ PARK RANGERS LEVEE MAINTENANCE REPORT**

The Board recognized Mr. Murr, who presented the Landscape Architect's Report, a copy of which is on file in the official records of the District. He reported that work is in progress for the lighting plan, and it has been updated to include Creek Knoll Boulevard.

Channel clearing will commence next week, Mr. Murr added.

Gabion blocks are being placed in areas of erosion along the levee.

Mr. Murr discussed with the Board performing additional mowing, fertilization and irrigation on the levee.

Upon motion duly made and seconded, the Board voted unanimously to approve the Landscape Architect's Report, and to approve performing additional mowing, fertilization and irrigation on the levee at a cost of \$55,554.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_.

\_\_\_\_\_  
Secretary, Board of Directors