

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 28

May 15, 2019

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 15th day of May, 2019, 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:

Richard Escamilla	President
Nigel Brooks	Vice President
Linda Clem	Secretary
Ernest Hubert	Assistant Secretary
John Gordon	Assistant Vice President

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

Also present at the meeting were Tracey Scott of Myrtle Cruz, Inc.; Brittini Silva of Assessments of the Southwest, Inc.; Chance Vinklerek of LJA Engineering, Inc. ("LJA"); Kaz Jones of Storm Water Solutions; Doug Howard of KB Home; and Hannah Brook and Sharon Covan of Allen Boone Humphries Robinson LLP.

MINUTES

The Board considered approving the minutes of the April 17, 2019, meeting. Following review and discussion, Director Gordon moved to approve the minutes of the meeting. Director Hubert seconded the motion, which passed by unanimous vote.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS SUMMER CONFERENCE

The Board discussed the fees of office and travel allowance for the summer Association of Water Board Directors ("AWBD") conference. After review and discussion, Director Gordon moved to authorize four fees of office, three hotel nights and meals not provided by the conference for the AWBD summer conference. Director Escamilla seconded the motion, which passed by unanimous vote. Director Gordon said he received a \$700 advance for hotel expenses.

FINANCIAL AND BOOKKEEPING

Ms. Scott reviewed the bookkeeper's report, a copy of which is attached, and the budget for the fiscal year end July 31, 2019. She said the Certificate of Deposit at Central Bank has been renewed. After review and discussion, Director Escamilla

moved to approve the bookkeeper's report and the checks presented for payment. Director Gordon seconded the motion, which passed by unanimous vote.

#### TAX ASSESSMENT AND COLLECTIONS

Ms. Silva reviewed the tax assessor/collector's report, a copy of which is attached. Director Brooks asked Ms. Silva to investigate the 2016 delinquent tax accounts to determine the reason for the delinquency. Ms. Silva said she will also request information from the District's delinquent tax attorney. After review and discussion, Director Brooks moved to approve the tax assessor/collector's report. Director Gordon seconded the motion, which passed by unanimous vote.

#### STORM WATER PERMITTING MATTERS

There was no report on this matter.

#### ENGINEERING MATTERS

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

#### EXCAVATION OF DETENTION POND TO SERVE MIRROR LAKE

Mr. Vinklarek reported on excavation of the detention pond to serve Mirror Lake. He presented and recommended for approval Change Order No. 2 to the contract with Dimas Bros. Construction to increase the contract in the amount of \$57,101.25. Director Gordon said the contractor's delayed start of the project led to further delay due to heavy rain. He said this resulted in the need for additional dewatering to complete the bottom of the pond. Director Gordon recommended the Board not approve Change Order No. 2. Discussion ensued.

#### MIRROR LAKE, WATER, SANITARY SEWER, DRAINAGE AND DETENTION FACILITIES

Mr. Vinklarek reported on Mirror Lake, water, sanitary sewer, drainage and detention facilities. He had no pay estimates to present to the Board.

#### MIRROR LAKE STORM WATER PUMP STATION

Mr. Vinklarek reported on the storm water pump station to serve Mirror Lake. He had no pay estimates to present to the Board.

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

Mr. Vinklarek reported on Tranquility Lakes, Section 4, water, sanitary sewer and drainage facilities. He said construction is complete. Mr. Vinklarek had no pay estimates to present to the Board.

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 said the project is complete. Mr. Vinklarek had no pay estimates to present to the Board.

HOUSE COUNT REPORT

Mr. Vinklarek reported on the number of homes in the District. He said there are currently 2,401 lots in the District with 2,200 homes started or built.

After review and discussion, Director Clem moved to: (1) deny Change Order No. 2 in the amount of \$57,101.25 submitted by Dimas Bros. Construction; and (2) accept the engineer's report. Director Gordon seconded the motion, which passed by unanimous vote.

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

There was no discussion on this matter.

MAINTENANCE OF DETENTION PONDS

Mr. Jones reviewed photographs of the progress of the pond rehabilitation work in Highland Park, Oakshire, Preserve at Highland Glen, and Province Village, copies of which are attached. Mr. Jones said that work on the Twin Lakes II pond will be next.

Mr. Jones said there is a fence around the Highland Park pond and it was difficult to move equipment and mulch onto the site. He said smaller mower equipment had to be brought in. The Board suggested a letter be sent to the homeowner association regarding access to the pond.

Mr. Jones presented and requested approval of a proposal in the amount of \$6,960.00 for rehabilitation of the Twin Lakes 1 pond that is over-vegetated.

After review and discussion, Director Brooks moved to: (1) approve the proposal from Storm Water Solutions in the amount of \$6,960.00 for rehabilitation of the Twin

Lakes 1 pond; and (2) authorize sending a letter to the Highland Park homeowner association. Director Gordon seconded the motion, which passed by unanimous vote.

Ms. Brook said the District was contacted by a resident and someone from the Highland Park homeowner association and Preserve at Highland Glen with complaints about the work being performed on the detention ponds. She said she spoke to the individual from the homeowner association who said the workers are trespassing on the ponds and a police report was filed. Ms. Brook said she informed the caller that the District owns the ponds and engaged Storm Water Solutions to perform maintenance and rehabilitation work on all of the ponds in the District. She said that the caller understood and no further action was needed.

#### SIGNAGE FOR DETENTION PONDS AND STORM WATER FACILITIES

Mr. Jones said the detention pond signs have arrived and will be installed.

#### WEBSITE

There was no discussion on this matter.

#### HOMEOWNER ASSOCIATION MATTERS

There was no discussion on homeowner association matters.

#### DEVELOPER FINANCING AGREEMENTS; AMENDMENTS AND ASSIGNMENTS

There was no discussion on this matter.

#### DEVELOPMENT IN THE DISTRICT

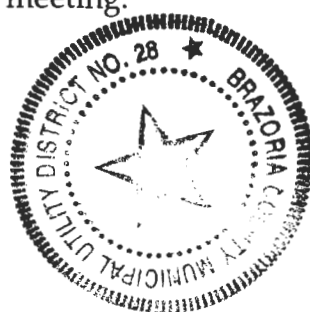
Mr. Howard discussed development in the District by KB Home. Ms. Brook said KB Home is asking the District to consider reimbursement to KB Home for projects completed. Ms. Brook said the District's engineer and financial advisor will review the feasibility of a bond application and report to the Board.

#### MEETING SCHEDULE AND IN-DISTRICT MEETINGS

The Board discussed the next Board meeting on June 19, 2019, and agreed to meet at Heritage Bank in the District.

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

(SEAL)



  
Secretary, Board of Directors

ATTACHMENTS TO MINUTES

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