

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

April 23, 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 23rd day of April, 2025, at the Lodge Welcome Center, 5005 Lodge Lake Drive, Fulshear, Texas, inside 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 Ryan Courville, resident of the District; Alex Khoshakhlagh of Pape-Dawson Engineers, Inc. ("Pape-Dawson"); Adam Swonke of Gleannloch Landscaping & Maintenance Company ("Glamco"); Bill Sweitzer of Sweitzer & Associates; Dave Cannon of Trend Development, Inc.; Marissa Iguess of Myrtle Cruz, Inc.; Kristen Scott of Bob Leared Interests; Whitney Milberger of the North Fort Bend Water Authority ("NFBWA"); Katie Carner and Shammara Polk of Allen Boone Humphries Robinson LLP ("ABHR"); and residents of the District as shown on the attached list.

COMMENTS FROM THE PUBLIC

Mr. Depuy addressed the Board inquiring of the appropriate contact to address the standing water at the drill site behind his residence. Director Tueting informed Mr. DePuy that this matter will be discussed further under agenda item no. 13.

Ms. Salas addressed the Board requesting an update regarding the bank erosion along Fulshear Creek. Ms. Carner stated this matter will be discussed further under agenda item no. 8.

MINUTES

The Board considered approving the minutes of the March 26, 2025, regular meeting. Following review and discussion, Director Catchings moved to approve the

minutes of the March 26, 2025, regular meeting, as presented. Director Tueting seconded the motion, which passed unanimously.

#### DISTRICT WEBSITE MATTERS

Director Catchings requested a hurricane preparedness notice be added to the District website. Ms. Carner advised that ABHR will coordinate with the District website provider regarding this matter.

#### AUTHORIZE AUDITOR TO CONDUCT OF AUDIT FOR FISCAL YEAR END APRIL 30, 2025

The Board reviewed an audit continuance letter from McCall Gibson Swedlund Barfoot PLLC ("McCall") reflecting an estimated fee range of \$14,000 to \$16,000 (excluding incidental administrative expenses) to prepare the District's annual audit for the fiscal year ending April 30, 2025. A copy of the continuance letter is attached. After review and discussion, Director Catchings moved to authorize McCall to conduct the audit for fiscal year end April 30, 2025. Director White seconded the motion, which passed unanimously.

#### NFBWA MATTERS

Ms. Milberger introduced herself to the Board and discussed resources available to the public to assist in a better understanding of the NFBWA and the services it provides. She next updated the Board on the proposed schedule for the future delivery of surface water to properties within the City of Fulshear (the "City"). Discussion ensued. Following discussion, the Board requested ABHR post links to the NFBWA's project and fee pages on the District's website.

#### 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 next reviewed the proposed budget for the fiscal year ending April 30, 2026, a copy of which is included in the bookkeeper's report. Following discussion, the Board directed MCI to add a line item in the amount of \$50,000.00 for erosion projects and to include a note regarding funds to be reimbursed from the Natural Resolutions Conservation Service.

Following review and discussion, Director Tueting moved to (1) approve the bookkeeper's report and payment of the bills; and (2) approve the budget for the fiscal year ending April 30, 2026, revised as discussed. Director Catchings seconded the motion, which passed unanimously.

## TAX ASSESSMENT AND COLLECTIONS MATTERS

Ms. Scott reviewed the tax assessor/collector's report, a copy of which is attached. She reported that the District's 2024 taxes were 99.0% collected as of March 31, 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 Nos. 3 and 4 in the amounts of \$92,220.87 and \$517,521.10, respectively, submitted by Hurtado Construction Company ("Hurtado").

### EROSION PROTECTION ALONG FULSHEAR CREEK BANK

Mr. Khoshakhlagh updated the Board regarding bank erosion along Fulshear Creek, as reflected in his report. He stated there was a significant amount of erosion within Site Nos. 2, 3, and 4 which resulted in 7 additional trees that needed to be removed. Mr. Khoshakhlagh also stated that after clearing Site Nos. 2 and 4, there were sinkholes found, and Pape-Dawson has requested Hurtado provide documentation for the increase in the fill amount.

Mr. Khoshakhlagh updated the Board on Site No. 005, as reflected in his report. He stated Pape-Dawson will be meeting with the Fort Bend County Drainage District ("FBCDD") engineer and Fulshear Municipal Utility District No. 2's ("Fulshear MUD 2") engineer on April 24, 2025. Ms. Carner updated the Board on the two items Fulshear MUD 2 requested before a decision is made on how to proceed, which were the appraisal and the meeting with the FBCDD engineer to discuss the FBCDD easement. Discussion ensued.

### CITY OF FULSHEAR 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. He reviewed and presented the metes and bounds for the 0.598-acre tract, which he stated has been provided to the City. Ms. Carner informed the Board that



the City is requesting the tract be conveyed at no cost to the City. Discussion ensued. Following discussion, the Board concurred to move forward with conveying the 0.598-acre tract at no cost to the City and authorize ABHR to prepare the deed.

#### OTHER ENGINEERING MATTTTERS

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 still working to obtain proposals for repairs to present to the Board.

#### UPDATE ON PREPARATION OF BOND APPLICATION

Mr. Khoshakhlagh updated the Board on the preparation of the bond application, as reflected in his report.

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 Nos. 3 and 4 in the amounts of \$92,220.87 and \$517,521.10, respectively, submitted by Hurtado; and (3) authorize ABHR to prepare the deed for the conveyance of the 0.598-acre tract to the City for the Diversion Lift Station. 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.

Mr. Sweitzer updated the Board on Landscape Development of Fulbrook on Fulshear Creek, Section 11, as reflected in his report. He reviewed the plans and specifications and requested the Board authorize S&A to advertise for bids for the project.

Mr. Sweitzer updated the Board on Landscape Development along James Lane and FM 1093, as reflected in his report. He stated Glamco planted 16 magnolia trees, and that additional trees would be helpful for completing the buffer. Mr. Swonke reviewed and presented a proposal in the amount of \$5,750.00 to install seven additional 30-gallon magnolia trees and extend the flower beds. A copy of the proposal is attached.

Following review and discussion, and based on the landscape architect's recommendation, Director Tueting moved to (1) approve the landscape architect's report; (2) approve the plans and specifications and authorize the landscape architect to advertise for bids for the Landscape Development of Fulbrook on Fulshear Creek, Section 11 project; and (3) approve the proposal from Glamco in the amount of \$5,750.00, as presented. Director Catchings seconded the motion, which passed unanimously.

#### MOWING AND MAINTENANCE OF DISTRICT PROPERTY

The Board reviewed and discussed pending resident requests.

The Board discussed correspondence previously received from a resident on Spring Woods Drive regarding a request for trees and tree debris be removed from behind their residence. Mr. Swonke reviewed and presented a proposal in the amount of \$4,400.00 for the removal of dead trees and debris, a copy of which is attached.

The Board reviewed correspondence from a resident on Sycamore Way Road regarding a request for the removal of trash and a large dead tree from behind their residence. A copy of the correspondence is attached. Mr. Swonke stated the previously presented proposal in the amount of \$4,400.00 includes this work.

The Board reviewed correspondence from a resident on Spanish Moss Crossing regarding a request for the removal of a large broken tree limb behind their residence. A copy of the correspondence is attached. Mr. Swonke stated the previously presented proposal in the amount of \$4,400.00 includes this work.

The Board reviewed correspondence from a resident on Southpoint Way regarding a request for the remediation of standing water behind their residence. A copy of the correspondence is attached. Discussion ensued. Following discussion, the Board concurred to authorize a one-time clean-up for an amount not to exceed \$9,000.00, consistent with the handling of prior reserves.

Following review and discussion, Director Catchings moved to (1) approve proposal in the amount of \$4,400.00 for clean-up behind Spring Woods Drive, Sycamore Way and two properties on Spanish Moss Crossing; and (2) authorize Glamco to perform a one-time clean-up of the drill site behind Southpoint Way for an amount not to exceed \$9,000.00. Director White 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 previous discussion regarding an agreement between the District and the HOA for shared maintenance of the detention facilities throughout the District. She stated ABHR is still working with Glamco and the HOA on the maintenance schedule for the scope of work that would transfer from the District to the HOA.

#### REPORT ON DEVELOPMENT

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

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

Director Catchings requested Pape-Dawson speak with the City engineer to determine why run-off is going into the District's lakes.

#### 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 May 28, 2025 at 12:00 p.m. at ABHR. 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

Mr. Friedhoff addressed the Board regarding an update on bank erosion along Fulshear Creek. Ms. Carner informed the resident that the District is working with the FBCDD and Fulshear MUD 2's engineer and attorney and that a joint meeting with Fulshear MUD 2 will be scheduled so the work on Site No. 005 can begin.

A resident addressed the Board regarding the removal of trees in Site No. 003 and if there are plans to replace said trees. Mr. Khoshakhlagh stated there are no plans to replace the trees at this time. Discussion ensued. Following discussion, the Board concurred to look into this further at a later date.

Mr. Anzalone addressed the Board regarding ownership of maintenance behind his residence on Spring Woods Drive. Discussion ensued, and Mr. Khoshakhlagh stated Pape-Dawson would look into this matter further to determine if the area is maintained by a pipeline company.

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

## LIST OF ATTACHMENTS TO MINUTES

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