

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

March 27, 2024

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 27th day of March, 2024, 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, thus constituting a quorum.

Also present at the meeting in person or via teleconference were Nico Jansen Van Rensburg and Micah Reasnor, residents of the District; Alex Khoshakhlagh of Pape-Dawson Engineers, Inc. ("Pape-Dawson"); Bill Sweitzer of Sweitzer & Associates; Marissa Iguess of Myrtle Cruz, Inc.; Christine Crowell of Masterson Advisors LLC; Shammarie Leon of Bob Leared Interests; Dave Cannon of Trend Development, Inc.; Adam Swonke of Gleannloch Landscaping & Maintenance Company ("Glamco"); and Katie Carner, Allison Leatherwood, and Shammara Polk of Allen Boone Humphries Robinson LLP ("ABHR").

COMMENTS FROM THE PUBLIC

Mr. Van Rensburg thanked the Board for approving and implementing the maintenance for the water drainage issue behind his property. He also thanked Glamco for their handling and implementation of the approved maintenance so quickly.

MINUTES

The Board considered approving the minutes of the February 28, 2024, regular meeting. Following review and discussion, Director Catchings moved to approve the minutes of the February 28, 2024, regular meeting, as presented. Director Gnospelius seconded the motion, which passed unanimously.

## DISTRICT WEBSITE MATTERS

There was no discussion on 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, 2025, 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. Ms. Iguess stated a line item for the James Lane water line extension project will be added to the budget once she obtains the updated numbers from ABHR and Pape-Dawson.

Following review and discussion, Director Gnospelius moved to approve the bookkeeper's report and payment of the bills. Director Catchings 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 2023 taxes were 97.2% collected as of February 29, 2024.

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

## ADOPT RESOLUTION CASTING ITS VOTE FOR A PERSON TO SERVE AS A DIRECTOR ON THE BOARD OF DIRECTORS OF THE NORTH FORT BEND WATER AUTHORITY ("NFBWA") PRECINCT 7

The Board discussed a memorandum from the NFBWA regarding its 2024 director voting process. Ms. Carner noted the District may vote for one of the two candidates, Aaron T. Groff or Dana Hollingsworth, for Director of Precinct 7. She then reviewed and presented a Resolution of the District Casting its Vote for a Person to Serve as a Director on the Board of Directors of the North Fort Bend Water Authority Precinct 7 and Ballot and Certification for same.

Following discussion, Director Verburg moved to adopt the Resolution of the District Casting its Vote for a Person to Serve as a Director on the Board of Directors of the North Fort Bend Water Authority Precinct 7 and approve the Ballot and Certification, reflecting the District's intention to vote for Dana Hollingsworth for director of the

NFBWA, Precinct 7, and direct that the documents be filed appropriately and retained in the District's official records. Director Catchings 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, AND DRAINAGE FACILITIES

Mr. Khoshakhlagh updated the Board on the status of construction of the water, sewer, and drainage facilities to serve Fulbrook on Fulshear Creek, Section 11, as reflected in his report. He informed the Board that the City of Fulshear (the "City") approved the Interlocal Agreement and ABHR has received the executed agreement from the City. Mr. Khoshakhlagh stated Pape-Dawson will start the design and anticipates submitting plans to the City by mid-May.

#### FULBROOK ON FULSHEAR CREEK, SECTION 11 PAVING FACILITIES

Mr. Khoshakhlagh updated the Board on the status of construction of the paving facilities to serve Fulbrook on Fulshear Creek, Section 11, as reflected in his report.

#### FULBROOK ON FULSHEAR CREEK, SECTION 17 WATER, SEWER, AND DRAINAGE FACILITIES, INCLUDING LIFT STATION NO. 10

Mr. Khoshakhlagh updated the Board on the status of construction of the water, sewer, and drainage facilities to serve Fulbrook on Fulshear Creek, Section 17, as reflected in his report.

#### EROSION PROTECTION ALONG FULSHEAR CREEK BANK

Mr. Khoshakhlagh updated the Board regarding bank erosion along Fulshear Creek, as reflected in his report. He stated the Natural Resource Conservation Services ("NRCS") Emergency Watershed Protection Program has scheduled an onsite meeting for April 11, 2024, to further investigate the erosion areas. Director Tueting discussed ensuring the District has funds available to address any future erosion issues.

#### REQUEST FROM CITY OF FULSHEAR FOR JAMES LANE WATER LINE EXTENSION

Mr. Khoshakhlagh updated the Board on the design of the James Lane Water Line Extension project, as reflected in his report. He reminded the Board of

the City's water supply issues last summer and stated he believes the water supply issues constitute an emergency condition that may create a serious health hazard or economic loss to the District if the James Lane water line extension project is not completed quickly. He recommended that the Board authorize ABHR and Pape-Dawson to prepare and submit a letter to the Texas Commission on Environmental Quality requesting to proceed as an emergency project pursuant to Texas Water Code § 49.274. After discussion and based on the engineer's recommendation, the Board concurred that the City's water supply issues constitute an emergency condition and that proceeding with the James Lane water line extension project as an emergency project is necessary to avoid a potential serious health hazard or unreasonable economic loss to the District.

#### CHANNEL EROSION EAST OF DISTRICT BOUNDARY

Mr. Khoshakhlagh updated on the Board on discussion from the January 24, 2024, Board meeting and prior Board meetings regarding correspondence received pertaining to erosion concerns adjacent to District property east of Fulbrook on Fulshear Creek, Section 4 near Trickle Creek Court, as reflected in his report. He stated that he spoke with Fulshear Municipal Utility District No. 2's engineer and requested they discuss this matter with District's attorney and Board. Discussion ensued.

#### OTHER ENGINEERING MATTERS, INCLUDING RESIDENT REQUESTS

Mr. Khoshakhlagh informed the Board that a resident on Crest View Terrace contacted Pape-Dawson regarding erosion on the District's property adjacent to his residence. He stated Glamco has secured the area until the issue can be addressed. Following discussion, the Board directed Pape-Dawson to investigate the matter further and provide an update to the Board at the next Board meeting. Mr. Khoshakhlagh also stated that he would include this residence as one of the locations in the NRCS grant application.

Mr. Khoshakhlagh updated the Board on discussion from the February 28, 2024, Board meeting regarding correspondence from a resident on Farm Hill Way pertaining to drainage concerns within their backyard. He stated Pape-Dawson contacted the homebuilder after last month's meeting.

Mr. Khoshakhlagh informed the Board of a resident who raised concerns regarding the recently approved quarterly maintenance behind Fulbrook on Fulshear Creek, Section 9. Discussion ensued.

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 for a potential bond application, a copy of which is attached to the engineer's report. He then reviewed Work Order No. 85 for engineering services related to the preparation of the bond application, a copy of which is included in 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 Tueting moved to (1) approve the engineer's report; (2) authorize ABHR and Pape-Dawson to prepare and submit a letter to the Texas Commission on Environmental Quality requesting to proceed with the James Lane water line extension project as an emergency project; (3) approve Work Order No. 85 for engineering services related to preparation of the bond application; and (4) 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 Catchings seconded the motion, which passed unanimously.

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

The Board considered accepting a Special Warranty Deed from Fulshear Land Partners, Ltd. to the District for Reserves G and H within Fulbrook on Fulshear Creek, Section 4 (the "Deed"). Ms. Carner informed the Board that ABHR is still working on the deed for Reserve B and will be present same to the Board for conveyance to the District once it is ready. Following review and discussion, Director Catchings moved to accept the Deed and direct that the Deed be filed appropriately and retained in the District's official records. Director Gnospelius seconded the motion, which passed unanimously.

UTILITY COMMITMENTS

There was no discussion on this agenda item.

UTILITY CONVEYANCE AND SECURITY AGREEMENTS

There was no discussion on 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. He stated advertising for bids will begin in the next couple of weeks. Director Gnospelius inquired about the timeline for completion of the project. The Board requested Mr. Sweitzer work with the Fulbrook on Fulshear Creek Homeowners Association (“HOA”) on an HOA website update regarding the timeline for the project.

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 stated the plans are being completed to advertise for bids.

Mr. Sweitzer updated the Board on the status of the Greenway Enhancements Perimeter Walls to serve Fulbrook on Fulshear Creek, Sections 5, 6, 7, and 19 including repair of damaged walls, as reflected in his report. He stated the bonds and certificate of insurance are currently under review by ABHR, and the Notice to Proceed will be issued upon completion of the review.

Following review and discussion, Director Tueting moved to approve the landscape architect’s report. Director Verburg seconded the motion, which passed unanimously.

#### MOWING AND MAINTENANCE OF DISTRICT PROPERTY

Mr. Swonke updated the Board on mowing and maintenance in the District.

The Board discussed correspondence previously reviewed at the February 28, 2024, Board meeting from a resident on Farm Hill Way regarding drainage concerns within their backyard and concerns regarding maintenance behind and adjacent to their residence. Mr. Swonke reviewed and presented a proposal in the amount of \$9,685.00 to regrade behind the fences, remove dead trees, install select fill, and oversee the bermuda grass, a copy of which is attached. Following review and discussion, Director Tueting moved to approve the proposal, as presented. Director Gnospelius seconded the motion, which passed unanimously.

The Board reviewed and discussed pending resident requests.

The Board discussed correspondence previously reviewed at the October 25, 2023, Board meeting from a resident on Founders Pecan Street regarding the clearing of overgrowth along their fence line. Mr. Swonke stated the work will be completed this week.

The Board discussed correspondence previously reviewed at the October 25, 2023, Board meeting from a resident on Wild Garden Way regarding erosion concerns behind

their residence. Mr. Swonke stated the area is still too wet to complete the previously authorized work. He stated once the area is dry the area will be regraded, and the two pallets of bermuda grass will be laid.

The Board discussed correspondence previously reviewed at the December 13, 2023, Board meeting from a resident on Sunny Meadow Drive regarding the removal of broken tree limbs. Mr. Swonke stated that it is still too wet to complete the previously authorized work, and the removal will most likely take place closer to the summer.

The Board discussed correspondence from a resident on Farm Hill Way requesting the removal of iron poles and torn silt fencing near their residence. A copy of the correspondence is attached. Mr. Swonke stated these items have been removed.

The Board discussed correspondence from a resident on Wild Garden Way Court requesting the removal of black silt fencing and orange safety netting in the District. A copy of the correspondence is attached. Mr. Swonke stated these items have been removed.

The Board discussed correspondence from a resident on Farm Hill Way requesting the removal of a bent metal silt fence post in the District. A copy of the correspondence is attached. Mr. Swonke stated this item has been removed.

The Board discussed correspondence from a resident on Lodge Lake Drive requesting an update on the removal of silt fencing and trash on the east side of the bridge on Farm Hill Way. A copy of the correspondence is attached. Mr. Swonke stated these items have been removed.

The Board discussed correspondence received today from a resident on Legend Ridge Court regarding maintenance of a green space behind their residence. A copy of the correspondence is attached. Mr. Swonke stated the area is too wet to perform the quarterly maintenance and once the area is dry, it will be maintained.

#### REPORT ON DEVELOPMENT

Mr. Cannon updated the Board on development in the District.

#### CITY OF FULSHEAR MATTERS

Ms. Carner reviewed and presented a flier regarding multiple public meetings being held in Fort Bend County (the "County") regarding the County's parks and trails vision plan.

DISCUSS MEETING SCHEDULE

The Board concurred to hold their next regular meeting on Wednesday, April 24, 2024, at The Lodge.

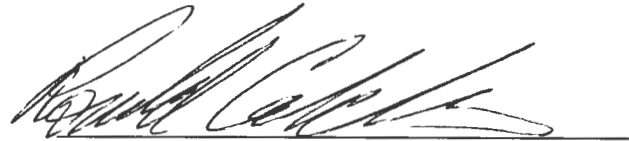
COMMENTS FROM THE PUBLIC CONT'D

There were no further comments from the public.

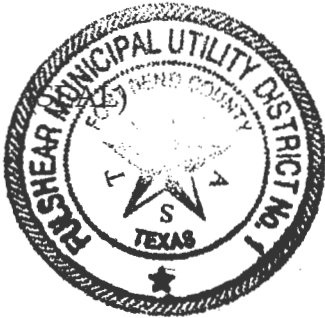
CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 557.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER

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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