

MINUTES

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

February 11, 2020

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 50 (the "District") met in regular session, open to the public, on the 11th day of February, 2020, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Craig Lewis	President
Jerry Slatton	Vice President
Peter Lajoie	Secretary
Reginald Stubblefield	Assistant Secretary
Leon Bridges	Assistant Vice President

and all of the above were present, thus constituting a quorum.

Also present for all or part of the meeting were Ryan Day of Meritage Homes ("Meritage"); Esther Flores of Tax Tech, Inc. ("Tax Tech"); Jordan Williams of R.G. Miller Engineers, Inc. ("R.G. Miller"); Wendy Austin of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert of Champions Hydro-Lawn, Inc. ("Champions"); Julie Gerdes of Rathmann and Associates, L.P. ("Rathmann"); and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board reviewed the minutes of the regular meeting held January 14, 2020. After review and discussion, Director Slatton moved to approve the minutes of the regular meeting held January 14, 2020, as submitted. Director Stubblefield seconded the motion, which passed by unanimous vote.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Flores reviewed the tax assessor/collector's report, a copy of which is attached. She reported that 57.51% of the 2019 tax levy had been collected as of January 31, 2020. After review and discussion, Director Lajoie moved to approve the tax

assessor/collector's report and payment of the bills listed in the report. Director Stubblefield seconded the motion, which passed by unanimous vote.

#### RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

Ms. Miller reviewed a Resolution Concerning Exemptions from Taxation. After review and discussion, Director Bridges moved to adopt the Resolution Concerning Exemptions from Taxation, reflecting that the Board of Directors rejects a general residential homestead exemption and grants a \$20,000 exemption for persons over 65 years of age and for disabled persons, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Slatton seconded the motion, which passed by unanimous vote.

#### RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board reviewed a proposal for insurance from HARCO Insurance Services, which includes a list of the District's facilities provided by R.G. Miller. Following review and discussion, Director Stubblefield moved to accept the proposal for renewal of the District's insurance from HARCO Insurance Services and direct that the proposal be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed by unanimous vote.

#### ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

The Board discussed the AWBD winter conference. Ms. Austin noted the expenses submitted by Directors in attendance were in compliance with District's travel guidelines. After review and discussion, Director Bridges moved to approve reimbursement of eligible expenses from the winter conference and authorize all interested Directors to attend the AWBD summer conference. Director Lajoie seconded the motion, which passed unanimously.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Austin presented the bookkeeper's report, including the investment report, a copy of which is attached, and submitted the District's bills for payment. After review and discussion, Director Slatton moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Stubblefield seconded the motion, which passed by unanimous vote.

Ms. Gerdes distributed and reviewed information on the possible refunding of certain maturities of the District's Series 2013 Bonds, a copy of which is attached. Following review and discussion, the Board concurred to direct Rathmann to prepare

the Preliminary Official Statement and to consider authorizing moving forward with the proposed refunding at the next Board meeting.

#### OPERATION OF DISTRICT FACILITIES

Mr. Browne reviewed the operator's report, a copy of which is attached. He reported that water accountability for the previous month was 92.4% and reported on maintenance performed at the District's facilities.

Mr. Browne and Ms. Williams discussed water quality issues recently reported by residents of West Park Lakes.

Discussion ensued regarding irrigation lines at the southwest corner of Bellaire Boulevard and North Park Drive that were disturbed by a contractor. Following discussion, Mr. Browne stated MDS will determine who is responsible for the repair of the irrigation lines.

Mr. Browne reported MDS is installing ten plastic manhole drum covers on manholes located in Parkway Lakes.

After review and discussion, Director Slatton moved to (1) approve the operator's report; and (2) authorize MDS to turn over five accounts in the total amount of \$527.12, deemed to be uncollectible, to a collection agency. Director Lajoie seconded the motion, which passed unanimously.

#### HEARING ON TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS AND AUTHORIZE TERMINATION OF SERVICE

The Board conducted a hearing on the termination of utility service. Mr. Browne presented a list of delinquent customers and reported that the residents on the termination list were mailed written notice prior to this meeting in accordance with the District's Rate Order, notifying them of the opportunity to appear before the Board of Directors to explain, contest, or correct the utility service bill and to show reason why utility service should not be terminated for reason of nonpayment. Following review and discussion, Director Slatton moved that, because the customers on the termination list were neither present at the meeting nor had presented any statement on the matter, utility service should be terminated in accordance with the procedures set forth in the District's Rate Order, and the delinquent customer list should be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion, which passed by unanimous vote.

#### DISCUSS AMERICA'S WATER INFRASTRUCTURE ACT OF 2018

Mr. Carpenter discussed certain requirements of the America's Water Infrastructure Act of 2018 (the "Act") requiring community water systems that serve a

population of 3,301 or more to certify to the Environmental Protection Agency that the system has completed a Risk and Resilience Assessment and created an Emergency Response Plan. He then presented and reviewed a memorandum regarding the Act, a copy of which is attached. He reported the District's operator is working to determine whether the District is required to make such certifications pursuant to the service population thresholds set forth in the Act.

APPROVE PARTICIPATION IN WATER SMART PROGRAM, AUTHORIZE EXECUTION OF WATER SMART APPLICATION, AND ADOPT RESOLUTION APPROVING SUBMITTAL OF THE WATER SMART APPLICATION FOR INCLUSION IN THE AWBD WATER SMART PARTNERS PROGRAM

Mr. Browne discussed the District's participation in the Water Smart Program and submittal of a Water Smart application. After review and discussion, Director Stubblefield moved to (1) approve the District's participation in the Water Smart Program; (2) authorize preparation and submittal of the Water Smart application; and (3) adopt a Resolution Approving Submittal of the Water Smart Application for Inclusion in the AWBD Water Smart Partners Program, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Slatton seconded the motion, which passed by unanimous vote. Mr. Browne noted that MDS will prepare and submit the District's Water Smart application.

GARBAGE AND RECYCLING SERVICE MATTERS

The Board discussed garbage and recycling matters.

NORTH FORT BEND WATER AUTHORITY MATTERS ("NFBWA") MATTERS

Ms. Miller updated the Board on NFBWA matters. She discussed the 2020 appointment process for NFBWA directors.

DEVELOPMENT IN THE DISTRICT

Mr. Day updated the Board on the development in the District by Meritage for a single-family residential development.

Ms. Miller stated on July 9, 2019, the Board approved a Utility Commitment Letter and a Development Financing Agreement with Cypressbrook Management Company, L.P. ("Cypressbrook"), for a proposed apartment development at the southwest corner of Peek Road and Bellaire Boulevard that was never finalized. She stated that Cypressbrook has notified the District that the project will not be moving forward. After discussion, the Board concurred to rescind approval of the Utility Commitment Letter and the Development Financing Agreement between the District and Cypressbrook approved July 9, 2019.

## ENGINEERING MATTERS

Ms. Williams presented the engineer's report, a copy of which is attached, including the projects specifically addressed as follows:

### PARK WESTHEIMER BOULEVARD EXTENSION AND DRAINAGE IMPROVEMENTS

Ms. Williams gave an update on construction of the Park Westheimer Boulevard extension and drainage improvements and stated construction is 95% complete.

### PERMANENT WASTEWATER TREATMENT PLANT ("WWTP") AND LIFT STATION

Ms. Williams gave an update on construction of the permanent WWTP and the lift station at the permanent WWTP and stated construction is 20% complete. She recommended approval of Pay Estimate No. 3 in the amount of \$524,553.57 to C4 Partners, LLC.

### OFFSITE UTILITIES TO SERVE PERMANENT WWTP

Ms. Williams gave an update on construction of the offsite utilities to serve the permanent WWTP and stated construction is 95% complete.

### WATER PLANT NO. 2

Ms. Williams gave an update on construction of Water Plant No. 2 and stated construction is 50% complete. She recommended the Board approve Pay Estimate No. 8 in the amount of \$147,370.50 to Nunn Constructors, Ltd.

### DETENTION FACILITIES TO SERVE DISTRICT EAST

Ms. Williams reported on construction of the detention facilities to serve District East. She noted to satisfy legal requirements, Jones & Carter, Inc., will solicit additional proposals to address project deficiencies.

### DEEDS, EASEMENTS, APPRAISALS, CONSENTS TO ENCROACHMENT, ENCROACHMENT AGREEMENTS, ASSIGNMENTS OF CAPACITY, REQUESTS FOR SERVICE UTILITY CONVEYANCES, OUT-OF-DISTRICT SERVICE AGREEMENTS, AND UTILITY COMMITMENT LETTERS

Ms. Williams requested the Board's approval and acceptance of a 0.0086-acre water meter easement for the District West Apartments.

## BOND APPLICATION NO. 9

Ms. Williams indicated that bond application no. 9 is under review by the TCEQ.

After review and discussion, based on the engineer's recommendation, Director Lajoie moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 3 in the amount of \$524,553.57 to C4 Partners, LLC for construction of the permanent WWTP and the lift station at the permanent WWTP; (3) approve Pay Estimate No. 8 in the amount of \$147,370.50 to Nunn Constructors, Ltd., for construction of Water Plant No. 2; and (4) accept and authorize execution of the 0.0086-acre water meter easement and direct that the easement be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed by unanimous vote.

## REPORT ON MAINTENANCE OF DISTRICT DETENTION PONDS AND FACILITY SITES

Mr. Halbert reviewed a report from Champions on maintenance of the District's detention ponds and facility sites, a copy of which is attached. He reported the District received a complaint of motorized vehicles operating in the Peek Road detention pond. Discussion ensued. Following discussion, Director Slatton moved to authorize Champions to order four "no unauthorized vehicle" signs for the Peek Road detention pond. Director Lajoie seconded the motion, which passed by unanimous vote.

Mr. Halbert reported that the District resident located at 23043 N. Water Lily Drive disposed of palm tree debris behind their fence onto the drainage channel. He then reported that the District resident at 23039 N. Water Lily Drive is painting landscape bricks on District property. Following review and discussion, the Board directed ABHR to send a letter to the resident at 23043 N. Water Lily Drive requesting that the resident remove the tree debris. Director Lajoie seconded the motion, which passed by unanimous vote.

## PARK AND RECREATIONAL FACILITY PLANNING MATTERS

The Board deferred discussing a Resolution Establishing Rules and Regulations Governing the Use of District Detention and Recreation Facilities until next month.

## DISTRICT WEBSITE MATTERS

There was no discussion on District website matters.

ECONOMIC DEVELOPMENT AGREEMENT BETWEEN DISTRICT, PARKWAY LAKES DEVELOPMENT, INC., AND NORTH FORT BEND REDEVELOPMENT AUTHORITY (THE "AUTHORITY")

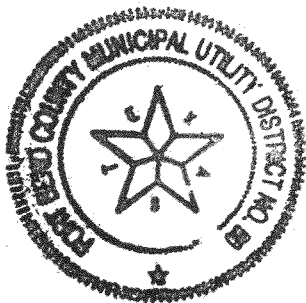
Ms. Miller gave an update on the Economic Development Agreement (the "Agreement") between the District, Parkway Lakes Development, Inc., and the Authority and stated that the Authority Board approved the Agreement at its meeting last week.

2020 DIRECTORS ELECTION

Ms. Miller discussed procedures related to the 2020 Directors Election. She reviewed an Order Calling Directors Election. Ms. Miller discussed that Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Fort Bend County. Following review and discussion, Director Bridges moved to (1) adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records; and (2) authorize the Secretary's agent to post or publish and provide the Notice of Election to the County Clerk and Voter Registrar, if required. Director Slatton seconded the motion, which passed unanimously.

There being no further business to come before the Board, the meeting was adjourned.

(SEAL)



  
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Secretary, Board of Directors

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