

NORTHWEST FREEWAY MUNICIPAL UTILITY DISTRICT
Minutes of Meeting of Board of Directors
February 26, 2024

The Board of Directors (the "Board") of Northwest Freeway Municipal Utility District (the "District") met in regular session, open to the public on February 26, 2024, in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Barry Campbell, President
Tom Wildrick, Vice President
Charles "Kendrick" Dudley, Secretary
Carlos Heredia, Assistant Secretary
William White, Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also attending the meeting were Dulce Molina of Municipal Accounts & Consulting, L.P. ("MA&C"); Lonnie Lee of Regional Water Corporation ("RWC"); Emma Highberger of Wheeler & Associates, Inc. ("Wheeler"); Joseph Hopper of Storm Water Solutions L.P. ("SWS"); Dennis Sander of Sander Engineering Corporation ("SEC"); Brandon West of Touchstone District Services, LLC ("Touchstone"); Summer Anseman; Alex Reyes and Arthur Russell Jones V, residents of the District; and Spencer Creed of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before the Board.

PUBLIC COMMENTS

The Board began by opening the meeting for public comments. There were no comments from the public at this time and the Board continued to the next item of business.

APPROVAL OF MINUTES

The Board next reviewed the minutes of its meeting held on January 22, 2024. A revision was noted to page five (5) of said minutes. Following discussion, Director Dudley moved that the minutes of the Board's meeting held on January 22, 2024, be approved, as revised. Director Wildrick seconded said motion, which unanimously carried.

BOOKKEEPER'S REPORT

Ms. Molina next presented to and reviewed with the Board the bookkeeping report dated February 26, 2024, attached hereto as **Exhibit A**, including the disbursements presented for payment from the District's various accounts. After discussion, Director Dudley moved that the bookkeeping report be approved and that the disbursements identified in the report be approved for payment, including check no. 15005 payable to Director Heredia in the amount of \$204.08 for eligible expenses related to an Association of Water Board Directors webinar, and check no. 15006 in the amount of \$8,944.20 payable to Worldwide Power Products. Director Wildrick seconded said motion, which unanimously carried.

Ms. Molina then presented to and reviewed with the Board a Quarterly Investment Report, which had been prepared by MA&C for the reporting period ending December 31, 2023, a copy of which is included with **Exhibit A**. After review of the Quarterly Investment Report and upon motion duly made by Director Dudley, seconded by Director Wildrick and unanimously carried, said Quarterly Investment Report was approved and the District's Investment Officer was authorized to execute same on behalf of the Board and the District.

TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Highberger next presented to and reviewed with the Board the tax assessor-collector report and delinquent collections listing prepared by Wheeler for the month of January 2024, copies of which are attached hereto as **Exhibit B**. After discussion, Director Wildrick moved that the tax assessor-collector's report be approved and that the disbursements identified in the report be approved for payment. Director Dudley seconded said motion, which unanimously carried.

REPORT AND LEGAL ACTION TAKEN BY THE DISTRICT'S DELINQUENT TAX COLLECTIONS ATTORNEY

Mr. Creed presented to and reviewed with the Board a delinquent tax collections attorney report, received by the District from Ted A. Cox, P.C., a copy of which is attached hereto as **Exhibit C**. No action was taken by the Board at this time.

ADOPTION OF RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2024 TAX YEAR

Mr. Creed reminded the Board that the taxing procedures applicable to a particular district will depend, in part, upon whether it is determined to be a "Developed District" pursuant to Texas Water Code Section 49.23602. He then reviewed with the Board a Resolution Concerning Developed District Status for the 2024 Tax Year, attached hereto as **Exhibit D**. Following discussion, upon motion made by Director Campbell, seconded by Director Wildrick, and unanimously carried, the attached Resolution was adopted by the Board memorializing that the District shall not be considered a Developed District for any purposes.

OPERATIONS REPORT

Mr. Lee next presented and reviewed the Operations Report for January 2024, a copy of which Report is attached hereto as **Exhibit E**, and discussed same with the Board. He advised that the resident who lives at 24303 Sandhill Trails Court requested replacement of the section of fence (85 linear feet) located at Water Plant No. 3 that backs up to their residence. He noted that the cost to replace this section of the fence is approximately \$5,950. Following discussion, Director Heredia moved that RWC be authorized to replace the section of the fence located at Water Plant No. 3, as discussed. Director White seconded the motion, which unanimously carried.

Mr. Lee next advised that a valve located at Water Plant No. 3 is in need of being replaced at a cost of approximately \$9,250. Following discussion, Director Heredia moved that RWC be authorized to replace the valve, as discussed and as recommended by RWC. Director White seconded the motion, which unanimously carried.

Mr. Lee next provided updates regarding the status of repair of lift pump nos. 2 and 3 at the wastewater treatment plant, as well replacement of the generator controller. In that regard, he advised that these projects have been completed, as previously authorized by the Board.

Director Campbell provided the Board with an update regarding the status of phase IV of installation of electronic meters in the District by Accurate Meter & Supply, L.L.C.

Mr. Creed next discussed with the Board the requirements of Title 30, Section 288.30 of the Texas Administrative Code for retail public water suppliers such as the District to review and, if appropriate, revise their Drought Contingency Plan (the "DCP") and Water Conservation Plan ("WCP") not later than May 1, 2024, and every five years thereafter. He requested that the Board consider authorizing RWC and SEC to review the District's DCP and WCP for any required updates. After discussion, Director Heredia moved that RWC and SEC be authorized to review the District's DCP and WCP for any required updates, as necessary. Director Campbell seconded the motion, which unanimously carried.

ENGINEERING REPORT

Mr. Sander presented and reviewed a written engineering report for February 26, 2024, a copy of which report is attached hereto as **Exhibit F**, relative to the status of various projects within the District, and discussed same with the Board. He advised that the seal located on the bottom of the exterior of the hydropneumatic tank located at Water Plant No. 3 is in need of being replaced at a cost of approximately \$3,051.00. Following discussion, Director Heredia moved that that SEC be authorized to coordinate replacement of the seal, as discussed. Director Wildrick seconded the motion, which unanimously carried.

RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE FOR CONSTRUCTION PROJECTS

Mr. Creed next presented to the Board for review and approval a Resolution Adopting Prevailing Wage Rate Scale for Construction Projects (the "Resolution"), attached hereto as **Exhibit G**. He informed the Board that the District previously adopted the Department of Labor's applicable wage rates for the Harris County area, which have recently been updated. After discussion and consideration of the proposed Resolution, Director Heredia moved that the Board adopt the Resolution with Exhibit "A" to same reflecting the updated wage rates published by the Department of Labor for the Harris County area and that the President and Secretary be authorized to execute same on behalf of the Board and the District. Director Dudley seconded said motion, which unanimously carried.

STORM WATER SOLUTIONS, L.P.

Mr. Hopper next presented and reviewed a report prepared by SWS, a copy of which is attached hereto as **Exhibit H**. He advised that SWS has replaced the crushed outfall pipe located near the drainage channel, as authorized by the Board at the previous meeting.

Mr. Hopper next provided the Board with updates concerning the unauthorized connections to the District's detention pond located at 24527 Pheasant Ranch Court and 17610 Hickory Ranch Drive. He advised that the connections to the pond have been filled, and that these matters are resolved.

AMENDMENT OF GROUNDS MAINTENANCE AGREEMENT ("AGREEMENT") WITH SEABACK MAINTENANCE, INC. ("SMI"); STATUS OF AGREEMENT AND ALTERNATIVE PROPOSALS; CONSIDER AUTHORIZING TERMINATION OF AGREEMENT

The Board deferred approval of an amendment of the Agreement with SMI, consideration of alternative proposals, and/or authorizing notice of termination to SMI in connection with the Agreement until later in the meeting.

ISSUANCE OF UTILITY COMMITMENT(S)

The Board deferred consideration of issuance of utility commitments after noting that no requests had been received.

DEVELOPER'S REPORT

The Board deferred consideration of the developer's report as there was no developer representative present at today's meeting.

SECURITY REPORT AND SECURITY ISSUES WITHIN THE DISTRICT

The Board next discussed the status of the District's security patrol contract with the Harris County Constable's Office, Precinct 4 and security issues within the District, and reviewed the monthly activity report for the month of January 2024, a copy of which is attached hereto as **Exhibit I**.

Mr. Hopper exited the meeting at this time.

RENEWAL OF DISTRICT INSURANCE COVERAGES

As the next order of business, the Board considered renewal of the District's insurance coverages. Mr. Creed advised the Board that, as requested at a previous meeting, SPH obtained a renewal proposal from Arthur J. Gallagher & Co. He advised that the District's current coverages are due to expire on March 31, 2024. After discussion, Director Campbell moved that the Board accept the proposal from Arthur J. Gallagher & Co., a copy of which is attached hereto as **Exhibit J**. Director Dudley seconded the motion, which unanimously carried.

ATTORNEY'S REPORT

The Board next considered the Attorney's Report. In connection therewith, Mr. Creed provided the Board with an update concerning the District's 2024 Directors Election.

Mr. Creed next noted that the alterative proposals received for grounds maintenance had been provided to the Board for review. Following discussion, the Board concurred to defer action on those proposals until the next meeting.

STATUS OF DISTRICT WEBSITE

Mr. West next presented and reviewed a Communications Meeting Report prepared by Touchstone, a copy of which is attached hereto as **Exhibit K**. Mr. West was requested by the Board to post a public service notice about flushable wipes on the website. No additional action was taken by the Board at this time.

CLOSED SESSION

The Board determined it would not be necessary to enter into Closed Session pursuant to Texas Government Code, Section 551.071 and/or Section 551.072.

MATTERS TO BE CONSIDERED ON FUTURE AGENDAS

The Board considered items for placement on a future agenda. No specific items were requested.

ADJOURNMENT

There being no further business to come before the Board, Director Heredia moved that the meeting be adjourned. Director Dudley seconded the motion, which unanimously carried.


Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

Exhibit A	Bookkeeper's Report
Exhibit B	Tax Assessor-Collector's Report
Exhibit C	Delinquent Tax Report
Exhibit D	Resolution Concerning Developed District Status for the 2024 Tax Year
Exhibit E	Operations and Maintenance Report
Exhibit F	Engineer's Report
Exhibit G	Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
Exhibit H	Report provided by Storm Water Solutions, L.P.
Exhibit I	Security Report
Exhibit J	Renewal proposal from Arthur J. Gallagher & Co.
Exhibit K	Communications Meeting Report