

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 28

April 18, 2018

The Board of Directors (the "Board") of Brazoria County Municipal Utility District No. 28 (the "District") met in regular session, open to the public, on the 18th day of April, 2018, at 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:

John Gordon	President
Linda Clem	Vice President
Roland Garza	Secretary
Colleen Hoppens	Assistant Secretary
Ryan Nokelby	Assistant Vice President

and all of the above were present.

Also present at the meeting were Erin Garcia of Myrtle Cruz, Inc.; David Patterson of Assessments of the Southwest, Inc.; Chance Vinklarek of LJA Engineering, Inc. ("LJA"); Chad Thumann of R West Development; Alan Mueller of Gromax Development; Shannon Barksdale of Gehan Homes; Vanessa Rodriguez of Beazer Homes; Roger Williamson, resident of the District; and Hannah Brook and Sharon Covan of Allen Boone Humphries Robinson LLP.

MINUTES

The Board considered approving the minutes of the March 21, 2018, regular meeting. Following review and discussion, Director Hoppens moved to approve the minutes of the meeting, as presented. Director Garza seconded the motion, which passed by unanimous vote.

2018 DIRECTORS ELECTION

Ms. Brook updated the Board on the status of the 2018 Directors Election.

FINANCIAL AND BOOKKEEPING

Ms. Garcia reviewed the bookkeeper's report, a copy of which is attached. She requested authorization to purchase new certificates of deposit from Cadance Bank and Regions Bank. After review and discussion, Director Hoppens moved to approve the bookkeeper's report and the checks presented for payment and to authorize the purchase of certificates of deposit from Cadance Bank and Regions Bank. Director Clem seconded the motion, which passed by unanimous vote.

## AMENDED AGREEMENT FOR BOOKKEEPING SERVICES

The Board considered approving an Amended Agreement for Bookkeeping Services with Myrtle Cruz, Inc. After review and discussion, Director Hoppens moved to approve the Amended Agreement. Director Garza seconded the motion, which passed by unanimous vote.

## TAX ASSESSMENT AND COLLECTIONS

Mr. Patterson reviewed the tax assessor/collector's report, a copy of which is attached. The Board reviewed the Delinquent Tax Roll. Mr. Patterson reviewed a letter from Thanh Sen of 2523 Scarlett Trace Lane requesting a waiver of the penalty and interest for late payment of property taxes. Mr. Patterson said that Ms. Sen's letter states that she did not know she owed property taxes. After review and discussion, the Board determined there was no error on the part of the District or an agent of the District.

Mr. Patterson reviewed a letter from Kay Delgado requesting a waiver penalties and interest for the late payment of property taxes on property located at 2814 Parkside Village Lane. Mr. Patterson said Ms. Delgado claims in her letter that she did not receive a tax statement. Mr. Patterson said the tax statement was mailed in October, 2017. After review and discussion, the Board determined there was no error on the part of the District or an agent of the District.

After review and discussion, Director Hoppens moved to approve the tax assessor/collector's report and to deny the requests from Ms. Sen and Ms. Delgado. Director Garza seconded the motion, which passed by unanimous vote.

## STORM WATER PERMITTING MATTERS

There was no discussion on this matter.

## ENGINEERING MATTERS

Mr. Vinklarek presented the engineering report, a copy of which is attached.

## CANTERBURY PARK, PHASE 5, WATER, SEWER AND DRAINAGE

Mr. Vinklarek reported on Canterbury Park, Phase 5, water, sewer and drainage. He said the project is complete. Mr. Vinklarek presented Pay Estimate No. 5 and Final in the amount of \$21,728.69, submitted by Clearwater Utilities, Inc., and recommended the Board accept the project.

CANTERBURY PARK, SECTION 6, WATER, SEWER AND DRAINAGE

Mr. Vinklarek reported on Canterbury Park, Section 6, water, sewer and drainage facilities. He had no pay estimates to present to the Board.

MIRROR LAKE, CLEARING AND GRUBBING

Mr. Vinklarek reported on Mirror Lake, clearing and grubbing. He presented and recommended for approval Pay Estimate No. 1 in the amount of \$70,816.80, submitted by Dimas Brothers. Mr. Vinklarek presented and recommended approval of Change Order No. 1 to the contract with Dumas Brothers for Mirror Lake clearing and grubbing to increase the contract in the amount of \$15,000.00. Mr. Vinklarek said that Dumas Brothers is behind on the days allowed for this project. The Board deferred action on the Change Order.

EXCAVATION OF DETENTION POND TO SERVE MIRROR LAKE

Mr. Vinklarek reported on excavation of the detention pond to serve Mirror Lake.

MIRROR LAKE, WATER, SANITARY SEWER, DRAINAGE

Mr. Vinklarek reported on Mirror Lake, water, sanitary sewer and drainage facilities.

STORM WATER PUMP STATION TO SERVE MIRROR LAKE

Mr. Vinklarek reported on the storm water pump station to serve Mirror Lake. He said the contractor will begin the project upon completion of the pond construction.

TRANQUILITY LAKES, SECTION 4, WATER, SANITARY SEWER AND DRAINAGE FACILITIES

Mr. Vinklarek reported on Tranquility Lakes, Section 4, water, sanitary sewer and drainage facilities.

CYPRESS VILLAGE, SECTION 3, WATER, SANITARY SEWER AND DRAINAGE FACILITIES

Mr. Vinklarek reported on Cypress Village, Section 3, water, sanitary sewer and drainage facilities. He had no pay estimates to present to the Board.

## MAINTENANCE OF DETENTION PONDS

There was no report on this matter.

## HOUSE COUNT REPORT

Mr. Vinklarek reported on the number of homes in the District. He said there are currently 2,146 lots in the District with 2,082 homes started or built.

After review and discussion, and based on the engineer's recommendation, Director Hoppens moved to: (1) approve Pay Estimate No. 5 and Final in the amount of \$21,728.69 for Canterbury Park, Section 5, water, sewer and drainage; (2) accept the Canterbury Park, Section 5, water, sewer and drainage project; (3) approve Pay estimate No. 1 in the amount of \$70,816.80 for Mirror Lake, clearing and grubbing; (3) defer approval of change Order No. 1 in the amount of \$15,000 for Mirror Lake, Clearing and Grubbing; and (4) accept the engineer's report. Director Garza seconded the motion, which passed by unanimous vote.

## DEEDS, EASEMENTS AND CONVEYANCES; ENVIRONMENTAL SITE ASSESSMENT; WAIVERS OF SPECIAL APPRAISAL

The Board considered approving a Utility Conveyance and Security Agreement from the District to the City of Pearland for the utilities serving Canterbury Park, Section 5. After discussion, Director Hoppens moved to approve the Utility Conveyance and Security Agreement. Director Garza seconded the motion, which passed by unanimous vote.

## HOMEOWNER ASSOCIATION MATTERS

There was no report on homeowner association matters.

## MAINTENANCE AGREEMENTS

There was no discussion on this matter.

## COST SHARING AGREEMENTS

There was no discussion on this matter.

## ANNEXATION MATTERS

Mr. Mueller discussed a proposed annexation that includes three tracts of land consisting of approximately 37 acres. After discussion, Director Hoppens moved to approve the letter annexation agreement with Gehan Homes and authorize LJA to

prepare the annexation feasibility report. Director Garza seconded the motion, which passed by unanimous vote.

DEVELOPER FINANCING AGREEMENTS; AMENDMENTS AND ASSIGNMENTS

There was no discussion on this matter.

DEVELOPMENT IN THE DISTRICT

Mr. Thumann reported on development in the District.

The Board considering changing the June Board meeting. After discussion, the Board agreed to change the meeting from June 20, 2018, to June 27, 2018.

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

(SEAL)



Colleen Heppner  
Secretary, Board of Directors  
*Assistant*

ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
bookkeeper's report .....	1
tax assessor/collector's report .....	2
engineering report .....	2