

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

March 6, 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 6<sup>th</sup> day of March, 2025, 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 Kevin Garcia of McGrath & Co., PLLC; 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; Corey Laughner of KGA/DeForest Design, Inc. ("KGA"); Danae Dehoyos of Touchstone District Services ("Touchstone"); 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 February 15, 2025, regular meeting. Following review and discussion, Director Torres moved to approve the February 15, 2025, regular meeting minutes, as presented. Director Nokelby seconded the motion, which passed unanimously.

SUPPLEMENTAL DEVELOPER REIMBURSEMENT REPORT FOR SERIES 2024  
UNLIMITED TAX BONDS

Mr. Garcia reviewed the supplemental reimbursement report reflecting the amounts reimbursable by the District to Saratoga Homes of Texas Houston, LLC, Devon Street Homes, LP, and Smith Douglas Homes for water and sewer impact fees funded by the District's \$3,600,000 Unlimited Tax Bonds, Series 2024 (the "Bonds"). Discussion ensued. Following review and discussion, Director Nokelby moved to

approve the developer reimbursement report for the Bonds, subject to finalization, and subject to the receipt of signed Financing and Reimbursement Agreements and reimbursement receipts from Saratoga Homes of Texas Houston, LLC, Devon Street Homes, LP, and Smith Douglas Homes. Director Stevens seconded the motion, which passed unanimously.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Hernandez 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. James presented and reviewed the tax report from February, a copy of which is attached, including the delinquent tax roll. Following review and discussion, Director Nokelby moved to approve the tax report and payments to be made from the tax account. Director Flores seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

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

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

The Board considered accepting conveyance of the following easements (the "Easements"):

1. Water Line Easement (0.0693 Acres) from Maryfield, Ltd.;
2. Storm Sewer Easement (0.2820 Acres) from Maryfield, Ltd.;
3. Detention Easement (0.2543 Acre; 0.7568 Acre; 0.8477 Acre) from Maryfield, Ltd.;
4. Storm Sewer Easement (0.0847 Acre) from Jen Holdco 24, LLC;
5. Detention Easement (0.0102 Acre; 8.670 Acre) from Jen Holdco 24, LLC; and
6. Detention Easement (0.3247 Acre; 3.043) from West Little York 62 AC., Ltd.

Following discussion, Director Nokelby moved to accept conveyance of the Easements and direct that the Easements be filed appropriately and retained in the District's official records. Director Torres seconded the motion, which passed unanimously.

## REPORT ON MAINTENANCE OF DISTRICT FACILITIES

Mr. Haynes reviewed a detention maintenance report with the Board, a copy of which is attached. He stated that mowing of the District's facilities will start up in April. He then reported the South Pond repairs and Flexamat installation are complete and reviewed photographs of the completed job with the Board. Discussion ensued regarding possible sheet flow erosion once the concrete trail is installed around the South Pond. Following review and discussion, Director Stevens moved to approve the detention maintenance report. Director Nokelby 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

Ms. Brook stated that the Flock Safety representative confirmed the security cameras in the District are working properly.

## DISTRICT WEBSITE MATTERS

Ms. Dehoyos reviewed a communications report related to the District's website, a copy of which is attached. She stated she is working on the Projects tab and articles on the erosion control project and upcoming construction on Estuary Road. She requested authorization to post the following articles: (1) How to Care for Plants After a Freeze; (2) Top Ten Plants for the Houston area Climate; and (3) Storm Drains Aren't Trash Cans! Discussion ensued regarding use of rain barrels in the District. Following review and discussion, Director Torres moved to approve the communications report and authorize Touchstone to post the articles without references to rain barrel usage, as discussed. Director Delgado seconded the motion, which passed unanimously.

## 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 reviewed the revised trail improvements layout and design with the Board and discussed the construction timeline. Discussion ensued regarding areas where tractors will be crossing over the sidewalk to access facilities for maintenance. Mr. Haynes stated he will provide additional information relating to maintenance access to Mr. Laughner.

Mr. Laughner requested the Board authorize KGA to advertise for bids for the construction of the Trail Improvements project.

Following review and discussion, Director Nokelby moved to approve the plans and specifications and authorize KGA to advertise for bids for the Trail Improvements project. Director Delgado seconded the motion, which passed unanimously.

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

Ms. Brook discussed the terms of a Development Financing Agreement (the "Agreement") to reimburse Smith Douglas Homes for impact fees paid by the builder directly to the City of Alvin. Following review and discussion, Director Nokelby moved to enter into an Agreement with Smith Douglas Homes for impact fee reimbursement and direct that the Agreement be filed appropriately and retained in the District's official records. Director Delgado seconded the motion, which passed unanimously.

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

(SEAL)



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Secretary, Board of Directors

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