

MINUTES OF MEETING
OF THE
BOARD OF DIRECTORS

FEBRUARY 27, 2018

STATE OF TEXAS	§
COUNTY OF HARRIS	§
NORTHWEST HARRIS COUNTY	§
MUNICIPAL UTILITY DISTRICT NO. 28	§

The Board of Directors (the “Board”) of Northwest Harris County Municipal Utility District No. 28 (the “District”), noticed a regular session, open to the public, to be held at 6:30 p.m., on Tuesday, February 27, 2018, at 20811 Normandy Forest Drive, Spring, Texas 77388, a designated meeting place located inside the boundaries of the District. Whereupon, at 6:30 p.m., the roll was called of the members of the Board, to-wit:

E. Dwight Osteen, II	-	President
Thomas Pratt	-	Vice President
Richard C. Doll	-	Secretary
Denean A. Bennett	-	Assistant Secretary
Troy Zuckero	-	Assistant Secretary

All members of the Board were present except Director Zuckero, thus constituting a quorum. Copies of the notices are attached hereto.

Also present at the meeting were Vicki Busboom, Bookkeeper for the District; Austen Beck of Bleyl & Associates (“Bleyl”), Engineers for the District; David Ferrier of Equi-Tax, Inc, (“Equi-Tax”), Tax Assessor for the District; Robb Clark of Hays Utility (“Hays”), Operators for the District; Deputy Ketrick McCutcheon with Harris County Precinct 4; and Joshua J. Kahn and Deidra Daniels (paralegal) of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), Attorneys for the District.

HEAR FROM PUBLIC

The Board noted that no public was present.

WEBSITE REPORT

The Board recognized Director Bennett, who presented the Website Report for the period January 16 – February 14, 2018.

The Board noted that no action was necessary in connection with the Website Report. A copy of the Report is on file in the official records of the District.

ENGINEER'S REPORT

The Board recognized Mr. Beck, who presented to and reviewed with the Board the Engineer's Report, a copy of which is on file in the official records of the District. Mr. Beck also noted that two (2) bids had been received from the perimeter wall project. Mr. Beck advised that the low bidder was Aber Fence Company, with a bid of \$1,119,234.45 (including extra and alternate items). Mr. Beck then reviewed Aber's bid with the Board, noting that, for the TCEQ's TPDES requirements regarding storm water runoff, the bid submitted contained "N/A." Mr. Beck advised that he will meet with Aber to discuss the TCEQ requirements and ensure that Aber understands the requirements and that compliance is mandatory. Mr. Beck also recommended that the Board authorize the Wall Committee to approve change orders related to the wall construction, in an amount not to exceed 5% of the total project cost.

Upon motion by Director Doll, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the Engineer's Report, as submitted. Upon motion by Director Pratt, seconded by Director Doll, and after full discussion the Board voted unanimously to award contract for the perimeter wall construction project to Aber Fence & Supply Co., Inc. (low bidder) in the amount of \$1,19,234.45 (including extra and alternate items), subject to Aber's clarification, in writing, that all items listed as "included" in the bid are included in the total bid price, and that Aber understands and will comply with the TCEQ TPDES requirements for managing storm water runoff. Upon motion by Director Pratt, seconded by Director Doll, and after

full discussion, the Board voted unanimously to authorize the Wall Committee to approve changes orders related to the wall construction, subject to the following provisions: (1) in an amount not to exceed 5% of the total construction project; (2) approval requires consent of both members of the Wall Committee; and (3) if one member of the Wall Committee is unavailable to review a change order, Director Osteen will serve as the alternate member of the Wall Committee.

CONSTABLE'S REPORT

The Board recognized Deputy McCutcheon, who updated the Board on calls/complaints originating in the District.

The Board noted that no action was necessary in connection with the Constable's Report.

Deputy McCutcheon also inquired about the District's security cameras.

SECURITY COMMITTEE'S REPORT

The Board recognized Director Pratt, who reported that the new cameras have not yet been installed due to contractor delay, noting that installation is scheduled to occur Friday, March 2. Director Pratt also noted that if the contractor does not begin installation by March 2, the contract will be terminated (no money has been paid) and a new contractor engaged to move forward with the project.

The Board noted that no action was necessary in connection with the Security Committee's Report.

TAX ASSESSOR-COLLECTOR'S REPORT

The Board recognized Mr. Ferrier, who presented to and reviewed with the Board the Tax Assessor-Collector's Report for January 2018, a copy of which is on file in the official records of the District.

Upon motion by Director Pratt, seconded by Director Bennett, and after full discussion, the Board voted unanimously to approve the Tax Assessor-Collector's Report.

BOOKKEEPER'S REPORT

The Board recognized Ms. Busboom, who submitted to and reviewed with the Board the Bookkeeper's Report, invoices submitted for payment, and the Investment Report, copies of which are on file in the official records of the District. Ms. Busboom also presented an amended budget for fiscal year ending December 31, 2017. Director Doll inquired about Meadowhill invoices and billing to residents. The Board instructed the Bookkeeper and the Operator to review the Meadowhill invoices and resident billings to determine why the percentage between invoices and billings has changed.

Upon motion by Director Doll, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the (1) Bookkeeper's Report; (2) payment of invoices; (3) Investment Report; and (4) amended budget for fiscal year ending December 31, 2017.

OPERATOR'S REPORT

The Board recognized Mr. Clark, who submitted to and reviewed with the Board the Operator's Report, a copy of which is on file in the official records of the District. Mr. Clark also requested authorization to write-off uncollectable, delinquent account.

Upon motion by Director Pratt, seconded by Director Doll, and after full discussion, the Board voted unanimously to approve the Operator's Report, authorize termination of delinquent accounts, and authorize write-off of uncollectable accounts.

The Board also instructed Mr. Clark to provide notice to all residents of the upcoming RWA rate increase, noting that the RWA fee is billed on a "pass-thru" basis.

CAPITAL IMPROVEMENT COMMITTEE'S REPORT

The Board recognized Director Osteen who noted Director Doll had communicated with Mr. Robertson at Klein ISD regarding a proposed contract amendment, which amendment would provide that Klein ISD pay for capital costs of water and sewer.

Upon motion by Director Pratt, seconded by Director Bennett, and after full discussion, the Board voted unanimously to authorize the Capital Improvement Committee to negotiate a contract amendment with Klein ISD.

APPROVAL OF MINUTES

The proposed Minutes of the meetings of the Board held January 18, 2018, and January 23, 2018, previously distributed to the Board, were presented for consideration and approval.

Upon motion by Director Bennett, seconded by Director Pratt, and after full discussion, the Board voted unanimously to approve the Minutes of the meetings of the Board held January 18, 2018, and January 23, 2018, as submitted.

ATTORNEY'S REPORT

Amendment to Notice to Sellers and Purchasers

Consideration was then given to a proposed Amendment to Notice to Sellers and Purchasers. Mr. Kahn informed the Board that the Notice to Sellers and Purchasers must be revised to reflect the bonds sold by the District. Mr. Kahn also noted that the Notice will be filed in the Harris County Real Property records and with the Texas Commission on Environmental Quality (the "Commission").

Upon motion by Director Pratt, seconded by Director Bennett, and after full discussion, the Board by unanimous vote approved the Amendment to Notice to Sellers and Purchasers of Real Estate Located Within the District and authorized Mr. Kahn to file said Notice in the Harris County Real Property Records and with the Commission.

ADJOURNMENT

There being no further business to come before the Board, upon motion made, seconded, and approved unanimously, the meeting was adjourned.

PASSED, APPROVED, AND ADOPTED, this 27th day of March, 2018.


Secretary, Board of Directors



AGENDA
NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28

Notice is hereby given that, pursuant to V.T.C.A. Government Code, Chapter 551, the Board of Directors of **Northwest Harris County Municipal Utility District No. 28** will meet in **regular** session, open to the public, at **6:30 p.m.**, on **Tuesday, February 27, 2018**, at **Normandy Forest Clubhouse, 20811 Normandy Forest Drive, Spring, Harris County, Texas 77388**, at which meeting the following items will be considered and acted on:

1. Hear from Public (each speaker limited to 3 minutes);
2. Hear Website Report and take any action thereon, including: (5 minutes)
 - (a) discuss and take action on "Contact Us" questions/comments/concerns;
3. Hear Constable's Report and take any action thereon, including: (10 minutes)
 - (a) consider approving Interlocal Agreement for Law Enforcement Services;
4. Hear Engineer's Report and take any action thereon, including: (20 minutes)
 - (a) consider authorizing Engineer to proceed with the design of District facilities;
 - (b) consider approving plans and specifications of District facilities;
 - (c) consider authorizing Engineer to advertise for bids for District projects;
 - (d) review bid tabulation and consider award of bid and approval of contract for construction of perimeter wall;
 - (e) consider appointing Wall Committee to approve change orders related to construction of perimeter wall;
5. Hear Tax Assessor/Collector's Report, and take any action thereon, including: (10 minutes)
 - (a) consider approving payment of tax bills;
 - (c) consider candidates for write-off from delinquent tax roll;
6. Hear Bookkeeper's Report and take any action thereon, including: (10 minutes)
 - (a) consider approving payment of bills;
 - (b) consider approving Investment Report; and
 - (c) review Klein ISD balances for repair escrow and water/sewer usage;
7. Hear Operator's Report, and take any action thereon, including: (10 minutes)
 - (a) consider authorizing repairs to District facilities;
 - (b) consider authorizing maintenance to District facilities;
 - (c) consider approving termination of service to delinquent accounts;
8. Hear Security Committee's Report and take any action thereon; (10 minutes)
9. Hear Capital Improvement Committee's Report and take any action thereon; (10 minutes)
10. Consider approving Minutes of meetings held January 18, 2018, and January 23, 2018;
11. Hear Attorney's Report and take any action thereon, including:
 - (a) consider approving Amendment to Notice to Sellers and Purchasers.

Pursuant to V.T.C.A. Government Code §551, the Board of Directors may convene in closed session in relation to any agenda item included in this Notice with such closed session to be held at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by V.T.C.A. Government Code Chapter 551, including but not limited to, private consultation with the District's Attorneys on any or all matters or subjects authorized by law, pending or contemplated litigation, personnel matters, real estate transactions, security devices, economic development negotiations and/or gifts and donations.

EXECUTED the 20th day of February, 2018.



NORTHWEST HARRIS COUNTY MUNICIPAL
UTILITY DISTRICT NO. 28

By: _____

Ryan LaRue
Ryan LaRue

Sanford Kuhl Hagan Kugle Parker Kahn, LLP
Attorneys for the District

NUM
9
K.R

OK

1302929
02/21/2018 PERSONAL
\$9.00 NPR - NOTICE MTG

AGENDA
NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28

Notice is hereby given that, pursuant to V.T.C.A. Government Code, Chapter 551, the Board of Directors of Northwest Harris County Municipal Utility District No. 28 will meet in regular session, open to the public, at 6:30 p.m., on Tuesday, February 27, 2018, at Normandy Forest Clubhouse, 20811 Normandy Forest Drive, Spring, Harris County, Texas 77388, at which meeting the following items will be considered and acted on:

1. Hear from Public (each speaker limited to 3 minutes);
2. Hear Website Report and take any action thereon, including: (5 minutes)
 - (a) discuss and take action on "Contact Us" questions/comments/concerns;
3. Hear Constable's Report and take any action thereon, including: (10 minutes)
 - (a) consider approving Interlocal Agreement for Law Enforcement Services;
4. Hear Engineer's Report and take any action thereon, including: (20 minutes)
 - (a) consider authorizing Engineer to proceed with the design of District facilities;
 - (b) consider approving plans and specifications of District facilities;
 - (c) consider authorizing Engineer to advertise for bids for District projects;
 - (d) review bid tabulation and consider award of bid and approval of contract for construction of perimeter wall;
 - (e) consider appointing Wall Committee to approve change orders related to construction of perimeter wall;
5. Hear Tax Assessor/Collector's Report, and take any action thereon, including: (10 minutes)
 - (a) consider approving payment of tax bills;
 - (c) consider candidates for write-off from delinquent tax roll;
6. Hear Bookkeeper's Report and take any action thereon, including: (10 minutes)
 - (a) consider approving payment of bills;
 - (b) consider approving Investment Report; and
 - (c) review Klein ISD balances for repair escrow and water/sewer usage;
7. Hear Operator's Report, and take any action thereon, including: (10 minutes)
 - (a) consider authorizing repairs to District facilities;
 - (b) consider authorizing maintenance to District facilities;
 - (c) consider approving termination of service to delinquent accounts;
8. Hear Security Committee's Report and take any action thereon; (10 minutes)
9. Hear Capital Improvement Committee's Report and take any action thereon; (10 minutes)
10. Consider approving Minutes of meetings held January 18, 2018, and January 23, 2018;
11. Hear Attorney's Report and take any action thereon, including:
 - (a) consider approving Amendment to Notice to Sellers and Purchasers.

FILED
2018 FEB 21 AM 0:20
HARRIS COUNTY CLERK

Pursuant to V.T.C.A. Government Code §551, the Board of Directors may convene in closed session in relation to any agenda item included in this Notice with such closed session to be held at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by V.T.C.A. Government Code Chapter 551, including but not limited to, private consultation with the District's Attorneys on any or all matters or subjects authorized by law, pending or contemplated litigation, personnel matters, real estate transactions, security devices, economic development negotiations and/or gifts and donations.

EXECUTED the 20th day of February, 2018.



NORTHWEST HARRIS COUNTY MUNICIPAL
UTILITY DISTRICT NO. 28

By: Ryan E. LaRue
Ryan LaRue
Sanford Kuhl Hagan Kugle Parker Kahn, LLP
Attorneys for the District

CERTIFICATE OF POSTING OF NOTICE OF MEETING

THE STATE OF TEXAS §

COUNTY OF HARRIS §

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28 §

I, Deidra Daniels, the undersigned, hereby state that I posted the attached Notice of Meeting of the Board of Directors of Northwest Harris County Municipal Utility District No. 28 in the administrative office at Sanford Kuhl Hagan Kugle Parker Kahn, LLP., 1980 Post Oak Boulevard, Suite 1380, Houston, Texas 77056 at 10 a.m., on Feb 29 2018 which time is more than 72 hours before the meeting.



CERTIFICATE OF POSTING OF NOTICE OF MEETING

THE STATE OF TEXAS §

HARRIS COUNTY §

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28 §

I, Marcia Steppelberg, the undersigned, hereby state that I posted the attached Notice of Meeting of the Board of Directors of Northwest Harris County Municipal Utility District No. 28 at 20811 Normandy Forest Dr., Spring, Texas, the location inside the boundaries of the District designated for the posting of agendas, on the 23rd day of February, 2018 at 11:15 o'clock am., which time was not less than 72 hours prior to the scheduled time of the meeting.

Marcia Steppelberg
(Name)

Date: Feb 27, 2018

ATTENDANCE LIST
Northwest Harris County MUD No. 28

- E. Dwight Osteen, II (President)
- Thomas Pratt (Vice President/Treasurer)
- Richard C. Doll (Secretary)
- Denean A. Bennett (Asst Secretary)
- Troy Zuckero (Asst Secretary)

Bookkeeper		Website – Off Cinco	
Vicki Busboom	✓	Shannon Waugh	
Engineer – Bleyl Engineering		Operator – Hays Utility	
Mark Adams		Robb Clark	✓
<u>Austen Beck</u>	✓		
Auditor - Roth and Eyring		Constable	
Mark Eyring		Deputy McCutcheon	✓
		Sgt. Colley	
Tax A/C – Equi-Tax		Attorney – SK Law	
Vickey Sullivan		Ryan LaRue	
David Ferrier	✓	Joshua J. Kahn	✓
		Deidra Daniels	✓

NOTES: _____

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 28
ATTENDANCE SHEET

Feb 27, 2018

<u>Name</u>	<u>Speak to the Board</u> (yes/no)	<u>Regarding:</u>
NO Public		