

MINUTES
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

May 9, 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 9th day of May, 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, thus constituting a quorum.

Also attending the meeting were: Veronica Hernandez of McLennan & Associates, L.P.; Madeline James of Assessments of the Southwest, Inc.; Todd A. Elston of R. G. Miller Engineers, Inc.; Ryan Haynes of Environmental Allies; Danae Dehoyos of Touchstone District Services; Corey Laughtner of KGA DeForest Design, LLC; Cameron Newton and Michael Kaska of Friendswood Development Company ("FDC"); and Heather Trachtenberg and Danielle Hudson of Allen Boone Humphries Robinson LLP ("ABHR")

PUBLIC COMMENTS

There were no public comments received by the Board.

APPROVE MINUTES

The Board considered approving the minutes of the April 4, 2024, special meeting, and the minutes of the April 11, 2024, regular meeting. Following review and discussion, Director Nokelby moved to approve the April 4, 2024 special meeting minutes and the April 11, 2024 regular meeting minutes, as presented. Director Stevens seconded the motion, which passed unanimously.

2024 DIRECTORS ELECTION

CERTIFICATE OF ELECTION

The Board considered approving a Certificate of Election (the "Certificate") reflecting the re-election of Esther Flores and Kimberly Stevens to the Board of Directors of the District for a four-year term.

SWORN STATEMENTS AND OATHS OF OFFICE

The Board considered accepting the Sworn Statements and Oaths of Office for Directors Flores and Stevens.

Following review and discussion, Director Nokelby moved to: (1) approve the Certificate and the distribution of same to Directors Flores and Stevens and direct that the Certificate be filed appropriately and retained in the District's official records; and (2) approve the Sworn Statements and Oaths of Office, direct that the documents be filed in the official records of the District, and that the Oaths of Office be filed with the Secretary of State, as required by law. Director Torres seconded the motion, which passed unanimously.

REORGANIZE THE BOARD

The Board concurred not to reorganize the Board of Directors.

DISTRICT REGISTRATION FORM

The Board then considered authorizing the filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ") reflecting the terms of the newly elected Directors.

Following review and discussion, Director Nokelby moved to authorize filing the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Torres seconded the motion, which passed unanimously.

TEXAS PUBLIC INFORMATION ACT ("TPIA") TRAINING

Ms. Trachtenberg discussed the TPIA and noted that the Texas Legislature has made it explicit that officers and employees of governmental entities are temporary custodians of public information. Ms. Trachtenberg distributed a memorandum regarding Texas Open Meetings Act ("TOMA") and TPIA training requirements, noted that all Directors have previously completed TOMA training, and encouraged the Board of Directors to receive TPIA training as soon as possible and forward their certificate of completion to ABHR for inclusion in the District's permanent records.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Hernandez reviewed the bookkeeper's report with the Board, a copy of which is attached.

BUDGET FOR FISCAL YEAR END MARCH 31, 2025

Ms. Hernandez presented and reviewed the District's proposed budget for the fiscal year ending May 31, 2025, a copy of which is included in the bookkeeper's report.

Following review and discussion, Director Nokelby moved to: (1) approve the bookkeeper's report and payment of the bills, excluding the check made out to former Director Jean Froelich; and (2) approve the District's budget for the fiscal year ending March 31, 2025. Director Torres seconded the motion, which passed unanimously.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE

The Board discussed the District's Travel Reimbursement in connection with the AWBD summer conference and discussed specific expenses eligible and ineligible for the conference.

AUTHORIZE AUDITOR TO PREPARE THE DISTRICT'S AUDIT REPORT FOR THE FISCAL YEAR ENDING MAY 31, 2024

The Board considered authorizing McGrath & Co., PLLC ("McGrath") to prepare the District's audit report for the fiscal year ending May 31, 2024, for an estimated fee of \$15,000. Following review and discussion, Director Nokelby moved to authorize McGrath to prepare the District's audit report for the fiscal year ending May 31, 2024. Director Flores seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

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

Ms. James stated that the preliminary assessed value for 2024 is \$199,572,361.

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

ENGINEERING MATTERS

Mr. Elston had no written report to present to the Board.

Mr. Elston updated the Board on the Status of Kendal Lakes, Section 12, and stated that construction is nearly complete, and clearing of debris will be advertised for

bids in the near future. Director Nokelby requested that Mr. Elston add chip and hauling costs to the project when it is placed for bids.

The Board discussed the FDC development within the boundaries of the District. Mr. Elston stated that the plans for the additional entrance to the community that the Board had previously requested were rejected by the City of Alvin.

Director Torres discussed resident requests for an additional walking trail in the District as well as installing solar lighting along the current walking trail. Discussion ensued and the Board requested that Mr. Laughner add the costs for solar lighting to the current master plan study.

UNLIMITED TAX BOND, SERIES 2024

Mr. Elston updated the Board on the status of the Series 2024, Unlimited Tax Bonds (“Series 2024 Bonds”).

ADOPT RESOLUTION AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (“TCEQ”) FOR APPROVAL OF PROJECT AND BONDS

The Board considered adopting a Resolution Authorizing Application to the TCEQ for Approval of Project and Bonds (the “Resolution”). Following review and discussion, Director Nokelby moved to approve the Resolution and direct that it be filed appropriately and retained in the District’s official records. Director Torres seconded the motion, which passed unanimously.

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 park amenity master plan to the Board, a copy of which is attached, including design plans and cost estimates for three proposed pocket parks in the District. Discussion ensued regarding various park amenities to be included in the plan including exercise equipment, play structures, a walking trail, and solar lighting. Mr. Laughner stated that he would review the Kendal Lakes, Section 12, land plan and the FDC development to obtain cost estimates for the additional amenities, as discussed.

The Board considered preparing a cost sharing agreement between the District and the homeowners’ association to assist with the costs associated with the park amenities.

REPORT ON MAINTENANCE OF DISTRICT FACILITIES

Mr. Haynes reviewed a detention maintenance report with the Board, a copy of which is attached.

SECURITY MATTERS

The Board discussed the installation of Flock Security cameras at the entrance and exit to District.

DISTRICT WEBSITE MATTERS

Ms. Dehoyos reviewed a communications report related to the District's website, a copy of which is attached. She recommended posting the article "Top 5 Plants for Houston Area Climate" and to the District's website for members of the public and residents of the community.

The Board requested an article be prepared for Hurricane Preparedness and to authorize the website committee to review and approve the article before it is posted on the District's website.

Following review and discussion, Director Nokelby moved to post the article on the District's website, as discussed. Director Torres seconded the motion, which passed unanimously.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Mr. Kaska discussed the Developer Financing Agreement between the District and FDC and requested Board consent to an assignment from FDC to landbank. Ms. Trachtenberg stated that ABHR would prepare a consent for Board approval at the next meeting.

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.....	2
Tax report.....	3
Communications report.....	5