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

Minutes of Meeting of Board of Directors
May 6, 2026

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 May 6, 2026, 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:

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| 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, except Directors Battistini and Eynon, thus constituting a quorum.

Also present were: Darrell Hawthorne 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 of Champions Hydro-Lawn, Inc. ("Champions"); Jeremy Roach and Wouter Blakborn of Apollo IT Consulting ("Apollo"); Joel Glover of Jackson Walker LLP ("JW"); a member of the public attending virtually via Zoom; and Kate Henderson and Kate Gribble of Schwartz, Page & Harding, L.L.P. ("SPH"). Mr. Roach and Mr. Glover entered the meeting after it was called to order as noted herein.

In the absence of the President, the Vice 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. No comments from the public were presented.

**APPROVAL OF MINUTES**

As the next order of business, the Board considered approval of the minutes of its meetings held on February 18, 2026, and April 1, 2026. After discussion, Director Haleem moved that the minutes for the February 18, 2026, and April 1, 2026, Board meetings be approved, as written. Director Gupta seconded said motion, which unanimously carried.

## BOOKKEEPER'S REPORT

Mr. Hawthorne presented to and reviewed with the Board the Bookkeeper's Report prepared by MAC dated May 6, 2026, a copy of which is attached hereto as **Exhibit A**. Following discussion, it was moved by Director Handal that the Bookkeeper's Report be approved and the disbursements identified therein be approved for payment, except for check no. 11098, which was voided. Director Haleem seconded said motion, which unanimously carried.

## TAX ASSESSOR-COLLECTOR REPORT

Ms. Flores presented to and reviewed with the Board the Tax Assessor-Collector Report for the month ending April 30, 2026, a copy of which is attached hereto as **Exhibit B**. Following discussion, it was moved by Director Haleem, seconded by Director Gupta and unanimously carried, that the Tax Assessor-Collector Report be approved as presented and that the disbursements identified therein be approved for payment.

## UNCLAIMED PROPERTY REPORT

The Board next considered approval of an Unclaimed Property Report as of March 1, 2026, and the filing of same with the Texas Comptroller of Public Accounts (the "Comptroller") prior to July 1, 2026. In connection therewith, Mr. Hawthorne presented to and reviewed with the Board a report detailing $1,881.60 of unclaimed property for the reporting period, a copy of which is attached hereto as **Exhibit C**. Ms. Flores then presented to and reviewed with the Board a report detailing no unclaimed property for the reporting period, a copy of which is included with **Exhibit C**. After discussion, Director Haleem moved that MAC be authorized to file an Unclaimed Property Report with the Comptroller prior to July 1, 2026, and remit said unclaimed property to the Comptroller. Director Gupta seconded said motion, which unanimously carried.

## 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 Monthly Contract Deputy Activity Report for the month of April 2026, prepared by the FBCCO, a copy of which are 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 May 6, 2026, 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. In connection with Wastewater Treatment Plant No. 1 Rehabilitation project, Mr. Safe advised the Board that one bid was received from CROM CFG Industries ("CROM"), and that, in addition to other issues with the bid, the bid included an item that was not part of the bid package and needed to be removed. He recommended that the Board defer consideration of an award for the projects at this time and concur in Fort Bend County Municipal Utility District No. 34's ("No. 34") authorization for BGE to readvertise bids for the project. Following discussion, Director Gupta moved to concur in No. 34's authorization for BGE to readvertise for bids for the Wastewater Treatment Plant No. 1 Rehabilitation project. Director Haleem seconded said motion, which unanimously carried.

## AMERICA'S WATER INFRASTRUCTURE ACT OF 2018 ("AWIA")

Ms. Henderson next reminded the board that AWIA requires a community water system providing drinking water to greater than 3,300 people to: (a) undertake a comprehensive assessment of its drinking water distribution system/practices relating to risk and resilience to natural or manmade disasters; (b) provide a certification of said assessment to the United States Environmental Protection Agency ("EPA"); and (c) prepare an emergency response plan ("EPP") and certify its completion with the EPA within six months of certifying completion of the assessment based on the assessment findings. She then reminded the Board that the District previously conducted the assessment and prepared an EPP, and advised that the assessment must be reviewed and revised every five years. SPH recommends that the Board authorize and direct the District's engineer and/or the District's operator, in consultation with each other, to review the assessment and provide any necessary updates to the assessment and EPP prior to the applicable deadlines. After discussion on the matter, it was moved by Director Haleem, seconded by Director Gupta and unanimously carried, that BGE and/or Inframark be authorized and directed to address the AWIA requirements prior to the applicable deadlines.

## 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 May 6, 2026, prepared by Champions, for Little Prong Creek ("LPC") and corresponding photographs, a copy of which is attached hereto as **Exhibit F**. He noted no action is required by the Board in connection with the report.

Mr. Roach entered the meeting during the above discussion.

## PARKS FACILITIES REPORT

Mr. Cosco next presented to and reviewed with the Board a Parks Report dated May 2026, prepared by Champions, for the District's Family Park and Dog Park (the "Parks"), a copy of which is attached hereto as **Exhibit G**. Mr. Cosco then presented to and reviewed with the Board: (i) a proposal for irrigation repairs in the Parks, (ii) two proposals for power coating canopies and playground equipment in the Family Park, and (iii) a proposal for community requests for repairs in the Dog Park, copies of which are included with **Exhibit G**. Following a lengthy discussion, it was moved by Director Haleem, seconded by Director Gupta, and unanimously carried, that the Board approve (i) the proposal for irrigation repairs in the amount of $983.00, and (ii) the proposal for various repairs in the amount of $9,599.26. The Board deferred consideration of the proposals for power coating at this time, and Director Haleem requested that Champions solicit proposals from an additional two companies for same.

## STORMWATER MANAGEMENT PROGRAM ("SWMP")

The Board next considered the status of the District's SWMP. Ms. Henderson noted that there were no updates 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 March 2026, 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. She advised the Board that on April 23, 2026, a resident reported infiltration in the District's sanitary sewer line at 5306 Lacey Oak Meadow Drive, and that Inframark inspected the sewer line and found significant root infiltration. Ms. Mouton requested approval for an emergency repair from the Board President prior to today's meeting due to possible back up of the sewer line and estimated the cost for repair to be between $5,000 and $6,000. Following discussion, it was moved by Director Handal, seconded by Director Haleem, and unanimously carried, that the Board ratify the President's prior approval for the emergency repair to the sanitary sewer line at 5306 Lacey Oak Meadow Drive in all respects.

Ms. Mouton then updated the Board on her communications with Ezee Fiber Texas, LLC ("Ezee"). Ms. Mouton next advised the Board that the Water Conservation Plan Annual Implementation Report was filed with the North Fort Bend Water Authority and Texas Water Development Board prior to the May 1st deadline.

## APPROVAL OF CONSUMER CONFIDENCE REPORT

Ms. Mouton presented to and reviewed with the Board a draft of the District's Consumer Confidence Report ("CCR"), the format of which is dictated by the Texas Commission on Environmental Quality and by the United States Environmental Protection Agency. A copy of the draft CCR is included in the O&M Report. She advised the Board that the CCR must be provided to all customers of the District and posted to the District's website prior to July 1 of this year, as required by law. Ms. Mouton advised the Board that Inframark can provide the District's CCR to the District's customers (a) by mailing a paper copy of such CCR to each customer, or (b) in an electronic format viably including a direct URL link included on the next water bill rather than by mail, if the Board so desires. After discussion on the matter, it was moved by Director Haleem, seconded by Director Gupta, and unanimously carried, that the CCR be approved by the Board, subject to SPH's final review and approval, and that Inframark be authorized and directed to send a copy of the CCR to Apollo for posting on the District's web site and to distribute same to the District's customers in an electronic format as described above prior to the July 1 deadline.

## DISTRICT WEBSITE AND MASS NOTIFICIATION 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.

Mr. Glover entered the meeting during the above discussion.

## OPERATIONS AND MAINTENANCE REPORT (CONT'D)

Director Haleem next addressed the Board regarding requests from residents for the repair of a sidewalk located at 25919 Red Berry Juniper that is located next to a District manhole and an ADA pedestrian ramp located near 5315 Everhart Manor Lane. In regards to the ADA pedestrian ramp, Ms. Henderson reminded the Board that Inframark previously inspected the nearby manhole and determined there was no infiltration. Director Gupta advised the Seven Meadows Community Association, Inc. was considering the repair of the ADA pedestrian ramp. A discussion next ensued regarding responsibility of the District for repair of the ADA pedestrian ramp. Ms. Henderson again reminded the Board that the ramp is not a District facility and the District is not responsible for maintaining same. Mr. Safe advised the Board that the District has water, sanitary sewer and drainage facilities in the vicinity of the ramp and that it is possible a District facility could have settled and caused the ramp to settle as well. Following discussion, Director Haleem moved that the Board approve the repair of the ADA pedestrian ramp. Director Gupta expressed concerns regarding responsibility for the repair, noting that Inframark had not identified infiltration in the nearby storm sewer and that SPH had previously advised that the District was not responsible for the ADA ramp. Director Gupta requested that BGE and Inframark conduct an additional investigation of District facilities near the ramp to determine whether a District facility contributed to the settlement. Following discussion, Director Haleem withdrew the motion. The Board concurred to authorize BGE to further investigate District facilities near 5315 Everhart Manor Lane and to revisit the matter at a future meeting. Ms. Mouton also advised that Inframark would inspect the sidewalk at 25919 Red Berry Juniper to determine whether a District facility may have caused the condition requiring repair.

## APPROVAL OF FIFTH AMENDMENT TO RESIDENTIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING AGREEMENT WITH BEST TRASH, LLC ("BEST TRASH")

The Board next considered approval of the Fifth Amendment to Residential Solid Waste Collection, Disposal and Recycling Collection Agreement between the District and Best Trash (the "Fifth Amendment"). Ms. Henderson advised that , as discussed at last month's meeting, the Fifth Amendment reflects a monthly base rate of $24.19 per residential unit for the collection and disposal of both residential and solid waste and recyclables and that such rate shall not increase until after May 31, 2027, and a new five (5) year term. Following discussion, Director Haleem moved that the Board approve the Fifth Amendment and authorize SPH to acknowledge the Texas Ethics Commission Form 1295 provided by Best Trash on behalf of the Board and the District. Director Handal seconded the motion, which unanimously carried. A copy of the Fifth Amendment is attached hereto as **Exhibit J**.

## ATTORNEY'S REPORT

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

## CLOSED SESSION

The Board announced at 2:40 p.m. that it would convene in Closed Session, as authorized pursuant to Texas Government Code, Section 551.071 to discuss matters protected by attorney-client privilege. All those in attendance, with the exception of the Board, Mr. Glover, Ms. Gribble and Ms. Henderson, exited the meeting at this time.

## RECONVENE IN OPEN SESSION

The Board reconvened in Open Session at 3:24 p.m. with the Board, Mr. Blackborn, Mr. Roach, Mr. Hawthorne, Mr. Glover, Ms. Gribble, and Ms. Henderson in attendance. No action was taken by the Board with regard to matters discussed in Closed Session.

## 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 Handal moved that the meeting be adjourned. Director Gupta seconded said motion, which unanimously carried.

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35
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Secretary, Board of Directors



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## Table of Exhibits

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| Exhibit A: | Bookkeeper's Report |
| Exhibit B: | Tax Assessor-Collector's Report |
| Exhibit C: | Unclaimed Property Report(s) |
| 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 |
| Exhibit J: | Fifth Amendment to Residential Solid Waste Collection, Disposal and Recycling Agreement |