

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 26

September 4, 2018

The Board of Directors (the "Board") of Brazoria County Municipal Utility District No. 26 (the "District") met in regular session, open to the public, on the 4th day of September, 2018, 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:

Caralynn Prade	President
Melissa Slade	Vice President
Edward T. Mears	Secretary
Fred E. Weary, Jr.	Assistant Vice President
Marie Ferguson	Assistant Secretary

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

Also present at the meeting were Colette Garcia from McGrath & Co., PLLC ("McGrath"); Erin Garcia of Myrtle Cruz, Inc.; David Patterson of Assessments of the Southwest, Inc. ("ASW"); Officer Natisha Lucas of the City of Pearland (the "City") Police Department; and Lynne Humphries, Hannah Brook, and Tracie Brownlee of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the August 7, 2018, regular meeting, which were provided in advance. After review and discussion, Director Mears moved to approve the minutes of the August 7, 2018, regular meeting, as presented. Director Ferguson seconded the motion, which passed unanimously.

NEWSLETTER AND WEBSITE MATTERS

The Board reviewed a draft newsletter notice distributed in advance of today's meeting. Director Mears reviewed proposed revisions with the Board.

The Board reviewed an analytics report on the prior month's website activity, a copy of which is attached.

Following review and discussion, the Board concurred to accept the proposed newsletter revisions and authorize ABHR to submit (1) the revised newsletter notice for publication; and (2) any website updates as posted articles become outdated.

The Board conducted an annual review of the District's Investment Policy and determined no changes were necessary. Ms. Brook reviewed a Resolution Regarding Annual Review of Investment Policy. Following review and discussion, Director Mears moved to adopt the Resolution Regarding Annual Review of Investment Policy and direct that the Resolution be filed appropriately and retained in the District's official records. Director Ferguson seconded the motion, which passed unanimously.

Ms. Brook reviewed a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions to update the list of qualified banks with which the District may invest funds. The Board reviewed the updated list of banks, which is attached as an exhibit to the Resolution. Following review and discussion, Director Ferguson moved to adopt the 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 Mears seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES, OR A SECURITY AUDIT

At 11:41 a.m., the Board convened in executive session to discuss security matters.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL OR DEVICES AND APPROVE ANY NECESSARY ACTIONS RELATED TO SECURITY REPORT, AND APPROVE ANY NEW SECURITY PATROL AGREEMENTS

At 11:54 a.m., the Board reconvened in open session. In response to a Board request, Officer Lucas stated she will provide an additional security report from May 1, 2018, to August 31, 2018, reflecting calls and incidents from apartment complexes located in the District. Based on a motion made by Director Ferguson and seconded by Director Slade, the Board unanimously authorized (1) ABHR to prepare a letter from the Board to City Council requesting a Data-Driven Approaches to Crime and Traffic Safety report regarding all apartment complexes located in the District; and (2) Director Mears to present such letter to City Council at an upcoming meeting under the public comments agenda item. Officer Lucas left the meeting.

## TAX ASSESSMENT AND COLLECTION MATTERS

Mr. Patterson reviewed the tax assessor/collector's report, including the unpaid accounts tax roll and a quarterly report from the District's delinquent tax attorney. A copy of the tax assessor/collector's report is attached. A copy of the delinquent tax attorney's report is attached to the tax assessor/collector's report. He noted 99.24% of the 2017 taxes have been collected as of August 31, 2018. Following review and discussion, Director Mears moved to approve the tax assessor/collector's report. Director Ferguson seconded the motion, which carried by unanimous vote.

Ms. Brook stated ASW published notice of the public hearing to be held at today's meeting regarding adoption of the District's 2018 tax rate. Director Prade then opened the public hearing. No members of the public came forward to make comments. Director Prade closed the public hearing.

Ms. Brook reviewed an Order Levying Taxes reflecting a total 2018 tax rate of \$0.69 per \$100 assessed valuation, with \$0.66 allocated for debt service and \$0.03 allocated for operations and maintenance. Ms. Brook then reviewed an Amendment to Information Form reflecting the newly adopted tax rate. Ms. Brook stated the Amendment will be filed with Brazoria County and the Texas Commission on Environmental Quality.

Following review and discussion, Director Slade moved to (1) adopt the Order Levying Taxes; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment be filed appropriately and retained in the District's official records. Director Ferguson seconded the motion, which carried by majority vote, with Director Mears voting no.

Ms. Humphries left the meeting.

## ENGINEERING MATTERS

The Board acknowledged receiving communication from the District engineer regarding engineering matters. Director Mears provided a clarification regarding the status of a proposed easement to serve the City's wastewater treatment plant expansion, as reflected in such communication.

## STORM WATER PERMIT TXRQ40000

There was no discussion on this matter.

## REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

Director Ferguson reported on the Association of Water Board Directors summer workshop for Directors, which she attended.

Director Mears reported the law firm known to be soliciting residents affected by Blue Ridge Landfill to participate in a possible class action lawsuit held a public forum, which he attended. He stated such law firm is engaged in discovery and has yet to determine if there will be a class action lawsuit against Blue Ridge Landfill.

Mr. Patterson and Ms. Colette Garcia left the meeting.

ATTORNEY'S REPORT

No further reports were provided.

BLUE RIDGE LANDFILL ODOR MATTERS

No further reports were provided.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS MATTERS RELATED TO BLUE RIDGE LANDFILL, INCLUDING TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AIR QUALITY MONITORING

The Board did not convene in this executive session.

There being no further business to come before the Board, the meeting was adjourned.

(SEAL)



*Maria Ferguson*  
ASST. Secretary, Board of Directors

### ACTION LIST

1. Ms. Brownlee will submit the newsletter notice to the community print newsletters.
2. Ms. Brownlee will submit updates to the District's website, as appropriate.
3. Officer Lucas will provide an additional security report from May 1, 2018, to August 31, 2018, reflecting only apartment complexes located in the District
4. ABHR will provide a letter from the Board to City Council requesting a Data-Driven Approaches to Crime and Traffic Safety report regarding all apartment complexes located in the District.
5. Director Mears will present the ABHR prepared letter to City Council under the public comments agenda item.

### LIST OF ATTACHMENTS TO MINUTES

	Minutes <u>Page</u>
website analytics report .....	1
bookkeeper's report .....	2
tax assessor/collector's report .....	4