

MINUTES  
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 26

June 4, 2013

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 4<sup>th</sup> day of June, 2013, 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:

Michael Parks	President
Herbert Fain	Vice President
Melissa Slade	Secretary
Caralynn Prade	Assistant Vice President
Fred E. Weary, Jr.	Assistant Secretary

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

Also present at the meeting were Rod Simpson, Brenda Beltran, and Eleanor Thompson of the Shadow Creek Ranch Maintenance Association ("SCRMA") and the following District consultants: Officer Wesley Boyer of the City of Pearland (the "City") Police Department; Erin Garcia of Myrtle Cruz, Inc.; David Patterson of Assessments of the Southwest, Inc.; James Ross of LJA Engineering, Inc.; and Lynne B. Humphries and Michelle Bryan of Allen Boone Humphries Robinson LLP ("ABHR").

MINUTES

The Board considered approving the minutes of the May 7, 2013, regular meeting, which were provided in advance of the meeting. After review and discussion, Director Weary moved to approve the minutes of the May 7, 2013, meeting, as presented. Director Fain seconded the motion, which passed unanimously.

SECURITY SERVICES REPORT, INCLUDING REPORT FROM SCRMA ON RESIDENT SURVEY ON INSTALLATION OF CAMERAS

Officer Boyer reported on security in the District and discussed crime trends and preventative security measures for residents. He stated that the public can view City crime statistics on the City Police Department website.

Mr. Simpson discussed the installation of cameras in the Shadow Creek Ranch area. He reviewed articles regarding the optimal placement of cameras in communities, as well as the types of cameras that SCRMA is considering.

## RECREATIONAL FACILITIES IN AND NEAR THE DISTRICT

Mr. Simpson stated that SCRMA has organized a workshop with Michelle Smith, the City Parks Director, on Tuesday, June 18, 2013, at 7:00 p.m. at the Mary Burks Marek Elementary School cafeteria, to discuss plans for the Shadow Creek Ranch Sports Complex.

## DEVELOPMENT IN THE DISTRICT

Ms. Humphries presented an Agreement for Financing of Facilities between the District and 741SCR, Ltd., an affiliate of Perry Homes, for the development of single family residential lots in the District. She then presented a Waiver of Special Appraisal for the tract. Following review and discussion, Director Weary moved to: (1) approve the Agreement for Financing of Facilities and Waiver of Special Appraisal between the District and 741SCR, Ltd.; (2) direct that the recorded Waiver be filed with the Brazoria County Appraisal District; and (3) direct that the Agreement and Waiver be filed appropriately and retained in the District's official records. Director Fain seconded the motion, which carried unanimously.

## TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE

The Board considered establishing limits for Director expenses at the upcoming AWBD summer conference in Corpus Christi and reviewed the guidelines established for the previous summer conference. The Board discussed the possibility of receiving an advance for expenses. After review and discussion, Director Fain moved to approve the following in connection with the AWBD summer conference: (1) maximum limits of four Director fees of office, three nights of lodging, and reasonable and necessary meal expenses; and (2) authorize advances for directors' hotel room and car rental expenses. Director Weary seconded the motion, which passed unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Garcia distributed and 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 Weary moved to approve the bookkeeper's report and payment of the bills. Director Fain seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTION MATTERS

Mr. Patterson reviewed the tax assessor/collector's report, including the delinquent tax roll, a copy of which is attached. He noted that the 2012 taxes were 99.05% collected as of the end of the previous month.

Mr. Patterson presented and reviewed a delinquent tax report from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., a copy of which is included in the tax assessor/collector's report.

After review and discussion, Director Weary moved to approve the tax assessor/collector's report, the delinquent tax report, and payment of the tax bills. Director Fain seconded the motion, which passed unanimously.

## AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH THE COLLECTION OF DELINQUENT TAXES

Ms. Humphries stated that the District's delinquent tax attorney can begin collection of real property taxes that are still delinquent on July 1, 2013. After discussion, Director Fain moved that the Board authorize the delinquent tax attorney to proceed with the collection of delinquent 2012 taxes after July 1, 2013. Director Weary seconded the motion, which passed unanimously.

## RECREATIONAL FACILITIES IN AND NEAR THE DISTRICT

There was no further discussion on this item.

## ENGINEERING MATTERS

Mr. Ross distributed and reviewed the engineer's report, a copy of which is attached. He stated there were no items for the Board's approval.

Mr. Ross updated the Board on the construction of the public water line to serve MF-2 and noted that the project is near completion. He stated that, upon completion, Kingsley Partners, L.P. will need to be reimbursed the final twenty-five percent of the \$979,571 identified in the Developer Reimbursement Report prepared by McGrath & Co., PLLC, dated January 10, 2012, for water and wastewater impact fees paid to the City from proceeds of the District's Series 2011 Bonds.

Mr. Ross stated that the design of the detention pond erosion protection improvements is complete and has been approved by the City.



Discussion ensued regarding the status of preparation of bond application no. 7. Ms. Humphries stated that the status of the District's impact fee reimbursements must be determined before any future bonds may be issued by the District.

ARTICLES FOR NEWSLETTERS AND WEBSITE

The Board considered information to be included in the District's monthly notice published in the Shadow Creek Area Community Newsletter; the newsletter, *The Connection*; and the District's website. After review and discussion, Director Weary moved to direct ABHR to prepare a notice with the standard monthly message directing residents to the website for information about District meetings, including: (1) a statement reminding residents not to leave belongings in vehicles; (2) information on SCRMA's workshop scheduled with the City Parks Director on June 18, 2013; and (3) a link to the City crime statistics.

Discussion ensued regarding the distribution of the Shadow Creek Area Community Newsletter and the newsletter, *The Connection*. In response to the Board's inquiry at the May meeting, Ms. Humphries stated that the Shadow Creek Area Community Newsletter is not distributed to the apartment complexes in the District. Mr. Simpson stated that *The Connection* is not distributed to the apartment complexes in the District, but that he will leave copies of *The Connection* at the apartment complexes' front office.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

The Board discussed the District meeting schedule and concurred the Board would have a quorum on July 2, 2013.

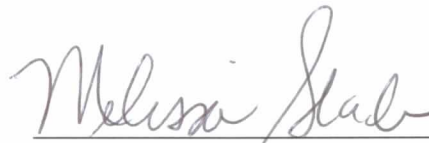
COMMENTS FROM THE PUBLIC

There were no comments from the public.

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

(SEAL)



  
Secretary, Board of Directors

ACTION LIST

1. ABHR will prepare the requested notice for the newsletters and website.

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