

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 26

July 2, 2019

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 2nd day of July, 2019, 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, thus constituting a quorum.

Also present at the meeting were Rhonda Patterson of Assessments of the Southwest, Inc. ("ASW"); Erin Garcia of Myrtle Cruz, Inc.; Patrick L. Newton of LJA Engineering, Inc. ("LJA"); Patrick O'Day of O'Day Drilling Company ("O'Day"); Javier Ortiz and Chris Williams of Shadow Creek Ranch Maintenance Association ("SCRMA"); Justin Klump of Storm Water Solutions, LLC ("SWS"); and Hannah Brook and Erika Smiley of Allen Boone Humphries Robinson LLP ("ABHR").

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

The Board did not convene in this executive session.

STORM WATER PERMIT TXRQ40000; YEAR 5 ANNUAL REPORT

Mr. Klump updated the Board on the status of the current storm water management program ("SWMP"), the 2019 renewal of the Texas Pollutant Discharge Elimination System General Permit No. TXR040000 (the "MS4 Permit"), and coordination with the City of Pearland (the "City") regarding the SWMP and MS4 Permit, including related deadlines.

Mr. Klump presented a Master Services Agreement ("Agreement") with SWS and a Proposal for Services ("Proposal") for the preparation, submittal, and implementation

of the Notice of Intent ("NOI") and SWMP required by the MS4 Permit and coordination with the City regarding same.

Mr. Klump reviewed the proposed NOI and SWMP required by the MS4 Permit and discussed the goals and responsibilities identified in the SWMP for future implementation during the five-year permit term.

Following review and discussion, Director Ferguson moved to approve (1) the Agreement and Proposal; (2) the NOI and SWMP; (3) authorize submittal to the City and TCEQ; and (4) direct that the Agreement, Proposal, NOI and SWMP be filed appropriately and retained in the District's official records. Director Slade seconded the motion, which was approved by unanimous vote.

#### MINUTES

The Board considered approving the regular meeting minutes of June 4, 2019, and the special meeting minutes of May 24, 2019, which were distributed to the Board in advance of the meeting. After review and discussion, Director Mears moved to approve the regular meeting minutes of June 4, 2019, as revised, and the special meeting minutes of May 24, 2019, 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. 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 authorize ABHR to submit (1) the newsletter notice for publication; and (2) the website updates as posted articles become outdated including the information about the city election.

#### COMMENTS FROM THE PUBLIC

There were no comments from the public.

#### DEVELOPMENT IN THE DISTRICT

There was no discussion on this matter.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia reviewed the bookkeeper's report, including the investment report, budget comparison, debt service payment schedule, and list of checks presented for approval, a copy of which is attached.

After review and discussion, Director Slade moved to approve the bookkeeper's report and payment. Director Mears seconded the motion, which passed unanimously.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT THE AWBD WINTER CONFERENCE

The Board discussed the AWBD summer conference and upcoming summer workshop for new directors. Ms. Garcia noted the submitted Directors' expenses were in accordance with the District's travel reimbursement guidelines. Ms. Brook stated the AWBD winter conference will be January 17 through January 19, 2020, in Dallas, Texas.

After review and discussion, Director Slade moved to approve reimbursement of eligible expenses for the summer conference, which were submitted in accordance with the District's travel reimbursement guidelines, and authorize all interested Directors to attend the AWBD winter conference. Director Mears seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Patterson reviewed the tax assessor/collector's report, including the unpaid accounts tax roll and the quarterly delinquent tax attorney report. A copy of the tax assessor/collector's report is attached. She noted 99.14% of the 2018 taxes have been collected as of June 30, 2019.

Following review and discussion, Director Ferguson moved to approve the tax assessor/collector's report. Director Mears seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Newton reviewed the engineer's report, a copy of which is attached.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

Director Slade reported that at the AWBD conference she met with several vendors regarding alternative lighting, for the walking trails. She requested the Board authorize her to coordinate with vendors for lighting proposals, cost estimates, and onsite meetings as needed. Following review and discussion, Director Ferguson moved to authorize Director Slade to coordinate with vendors for lighting proposals and related activities, as needed. Director Weary seconded the motion, which passed unanimously.

The Board directed Director Slade to work with SCRMA regarding the trail construction and lighting. Director Slade discussed adding shade shelters to the proposed trail areas and benches near the lakes. Director Mears reported that SCRMA has

established a committee for recreational facilities. Director Slade expressed her interest in serving or working with the committee on the trails and other community amenities.

DISCUSS ASSISTING SCRMA WITH PAYMENT FOR CERTAIN ITEMS ELIGIBLE FOR MUD EXPENDITURES, INCLUDING EROSION PROTECTION AND IRRIGATION IMPROVEMENTS FOR DETENTION POND SLOPES AND APPROVE COST SHARING AGREEMENT.

Ms. Brook reviewed a cost sharing agreement between the District, Brazoria - Fort Bend County Municipal Utility District No. 1 (BFB 1), and SCRMA for full replacement of the irrigation infrastructure and repairs necessary to make water wells operational for testing.

Discussion ensued regarding project cost estimates. After inquiry from Director Weary, Mr. Ortiz reported on the method SCRMA used to select a contractor for the well and irrigation repair project. Mr. O'Day explained how O'Day's cost estimate was prepared.

Mr. Newton reported that LJA will provide the Board with an update three times annually for the irrigation, bi-annually for the wells, and monthly throughout construction. He also stated that LJA will inspect the project after completion as usual with construction projects. Mr. Newton noted that he will provide the Board with a proposal and cost estimate for LJA's oversight and inspection of the project.

Following review and discussion, Director Slade moved to approve the cost sharing agreement, as presented, and authorize a contribution to SCRMA in the amount of \$447,000 for full replacement of the irrigation infrastructure and repairs necessary to make water wells operational for testing. Director Ferguson seconded the motion, which passed unanimously.

ATTORNEY'S REPORT

Ms. Brook distributed and reviewed the 2019 ABHR Capitol Report of the 86th Regular Session summarizing significant legislation applicable to municipal utility districts.

BLUE RIDGE LANDFILL ODOR MATTERS

There was no further discussion on this matter.

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 TCEQ AIR QUALITY MONITORING

The Board did not convene in this executive session.

## MEETING SCHEDULE

The Board discussed the meeting schedule and concurred to hold the regular meeting on August 6, 2019, at 11:00 a.m. at the offices of ABHR.

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



(SEAL)

A handwritten signature in black ink, appearing to be "John H. ...", written over a horizontal line.

Secretary, Board of Directors

### ACTION LIST

1. Ms. Smiley will submit the newsletter notice to the community print newsletters.
2. Ms. Smiley will submit updates to the District's website, as appropriate.

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