

MINUTES
FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 1 OF FORT BEND COUNTY

March 26, 2025

The Board of Directors (the "Board") of Fulshear Municipal Utility District No. 1 of Fort Bend County (the "District") met in regular session, open to the public, on the 26th day of March, 2025, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Houston, Texas, outside the boundaries of the District, with supplemental access for the public provided by telephone conference, and the roll was called of the members of the Board:

Brooks D. Tueting	President
John Verburg	Vice President
Ronald Catchings	Secretary
William K. White	Assistant Secretary/ Asst. Vice President
Todd Gnospelius	Assistant Secretary/ Asst. Vice President

and all of the above were present except Directors Verburg and Gnospelius, thus constituting a quorum.

Also present at the meeting in person or via teleconference were Elizabeth Maklary, resident of the District; Alex Khoshakhlagh and Steven Wilcox of Pape-Dawson Engineers, Inc. ("Pape-Dawson"); Adam Swonke of Gleannloch Landscaping & Maintenance Company ("Glamco"); Bill Sweitzer of Sweitzer & Associates; Marissa Igness of Myrtle Cruz, Inc.; Shammara Leon of Bob Leared Interests; and Katie Carner and Shammara Polk of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

Ms. Maklary addressed the Board requesting the Board consider replacing the large pecan tree that was removed near The Lodge and for an update regarding the bank erosion along Fulshear Creek. Director Tueting informed Ms. Cleary that these matters will be discussed further under agenda item nos. 6 and 11.

MINUTES

The Board considered approving the minutes of the February 26, 2025, regular meeting. Following review and discussion, Director Catchings moved to approve the minutes of the February 26, 2025, regular meeting, as presented. Director White seconded the motion, which passed unanimously.

DISTRICT WEBSITE MATTERS

There was no discussion regarding this agenda item.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Iguess reviewed the bookkeeper's report, a copy of which is attached, including the monthly investment report and budget comparison, and the bills presented for payment from the District's accounts.

Ms. Iguess reviewed a draft budget for the fiscal year ending April 30, 2026, a copy of which is included in the bookkeeper's report. She requested the Board, and consultants review the draft budget and provide any comments to her prior to the next Board meeting. Following discussion, the Board directed MCI to increase the erosion repairs, lake maintenance, and irrigation budget, as discussed.

Director Catchings requested ABHR coordinate with the North Fort Bend Water Authority to have a representative attend the next Board meeting to provide an update on the conversion of surface water to the City of Fulshear (the "City").

Following review and discussion, Director Catchings moved to approve the bookkeeper's report and payment of the bills. Director White seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Leon reviewed the tax assessor/collector's report, a copy of which is attached. She reported that the District's 2024 taxes were 97.3% collected as of February 28, 2025.

Following review and discussion, Director Catchings moved to approve the tax assessor/collector's report and payment of the tax bills. Director White seconded the motion, which passed unanimously.

ENGINEERING MATTERS

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

FULBROOK ON FULSHEAR CREEK, SECTION 11. WATER, SEWER, DRAINAGE AND PAVING FACILITIES

Mr. Khoshakhlagh updated the Board on the status of construction of the Water, Sewer, Drainage and Paving Facilities to serve Fulbrook on Fulshear Creek, Section 11, as reflected in his report. He reviewed and recommended approval of Pay Estimate No. 2 in the amount of \$202,286.48 and Change Order No. 1 to decrease the contract in the amount of \$9,246.40, submitted by Hurtado

Construction Company ("Hurtado"). The Board determined that Change Order No. 1 is beneficial to the District.

EROSION PROTECTION ALONG FULSHEAR CREEK BANK

Mr. Khoshakhlagh updated the Board regarding bank erosion along Fulshear Creek, as reflected in his report. He stated that Pape-Dawson has submitted a request for reimbursement in connection with Site Nos. 001 through 004 in the amount of \$80,288.57 to the Natural Resources Conservation Service ("NRCS") and they advised that some of items being submitted for reimbursement were completed prior to July 31, 2024, which is when the contract was signed. Mr. Khoshakhlagh informed the Board that Pape-Dawson and ABHR will work together with NRCS to ensure that all monies due to the District are received.

Mr. Khoshakhlagh updated the Board on Site No. 005, as reflected in his report. He stated Pape-Dawson had a conference call with Fulshear Municipal Utility District No. 2's ("Fulshear MUD 2") attorney and engineer regarding costs and design options. Mr. Khoshakhlagh stated Fulshear MUD 2 is currently reviewing the information provided and will discuss it further with their Board. Ms. Carner reviewed and presented a proposal for an appraisal of the easement tract in the amount of \$3,500.00 prepared by Valbridge Property Advisors ("VPA"). She stated she had VPA include both the District and Fulshear MUD 2 as intended users. Discussion ensued. Following discussion, the Board concurred to have Pape-Dawson coordinate special meetings with Fulshear MUD 2 and the Fort Bend County Drainage District, ABHR to draft an Interlocal Agreement between the District and Fulshear MUD 2 and bring an engagement letter for special counsel services to the next Board meeting.

CITY OF FULSHEAR (THE "CITY") DIVERSION LIFT STATION

Mr. Khoshakhlagh updated the Board on the City's request for the District to consider conveying land to the City for a diversion lift station, as reflected in his report. Discussion ensued.

OTHER ENGINEERING MATTERS

Mr. Khoshakhlagh updated the Board on the City's request for the Geographic Information System Mapping ("GIS") files, as reflected in his report.

Mr. Khoshakhlagh updated the Board on the water seepage at the lake adjacent to the Lodge, as reflected in his report. He stated Pape-Dawson is currently working to obtain proposals for repairs to present to the Board at the next meeting.

Mr. Khoshakhlagh informed the Board of a resident on Song Bird Lane who requested Board approval to install, upsize and/or relocate their existing pop-up drains on the resident's property to improve drainage, as reflected in his report.

Mr. Khoshakhlagh informed the Board of a resident on West Farm Way who requested approval to remove trees in the front of their residence, as reflected in his report. He stated Pape-Dawson informed the resident not to remove the tree roots, which may disturb the backfill around the City's adjacent utilities.

UPDATE ON PREPARATION OF BOND APPLICATION, INCLUDING ADOPT RESOLUTION AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR APPROVAL OF PROJECT AND BONDS

Mr. Khoshakhlagh reviewed a preliminary summary of costs, a copy of which is attached to the engineer's report. The Board also considered adopting a Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of Project and Bonds.

Following review and discussion and based on the engineer's recommendation, Director Catchings moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 2 in the amount of \$202,286.48 and Change Order No. 1 to decrease the contract in the amount of \$9,246.40 for water, sewer, and drainage and paving facilities for Fulbrook on Fulshear Creek, Section 11, submitted by Hurtado; (3) authorize ABHR to prepare an Interlocal Agreement between the District and Fulshear MUD 2 related to the eastern channel erosion; (4) authorize the resident on Song Bird Lane to install, upsize and/or relocate their existing pop-up drain to improve drainage, subject to final approval by Pape-Dawson; and (5) adopt the Resolution Authorizing Application to the Texas Commission on Environmental Quality for Approval of Project and Bonds and direct that the Resolution be filed appropriately and retained in the official records. Director White seconded the motion, which passed unanimously.

DEEDS AND EASEMENTS, PHASE I ENVIRONMENTAL PROPOSALS, AND CONSENTS TO ENCROACHMENT OF EASEMENTS

There was no discussion on this agenda item.

UTILITY CONVEYANCE AND SECURITY AGREEMENTS

There was no discussion regarding this matter.

PHASE II SMALL MS4 GENERAL PERMIT AND STORM WATER MANAGEMENT PLAN, INCLUDING STATUS OF COMPLIANCE, NECESSARY TRAINING, AND PUBLIC COMMENT

There was no discussion regarding this agenda item.

PARK PROJECTS

Mr. Sweitzer reviewed the landscape architect's report, a copy of which is attached.

Mr. Sweitzer updated the Board on the status of the Parkside Passage Recreation Center project, as reflected in his report.

Mr. Sweitzer updated the Board on Landscape Development of Fulbrook on Fulshear Creek, Sections 17, 18, and 19, including the Fulshear Trace proposed sidewalk extension, as reflected in his report. He stated that bids were received and recommended that the Board award the contract to Triple E Growers ("TEG") in the amount of \$556,714.00, which includes the alternate bid item for the Fulshear Trace sidewalk extension. The Board concurred that, in its judgment, TEG was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. The Board discussed funding the Fulshear Trace sidewalk extension from surplus road bond proceeds.

Mr. Sweitzer updated the Board on Landscape Development of Fulbrook on Fulshear Creek, Section 11, as reflected in his report.

Mr. Sweitzer updated the Board on Landscape Development along James Lane and FM 1093, as reflected in his report. Mr. Swonke stated work will be done the week of April 7, 2025.

Mr. Sweitzer updated the Board on the status of the Landscape Development of Fulbrook on Fulshear Creek, Section 7, as reflected in his report. He reviewed and recommended approval of Pay Estimate Nos. 8 and 9 and Final in the amounts of \$538.00 and \$20,701.45, respectively, submitted by TEG. Mr. Sweitzer stated at the last Board meeting he had stated Pay Estimate No. 7 was the final estimate, he had since learned there were two additional pay estimates needed to close out the contract.

Following review and discussion, and based on the landscape architect's recommendation, Director Catchings moved to (1) approve the landscape architect's report; (2) award the contract for the Landscape Development of Fulbrook on Fulshear Creek, Sections 17, 18, and 19, including the Fulshear Trace proposed sidewalk extension project to TEG in the amount of \$556,714.00, including the alternate bid item for the Fulshear Trace sidewalk extension, based upon the landscape architect's recommendation and subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor; and (3) approve Pay Estimate Nos. 8 and 9 and Final for the Landscape Development of Fulbrook on Fulshear Creek, Section 7 project in the amounts of \$538.00 and \$20,701.45, respectively, to TEG. Director White seconded the motion, which passed unanimously.

MOWING AND MAINTENANCE OF DISTRICT PROPERTY

The Board reviewed and discussed pending resident requests.

The Board reviewed additional correspondence from a resident on Spanish Moss Crossing regarding a request for the removal of trees and tree debris on District property adjacent to their residence. Mr. Swonke stated the previously approved work is complete.

The Board discussed correspondence previously received from a resident on Legend Creek Drive regarding the removal of downed trees behind their residence as a result of Hurricane Beryl. Mr. Swonke stated this work was completed by a different contractor at no charge to the District.

The Board reviewed correspondence from a resident on Spring Woods Drive regarding a request for trees and tree debris be removed from behind their residence. A copy of the correspondence is attached. Mr. Swonke stated Glamco can remove the downed trees and debris for an amount not to exceed \$2,000.00.

Mr. Swonke informed the Board of a main line failure on the irrigation line near Huggins Lake and while repairing the line, Glamco had to remove the sidewalk, which has since been repaired. He stated the District was charged for the sidewalk and the Fulbrook on Fulshear Creek Homeowners Association was charged for the repairs to the irrigation line.

Mr. Swonke discussed replacing the large pecan tree that was removed near The Lodge. He stated Glamco could install a 100-gallon live oak tree for an amount not to exceed \$2,000.00

Following review and discussion, Director Tueting moved to (1) authorize Glamco to investigate the area behind Spring Woods Drive and bring back a recommendation for any necessary work; and (2) authorize Glamco to plant a 100-gallon live oak to replace the large pecan tree that was removed near The Lodge for an amount not to exceed \$2,000.00. Director Catchings seconded the motion, which passed unanimously.

DISCUSS MAINTENANCE OF DISTRICT DETENTION FACILITIES, INCLUDING DEVELOPMENT OF MAINTENANCE AGREEMENT WITH FULBROOK ON FULSHEAR CREEK HOMEOWNERS ASSOCIATION

Ms. Carner updated the Board on discussion from the August 28, 2024, Board meeting regarding an agreement between the District and the HOA for shared maintenance of the detention facilities throughout the District. She stated Glamco is working to prepare a proposal for the scope of work that would transfer from the District to the HOA.

REPORT ON DEVELOPMENT

Director Catchings stated that the owner of a 33-acre tract in the District appears to be placing fill on the tract and requested Pape-Dawson investigate this further.

CITY OF FULSHEAR MATTERS

There was no discussion on this agenda item.

DISCUSS MEETING SCHEDULE

The Board discussed the regular meeting schedule and concurred to hold the next regular Board meeting on April 23, 2025, at 12:00 p.m. at The Lodge. Ms. Carner stated ABHR will inform the Board of a possible joint meeting date with Fulshear MUD 2 once dates have been finalized.

COMMENTS FROM THE PUBLIC CONT'D

There were no additional comments from the public.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 557.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER

The Board did not convene in Executive Session.

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




Secretary, Board of Directors

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