

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

May 8, 2025

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 8<sup>th</sup> day of May, 2025, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 1350, 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 Kevin Garcia of McGrath & Co., PLLC (“McGrath”); Jorge Diaz of McLennan & Associates, L.P.; Brittini Silva of Assessments of the Southwest, Inc.; Brian Rabenaldt of R.G. Miller Engineers, Inc.; Ryan Haynes of Environmental Allies; Corey Laughner of KGA/DeForest Design, Inc.; Justin Waggoner of Touchstone District Services; and Hannah Brook and Kathryn Easey 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 April 10, 2025, regular meeting. Following review and discussion, Director Nokelby moved to approve the April 10, 2025, regular meeting minutes, as presented. Director Delgado seconded the motion, which passed unanimously.

AUTHORIZE AUDITOR TO PREPARE THE DISTRICT’S AUDIT REPORT FOR THE FISCAL YEAR END MAY 31, 2025

The Board considered authorizing McGrath to prepare the District’s audit report for the fiscal year end May 31, 2025, for an estimated fee range between \$15,000 to \$17,000. Following review and discussion, Director Torres moved to authorize McGrath to prepare the District’s audit report for fiscal year end May 31, 2025. Director Nokelby seconded the motion, which passed unanimously.

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

The Board reviewed the Travel Reimbursement Guidelines and discussed Director expenses for the upcoming AWBD summer conference. Discussion ensued regarding designating one of the members of the Board to be the voting member for AWBD items, if needed. Following review and discussion, Director Nokelby moved to (1) approve reimbursement of no more than four per diems, three nights of hotel stay, and reasonable meals for Directors attending the AWBD summer conference, all in accordance with the District's Travel Reimbursement Guidelines; and (2) designate Director Flores to be the voting member for AWBD items, if needed. Director Delgado seconded the motion, which passed unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Mr. Diaz presented and reviewed the bookkeeper's report with the Board, a copy of which is attached. Following review and discussion, Director Nokelby moved to approve the bookkeeper's report and payment of the bills. Director Stevens seconded the motion, which passed unanimously.

## BUDGET FOR FISCAL YEAR END MAY 31, 2026

Mr. Diaz presented and reviewed the proposed budget for the fiscal year end May 31, 2026, a copy of which is included in the bookkeeper's report. Following review and discussion, Director Nokelby moved to approve the District's budget, as presented. Director Stevens seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTIONS MATTERS

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

Ms. Silva reported that the District's 2025 preliminary assessed value is \$211,533,296.

Ms. Silva reviewed the Issuance of Annual Escheated Funds notice for the period March 2, 2021 through March 1, 2022.

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. Rabenaldt presented and reviewed the engineer's report, a copy of which is attached, and updated the Board on the status of ongoing projects as noted in the report.

Mr. Rabenaldt updated the Board on the status of construction matters related to the Kendall Lakes Section 12 detention facilities. He noted the contractor's final pay estimate is being held per the request of the developer.

Following review and discussion, Director Torres moved to approve the engineer's report. Director Nokelby seconded the motion, which passed unanimously.

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

There was no discussion on this agenda item.

## REPORT ON MAINTENANCE OF DISTRICT FACILITIES

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

Mr. Haynes updated the Board on the Flexamat installation. He stated a warranty claim was submitted to address the bare spots where grass is not present.

Mr. Haynes noted there are significant erosion concerns on the north and south sides of the North Pond and the north side of the South Pond. He suggested stabilizing these areas before the sidewalk construction begins. He reviewed multiple proposals addressing the erosion issues, and recommended the Board approve Proposal No. 3 in the amount of \$17,388.00 for spring over seeding and fertilization for both the North and South Ponds, but to delay the work on the South Pond until the sidewalk construction is completed. He noted prices will remain good while the South Pond work is held.

Following review and discussion, Director Nokelby moved to (1) approve the detention maintenance report; and (2) approve Proposal No. 3 in the amount of \$17,388.00, but hold the work on the South Pond until the sidewalk construction is completed, as discussed. Director Delgado seconded the motion, which passed unanimously.

## STORM WATER MANAGEMENT PLAN AND STORM WATER PERMITTING MATTERS

There was no discussion on this agenda item.

## SECURITY MATTERS

The Board discussed security matters in the District.

## DISTRICT WEBSITE MATTERS

Mr. Waggoner reviewed a communications report related to the District's website, a copy of which is attached. He requested approval to post the articles entitled "Don't Feed the Alligators" and "Resident Reminder: Don't Swim in the Lakes!" Discussion ensued regarding alligator safety and adding information to the website for contacting the Texas Parks and Wildlife Department. Following discussion, Director Nokelby moved to approve posting the articles to the website. Director Torres seconded the motion, which passed unanimously.

Director Torres reported attending the Kendall Lakes Community Association, Inc. ("HOA") monthly board meeting. He stated he reported on the District's pond renovation project and the alligator discussion. He stated the HOA is interested in moving one of the fountains to a new location. Director Torres stated he encouraged the HOA to attend a Board meeting to formally address the Board.

## PARK PROJECTS, UTILIZATION OF OPEN SPACE AND RECREATIONAL MATTERS

Mr. Laughner reviewed a landscape architect's report for the proposed park projects in the District, a copy of which is attached. He provided an update on Trail and Lighting Improvements. He stated he will follow up on electrical matters and lead times for the light fixtures, which may push the start date for the project further out.

## REPORT REGARDING DEVELOPMENT IN THE DISTRICT, INCLUDING FINANCING AGREEMENTS AND ASSIGNMENTS OF FINANCING AGREEMENTS

There was no discussion on this agenda item.

## NEXT MEETING DATE

The Board concurred to hold the next regular meeting on June 5, 2025, at 2:30 p.m.

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



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Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

Minutes  
Page

Bookkeeper's report.....2  
Tax report.....2  
Engineer's report.....3  
Maintenance report.....3  
Communications report.....4  
Landscape architect's report.....4