

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

**October 14, 2021**

**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, on October 14, 2021, at the Storm Water Pump Station, 710 Creek Knoll, Spring, Harris County, Texas and the roll was called of the members of the Board, to-wit:

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

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

Also attending the meeting were Lieutenant Brent Ballard and Deputy Stephen Weiss with Harris County Precinct 4 Constables Office; Patti Mace, Anamaria Lashcomb and Angela Helfrich, residents of the District, and representing the Northwood Pines Homeowners Association ("HOA"); Jeff Conti, director of Northgate Crossing MUD No. 2 ("NG2"); Jeremy Roach with Apollo IT Consulting, LLC ("Apollo"); Bill Blich with Blich Associates, Inc. ("BAI") and Bob Leared Interests ("BLI"), Financial Advisor and Tax Assessor/Collector, respectively to the District; Michael Murr with Murr Incorporated, landscape architect for the District; Chris Linn with Myrtle Cruz, Inc. ("MCI"), Bookkeeper for the District; Juan Montano with Inframark, Operator for the District, Robert Atkinson and Ben Mellado with Edminster Henshaw Russ & Associates ("EH"), Engineer for the District; and Maria Salinas Parker and Michael R. Willis 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.

**HEAR FROM THE PUBLIC**

The Board discussed a letter received from the HOA, and the response provided to the HOA regarding the various recreational facilities. The HOA is requesting an agreement with District relating to said matters. No action was taken on this matter. The Board agreed to consider a proposed agreement at the November meeting.

**PEACE OFFICER'S REPORT/ADDITIONAL DEPUTY**

The Board received the Peace Officer's Report, a copy of which is on file in the official records of the District.

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

### **DISCUSS 2021 TAX LEVY/CALL PUBLIC HEARING/FINANCIAL ADVISOR'S REPORT**

The Board recognized Mr. Blicht, who reviewed with the Board a Tax Rate Analysis in connection with the 2021 tax levy, a copy of which is on file in the official records of the District. The Board noted that the District is a developing district as defined in Senate Bill 2.

Upon motion duly made and seconded, the Board voted unanimously to (1) propose a 2021 debt service tax rate of \$0.430 and a maintenance and operation tax of \$0.539 for a total tax rate of \$0.969; (2) call a public hearing for Thursday, November 11, 2021 on the proposed 2021 tax rate; and (3) authorize the Tax Assessor/Collector to publish notice of the public hearing and proposed tax rate as required by law.

### **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 99.715% of its 2020 taxes.

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

### **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.

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.

### **ATTORNEY'S REPORT**

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

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

### **Approval of Minutes**

Proposed minutes of the meeting of the Board held September 9, 2021, 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 September 9, 2021 as presented.

### **Amend Rate Order**

No action was taken on amending the Rate Order.

### **Interlocal Agreement with Northgate Crossing MUD No. 2**

No action was taken on an Interlocal Agreement with Northgate Crossing MUD No. 2 (“NG2”).

### **Legislative Update**

There was no legislative update.

### **Bond Election**

The Board then reviewed an article regarding the Bond Election to be held on November 2, 2021.

Upon motion duly made and seconded, the Board voted unanimously to approve the article on the Bond Election; and to authorize the posting of the article on the website and mailed to voters.

### **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**

The levee was inspected on September 29, 2021. There were minor deficiencies noted which will be handled by Inframark. The drainage channel from the Hardy Toll Road to the detention basin has some erosion and sink holes. Spring Creek will continue to be monitored, and if any erosion is present, it will be immediately reported to HCFCD.

### **Water Plant 3 / Wastewater Plant Expansion**

EHRA had a meeting with the Engineer for NG2 regarding the wastewater plant expansion and Water Plant 3. New wastewater plant utilization was calculated utilizing the plant rating value of 200 GPD/ESFC. The District has an adequate supply of wastewater capacity for the existing development. It has been determined that the District lease requirements have dropped to 50,000 GPD from NG2. A cost estimate and analysis of the wastewater treatment plant expansion will be prepared by the Engineer for NG2. NG2 will lease wastewater capacity to the District as necessary until the construction of the wastewater treatment plant expansion is completed.

The NG2 Engineer will prepare a cost estimate for Water Plant 3. This water plant project will include another interconnection across the Hardy Toll Road between the Districts. The additional interconnect will provide additional redundancy for District interconnect and supply purposes.

### **Levee Analysis and Certification**

EHRA continues to work with Freese and Nichols in preparation of the Levee Analysis Report. A meeting was held on June 17, 2021 to discuss the scope of the analysis. Harris County Flood Control District has provided the 100-year Base Flood Elevations as well as the hydrology model. It was determined additional topographic survey information is necessary.

### **Northwood Pines Park**

EHRA is processing the topographical data for use in preparing the plans for the parking lot adjacent to the splash pad.

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 on file in the official records of the District.

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

Mr. Montano reported as noted below.

- The billed to pumped ratio was 93.9%.
- There are 412 active connections in the District.
- There was one account finalized with a balance under \$25, and one account finalized with a balance greater than \$25.
- There were no excursions at the wastewater treatment plant.
- There are 17 accounts on the water termination list.
- Texas Hot Tap ("THT") has been delayed in repairing the multiple sinkholes on the Levee.
- The siren is being tested. The Board agreed that an electronic text alert should be sent to residents and customers when the siren is being tested as well as a posting on the website.

Upon motion duly made and seconded, the Board voted unanimously to (1) approve the Operation's Report, and (2) turn over the accounts finalized with a balance in excess of twenty-five dollars, if any, for collection.

### **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 proceed with the service terminations, and if a customer contacts Inframark concerning inability to pay, Inframark is authorized to offer a sixty (60) day installment plan and in extreme cases a ninety (90) day installment plan.

### **IT REPORT/WEBSITE/AGREEMENT COMMUNICATION SYSTEM**

The Board recognized Mr. Roach, who presented the IT/Website Report. Mr. Roach discussed with the Board Apollo's acquisition of a digital alert notification system.

Mr. Roach presented an Agreement for a text messaging alert communication system.

The Board discussed abandoning the current District Face Book page, as the password was never provided to the Board by former District Wilkerson, and authorizing the creation of a new Facebook page.

Upon motion duly made and seconded, the Board voted unanimously to approve (1) the IT/Website Report, a copy of which is on file in the official records of the District, (2) the Agreement for a text messaging alert communication system, (3) abandoning the current Facebook page, and (4) Apollo creating a new Facebook page.

## LANDSCAPE 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. Mr. Murr reported as follows.

### Splashpad

Kraftsman Commercial Playgrounds & Waterpark ("Kraftsman") submitted a timeline to complete Phase 1 in 14.5 weeks. This project is in progress, and substantially complete. Pay Estimate 2 in the amount of \$99,222.40 was presented for approval. As discussed at the September meeting, with regard to the tap fee for the splash pad, the District will pay for the tap fee and the HOA will pay for the water usage. The Board discussed operation of the splash pad. With regard to the electricity to the splash pad, electricity will be provided from the adjacent electrical box owned by the HOA. The District will pay for the electrical usage upon receipt of an invoice from the HOA for the usage for the splash pad based on the meter readings.

Director Helfrich presented a sketch indicating the possible locations for planting the trees to be received from the Trees of Houston.

Painting of the conduit on the bridge and repair/replacement of the pergola were discussed.

Upon motion duly made and seconded, the Board voted unanimously to approve (1) the Landscape Architects Report, (2) Pay Estimate 2 to Kraftsman, (3) Director Helfrich working with Mr. Murr on the locations for planting of trees that will be received from the Trees of Houston, (4) Director Holman working with Mr. Murr on the replacement of the pergola at a cost not to exceed \$25,000, (5) winterizing the splash pad, and (6) operations of the splash pad from April 1 until on or about October 1, the date of the National Night Out Event.

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

PASSED, APPROVED and ADOPTED this 11/11/2021.

  
Secretary, Board of Directors