

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 6
Minutes of Meeting of Board of Directors
June 14, 2016

The Board of Directors (the "Board") of Brazoria County Municipal Utility District No. 6 (the "District") met in regular session, open to the public, at 1300 Post Oak Boulevard, Suite 1400, Houston, Texas 77056, on June 14, 2016, in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted officers and members of said Board, as follows:

L'Sheryl D. Hudson, President
Richard A. Skotak, Vice President
R. Michael Haney, Secretary
Erich R. Bell, Assistant Secretary
Rick King, Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also present were Lisa Bonham of Jones & Carter, Inc. ("J&C"); Chris Wilson of Si Environmental, LLC ("Si"); Natalie Galgano of Municipal Accounts & Consulting, L.P. ("Municipal Accounts"); David Patterson of Assessments of the Southwest ("ASW"); Jeremy Roach of Apollo IT Consulting ("Apollo"); Bob DeForest of KGA/DeForest Landscape Design, L.L.C. ("KGA"); Jim Gustafson of Land Three, L.L.C. ("Land Three"); Melinda Myers, Missy Armstrong and Cindy Forma, residents of the District; and Peter Harding and Kara Burns of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before it.

MINUTES

The Board considered the minutes of its meetings held on May 10, 2016, and May 17, 2016. After discussion regarding the minutes previously forwarded for review, it was moved by Director Bell, seconded by Director Haney, and unanimously carried, that said minutes be approved, with a revision to the minutes of the May 10, 2016, meeting as discussed.

PUBLIC COMMENTS

The Board deferred discussion of public comments as there were no comments from members of the public present at this time.

CONTINUING DISCLOSURE REPORT

Mr. Harding advised that the District's continuing disclosure counsel, Coats, Rose, Yale, Ryman & Lee, P.C., has advised that the District's continuing disclosure report will be filed by the June 30, 2016, deadline.

TAX ASSESSOR-COLLECTOR'S REPORT

Mr. Patterson distributed to and reviewed with the Board the Tax Assessor-Collector's Report for the month ended May 31, 2016, and an Unpaid Accounts Tax Roll as of May 31, 2016, copies of which are attached hereto as **Exhibit A**. After discussion, on motion made by Director Haney and seconded by Director Hudson, the Board voted unanimously to approve the report and authorize the payments listed therein.

DELINQUENT TAX COLLECTIONS REPORT

Mr. Harding presented and reviewed with the Board the delinquent tax collections report from Perdue, Brandon, Fielder, Collins & Mott L.L.P., the District's delinquent tax collection attorneys, regarding legal action taken on delinquent tax accounts, a copy of which report is attached hereto as **Exhibit B**. After discussion, the Board determined that no action was necessary in connection with the delinquent tax collections report at this time.

OPERATIONS AND MAINTENANCE REPORT

Mr. Wilson presented to and reviewed with the Board an Operations Report for the month of May 2016, a copy of which is attached hereto as **Exhibit C**.

Mr. Wilson reported that eleven (11) manholes located in the District, Brazoria County Municipal Utility District No. 2, and Brazoria County Municipal Utility District No. 3, collectively, are in need of rehabilitation at an estimated cost of \$50,000-\$60,000. He advised that the expenses associated with said rehabilitation will be shared between the three districts.

Mr. Wilson noted that the water accountability for the District for the period March 12, 2016, through April 12, 2016, was 101.33%

ENGINEER'S REPORT

Ms. Bonham presented to and reviewed with the Board the Engineering Report dated June 14, 2016, a copy of which is attached hereto as **Exhibit D**.

Ms. Bonham reported that J&C will be hosting a MS4 Training Presentation for the District operator to attend on June 29, 2016.

With regard to the construction of the crosswalk leading to Sasser Park by Traffic Systems Construction ("TSC"), Ms. Bonham reported that construction litigation attorney Tom Meyer has sent correspondence to the bonding company declaring TSC to be in default of the contract. She advised that a copy of said correspondence is attached to the Engineering Report. Ms. Bonham reminded the Board that the manufacturer has stipulated that in order for the five-year warranty period to be honored, a manufacturer representative must be present during installation of the in-pavement lights. Ms. Bonham reported that TSC is currently in the process of negotiating a price for the attendance of the manufacturer representative during said installation.

In connection with the Water Plant Improvement project, Ms. Bonham reported that the final inspection was held on May 27, 2016, and that the contractor is in the process of completing the final punch list items.

Ms. Bonham reported that Terra Engineering, Inc., has been approved by Brazoria County ("County") to survey the intersection of County Road 59 ("CR 59") and County Road 94 ("CR 94"). She reported that she will forward the District the traffic study of the intersection at CR 59 and CR 94 once it has been completed by the County.

Ms. Bonham reported that she had been contacted by a representative claiming to be a realtor for the Gustafson tract located on the east boundary of the District, inquiring as to the availability of an additional twenty to forty equivalent single family connections for service to said tract. After discussion, the Board requested that Ms. Bonham confer with Mr. Gustafson regarding said request and authorized J&C to proceed with analyzing the available water and sanitary sewer capacity for said tract.

Ms. Bonham then presented to and reviewed with the Board a 30-Year Capital Improvement Plan ("CIP") for the District, a copy of which is attached hereto as **Exhibit E**. She requested that the Board and consultants review the CIP and forward any comments or questions to her attention.

PARK REPORT

Mr. DeForest presented to and reviewed with the Board a handout detailing two (2) options for the construction of a dog park within Clarence E. Sasser Park ("Park"), a copy of which is attached hereto as **Exhibit F**. Mr. DeForest noted that the major difference between the two options is the addition of a shade structure. Director Skotak inquired as to if rocks could be placed in the pilot channel running through the area of the proposed dog park. Ms. Bonham advised that she would investigate the possibility of adding rocks to the pilot channel and would report back to the Board. Director King inquired as to whether the Board would like to survey the public regarding the desire for the addition of a dog park within the Park. After discussion, the Board deferred further discussion of the matter.

DISCUSSION REGARDING REQUESTS RECEIVED FROM THE CITY OF PEARLAND ("CITY")

Mr. Harding advised the Board that the District has not yet received a response from Mr. Darrin Coker, attorney for the City, regarding the District's response to the City's latest offer with respect to the City's interest in de-annexing the two out tracts east of 288 and west of the District.

Mr. Harding reported that he received correspondence from Mr. Coker inquiring as to the District's interest in participating in funding a portion of an east frontage road along Highway State Highway 288. After discussion, the Board requested that Mr. Harding convey to Mr. Coker that (i) the District is interested in participating in funding a portion of the construction of an east frontage road and would like more specific information regarding said project and (ii) would like the City to request the participation of Public Improvement District No. 3.

Mr. Harding reported that he received a telephone call prior to the meeting from the owner of one of the tracts on the west boundary of the District adjacent to the Gustafson property.

DISTRICT WEBSITE

Mr. Roach advised that he would upload the District's Consumer Confidence Report to the District's Website following the meeting. He then inquired as to if the Board would like him to add a link on the website displaying the contact information for the District's various consultants. After discussion, the Board requested that Mr. Roach add a link to the website to display the various consultants contact information. Mr. Roach advised that he would send a draft of the requested page before posting to the website. Director King requested that Mr. Roach add a captcha to the comment page to prevent spam from being sent to the Directors. Mr. Roach advised that he would add the requested captcha to the comment page.

STATUS OF GARBAGE COLLECTION SERVICES IN THE DISTRICT

The Board requested that discussion of the status of garbage collections services in the District be removed from the monthly agenda.

UTILITY COMMITMENTS

The Board deferred consideration of the issuance of utility commitments after being advised by Ms. Bonham that no requests had been received since the Board's last meeting.

DEVELOPERS' REPORTS

Mr. Gustafson advised that he had nothing to report to the Board at this time.

BOOKKEEPER'S REPORT

Ms. Galgano presented to and reviewed with the Board the Bookkeeper's Report, dated June 14, 2016, attached hereto as **Exhibit G**, including the bills, which were presented for payment, as prepared by MA&C. After discussion, Director Haney moved that the Bookkeeper's Report be approved and payment be authorized of the disbursements listed therein. Director Hudson seconded the motion, which carried unanimously.

ATTORNEY'S REPORT

Mr. Harding reported that he had nothing new to report in regards to the Silverlake Shopping Center drainage easements and conveyances.

Mr. Harding then presented to and reviewed with the Board draft correspondence to the City of Pearland ("City") providing evidence as to why the District's residents should be granted

resident status for recreational fees imposed at City recreational facilities. After discussion Director Skotak moved that SPH be authorized to send such correspondence, revised to (i) remove the reference to Pearland Independent School District, (ii) reflect the acreage of the District that is located within the City limits, (iii) reflect the District's contribution to County services and police services, and (iv) reflect the District's contribution to the Boy Scouts of America flag program. Director Haney seconded said motion, which unanimously carried. Mr. Harding advised that SPH would revise said correspondence, as requested, and would forward to Director Hudson for execution.

RECORDS DESTRUCTION REQUEST

Mr. Harding reported that the District's General Records Retention Schedule adopted in connection with its Records Management Program requires that notes taken during meetings and which are used to prepare the official minutes of Board meetings are to be retained for ninety days after approval of such minutes by the Board. He next presented a request from the Records Management Officer for approval to destroy all such notes from February 10, 2015, to February 9, 2016. After discussion, Director Haney moved that SPH be authorized to destroy said notes. Director King seconded said motion, which carried unanimously.

VOTING SYSTEM ANNUAL FILING FORM


Mr. Harding advised the Board that, pursuant to Section 123.061 of the Texas Election Code, the District is required to complete and file a Voting System Annual Filing Form with the Secretary of State to provide information related to District elections. After discussion, Director Hudson moved that the District's attorneys be authorized to complete the Voting System Annual Filing Form and to file same with the Secretary of State's office. Director King seconded the motion, which carried unanimously.

MATTERS FOR NEXT AGENDA

The Board next considered items for placement on future agendas. Director King requested that an item be included on the next agenda to discuss holding meetings in the District.

ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Haney, seconded by Director Skotak, and unanimously carried, the meeting was adjourned.



R. Michael Haney, Secretary

LIST OF ATTACHMENTS TO MINUTES

- Exhibit A – Tax Assessor/Collector Report
- Exhibit B - Delinquent Tax Report
- Exhibit C - Operations Report
- Exhibit D - Engineering Report
- Exhibit E - 30 Year Capital Improvement Plan
- Exhibit F - Landscape Architect Report
- Exhibit G - Bookkeeper's Report

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