

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

**December 14, 2023**

**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 December 14, 2023, at the Stormwater Pump Station, 710 Creek Knoll, Spring, Texas 77373, 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 Martinez and Boeckelman, thus constituting a quorum.

Also attending the meeting were Jeremy Roach with Apollo IT Consulting; IT consultant to the District; Ann Marie Lasham (via Zoom) and Angela Helfrich, members of the public; Steve Fitzgerald (via ZOOM) with Gauge Engineering; Lieutenant Ballard with Harris County Precinct 4 Constables Office; Fred Richardson with Inframark, Operator for the District; Ben Mellado with Edminster Henshaw Russ & Associates ("EH"), Engineer for the District; 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.

**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/CONTRACT APPROVAL**

The Board recognized Officer Ballard, who presented 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 in file in the official records of the District.

The Board noted that 99.746 % of the 2022 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.

## **FINANCIAL ADVISOR'S REPORT**

There was no Financial Advisor's Report.

## **BOOKKEEPER'S REPORT/BUDGET FISCAL YEAR ENDING DECEMBER 31, 2024**

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 budget for fiscal year ending December 31, 2024, was presented, a copy of which is on file in the official records of the District. The Board noted certain changes to the proposed budget.

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 budget for fiscal year ending December 31, 2024, with the noted changes.

## **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 November 9, 2023, 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 November 9, 2023, as presented.

## **RESOLUTION REGARDING EMINENT DOMAIN**

Consideration was then given to a proposed Resolution Regarding Eminent Domain.

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

## **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 December 5, 2023. Tree debris, sink hole, and retaining wall failure were noted. Murr will address the sink hole and debris. The Harris County Flood Control District was notified of the failure of the retaining wall.

### **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 has estimated a cost to design and construct 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. The project will be done in two (2) phases. The District will need to use surplus construction funds for its share of the cost.

### **Northwood Pines Park**

EHRA has received final approval from Harris County Engineering for the parking lot adjacent to the splash pad. This project is on hold pending the Levee modifications.

### **Water Reuse Project**

EHRA has completed the topographic survey in the area proposed for the water reuse project. EHRA has started designing the line for the Water Reuse Project. EHRA has received from Northgate Crossing MUD No. 2 the initial layouts. The sizing of the lines is being determined. The water will be used to irrigate the levee and esplanades.

### **Storm Station Building**

EHRA has completed the design of the Storm Station Building. The plans have been submitted for regulatory approval. Once regulatory approval is received, the project will be bid.

### **Levee Analysis and Certification**

Raising of the Levee is complete. Recertification of the Levee will occur once the new FEMA maps are published.

### **Spring Creek Retaining Wall**

EHRA has notified Harris and Montgomery Counties of the failed retaining wall at Spring Creek. Harris County stated that wall is outside its jurisdiction. Montgomery County indicated that the wall is a private wall and responsibility of the homeowner; however Montgomery County agreed to check into it.

### **Capital Improvement Plan ("CIP")**

A five-year CIP was presented at the meeting on November 9, 2023. A copy of the CIP is on the official records of the District.

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

Mr. Richardson reported as noted below.

- The billed to pumped ratio was 95.80%.
- There are 419 active connections in the District.
- There were no accounts finalized with a balance under \$25, and no accounts finalized with a balance greater than \$25.
- There were no excursions at the wastewater treatment plant.
- the gaskets on pump 4 at the Storm Station will be replaced and the oil in coolant replaced.
- an increase of 4.928% in operation fees was presented

Upon motion duly made and seconded, the Board voted unanimously to (1) approve the Operation's Report, (2) to write off the delinquent uncollectable accounts with a balance under \$25, (3) turn over the delinquent uncollectable accounts finalized with a balance of more than twenty-five dollars, if any, for collection, and (4) to approve the increase in operation fees.

### **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 termination of service to the accounts listed on Termination List after January 1, 2024.

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

The Board then reviewed the Landscape Architect'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 Landscape architect Report.

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

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

Upon motion duly made and seconded, the Board voted unanimously to approve the IT Report.

**INCLEMENT WEATHER POLICY/ANNUAL STORM STATION**

There was no report on the Inclement Weather Policy.

**FLOCK CEMRAS**

The Board took no action on the Flock Security Cameras.

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

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PASSED, APPROVED and ADOPTED this January 12, 2024

  
Secretary, Board of Directors