

MINUTES OF REGULAR MEETING  
NORTHAMPTON MUNICIPAL UTILITY DISTRICT  
HARRIS COUNTY, TEXAS

August 19, 2019

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

The Board of Directors (the "Board") of Northampton Municipal Utility District (the "District") of Harris County, Texas, met in regular session, open to the public, at 7:00 p.m., on the 19<sup>th</sup> day of August, 2019 at the regular meeting place thereof, the Northampton Center, 6012 Root Road, Spring, Texas, within the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

E. C. Thomas	President
W. Paul Schneider	1st Vice President
Ryan Bennett	2nd Vice President
Scott Kirkpatrick	Secretary
Roger A. Flood, III	Treasurer/Investment Officer

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

Also present were Ms. Debra Loggins of L&S District Services, LLC, the District's Bookkeeper; Ms. Esther Flores of Tax Tech, Inc., the District's Tax Assessor/Collector; Mr. Robb Clark and Ms. Michelle Blevins of Hays Utility South Corporation, the District's Operator; Mr. Jim Sheffield, the District's General Manager; Mrs. Lisa June, an employee of the District; Mr. Joshua Lee, P.E. of Jones & Carter, Inc., the District's Engineer; Mr. Jeff Presnal of Cypressbrook Development; Mr. Ben Childress and Mr. Travis Benes of Environmental Allies, the District's Mowing/Detention Contractor; Ms. Kristin Jarzombek, Mr. Bill Gause, and Ms. Chris Gause, residents of the District; and Mr. John R. Wallace of Bacon & Wallace, L.L.P., the District's Attorney.

WHEREUPON, following a notation that notices of the meeting had been duly posted in accordance with law, copies of which are attached hereto as exhibits, the meeting was called to order. At this time, the pledge of allegiance and an invocation was led by Director Thomas.

COMMENTS FROM THE PUBLIC

Chris Gause addressed the Board said she is active in the Northampton Maintenance Fund ("NHMF"). She read a statement about the ongoing issue of perimeter fence maintenance. She stated the fencing was originally installed by various developers. She said a group triggered a recall election of the NHMF Board. The new Board started a study which recommended the NHMF should repair/replace these fences. The NHMF Board then rejected this proposal, whereupon three Board members resigned.

She said a survey regarding responsibility for fence maintenance was being distributed to residents, and she urged homeowners to respond in favor of the proposal. She said 163 homeowners were needed to respond with 60% in favor of the proposal for it to pass.

Mr. Sheffield stated the District owns some fences on certain reserves that were in need of repairs. Director Kirkpatrick stated the District should wait to see how NHMF decides to proceed

Kristen Jarzombek inquired about the District's proposal to reimburse NHMF for various water meter accounts. Director Kirkpatrick confirmed a proposal had been sent to NHMF, and he was attempting to meet with the President of the NHMF to discuss the matter.

#### APPROVE MINUTES

The minutes of the meetings of the Board of Directors held on July 9 and July 15, 2019 were presented for review and approval. Upon a motion duly made and seconded, the Board voted unanimously to approve the minutes as presented. The Certified Agenda of Executive Session of the Board of Directors held on July 9, 2019 was presented for review and approval. Upon a motion duly made and seconded, the Board voted unanimously to approve the Certified Agenda of Executive Session as presented. The minutes of the meeting of the Board of Directors held on August 5, 2019 were presented for review and approval. Upon a motion duly made and seconded, the Board voted unanimously to approve the minutes as amended

#### TAX ASSESSOR/COLLECTOR'S REPORT

Esther Flores presented the Tax Assessor/Collector's Report for July 2019, a copy of which is attached hereto as an exhibit. She reported the District had collected 98.11% of the District's 2018 tax levy as of July 31, 2019 and total taxes receivable were \$131,376.83. She stated she continues to monitor the status of accounts pending resolution of litigation refunds.

Ms. Flores stated the Northampton MUD 2019 Certified Value was \$698,337,106 (a 9.97% increase including uncertified values) and the 2019 Certified Value for the Northampton MUD Defined Area was \$131,764,000 (a 26% increase including uncertified values).

The Board discussed an interest in pursuing the purchase of the Absey Press tract on Northcrest which is now listed for sale. Mr. Sheffield agreed to research the potential purchase.

Upon motion duly made and seconded, the Board voted unanimously to approve the Tax Assessor/Collector's Report as presented, including payment of the listed checks from the tax account.

#### BOOKKEEPER'S REPORT

Debra Loggins presented the Bookkeeper's Report, a copy of which is attached hereto as an exhibit. She reviewed the seventh month of the year-to-date budget and the July 2019 Investment Report, a copy of which is attached hereto as an exhibit.

Ms. Loggins reviewed several checks presented for approval, including but not limited to Blazey Construction Services, LLC in the amount of \$58,402.43 for Pay Estimate No. 2 and Final for construction of public and sanitary sewer line extensions to serve Landmark and Shops on Gosling (Triad) tracts. She agreed to work with the engineer to finalize the invoices charged against the two developer deposits and arrange to reimburse the unspent amounts at the next

meeting. She said \$56,899.65 was due to be wired tomorrow from the District for the purchase of the lift station property.

Ms. Loggins stated she would send a letter and a delinquent invoice to Willow Creek Golf Club. She said Rye Street Development also owes \$9,291 to the District for unpaid developer fees. She stated a check had been issued in the amount of \$496.18 to the City of Houston as payment for the Cypressbrook annexation application fee.

Upon motion duly made and seconded, the Board voted unanimously to approve the Bookkeeper's Report, Investment Report, and payment of the checks as presented.

### OPERATOR'S REPORT

Robb Clark presented the Operator's Report, a copy of which is attached hereto as an exhibit. He stated the water accountability rate for the previous month was 97% and there were no excursions at the Wastewater Treatment Plant ("WTP") in July. Mr. Clark stated a commercial tap had been installed at the new fitness center on Gosling Rd., and 14 new residential taps had been installed. He stated the billing credits to KISD had been resolved.

Mr. Sheffield stated he had performed an in-house audit on Hays Utility billing matters regarding anomalies. He stated he had met with Hays Utility representatives and felt their answers were very satisfactory. He said the District would be reimbursed on the next invoice for fire extinguishers.

Upon motion duly made and seconded, the Board voted unanimously to approve the Operator's Report as presented and approve the write-off list.

### ENGINEER'S REPORT

Josh Lee presented the Engineer's Report, a copy of which is attached hereto as an exhibit:

#### Water Plant No. 3

Mr. Lee presented Pay Estimate No. 16 in the amount of \$121,435 to Principal Plant Services, LLC. He said the engineer was notified that blasting dust had been blown onto cars and buildings near Water Plant No. 3 due to improper shrouding by the sandblasting subcontractor. He reported the contractor had taken care of the issue and there was no cost to the District. He said CenterPoint Energy wanted a blanket easement for Water Plant power. Upon motion duly made and seconded, the Board voted unanimously to approve this request subject to approval and Director Thomas was authorized to execute the document.

#### Harris County Flood Control District ("HCFCD") Repairs

Mr. Lee stated repairs of the storm sewer and drainage channel were in line to be made by HCFCD and Harris County contractors.

#### Public Water Line Replacement along Gosling Road at Dovershire Road

Mr. Lee stated a final inspection of the water line relocation project was complete. He

recommended the Board sign the Certificate of Acceptance. Upon motion duly made and seconded, the Board voted unanimously to approve the Certificate of Acceptance for the public water line replacement along Gosling Road at Dovershire Road.

#### Landmark and Triad (Shops on Gosling) Water and Sewer Line Extensions

Mr. Lee stated the project was complete and the job was being closed out. He said the project account would be reconciled and any extra funds would be returned to the developer.

Mr. Lee presented Change Order No. 2 in the amount of \$2,450.00 for sanitary sewer manhole adjustments and Change Order No. 3 in the amount of \$1,140.00 for inflow inserts.

#### Defined Area Bond Application

Mr. Lee stated the application had been filed with the TCEQ and determined to be administratively complete by the TCEQ.

Upon motion duly made and seconded, the Board voted unanimously to approve all Pay Estimates and Change Orders as presented.

#### Northampton Regional Detention for Landmark Apts. And Triad

Mr. Lee presented Pay Estimate No. 2 in the amount of \$179,828.10 to L.N. McKean, Inc.

#### Dovershire Place Section 2 Water, Sewer, and Drainage

Mr. Lee stated 12 bids were taken for the project with the low bid being \$498,762 from D. L. Elliott Enterprises, Inc. Upon motion duly made and seconded, the Board voted unanimously to award the contract to D. L. Elliott Enterprises, Inc.

#### Hampton Creek Ponds

Mr. Wallace presented a Special Warranty Deed for the Hampton Creek Phase IV Detention Pond (Restricted Reserve B) to the Board. Upon motion duly made and seconded, the Board voted unanimously to accept conveyance of the pond and executed the Deed.

#### Environmental Allies Contract

Upon motion duly made and seconded, the Board voted unanimously to approve the amendment to the Environmental Allies contract to add the maintenance for the Hampton Creek Phase IV Pond.

#### D. R. Horton Detention Pond Maintenance Agreement

Upon motion duly made and seconded, the Board voted unanimously to approve the Amended and Restated Detention Pond Maintenance Agreement with D.R. Horton – Texas, Ltd.

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

## Creekview Land Acquisition For Lift Station

Mr. Wallace confirmed the final contracted price for the purchase of the land for the lift station site from Mr. and Mrs. Luchsinger was \$56,889.65. Upon motion duly made and seconded, the Board voted unanimously to authorize the bookkeeper to wire transfer the funds at closing.

Mr. Wallace presented a Resolution Authorizing Purchase of Real Property and Execution of Closing Documents, including closing statement, closing agreement, errors and omissions report, and waiver of inspection to the Board. Upon motion duly made and seconded, the Board voted unanimously to approve these documents as presented.

## CYPRESSBROOK DEVELOPMENT

Mr. Wallace presented a Petition for Addition of Certain Lands, and a Petition for Consent to Annex Land to the Board. Upon motion duly made and seconded, the Board voted unanimously to approve the Petitions.

Mr. Wallace presented an Order Annexing Land to District Subject to Certain Conditions to the Board. Upon motion duly made and seconded, the Board voted unanimously to approve the Order.

## DEVELOPMENT FINANCING AGREEMENT

Mr. Wallace presented the Cypressbrook Gosling Financing Agreement to the Board. Upon motion duly made and seconded, the Board voted unanimously to approve the Agreement.

## DETENTION POND AND WATER LINE

Upon motion duly made and seconded, the Board voted unanimously to authorize the Engineer to advertise for bids for the detention pond and water line.

## IRRIGATION METERS

Robb Clark stated Hays Utility had completed transfer of the irrigation meters at Inway Forest monument to the District.

## ATTORNEY'S REPORT

The Board requested Mr. Wallace provide instructions regarding new laws affecting the District website.

## GENERAL MANAGER'S REPORT

Mr. Sheffield said there had been a leak in the Wastewater Treatment Plant generator room due to a defective o-ring and this needed to be repaired. He said Stewart and Stevenson manufactured the generator and he stated that he wanted the generator to be properly repaired.

He stated the police had filed felony charges against four minors that had vandalized Inway. He said that he is scheduled to testify in the matter and reported the vandalism had ceased. Mr. Sheffield stated he was working on plans to join the lakes in Northcrest Park.

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



  
Secretary, Board of Directors