

MINUTES
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 44

September 19, 2024

The Board of Directors (the “Board”) of Brazoria County Municipal Utility District No. 44 (the “District”) met in regular session, open to the public, on the 19th day of September, 2024, at 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:

Joel Michael	President
Melanie Folkert	Vice President
Julie Roberts	Secretary
Joseph Manning	Assistant Vice President
Ryan Derong	Assistant Secretary

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

Also attending the meeting were James McConathy of Gannett Fleming; Brenda McLaughlin of Bob Leared Interests; Austin Muse of Municipal District Services, LLC; Chase Wolf of Robert W. Baird & Co. Inc.; Leanne Riman of W Land Development; Suzanne Villarreal of McCall Gibson Swedlund Barfoot PLLC (“McCall Gibson”); and Suewan Johnson and Shammara Polk of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

Ms. Johnson offered any members of the public in attendance the opportunity to make public comments. There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

APPROVE MINUTES

The Board considered approving the minutes of the August 15, 2024, regular meeting. Following review and discussion, Director Michael moved to approve the minutes as submitted. Director Folkert seconded the motion, which passed unanimously.

AUDIT FOR FISCAL YEAR END MAY 31, 2024

Ms. Villarreal presented and reviewed the draft audit for the fiscal year ended May 31, 2024. Following review and discussion, Director Michael moved to approve the audit, subject to final review by the District’s consultants, and direct that it be filed appropriately and retained in the District’s official records. Director Manning seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Johnson reviewed the bookkeeper's report prepared by L&S District Services, LLC, including the investment report, budget comparison, and list of checks presented for payment. A copy of the bookkeeper's report is attached.

Following review and discussion, Director Roberts moved to approve the bookkeeper's report and authorize payment of the District's bills. Director Folkert seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. McLaughlin presented and reviewed a report on tax assessment and collection matters, a copy of which is attached.

Following review and discussion, Director Michael moved to approve the tax report, and the checks presented. Director Derong seconded the motion, which passed unanimously.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Ms. McLaughlin stated that notice was mailed to all District taxpayers of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2024 total tax rate of \$1.50.

Ms. Johnson opened the public hearing. There being no comments from the public, Ms. Johnson closed the public hearing.

Ms. Johnson presented an Order Levying Taxes reflecting the proposed 2024 tax rate. She then presented an Amendment to Information Form reflecting the tax rate and stated that the Amendment to Information Form will be filed with the Texas Commission on Environmental Quality and recorded in the Official Public Records of Brazoria County.

Following review and discussion, Director Folkert moved to (1) adopt the Order Levying Taxes reflecting a 2024 tax rate of \$1.50 per \$100 of assessed valuation, comprised of \$0.25 to pay debt service on water, sewer, and drainage bonds, \$0.64 to pay debt service on road improvement bonds, and \$0.61 for operations and maintenance; (2) authorize execution of the Amendment to Information Form; and (3) direct that the Order and Amendment to Information Form be filed appropriately and retained in the District's official records. Director Michael seconded the motion, which passed unanimously.

UNLIMITED TAX ROAD BONDS, SERIES 2024

Mr. Wolf discussed the process for issuing the District's Unlimited Tax Road Bonds, Series 2024 (the "Road Bonds"). He distributed and reviewed a draft of the Preliminary Official Statement, the Official Notice of Sale, and the final cost summary for the Road Bonds.

Ms. Johnson then noted the financial advisor recommends that the Board appoint BOFK, NA as the District's paying agent/registrars for the Road Bonds.

The Board considered authorizing the District's financial advisor to advertise for the sale of the Road Bonds on October 17, 2024.

Ms. Johnson requested the Board authorize McCall Gibson to prepare a developer reimbursement report for amounts to be reimbursed to the developer from the proceeds of the Road Bonds.

Following review and discussion, Director Folkert moved to (1) approve the final cost summary for the Road Bonds; (2) approve the Preliminary Official Statement and Official Notice of Sale, subject to final review by the District's consultants; (3) appoint BOKF, NA, as the paying agent/registrars for the Road Bonds; (4) authorize the District's financial advisor to advertise for the sale of the Road Bonds; and (5) authorize McCall Gibson to prepare the developer reimbursement report in connection with the Road Bonds. Director Manning seconded the motion, which passed unanimously.

UNLIMITED TAX BONDS, SERIES 2024

Mr. Wolf discussed the process for issuing the District's Unlimited Tax Bonds, Series 2024 (the "Utility Bonds"). Mr. Wolf informed the Board that the District's consultants are still waiting for approval from the Texas Commission on Environmental Quality ("TCEQ"). He presented a draft of the Preliminary Official Statement and the Official Notice of Sale.

Ms. Johnson then noted the financial advisor recommends that the Board appoint BOFK, NA as the District's paying agent/registrars for the Utility Bonds.

The Board considered authorizing the District's financial advisor to advertise for the sale of the Bonds on October 17, 2024, subject to receipt of the order approving the bond application from the TCEQ.

Ms. Johnson requested the Board authorize McCall Gibson to prepare a developer reimbursement report for amounts to be reimbursed to the developer from the proceeds of the Utility Bonds.

Following review and discussion, Director Folkert moved to (1) approve the Preliminary Official Statement and Official Notice of Sale, subject to final review by the District's consultants; (2) appoint BOKF, NA, as the paying agent/registrant for the Utility Bonds; (3) authorize the District's financial advisor to advertise for the sale of the Utility Bonds, subject to receipt of the order approving the bond application from the TCEQ; and (4) authorize McCall Gibson to prepare the developer reimbursement report in connection with the Utility Bonds. Director Manning seconded the motion, which passed unanimously.

ENGINEER'S REPORT

Mr. McConathy presented and reviewed an engineering report, a copy of which is attached.

Mr. McConathy updated the Board on the construction of paving facilities to serve Pradera Oaks, Section 12. He reviewed and recommended approval of Pay Application No. 2 in the amount of \$271,788.30, payable to Durwood Greene Construction Company ("Durwood").

Following review and discussion and based on the engineer's recommendation, Director Michael moved to (1) approve the engineering report; and (2) approve Pay Application No. 2 in the amount of \$271,788.30, payable to Durwood. Director Manning seconded the motion, which passed unanimously.

OPERATING MATTERS

Mr. Muse presented and reviewed a report on operating matters in the District, a copy of which is attached.

Following review and discussion, Director Roberts moved to approve the operator's report. Director Folkert seconded the motion, which passed unanimously.

PARKS AND RECREATIONAL FACILITIES MATTERS

There was no discussion on this agenda item.

MAINTENANCE OF DISTRICT FACILITIES

There was no discussion on this agenda item.

DEVELOPMENT REPORT

Ms. Riman updated the Board on development matters and home leases in the District. She stated construction of the recreational center should be completed in

November. Ms. Riman next reported that 340 homes are complete, 162 homes are leased, and 43 homes are under construction.

REPORTS FROM DIRECTORS AND DISTRICT CONSULTANTS

The Board concurred to meet next on October 17, 2024.

There being no additional business to consider, the meeting was adjourned.



Ryann Jay
Asst. Secretary, Board of Directors

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