

MINUTES
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

January 11, 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 11th day of January, 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
Jean Froehlich	Vice President
Esther Flores	Secretary
Kimberly Stevens	Assistant Vice President
Paul Torres	Assistant Secretary

and all of the above were present except Director Froehlich, thus constituting a quorum.

Also attending the meeting were Derek Davenport of McLennan & Associates, L.P.; Madeline James of Assessments of the Southwest, Inc.; Todd A. Elston of R. G. Miller Engineers, Inc. ("R. G. Miller"); Corey Laughner of KGA/DeForest Design, LLC ("KGA"); Ryan Haynes of Environmental Allies; Danae Dehoyos of Touchstone District Services; and Heather Trachtenberg, Danielle Hudson 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 November 9, 2023, regular meeting. Following review and discussion, Director Nokelby moved to approve the minutes as presented. Director Torres seconded the motion, which passed unanimously.

APPOINTMENT OF NEW DIRECTOR

The Board deferred action on this agenda item until the next Board meeting.

2024 DIRECTORS ELECTION

Ms. Trachtenberg discussed procedures related to the 2024 Directors Election. Ms. Trachtenberg reviewed a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2024 Directors Election Period. Ms. Trachtenberg

reported on requirements to post a Notice of Deadline to File Applications for Place on the Ballot for the 2024 Directors Election. Ms. Trachtenberg stated that the District may contract with Brazoria County (the "County") to conduct the District's 2024 Directors Election. Ms. Trachtenberg reviewed an Order Calling Directors Election. Ms. Trachtenberg 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 a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2024 Directors Election Period appointing Kathryn Easey as the agent of the Secretary of the Board of Directors to perform the duties of the District's Directors Election, authorize the agent to post the related notice as required, and direct that the Resolution be filed appropriately and retained in the District's official records; (2) authorize the Secretary's agent to post the Notice of Deadline to File Applications for Place on the Ballot for the 2024 Directors Election as required; (3) contract with the County to administer the District's election; (4) adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records; and (5) 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 Stevens seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Davenport presented and reviewed the bookkeeper's report, 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 Torres seconded the motion, which passed unanimously.

ACCEPT ANNUAL DISCLOSURE STATEMENTS FOR INVESTMENT OFFICER AND BOOKKEEPER

Ms. Trachtenberg explained that the Public Funds Investment Act and the District's Investment Policy require the bookkeeper and Investment Officer to file annual disclosure statements with the District. Ms. Trachtenberg added that the disclosure statements will also be filed with the Texas Ethics Commission. Following review and discussion, Director Stevens moved to accept the disclosure statements of the District's bookkeeper and Investment Officer and direct that the disclosure statements be filed appropriately and retained in the District's official records. Director Nokelby seconded the motion, which passed unanimously.

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Trachtenberg reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. James presented and reviewed the tax report from December, 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.

ENGINEERING MATTERS

Mr. Elston stated he did not have a written report.

Mr. Elston stated the construction by the Texas Department of Transportation of the left turn lane into the District and the installation of traffic lights is complete and a final inspection has been scheduled.

Mr. Elston updated the Board on the ground improvements and turf installation portion of the project that was included in the construction contract for the Kendall Lakes Section 11 detention pond improvements. He stated the erosion repairs are complete.

Discussion ensued regarding a bond issue to reimburse the developer for water, sewer, drainage and detention facilities in Kendall Lakes Sections 9 and 11, as well as impact fees paid to the City of Alvin.

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

Mr. Elston updated the Board on the status of a permanent access easement to be prepared for CenterPoint Energy, Inc. ("CenterPoint") to cross the District's property in order to access and service a transmission tower that is landlocked. He stated he awaits confirmation from CenterPoint authorizing R. G. Miller to prepare the metes and bounds property description for the easement at CenterPoint's cost.

PARK PROJECTS AND UTILIZATION OF OPEN SPACE AND RECREATIONAL MATTERS

Mr. Laughner presented and reviewed conceptual park improvement designs with the Board, copies of which are attached. Discussion ensued regarding potential pocket park locations within the District, as well as trail enhancements around the

detention ponds. Mr. Laughner stated KGA will prepare a conceptual study with cost estimates for the Board's review at the next meeting.

REPORT ON MAINTENANCE OF DISTRICT FACILITIES

Mr. Haynes reviewed the maintenance report, a copy of which is attached. He noted mowing of the facilities will commence in April. Mr. Haynes stated the installation of fifteen signs located at entry points into and along the detention pond areas is complete. Discussion ensued regarding penalties for the breach of any rule of the District.

TAX INCREMENT REINVESTMENT ZONE FOR KENDALL LAKES

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.

Ms. Dehoyos stated the news article related to the installation of signs along the detention facilities has been posted to the website.

Ms. Dehoyos recommended posting two public service announcement videos produced by AWBD entitled "How To Calculate My Taxes" and "The Storm Drains are Not Trash Cans!" The Board concurred to have the public service announcements posted to the District's website.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

The Board discussed security matters in the District and coordinating with Kendall Lakes Homeowners Association, Inc. on the possible installation of Flock Safety license plate cameras in the District.

Director Torres updated the Board on the status of fountain installation in the District's detention ponds.

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

(SEAL)



Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Bookkeeper's report.....	2
Tax report.....	3
Conceptual park improvement designs	3
Maintenance report.....	4
Communications report.....	4