

**FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35,**  
**OF FORT BEND COUNTY, TEXAS**

Minutes of Meeting of Board of Directors  
November 5, 2025

The Board of Directors ("Board") of Fort Bend County Municipal Utility District No. 35, of Fort Bend County, Texas ("District"), met in regular session on November 5, 2025, at 1300 Post Oak Boulevard, Suite 2500, Houston, Harris County, Texas 77056, in accordance with the duly posted notice of public meeting, and the roll was called of the duly constituted officers and members of said Board, as follows:

Piero Battistini	President
Sergio Handal	Vice President
Trevor Eynon	Secretary
Shah Haleem	Assistant Secretary
Garima D. Gupta	Assistant Secretary

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

Also present were: Kayla Crigger of Municipal Accounts & Consulting, L.P. ("MAC"); Esther Flores of Tax Tech, Inc. ("Tax Tech"); Jeff Safe of Brown & Gay Engineers, Inc. ("BGE"); Dawn Mouton of Inframark, LLC ("Inframark"); Kim Cosco and Cheyenne Evans of Champions Hydro-Lawn, Inc. ("Champions"); Jeremy Roach and Wouter Blakborn of Apollo IT Consulting ("Apollo"); Christie Leighton of Best Trash, LLC ("Best Trash"); various members of the public attending virtually via zoom, including David Anderson and Atma Ram; and Kate Henderson and Kate Gribble of Schwartz, Page & Harding, L.L.P. ("SPH"). Ms. Flores and Mr. Roach entered the meeting after it had been called to order as noted herein.

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

**COMMENTS FROM THE PUBLIC**

The Board began by opening the meeting for public comments. In connection therewith, Mr. Anderson addressed the Board regarding recycling services provided by Best Trash.

Mr. Anderson exited the meeting at this time.

**BEST TRASH GARBAGE AND RECYCLING SERVICES**

Ms. Leighton next addressed the Board regarding concerns presented by Mr. Anderson and advised the Board of the requirements for recycling pickup. Following a lengthy discussion, Director Gupta requested that Best Trash provide a flyer for the District's website that addresses the specific rules and requirements for recycling.

Ms. Leighton exited the meeting following the above discussion.

## **APPROVAL OF MINUTES**

As the next order of business, the Board considered approval of the minutes of its meetings held on September 17, 2025, October 1, 2025, and October 15, 2025. After discussion, Director Battistini moved that the minutes for the September 17, 2025, October 1, 2025, and October 15, 2025, Board meetings be approved, as written. Director Handal seconded said motion, which unanimously carried.

## **CLOSED SESSION**

The Board President announced at 1:14 p.m. that the Board would convene in Closed Session, as authorized pursuant to Texas Government Code, Section 551.071 to discuss matters protected by attorney-client privilege. At this time, all those present, with the exception of the Board, Ms. Henderson and Ms. Gribble, exited the meeting.

## **RECONVENE IN OPEN SESSION**

The Board reconvened in Open Session at 1:45 p.m. Those who exited the meeting, re-entered. No action was taken with regard to matters discussed in Closed Session.

## **REQUEST FROM AVALON AT SEVEN MEADOWS HOMEOWNERS ASSOCIATION ("AVALON") REGARDING WATER USAGE**

Ms. Henderson next presented to and reviewed with the Board requests from Avalon regarding water usage for their community's lakes, copies of which are attached hereto as **Exhibit A**. Mr. Ram addressed the Board regarding the expenses incurred for maintaining the community's lakes due to the lack of rain and evaporation. He then requested that the District provide a discount for water purchased to maintain such lakes. Ms. Henderson and Mr. Safe reported to the Board that Avalon uses make up wells and non-potable water to fill the lakes and that the invoices Avalon receives for such water from those sources is provided by the North Fort Bend Water Authority ("NFBWA"). Ms. Henderson advised that the District cannot discount the NFBWA pumping fees. Following a lengthy discussion, the Director Gupta moved to authorize SPH to draft and send on behalf of the District a letter of support to the NFBWA in connection with Avalon's request to discount pumping fees for the community's lakes, and to provide information regarding NFBWA's next Board meeting to Avalon. Director Battistini seconded said motion, which unanimously carried.

Ms. Flores entered the meeting during the above discussion.

## **BOOKKEEPER'S REPORT**

Ms. Crigger presented to and reviewed with the Board the Bookkeeper's Report prepared by MAC dated November 5, 2025, a copy of which is attached hereto as **Exhibit B**. Ms. Crigger also presented the Quarterly Investment Inventory Report for the investment period ending September 30, 2025, a copy of which is included with the Bookkeeper's Report. Following discussion, it was moved by Director Battistini that (i) the Bookkeeper's Report be approved and

the disbursements identified therein be approved for payment, and (ii) the Quarterly Investment Inventory Report be approved, as presented, and the Investment Officers of the District be authorized to execute same on behalf of the District. Director Handal seconded said motion, which unanimously carried.

Mr. Roach entered the meeting during the above discussion. Mr. Ram exited the meeting during the above discussion.

### **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Flores presented to and reviewed with the Board the Tax Assessor-Collector Report for the month ending October 31, 2025, a copy of which is attached hereto as **Exhibit C**. Following discussion, it was moved by Director Battistini, seconded by Director Handal and unanimously carried, that the Tax Assessor-Collector Report be approved as presented and that the disbursements identified therein be approved for payment.

### **DELINQUENT TAX REPORT**

Ms. Henderson reported that a Delinquent Tax Report was not received this month from Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collections attorneys.

### **FORT BEND COUNTY CONSTABLE'S OFFICE ("FBCCO") ACTIVITY REPORT**

Ms. Henderson presented a Monthly Contract Deputy Activity Report for the month of October, 2025, prepared by FBCCO, a copy of which is attached hereto as **Exhibit D**. It was noted that no action was required by the Board in connection with the FBCCO Report at this time.

### **ENGINEER'S REPORT**

Mr. Safe presented to and reviewed with the Board a written Engineer's Report dated November 5, 2025, a copy of which is attached hereto as **Exhibit E**, relative to the status of various engineering and construction projects within the District, and discussed the matters contained therein. He then discussed with the Board the failure of ShoreSox stabilization around the District's North Outfall Channel and detention pond. He noted that BGE has contacted the installer, Storm Water Solutions, LLC, to inspect the ShoreSox.

### **CHAMPIONS AMENDED AND RESTATED AGREEMENT**

The Board deferred consideration of an Amended and Restated Agreement by and between the District and Champions. Ms. Henderson advised that SPH is in the process of drafting same.

### **DETENTION AND DRAINAGE FACILITIES REPORT**

Mr. Cosco next presented to and reviewed with the Board a Detention and Drainage Facilities Report ("D&D Report") dated November 5, 2025, prepared by Champions, for Little

Prong Creek and corresponding photographs, a copy of which is attached hereto as **Exhibit F**. He noted that no action was required by the Board in connection with the D&D Report.

### **PARKS FACILITIES REPORT**

Ms. Evans next presented to and reviewed with the Board a Parks Report dated November 5, 2025, prepared by Champions, for the District's Family Park and Dog Park (the "Parks"), a copy of which is attached hereto as **Exhibit G**. Ms. Evans discussed with the Board potential areas of concern in the Parks and advised she would provide proposals for next month's meetings in connection with same. She noted that no action was required by the Board in connection with the Parks Report.

### **STORMWATER MANAGEMENT PROGRAM ("SWMP")**

The Board deferred consideration of the status of the District's SWMP at this time.

### **OPERATIONS AND MAINTENANCE REPORT**

Ms. Mouton presented to and reviewed with the Board the Operations and Maintenance Report ("O&M Report") for the month of September 2025, a copy of which is attached hereto as **Exhibit H**. Ms. Mouton then reported that the District had approximately 90% water accountably for the reporting period and discussed repairs made throughout the District. Ms. Mouton next updated the Board on the status of the Sanitary Sewer Televising and Cleaning project and advised that Inframark would provide proposals for the necessary repairs at next month's meeting. Ms. Mouton then advised the Board that Seven Meadows Community Association, Inc. has not paid the invoice for the water loss due to the main water line break near Netleaf Garden Drive and Chamomile Meadow Trail.

Next, a discussion ensued regarding the Kiddie Mulch that was installed by Landscape Images of Texas ("LIOT") at the District's Family Park. Ms. Evans noted that the mulch provided was under the required height for safety standards. Following discussion, the Board requested that Inframark contact LIOT to fill the needed amount of Kiddie Mulch.

Ms. Mouton next presented to and reviewed with the Board two (2) proposals for inspection of the District's sanitary sewer collection system manholes and one proposal for inspection of the District's distribution system valves, copies of which are included with the O&M Report. Following discussion, the Board deferred consideration of the proposals for inspection of the District's sanitary sewer collection system manholes and inspection of the distribution system valves.

Mr. Cosco, Ms. Evans, and Ms. Flores exited the meeting during the above discussion.

## **NORTH FORT BEND WATER AUTHORITY WATER PROVIDER CONSERVATION PROGRAM**

Board next considered the status of the District's participation in the 2025 NFBWA Water Provider Conservation Program (the "Program"). In connection therewith, Ms. Mouton reported that the District has accumulated all points needed to qualify for the 2025 Program. The Board next considered the District's participation in the 2026 Program. After discussion, it was moved by Director Gupta that Inframark be authorized to enroll the District in the 2026 Program, and to complete and submit the NFBWA enrollment form for the 2026 Program when available on behalf of the Board and the District. Director Battistini seconded the motion, which unanimously carried.

## **COMPLIANCE BY THE DISTRICT WITH TEXAS GOVERNMENT CODE, CHAPTER 2265, RELATIVE TO ENERGY REPORTING**

The Board deferred consideration of the District's compliance with Texas Government Code, Chapter 2265, relative to energy reporting requirements.

## **ENVIRONMENTAL PROTECTION AGENCY'S ("EPA") FINAL NATIONAL PRIMARY DRINKING WATER REGULATION FOR PFAS**

The Board deferred consideration of the status of the District's compliance with the EPA's final National Primary Drinking Water Regulation for PFAS.

## **AUTHORIZE FILING OF INITIAL LOCAL GOVERNMENT BOND, TAX AND PROJECT REPORT**

Ms. Henderson advised the Board that, pursuant to Chapter 403, Texas Government Code, as amended by House Bill 103 in the 89<sup>th</sup> Regular Legislative Session, every taxing unit that currently levies a tax, including the District, must annually submit a tax rate and bond authorization and issuance report to the Comptroller of Public Accounts (the "Comptroller") for inclusion in the Comptroller's Local Government, Bond, Tax, and Project Database. She stated that the initial report will include historical tax rate and bond election and issuance information for the District for the previous ten year period and must be submitted by January 1, 2026. Following discussion, Director Battistini moved that the District's consultants be authorized to prepare the report, and that SPH be authorized to submit same to the Comptroller on the District's behalf. Director Gupta seconded the motion which carried unanimously.

## **EMINENT DOMAIN REPORT**

Ms. Henderson advised the Board that, pursuant to Section 2206.154, Texas Government Code, all political subdivisions with the power of eminent domain, including the District, are required to file an annual eminent domain report by February 1st of each year with the Texas Comptroller of Public Accounts (the "Comptroller"). She explained that the report is to contain the District's contact information as well as information related to the District's ability to exercise the

power of eminent domain. After discussion, it was moved by Director Battistini, seconded by Director Eynon and unanimously carried, that the Board authorize SPH to prepare and file the annual eminent domain report with the Comptroller on behalf of the District, prior to the applicable deadline.

### **ASSOCIATION OF WATER BOARD DIRECTORS REPRESENTATIVE**

Mr. Henderson advised that the Association of Water Board Directors ("AWBD") is requesting that each municipal utility district designate a representative to vote in the AWBD'S bylaws amendments and elections. After discussion, it was moved by Director Gupta, seconded by Director Battistini and unanimously carried, that Director Handal be designated as the voting member representative to vote in the AWBD'S bylaws amendments and elections on the District's behalf.

### **DISTRICT WEBSITE AND MASS NOTIFICATION MESSAGING MATTERS**

The Board next considered the continued operation of the District's website and its mass notification system. In that regard, Mr. Roach presented to and reviewed with the Board a Quarterly Analytics Report, a copy of which is attached hereto as **Exhibit I**, detailing trends in traffic to the District's website and the enrollment and usage of the notification system. After discussion, the Board noted that no action was required on its part in connection with the Quarterly Analytics Report at this time.

Director Haleem exited the meeting during the above discussion.

### **ATTORNEY'S REPORT**

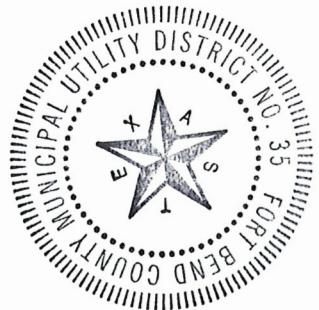
The Board considered the attorney's report. In that regard, Ms. Henderson advised she had nothing further to report to the Board other than the items previously discussed.

### **FUTURE AGENDA ITEMS**

The Board considered items for placement on future agendas. No other specific agenda items other than routine and ongoing matters, or those discussed above, were requested.

### **ADJOURNMENT OF MEETING**

There being no further business to come before the Board, Director Battistini moved that the meeting be adjourned. Director Eynon seconded said motion, which unanimously carried.



  
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Secretary, Board of Directors

### **Table of Exhibits**

- Exhibit A: Requests from Avalon at Seven Meadows Homeowners Association
- Exhibit B: Bookkeeper's Report
- Exhibit C: Tax Assessor-Collector's Report
- Exhibit D: FBCCO Monthly Activity Report
- Exhibit E: Engineer's Report
- Exhibit F: Detention and Drainage Facilities Report
- Exhibit G: Parks Report
- Exhibit H: Operations and Maintenance Report
- Exhibit I: District Website and Messaging Analytics Report