

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 28

July 17, 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 17th day of July, 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.; David Patterson of Assessments of the Southwest, Inc.; Chance Vinklarek of LJA Engineering, Inc. ("LJA"); Kaz Jones of Storm Water Solutions; and Hannah Brook, Sharon Covan and Aidé Meza of Allen Boone Humphries Robinson LLP.

MINUTES

The Board considered approving the minutes of the June 19, 2019, meeting. Following review and discussion, Director Gordon moved to approve the minutes of the meeting. Director Brooks seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING

Ms. Scott reviewed the bookkeeper's report, a copy of which is attached. After review and discussion, Director Brooks moved to approve the bookkeeper's report and the checks presented for payment. Director Gordon seconded the motion, which passed by unanimous vote.

BUDGET FOR THE FISCAL YEAR END JULY 31, 2020

The Board reviewed the proposed budget for the fiscal year end July 31, 2020. After review and discussion, Director Brooks moved to adopt the budget for the fiscal year end July 31, 2020. Director Gordon seconded the motion, which passed by unanimous vote.

AUTHORIZE AUDITOR TO CONDUCT THE AUDIT FOR THE FISCAL YEAR END JULY 31, 2019

The Board considered authorizing McCall, Gibson, Swedlund, Barfoot, PLLC (“McCall Gibson”) to conduct the audit for the fiscal year end July 31, 2019. After discussion, Director Gordon moved to authorize McCall Gibson to conduct the audit. Director Hubert seconded the motion, which passed by unanimous vote.

ARBITRAGE REBATE REPORT FOR SERIES 2014 BONDS

The Board reviewed the Interim Excess Earnings Report, a copy of which is attached, prepared by Omnicap for the District’s Series 2014 Unlimited Tax Bonds. Ms. Brook said no arbitrage is owed to the Internal Revenue Service.

TAX ASSESSMENT AND COLLECTIONS

Mr. Patterson reviewed the tax assessor/collector’s report, a copy of which is attached. After review and discussion, Director Gordon moved to approve the tax assessor/collector’s report. Director Hubert 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 had no pay estimates to present to the Board.

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. He presented and recommended for approval Pay Estimate No. 5 in the amount of \$6,395.85, Pay Estimate No. 6 in the amount of \$31,781.25, and Pay Estimate No. 7 in the amount of \$26,568.00, submitted by Triple B Services.

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

BOND ISSUE

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 2,401 lots in the District with 2,233 homes started or built.

After review and discussion, Director Escamilla moved to: (1) approve Pay Estimate No. 5 in the amount of \$6,395.85, Pay Estimate No. 6 in the amount of \$31,781.25, and Pay Estimate No. 7 in the amount of \$26,568.00, for Tranquility Lakes, Section 4, water, sewer and drainage and (2) accept the engineer's report. Director Hubert seconded the motion, which passed by unanimous vote.

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

There was no report on this matter.

MAINTENANCE OF DETENTION PONDS

Mr. Jones discussed the status of rehabilitation of the detention ponds. He said the iron treatment of the Covington Lakes pond will be repeated due to damage to the iron pellets by rain. Mr. Jones said work on the Twin Lakes II pond was also delayed due to rain. He said there is one erosion spot remaining to be repaired at the Stone Bridge pond.

SIGNAGE FOR DETENTION PONDS AND STORM WATER FACILITIES

Mr. Jones said the detention pond signs have all been installed.

WEBSITE

There was no discussion on this matter.

HOMEOWNER ASSOCIATION MATTERS

Ms. Brook said she was contacted by an attorney representing the Pearland Lakes Homeowner Association (the "HOA") who said the HOA desires to terminate the maintenance agreement with the District. Ms. Brook said she explained the District's responsibilities for the ponds in the District and the current rehabilitation project as well as the HOA's responsibility for maintaining the pond. Director Gordon said the City of Pearland (the "City") is inspecting detention ponds for any violations of the City's codes. Ms. Brook said a resident of Pearland Estates submitted questions regarding posting of meeting agendas and requested documents regarding the rehabilitation project through the District's website. She said a response was provided to the resident.

DEVELOPER FINANCING AGREEMENTS; AMENDMENTS AND ASSIGNMENTS

There was no discussion on this matter.

DEVELOPMENT IN THE DISTRICT

There was no report on development in the District.

LEGISLATIVE MATTERS

The Board received a report prepared by ABHR regarding legislative matters pertaining to the 86<sup>th</sup> Regular Session of the Texas Legislature and Ms. Brook reviewed the report with the Board. A copy of the report is attached.

MEETING SCHEDULE AND IN-DISTRICT MEETINGS

The Board discussed the next Board meeting on August 21, 2019, and agreed to meet at the office of Allen Boone Humphries Robinson.

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

(SEAL)



*Linda Clem*  
Secretary, Board of Directors

ATTACHMENTS TO MINUTES

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