

**SPECIAL MEETING NOTICE/AGENDA**  
**Board of Supervisors**  
**Brazoria County Fresh Water Supply District #1**

NOTICE IS HEREBY GIVEN a Special meeting of the Board of Supervisors of Brazoria County Fresh Water Supply District #1 will be held on January 9, 2026, beginning at 11 am at the Brazoria County F.W.S.D. #1 District Office, 223 Mulcahy St, Damon, Tx. 77430

The subjects to be discussed or considered, or upon which any formal action may be taken, are listed below. Items identified within the consent agenda will be acted on at one time.

- A. Call to Order/ Acknowledgement of Visitors
- B. Establish a Quorum
- C. Public Comment.  
*The public is invited to address the members of the board and speak on matters concerning the water department and district. Please note that board members may not deliberate on matters, but can include on a future agenda. The presentation shall be no longer than three (3) minutes.*
- D. Discussion and potential action regarding a Representative from SP Utility, a privately owned IOU – to give a presentation regarding the expression of interest of acquiring the BCFWSD#1 facilities, operations, and assets, and regarding the potential sale, transfer, or merger of the District’s CCN, facilities, operations and assets, including potential PUCT or TCEQ requirements and discuss customer impacts and other factors.
- E. *All of the following items on the consent Agenda are considered to be self-explanatory by the Board and will be enacted with one motion. There will be no separate discussion of these items unless requested by a Board member; in which event, the items will be removed from the consent agenda and considered separately.*
  - 1. Minutes
  - 2. Financial Report
  - 3. Operator’s Report
- F. Executive Session Agenda Item – In this executive session the Board of Supervisors will deliberate the following matter pursuant to the section(s) of the Texas Open meetings in parenthesis at the end of such matter. The Board may take action in open session after the executive session on any of the Executive Session Agenda items. The Board will deliberate the purchase, exchange, lease or value of real property in executive session only if deliberation in an open meeting would have a detrimental effect on the district’s position in negotiations with a third person.
  - a. In accordance with Texas Open Meetings Act -Deliberation Regarding Real Property Value; closed meeting. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position

of the governmental body in negotiations with a third person. Added by Acts 1993, 73<sup>rd</sup> Leg., Ch. 268, Sec. 1, eff. Sept. 1, 1993. ( Sec. 551.072. )

Start Date and time \_\_\_\_\_ End Date and time \_\_\_\_\_

- G. Open Session Items for Post Executive Session Action- The Board of Supervisors will convene in Open Session and may take action on agenda items listed below, any other items on the agenda that were postponed or tabled until after Executive Session, and any executive session agenda items.
- H. Review and consider possible action on **Resolution 010926A** declaring certain real and personal property and assets of the district as surplus to the needs of district use for the purpose of authorizing and negotiating a private sale of the district surplus items to SP Utility as defined by (Texas water code 49.226), and contingent on due diligence and finalization of STM acceptance, contract finalization and PUC and or TCEQ approvals. **Motion to adopt Resolution 010926A**, an order declaring the real and personal property and assets of BCFWSD #1 listed therein as surplus and not needed for district use for the purpose of authorizing and finalizing contract negotiations of a private sale to SP Utility and contingent on approval from PUC and or TCEQ. Motion made by: \_\_\_\_\_ Second: \_\_\_\_\_
- I. Review and consider possible action of approval of **Resolution 010926B**, an order authorizing an asset purchase agreement and negotiated contract with SP Utility for the Sale of All District water and wastewater systems, assets, and certificated service areas (CNN). **Motion to adopt Resolution 010926B**, an order authorizing an asset purchase agreement and negotiated contract with SP Utility for the Sale of All District water and wastewater systems, assets, and certificated service areas (CNN). Motion made by: \_\_\_\_\_ Second: \_\_\_\_\_
- J. Review and consider possible action by the Board of Supervisors concerning **Resolution 010926C** to authorize the BCFWSD1 Board President to accept and sign the negotiated contract from SP Utility as presented (Contract \_\_\_\_\_ ) and to further authorize BCFWSD1 Board President and/or legal counsel to finalize contract formalities as needed, including but not limited to due diligence as needed to prepare legal paperwork and any necessary supporting documents necessary, authorization for the filing of a joint application for STM, contractual price adjustments determined to be of the fair market value, PUC filings, TCEQ filings, and any revisions as needed for sale of district assets to SP Utility, and further authorizes the Board President and/or district counsel to execute the final contract and all necessary PUCT/TCEQ documents to complete the sale of all district water and wastewater systems, real property, assets, equipment and certificated service areas (CNN). motion made \_\_\_\_\_ second \_\_\_\_\_

- K. Discuss and consider possible action to Rescind **Resolution No. 06282017A** and remove it as a local qualification for BCFWSD1 Board Member elections. Motion to Rescind Resolution No. 06282017 as a local qualification for candidates seeking election to the BCFWSD1 Board of Directors. Motion made second
  
- L. Discuss and Approve the Order(calling) of the May 2, 2026, elections. Approve and Order(calling) of General Election for May 2, 2026, for BCFWSD#1 (Resolution 1225).
  
- M. Discuss and consider possible action to set the place, time and date for the election draw for the order of the ballot for the May 2, 2026 election. Motion to set the place, time and date for the election draw for the order of the ballot for the May 2, 2026 election
  
- N. Adjourn Special Meeting

*Items not necessarily discussed in the order they appear on the agenda. The Board at its discretion may act on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meetings Act. (Chapter 551, Government Code)*

The Board may go into closed session at any time when permitted by Chapter 551, Government Code. Before going into closed session, a quorum of the Board must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551, Government Code, authorizing the closed session.