

MINUTES
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

July 11, 2024

The Board of Directors (the "Board") of Brazoria County Municipal Utility District No. 36 (the "District") met in regular session, open to the public, on the 11th day of July, 2024, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Mark Nokelby	President
Emma Delgado	Vice President
Esther Flores	Secretary
Kimberly Stevens	Assistant Vice President
Paul Torres	Assistant Secretary

and all of the above were present, except Director Nokelby, thus constituting a quorum.

Also attending the meeting in person or by telephone: Eric Ungar and Tommy Mendez of Skymark Development Company, Inc.; Veronica Hernandez of McLennan & Associates, L.P.; Madeline James of Assessments of the Southwest, Inc.; Ryan Haynes of Environmental Allies; Danae Dehoyos of Touchstone District Services; Todd A. Elston of R. G. Miller Engineer's, Inc.; and Heather Kelly and Danielle Hudson of Allen Boone Humphries Robinson LLP

PUBLIC COMMENTS

There were no public comments received by the Board.

APPROVE MINUTES

The Board considered approving the minutes of the June 20, 2024, regular meeting. Following review and discussion, Director Torres moved to approve the June 20, 2024, regular meeting minutes, as presented. Director Flores seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Hernandez reviewed the bookkeeper's report with the Board, a copy of which is attached. Following review and discussion, Director Flores moved to approve the bookkeeper's report and payment of the bills. Director Delgado seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. James presented and reviewed the tax report from June, a copy of which is attached, including the delinquent tax roll.

Following review and discussion, Director Flores moved to approve the tax report and payments to be made from the tax account. Director Delgado seconded the motion, which passed unanimously.

ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2024 TAX YEAR

Ms. Kelly discussed the “truth-in-taxation” property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district’s development status and/or tax rate. She reviewed the definitions for each of the three categories and said the Board must annually determine the District’s category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District’s development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developing District for the 2024 tax year.

Following review and discussion, Director Torres moved to adopt a Resolution Regarding Development Status for 2024 Tax Year establishing the District as a Developing District for the 2024 tax year, pursuant to Section 49.23603, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District’s official records. Director Flores seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Elston reviewed an engineer’s report with the Board, a copy of which is attached. Mr. Elston stated that bids were received for Clearing and Grubbing to Serve Kendall Lakes, Section 12, and recommended that the Board award the contract to the second lowest bidder Southern Style Services, LLC (“Southern Styles”) in the amount of \$599,002.50 due to the shorter contract time of completing the project in 90 days. The Board concurred that, in its judgment, Southern Styles was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project.

Following review and discussion, Director Torres moved to: (1) approve the engineer’s report; and (2) award the contract for Clearing and Grubbing to serve Kendall Lakes, Section 12, to Southern Styles in the amount of \$599,002.50, based upon the engineer’s recommendation and receipt of the payment and performance bonds and the certificate(s) of insurance and endorsements, if any, provided by the contractor. Director Delgado seconded the motion, which passed unanimously.

UPDATE ON UNLIMITED TAX BOND, SERIES 2024

Mr. Elston updated the Board on the status of bond application for the Unlimited Tax Bonds, Series 2024.

DEEDS, EASEMENTS, AND CONSENTS TO ENCROACHMENT, AND ABANDONMENT OF EASEMENTS

There was no discussion on this agenda item.

PARK PROJECTS AND UTILIZATION OF OPEN SPACE AND RECREATIONAL MATTERS

Mr. Laughner presented a revised cost summary for the proposed park projects in the District.

Director Stevens entered the meeting.

REPORT ON MAINTENANCE OF DISTRICT FACILITIES

Mr. Haynes reviewed a detention maintenance report with the Board, a copy of which is attached. The Board discussed the status of the District's detention ponds following a severe weather storm in the area and requested that Mr. Haynes provide an update of the facilities at the next Board meeting. Mr. Haynes discussed concerns of erosion surrounding the District's North Detention Basin. Discussion ensued.

SECURITY MATTERS

Ms. Kelly updated the Board on the status of the installation of Flock Safety security cameras at the entrance and exit to the District.

DISTRICT WEBSITE MATTERS

Ms. Dehoyos reviewed a communications report related to the District's website, a copy of which is attached.

The Board discussed a website survey for residents to vote on park amenities for the community.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Mr. Ungar updated the Board on development in the District.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.



Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Bookkeeper's report.....	1
Tax report.....	2
Communications report.....	3