

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

February 12, 2026

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 12<sup>th</sup> day of February, 2026, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, 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 Stevens, thus constituting a quorum. Director Stevens joined by teleconference, but did not participate in the meeting.

Also attending the meeting were Jorge Diaz of McLennan & Associates, L.P.; Brittni Silva of Assessments of the Southwest, Inc.; Brian Rabenaldt of Blackline Engineering, LLC; Corey Laughner of KGA/DeForest Design, LLC; Danae Dehoyos 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 December 11, 2025 and January 8, 2026, regular meetings. Following review and discussion, Director Torres moved to approve the minutes, as presented. Director Delgado seconded the motion, which passed unanimously.

2026 DIRECTORS ELECTION

Ms. Brook reviewed an Order Calling Directors Election. Ms. Brook discussed that a Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Brazoria County. Following review and discussion, Director Nokelby moved to (1) adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records; and (2) authorize the Secretary's agent to post or publish and provide to the

County Clerk and Voter Registrar the Notice of Election, if required, and to direct that the Notice of Election be filed appropriately and retained in the District's official records. Director Delgado seconded the motion, which passed unanimously.

#### INSURANCE RENEWAL

The Board reviewed a proposal from McDonald & Wessendorff Insurance for renewal of the District's insurance policies. Following review and discussion, Director Nokelby moved to approve the proposal from McDonald & Wessendorff Insurance and direct that the proposal be filed appropriately and retained in the District's official records. Director Delgado seconded the motion, which passed unanimously.

#### DISCUSS ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

The Board considered approving reimbursement of expenses and payment of per diems for directors who attended the AWBD winter conference and authorizing attendance of its Board members at the AWBD summer conference. After review and discussion, Director Torres moved to approve reimbursement of the AWBD winter conference expenses and payment of per diems and to authorize attendance of the Board members at the AWBD summer conference. 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 Torres moved to approve the bookkeeper's report and payment of the bills. Director Nokelby seconded the motion, which passed unanimously.

#### TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Silva presented and reviewed the tax report from the prior month, 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 Torres seconded the motion, which passed unanimously.

#### RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adopting a Resolution Concerning Exemptions from Taxation (the "Resolution"), which rejects any exemptions for residence homesteads from ad valorem taxation. Following review and discussion, Director Flores moved to adopt the Resolution and direct that the Resolution be filed appropriately and retained

in the District's official records. Director Delgado seconded the motion, which passed unanimously.

#### ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2026 TAX YEAR

Ms. Brook 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 2026 tax year.

Following review and discussion, Director Torres moved to adopt a Resolution Regarding Development Status for 2026 Tax Year establishing the District as a Developing District for the 2026 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 Delgado seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Mr. Rabenaldt reviewed the engineer's report, a copy of which is attached, and updated the Board on ongoing engineering projects as noted in the report. He stated he had no items for the Board's approval.

Director Nokelby inquired about the process for approving change orders. Mr. Rabenaldt responded to Director Nokelby's questions and Mr. Rabenaldt stated he carefully reviews all change orders to verify the changes are critical to completing the project. Ms. Brook also noted that the Texas Commission on Environmental Quality thoroughly reviews change orders submitted in a bond application before approving the allowance.

Director Nokelby inquired about constructing an exit out of Kendall Lakes Section 12 and the construction of acceleration and deceleration lanes. Mr. Rabenaldt stated road entrances onto highways and acceleration and deceleration lanes are handled by the Texas Department of Transportation. Ms. Brook suggested that the residents voice their concerns to the City of Alvin.

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

There was no discussion on this agenda item.

REPORT ON MAINTENANCE OF DISTRICT FACILITIES

There was no discussion on this agenda item.

STORM WATER MANAGEMENT PLAN AND STORM WATER PERMITTING MATTERS

There was no discussion on this agenda item.

SECURITY MATTERS

There was no discussion on this agenda item.

DISTRICT WEBSITE MATTERS

Ms. Dehoyos reviewed a communications report related to the District’s website, a copy of which is attached. She stated she will send two new articles regarding native, drought tolerant plants and drip irrigation to Directors Nokelby and Torres and ABHR for review and approval prior to posting on the website.

PARK PROJECTS, UTILIZATION OF OPEN SPACE AND RECREATIONAL MATTERS

Mr. Laughner reviewed a landscape architect’s report, a copy of which is attached.

Mr. Laughner reported construction of the Trail and Lighting Improvements project is complete. He reviewed and recommended approval of Pay Estimate No. 8 and Final in the amount of \$42,565.56, payable to AGroup Construction, LLC (“AGroup”). He stated a letter of final acceptance has been issued.

Mr. Laughner stated that the Kendall Lakes Community Association (“HOA”) expressed interest in completing the southwest portion of the trail. Director Torres stated that the HOA asked if fountains would be installed in the back lakes. Discussion ensued regarding cost sharing with the HOA and fountain installation.

After review and discussion and based upon the landscape architect’s recommendation, Director Torres moved to (1) approve the landscape architect’s report; and (2) approve Pay Estimate No. 8 and Final in the amount of \$42,565.56 payable to AGroup, for the construction of the Trail and Lighting Improvements project. Director Nokelby seconded the motion, which passed unanimously.

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 March 5, 2026, at 2:30 p.m.

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  
Page

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