

MINUTES

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

May 21, 2020

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 50 (the "District") met in regular session by teleconference, with access by telephone available to the public, pursuant to Texas Government Code Section 551.125 and Governor Greg Abbott's emergency disaster declaration dated March 13, 2020, on the 21st day of May, 2020, and the roll was called of the members of the Board being present by telephone:

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

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

Also attending the teleconference were 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"); and Christina Miller and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

Ms. Miller reviewed certain recommended protocols for conducting the District's meeting via teleconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and available to the public in the form of an "agenda packet" prior to the start of the meeting at www.districtdirectory.org/agendapackets/fbcmud50.

PUBLIC COMMENT

Ms. Miller reported that the District received a complaint from a District resident regarding other District residents racing motorcycles and four-wheel vehicles on the District detention pond located adjacent to Meadows at Parkway Lakes. Following discussion, the Board directed ABHR to send a letter to the identified residents reminding them that the use of unauthorized motorized vehicles is prohibited on District detention facilities and that fines may be assessed for violations in the future.

OPERATIONS AND SERVICE REQUIREMENTS RELATING TO COVID-19
EPIDEMIC AND RATIFICATION OF ANY EMERGENCY ACTIONS, IF NECESSARY

There was no discussion on this matter.

MINUTES

The Board reviewed the minutes of the regular meeting held April 14, 2020. After review and discussion, Director Lewis moved to approve the minutes of the regular meeting held April 14, 2020, as submitted. Director Bridges seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

2020 DIRECTORS ELECTION, INCLUDING APPROVE AND DISTRIBUTE
CERTIFICATES OF ELECTION, APPROVE DIRECTORS' SWORN STATEMENTS
AND OATHS OF OFFICE, REORGANIZE THE BOARD, AND AUTHORIZE
EXECUTION OF DISTRICT REGISTRATION FORM

The Board considered approving a Certificate of Election, reflecting the election of Craig Lewis and Peter Lajoie to the Board of Directors of the District each for a four-year term.

Ms. Miller reviewed the Sworn Statements and Oaths of Office for Craig Lewis and Peter Lajoie.

The Board then considered reorganizing the Board of Directors and authorizing filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected directors and reorganization of the Board.

After review and discussion, Director Lewis moved to (1) approve the Certificate of Election and the distribution of same to Directors Lewis and Lajoie, and direct that the Certificate be filed appropriately and retained in the District's official records; (2) approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State as required by law; (3) reorganize the Board as follows:

Craig Lewis	President
Leon Bridges	Vice President
Peter Lajoie	Secretary
Reginald Stubblefield	Assistant Secretary
Vacant	Assistant Vice President;

and (4) authorize filing of the updated District Registration Form with the TCEQ and direct that the Form be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Flores reviewed the tax assessor/collector's report, a copy of which is attached. She reported that 98.43% of the 2019 tax levy had been collected as of April 30, 2020. Ms. Flores stated the District's 2020 preliminary value is \$653,347,065. After review and discussion, Director Lewis moved to approve the tax assessor/collector's report and payment of the bills listed in the report. Director Bridges seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

DISCUSS IMPLEMENTATION OF LAW ENFORCEMENT SERVICES IN THE DISTRICT

Following discussion, the Board concurred to discuss law enforcement services available to the District from Fort Bend County Constable Precinct 3 and other providers, including private security firms, at a subsequent meeting.

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. She requested the Board approve additional check no. 1231 to Nunn Constructors, Ltd. ("Nunn") for pay estimate no. 10 in the amount of \$120,736.36. After review and discussion, Director Lewis moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report, including check no. 1231 to Nunn in the amount of \$120,736.36. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR THE ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE

The Board discussed fees of office and expenses in connection with the AWBD summer conference in Grapevine, Texas, which was rescheduled to August 6-8, 2020. After discussion and consideration of the District's Travel Reimbursement Guidelines, Director Lewis moved to authorize up to four fees of office for attendance at the conference, and up to three nights at a hotel at the conference rate, with reimbursement to be submitted in accordance with the District's Travel Reimbursement Guidelines.

Director Bridges seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

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 101.1% and reported on maintenance performed at the District's facilities.

Mr. Browne reported that the District received a request from Apple Carwash for a billing adjustment due to a water leak. Following discussion, the Board requested that MDS bill Apple Carwash a water rate of \$2.00 per 1,000 gallons and waive the excess sanitary sewer portion of the bill for the month that they experienced the water leak. The Board clarified that the North Fort Bend Water Authority (the "NFBWA") fees applied to all water utilized should not be waived because the District is responsible for remitting payment of such amounts to the NFBWA.

After review and discussion, Director Lewis moved to (1) approve the operator's report; and (2) authorize MDS to adjust the water bill for Apple Carwash as discussed. Director Bridges seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

APPROVE CONSUMER CONFIDENCE REPORT AND AUTHORIZE OPERATOR TO MAIL CONSUMER CONFIDENCE REPORT AND FILE CERTIFICATE OF MAILING WITH THE TCEQ

Mr. Browne reviewed the Consumer Confidence Report with the Board, a copy of which is attached to the operator's report. After review and discussion, Director Lewis moved to approve the Consumer Confidence Report and authorize the operator to mail the Consumer Confidence Report and file the certificate of mailing with the TCEQ. Director Bridges seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

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

The Board discussed correspondence from Fort Bend County Judge K.P. George requesting that all municipal utility districts suspend imposition of late fees and service terminations through June 1, 2020. Following discussion, Director Lewis moved to (1) suspend termination of water and sewer service to delinquent customers and waive late fees and penalties until further notice; (2) authorize MDS to send written reminder notices of non-payment to delinquent customers; and (3) authorize MDS to set up payment plans with District customers on an as-needed basis until further notice. The motion was seconded by Director Bridges. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT FACILITIES AND AUTHORIZE ANNUAL FILING

Ms. Miller reviewed the Critical Load Spreadsheet for the District's facilities. She stated that the District's engineer, bookkeeper, and operator have reviewed the Critical Load Spreadsheet. After review and discussion, Director Bridges moved to authorize annual filing of the Critical Load Spreadsheet and direct that the Spreadsheet be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on garbage and recycling matters.

NORTH FORT BEND WATER AUTHORITY MATTERS

Ms. Miller updated the Board on NFBWA matters and discussed the District's participation in the Larry's Toolbox Water Conservation Program.

Ms. Miller reported that the NFBWA engaged Mighty Citizen to assist the NFBWA in evaluating its current educational and community-outreach programs. She stated that the NFBWA is asking for a director on the Board to participate in a stakeholder interview with Mighty Citizen. Following discussion, the Board concurred to authorize Director Lewis to participate in the Mighty Citizen stakeholder interview.

Ms. Miller presented and discussed a legal waiver of conflicts letter regarding ABHR representing both the District and NFBWA in connection with matters relating to preparation and review of a Water Conservation and Reuse Analysis Agreement (the "Agreement") between the District and NFBWA. She discussed with the Board the advantages and disadvantages of the District engaging independent counsel to represent the District in connection with the Agreement, because of the potential conflict of interest in ABHR's representation of NFBWA. Following review and discussion of the District's options, Director Bridges moved to authorize execution of the legal waiver of conflicts letter, authorize ABHR to represent the District and NFBWA with respect to preparation and review of the Agreement, and direct that the letter be filed appropriately and retained in the District's files. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea." The Board concurred to defer considering approval of the Agreement to next month.

DEVELOPMENT IN THE DISTRICT

Ms. Williams gave an update on the anticipated development schedule for the Grand Trails single-family development.

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, INCLUDING OFFSITE UTILITIES TO SERVE PERMANENT WWTP

Ms. Williams gave an update on construction of the permanent WWTP and lift station. She recommended approval of Pay Estimate No. 6 in the amount of \$385,131.96 to C4 Partners, LLC ("C4 Partners"). Ms. Williams then recommended the Board approve Change Order No. 1 to the contract with C4 Partners, resulting in an increase to the contract in the amount of \$89,500.00, for additional structural concrete and for coating interior of wet well in lieu of using T-Lock. After discussion, and based on the recommendation of Ms. Williams, the Board determined that Change Order No. 1 is beneficial to the District.

Ms. Williams gave an update on construction of the offsite utilities to serve the permanent WWTP. She recommended approval of Pay Estimate No. 2 and Final in the amount of \$14,707.70 to Fellers & Clark, LP ("Fellers") and acceptance of the project. Ms. Williams then recommended the Board approve Change Order No. 1 to the contract with Fellers, resulting in a decrease to the contract in the amount of \$14,204.40, for quantity adjustments in the field. After discussion, and based on the recommendation of Ms. Williams, the Board determined that Change Order No. 1 is beneficial to the District.

WATER PLANT NO. 2

Ms. Williams gave an update on construction of Water Plant No. 2 and stated construction is 60% complete. She recommended the Board approve Pay Estimate No. 10 in the amount of \$120,736.36 to Nunn. Ms. Williams then recommended the Board approve Change Order No. 2 to the contract with Nunn, resulting in an increase to the contract in the amount of \$70,850.00, to

change from overhead power to underground. After discussion, and based on the recommendation of Ms. Williams, the Board determined that Change Order No. 2 is beneficial to the District.

WATER, SEWER AND DRAINAGE FACILITIES AND PAVING TO SERVE GRAND TRAILS, SECTION 1

Ms. Williams gave an update on design of the water, sewer, and drainage facilities and paving to serve Grand Trails, Section 1.

SUB-REGIONAL DETENTION PHASE II

Ms. Williams gave an update on design of the sub-regional detention phase II project.

DETENTION FACILITIES TO SERVE DISTRICT EAST

Ms. Williams reported on construction of the detention facilities to serve District East.

DRAINAGE STUDY

Ms. Williams reported on the required updates to the District's drainage study based on the Atlas 14 rainfall study.

UTILITY COMMITMENT LETTERS

Ms. Williams reported the District received a utility commitment request from Pacific Financial Management, Inc. ("Pacific Financial") for 17 equivalent single-family sanitary sewer and water connections ("ESFC") and 30 ESFC to serve a proposed 60,000 square foot retail development and a proposed 9,000 square foot restaurant development, respectively, for the six-acre tract located at Westpark Tollway and Creeks End Blvd.

Ms. Williams reported that GLS Company will not be receiving approval from Fort Bend County for re-platting of the remaining lot in Westpark Lakes.

BOND APPLICATION NO. 9

Ms. Miller reported that the District received the draft Order from the TCEQ approving the issuance of the Series 2020 Bonds on May 11, 2020.

After review and discussion, based on the engineer's recommendation, Director Lewis moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 6 in the amount of \$385,131.96 to C4 Partners for construction of the

permanent WWTP and lift station; (3) approve Change Order No. 1 in the amount of \$89,500.00 to the contract with C4 Partners for construction of the permanent WWTP and lift station, based on the Board's finding that the change order is beneficial to the District and the engineer's recommendation; (4) approve Pay Estimate No. 2 and Final in the amount of \$14,707.70 to Fellers for construction of the offsite utilities to serve the permanent WWTP and accept the project; (5) approve Change Order No. 1 resulting in a decrease in the amount of \$14,204.40 to the contract with Fellers for construction of the offsite utilities to serve the permanent WWTP, based on the Board's finding that the change order is beneficial to the District and the engineer's recommendation; (6) approve Pay Estimate No. 10 in the amount of \$120,736.36 to Nunn for construction of Water Plant No. 2; (7) approve Change Order No. 2 in the amount of \$70,850.00 to the contract with Nunn for construction of Water Plant No. 2, based on the Board's finding that the change order is beneficial to the District and the engineer's recommendation; (8) authorize ABHR to prepare a Utility Commitment Letter for Pacific Financial as discussed; and (9) rescind the Utility Commitment Letter with GLS Company. Director Bridges seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

OPERATION OF DISTRICT FACILITIES (CONTINUED)

Ms. Miller presented a letter from the Fort Bend Subsidence District (the "Subsidence District"), a copy of which is attached, regarding the District's sponsorship of the WaterWise program for the 2019-2020 school year. Following review and discussion, Director Lewis made a motion to authorize the Subsidence District to allocate the District's payment for undeliverable WaterWise kits to the Subsidence District's Water Conservation Program. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

SERIES 2020 UNLIMITED TAX REFUNDING BONDS ("SERIES 2020 REFUNDING BONDS")

The Board reviewed a letter from Rathmann and Associates, L.P., a copy of which is attached, regarding the results of the Series 2020 Refunding Bonds.

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 that he saw nutria in the drainage pipe under Bellaire Blvd.

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