

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

**September 8, 2022**

**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 September 8, 2022, at the Storm Pump Station, 710 Creek Knoll, Spring Harris County Texas, a designated meeting place of the Board of Directors inside the boundaries of the District, and the roll was called of the members of the Board, to-wit:

Jason Williams	President
Shane Holman	Vice President
Jim Helfrich	Secretary
Paul Martinez	Assistant Secretary
Kenny Boeckelman	Assistant Secretary

All members of the Board were present except Directors Boeckelman and Holman, thus constituting a quorum.

Also attending the meeting were 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; Jeff Conti, with Northgate Crossing MUD No. 2 ("NG2"); Patti Mace representing the Northwood Pines Homeowners Association ("HOA"); Lieutenant Brent Ballard (via ZOOM) with Harris County Precinct 4 Constables Office; Juan Montano and Robert Lugo with Inframark, Operator for the District; 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 noted that there were no members of the public present at the meeting who wished to address the Board at this time.

**PEACE OFFICER'S REPORT**

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.

#### **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 99.730% of the 2021 taxes have been collected.

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.

#### **DISCUSS 2022 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 2022 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 2022 debt service tax rate of \$0.350 and a maintenance and operation tax of \$0.526 for a total tax rate of \$0.876; (2) call a public hearing for Thursday, October 13, 2022 on the proposed 2022 tax rate; (3) authorize the Tax Assessor/Collector to publish notice of the public hearing and proposed tax rate as required by law, and (4) designate that District as a "Developing District."

#### **BOOKKEEPER'S REPORT/BUDGET**

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 August 18, 2022, 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 August 18, 2022.

### **Amend Rate Order**

No action was taken on amending the Rate Order.

### **ENGINEER'S REPORT**

The Board recognized Mr. Mellado, 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 August 23, 2022. There were minor deficiencies noted. The drainage channel from the Hardy Toll Road to the detention basin has some erosion and sink holes. Erosion was observed on the high bank. The waterline leak along the top of the berm has been repaired. Spring Creek will continue to be monitored, and if any erosion is present, it will immediately be reported to HCFCF.

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

EHRA is continuing to work with the Engineer for NG2 regarding the wastewater treatment plant expansion and Water Plant 3. New wastewater plant utilization was calculated utilizing the plant rerating value of 200 GPD/ESFC. The District has an adequate supply of wastewater capacity for the existing development. 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, if necessary

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**

Freese and Nichols has provided the Levee Rectification Analysis-Preliminary Findings Report. Due to ongoing flood plain mapping adjustments by FEMA, updated flood plain maps will not be completed until 2023. EHRA recommended that the Board take no action on the low area of the Levee until revised maps are released.

### **Northwood Pines Park**

EHRA has received final approval from Harris County Engineering for the parking lot adjacent to the splash pad. Bids will be taken in August. EHRA is reviewing the possible replacement of the parking lot lights. The Board agreed to place this project on hold.

### **Water Reuse Project**

EHRA provided a cost estimate \$224,781.00 for the water re-use project. EHRA will perform a topographic survey of the proposed location of the irrigation line upon Board authorization.

Upon motion duly made and seconded the Board voted unanimously to approve the Engineer's Report, and to authorize EHRA to perform the topographic survey as mentioned above.

### **CONSULTANT FEE INCREASE**

Consideration was then given to the proposed consultant fee increases for the Attorney, Landscape Architect, and Engineer as well as the increase requested by Inframark for a fuel surcharge.

Upon motion duly made and seconded, the Board voted unanimously to approve the consultant fee increases for the Attorney, Landscape Architect, and Engineer as well as the increase requested by Inframark for a fuel surcharge.

### **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 93.99%.
- There are 420 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.

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 authorization termination of service to the accounts listed on the Termination List.

### **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. Mr. Murr reported as follows.

- the intake channel to the lake will be cleaned,
- the water fountain needs to be replaced, and
- street pavers need to be replaced.

Upon motion duly made and seconded, the Board voted unanimously to (1) approve the Landscape Architects Report, (2) approve replacement of the pavers at a cost not to exceed \$5,000, (3) replace the water fountain at a cost not to exceed \$7,500 (4) change the date for closing of the splash pad to October 19, 2022, and (5) approve payment to the HOA of \$500 for National Night Out activities, relating to the Park facilities.

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

The Board recognized Mr. Roach, who presented the ITT Report.

Upon motion duly made and seconded, the Board voted unanimously to approve the IT Report, and to bundle the internet system at the Storm Station with Comcast.

**PROPOSALS FOR SECURITY SYSTEM**

The Board then discussed the security system.

Upon motion duly made and seconded, the Board authorized Director Williams to work with Mr. Roach on the security system.

**TRASH INCREASE**

The Board deferred action on the trash increase.

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

PASSED, APPROVED and ADOPTED this October 13, 2022.



Secretary, Board of Directors