

MINUTES
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

September 11, 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 11th day of September, 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 except Director Flores, thus constituting a quorum.

Also attending the meeting were Darren Gray, a resident of the District; TJ Florete of McGrath & Co., PLLC; Jorge Diaz of McLennan & Associates, L.P.; Brittnei Silva of Assessments of the Southwest, Inc.; Asim Tufail and Brian Rabenaldt of Blackline Engineering, LLC; Ryan Haynes of Environmental Allies; Danae Dehoyos of Touchstone District Services; Corey Laughner of KGA/DeForest Design, LLC; and Hannah Brook and Kathryn Easey of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Gray addressed the Board regarding approval for the installation of a retaining wall along his property to prevent further erosion of his property, which is located adjacent to the District detention basin. He presented various photographs showing alleged changes to the elevation of his property over time. Mr. Haynes and Mr. Tufail stated they made a site visit to Mr. Gray's property and found no evidence of erosion within the District's side slope. Ms. Brook stated the construction of a retaining wall along Mr. Gray's property is outside the District's purview and recommended that he contact his homeowner's association for further assistance.

Mr. Gray then reported that there may be a void between the pond retaining wall and the vertical shelf at the detention basin. Mr. Rabenaldt stated the District will investigate this matter further.

APPROVE MINUTES

The Board considered approving the minutes of the August 14, 2025, regular meeting. Following review and discussion, Director Stevens moved to approve the

August 14, 2025, regular meeting minutes, as presented. Director Delgado seconded the motion, which passed unanimously by a vote of 3 to 0, with Director Nokelby abstaining from the vote.

AUDIT REPORT FOR FISCAL YEAR END MAY 31, 2025

Mr. Florete reviewed a draft audit report for the fiscal year end May 31, 2025. Following review and discussion, Director Nokelby moved to approve the audit, subject to final review by Directors and consultants, and direct that the audit be filed appropriately and retained in the District's official records. 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 Delgado seconded the motion, which passed unanimously.

ANNUAL REVIEW OF INVESTMENT POLICY

The Board conducted its annual review of the District's Investment Policy, and Ms. Brook stated that neither ABHR nor the bookkeeper have any recommended changes. After review and discussion, Director Stevens moved to adopt a Resolution Regarding Annual Review of Investment Policy and direct that the resolution be filed appropriately and retained in the District's official records. Director Nokelby seconded the motion, which passed unanimously.

RESOLUTION ESTABLISHING THE AUTHORIZED DEPOSITORY INSTITUTIONS AND ADOPTING LIST OF QUALIFIED BROKER/DEALERS WITH WHOM THE DISTRICT MAY ENGAGE IN INVESTMENT TRANSACTIONS

Ms. Brook reviewed a Resolution Establishing Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. She next reviewed a list of qualified broker/dealers provided by the District's bookkeeper, a copy of which is attached. After review and discussion, Director Stevens moved to adopt a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions and direct that the resolution be filed appropriately and retained in the District's official records. 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 Delgado moved to approve the tax report and payments to be made from the tax account. Director Torres seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. Silva stated that notice was published of the public hearing to be held at the September 11, 2025 meeting regarding adoption of the District's 2025 tax rate.

The Board opened the public hearing. There being no comments from the public, the Board closed the public hearing.

Ms. Brook presented an Order Levying Taxes reflecting the proposed 2025 tax rate. She then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment will be filed with the Texas Commission on Environmental Quality ("TCEQ") and recorded in the Official Public Records of Brazoria County.

After review and discussion, Director Nokelby moved to (1) adopt the Order Levying Taxes reflecting a total 2025 tax rate of \$0.645 per \$100 of assessed valuation, comprised of \$0.54 to pay debt service on water, sewer, and drainage bonds, and \$0.105 for operations and maintenance; (2) approve the Amendment to Information Form and direct that it be filed with the TCEQ and the Official Public Records of Brazoria County; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Delgado seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Rabenaldt and Mr. Tufail reviewed the engineer's report, a copy of which is attached.

Mr. Rabenaldt updated the Board on the status of the clearing and grubbing for Kendall Lakes Section 12. He stated the developer and Southern Styles Services have reached an agreement on the final pay application.

Mr. Tufail updated the Board on the status of construction of the water, sanitary sewer, and drainage facilities to serve Kendall Lakes Section 12. He stated plans are under review by CenterPoint Energy, Inc.

Mr. Tufail updated the Board on the status of construction of the detention facilities to serve Kendall Lakes Section 12. He reviewed and recommended approval of Pay Estimate No. 4 in the amount of \$291,917.25 and Pay Estimate No. 5 in the amount of \$325,142.12, payable to ClearX, LLC ("ClearX"). Mr. Tufail also reviewed and recommended approval of Change Order Nos. 1 and 2 to the contract with ClearX to increase the contract in the amounts of \$30,125.00 and 122,024.66, respectively. Discussion ensued regarding construction plan changes required by Denbury Pipeline and Brazoria County related to the detention facilities, as well as developer reimbursement and project budget concerns. The Board determined that Change Order Nos. 1 and 2 are beneficial to the District.

The Board further discussed Mr. Gray's property and the detention pond retaining wall. Mr. Haynes stated the Kendall Lakes Community Association, Inc. mows and maintains the side slopes of this detention basin.

Following review and discussion, Director Nokelby moved to (1) approve the engineer's report; and (2) based on the engineer's recommendation and the Board's finding that the change orders are beneficial to the District, approve Pay Estimate No. 4 in the amount of \$291,917.25, Pay Estimate No. 5 in the amount of \$325,142.12, Change Order No. 1 in the amount of \$30,125.00, and Change Order No. 2 in the amount of \$122,024.66 as increases to the contract with ClearX for construction of the detention facilities to serve Kendall Lakes Section 12. Director Delgado 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. Discussion ensued regarding the status of the trail improvements project, re-seeding scheduling and handling of fence debris. He stated he had no items for the Board's approval.

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.

The Board discussed resident interactions with an alligator at the District's detention pond and requested that ABHR contact a service provider to have the alligator humanely removed and relocated. Ms. Dehoyos stated she will pin the story "Don't Feed the Alligators" to the website's homepage.

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.

Mr. Laughner updated the Board regarding construction of the Trail and Lighting Improvements project and noted a correction in his report that the lighting fixtures will be delivered to Houston within the next ten days. He then reviewed and recommended approval of Pay Estimate No. 3 in the amount of \$72,297.03, payable to AGroup Construction, LLC ("AGroup"). Mr. Laughner also reviewed and recommended approval of Change Order No. 1 to the contract with AGroup to increase the contract in the amount of \$3,600.00 to raise the height of all of the light pole foundations to help protect against damage. The Board determined that Change Order No. 1 is beneficial to the District.

Discussion ensued regarding the proposal to reroute the trail at the south end of the South Pond to provide for a full concrete loop and greater accessibility.

Following review and discussion, Director Stevens moved to (1) approve the landscape architect's report; and (2) based on the landscape architect's recommendation and the Board's finding that the change order is beneficial to the District, approve Pay Estimate No. 3 in the amount of \$72,297.03 and Change Order No. 1 in the amount of \$3,600.00 as an increase to the contract with AGroup for construction of the Trail and Lighting Improvements project. Director Nokelby seconded the motion, which passed unanimously.

ANNUAL REPORT TO BOND REVIEW BOARD

Ms. Brook presented a memorandum regarding the required submission of an annual report to the Bond Review Board containing certain information about the District's voter-approved but unissued bonds, a copy of which is attached, and stated that ABHR will work with the District's consultants to prepare and submit the annual report by the September 30th deadline.

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 October 9, 2025, 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
List of qualified broker/ dealers.....	2
Tax report.....	3
Engineer's report.....	3
Detention maintenance report	4
Communications report	5
Landscape architect's report.....	5