

MINUTES

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

June 9, 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 9th day of June, 2020, and the roll was called of the members of the Board being present by telephone:

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

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

Also attending the teleconference were District resident Twala Lochner; Debra Green of the Westheimer Lakes Property Owners Association; Robert ("Bobby") Ferguson, Jr. and Milton Allen of Parkway Lakes Development, Inc.; Esther Flores of Tax Tech, Inc. ("Tax Tech"); Jordan Williams of R.G. Miller Engineers, Inc.; Wendy Austin of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert of Champions Hydro-Lawn, Inc. ("Champions"); Mary Dubois of Acclaim Energy Advisors; and Christina Miller, Aaron Carpenter, 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 offered any members of the public attending the meeting by telephone the opportunity to make public comment. There being no members of the public requesting to make public comment, the Board moved to the next agenda item.

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 May 21, 2020. After review and discussion, Director Lewis moved to approve the minutes of the regular meeting held May 21, 2020, as submitted. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

RECEIVE ACCLAIM ENERGY ADVISORS REPORT ON ELECTRICITY AND
CONSIDER APPROVAL OF RELATED EXTENSION OF ELECTRICITY CONTRACT

Ms. DuBois presented and reviewed an electricity market proposal and pricing report, copies of which are attached. The Board discussed participation in an electricity pool with Acclaim and entering into an electricity contract beginning December 1, 2026 through April 30, 2029, at a rate not to exceed \$0.03995 per kilowatt hour. Following review and discussion, Director Lajoie moved to (1) enter into an electricity contract beginning December 1, 2026 through April 30, 2029, at a rate not to exceed \$0.03995 per kilowatt hour; (2) authorize the Board President or Vice President to execute the new contract subject to ABHR review of the new contract; and (3) direct that the contract be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Flores reviewed the tax assessor/collector's report, a copy of which is attached. She reported that 98.79% of the 2019 tax levy had been collected as of May 31, 2020. After review and discussion, Director Bridges moved to approve the tax assessor/collector's report and payment of the bills listed in the report. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION
OF DELINQUENT TAXES

After discussion, Director Bridges moved to authorize the delinquent tax attorney to proceed with the collection of delinquent taxes as of July 1, 2020. Director Lajoie seconded the motion, which passed by unanimous vote.

SENATE BILL 2 TRANSPARENCY REQUIREMENTS AND RELATED CONTRACT AMENDMENT

Ms. Miller reviewed a memorandum, a copy of which is attached, regarding transparency requirements in Sections 26.17 and 26.18, Tax Code, as enacted by Senate Bill 2, the "Texas Property Tax Reform and Transparency Act of 2019." She discussed financial and tax rate information that must be posted on a website maintained or accessible to the District. Ms. Miller also discussed tax-related information that must be included in a property tax database maintained by the appraisal district, some of which must be provided by the District.

The Board reviewed a proposed amendment to the contract between Tax Tech and the District for implementation of the transparency requirements. Ms. Flores said the amendment reflects that Tax Tech will host and maintain a generally accessible website containing the required information. She said the amendment also reflects that Tax Tech will provide required data to the appraisal district to include in its property tax database. Ms. Flores discussed the fees associated with implementation of the requirements contained in Sections 26.17 and 26.18, Tax Code, as reflected in the contract amendment.

After review and discussion, Director Bridges moved to approve the amendment to the contract between the District and Tax Tech as presented. Director Lajoie seconded the motion, which passed unanimously.

APPROVE PAYMENT TO SIMMONS BANK PURSUANT TO SETTLEMENT AGREEMENT

Ms. Austin stated that she has prepared a check in the amount of \$36,108.72 to Simmons Bank for the District's quarterly interest on the unpaid balance of the purchase price for the property designated for the detention basin pursuant to the Settlement Agreement between the District and SDB Real Estate, LLC. After discussion, Director Lewis moved to approve payment of \$36,108.72 to Simmons Bank. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

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. 9039 to the North Fort Bend Water Authority ("NFBWA") in the amount of \$69,848.70. After review and discussion, Director Bridges moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report, including check no. 9039 to NFBWA in the amount of \$69,848.70. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

UPDATE ON SERIES 2020A UNLIMITED TAX BONDS ("SERIES 2020A BONDS" SCHEDULE

Ms. Miller reported that the District received the Order from the Texas Commission on Environmental Quality approving the issuance of the Series 2020A Bonds. She discussed the anticipated schedule for selling the Series 2020A Bonds.

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 101.4% and reported on maintenance performed at the District's facilities.

Mr. Browne reviewed a letter regarding preparations for the 2020 Hurricane Season, a copy of which is attached to the operator's report.

Discussion ensued regarding damage to an irrigation line and a monument located at the intersection of Bellaire Boulevard and North Park Drive caused by a contractor. Following discussion, the Board directed Ms. Williams to coordinate with the contractor to repair the damage within seven days. The Board concurred that if the contractor does not complete the repair within seven days, the District will pay for the repair and consider reduction of a future payment to the contractor in an amount equal to the repair cost.

After review and discussion, Director Bridges moved to approve the operator's report. Director Lajoie 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

Following discussion, Director Lajoie moved to (1) suspend termination of water and sewer service to delinquent customers and waive late fees and penalties for the current billing cycle; (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."

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on garbage and recycling matters.

NFBWA MATTERS

Ms. Miller updated the Board on NFBWA matters.

Ms. Miller reviewed a Water Conservation and Reuse Analysis Agreement (the "Agreement") between the District and NFBWA. Following review and discussion, Director Bridges moved to approve the Agreement and direct that the Agreement 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."

DEVELOPMENT IN THE DISTRICT

Mr. Ferguson and Mr. Allen gave an update on development in the District.

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 lift station and stated construction is 40% complete. She recommended approval of Pay Estimate No. 7 in the amount of \$589,792.05 to C4 Partners, LLC ("C4 Partners").

WATER PLANT NO. 2

Ms. Williams gave an update on construction of Water Plant No. 2 and stated construction is 75% complete. She recommended the Board approve Pay Estimate No. 11 in the amount of \$88,953.03 to Nunn Constructors, Ltd. ("Nunn"). Ms. Williams then recommended the Board approve Change Order No. 3 to the contract with Nunn, resulting in an increase to the contract in the amount of \$4,100.00, to add a 16" valve and blind flange on the new ground storage tank. After discussion, and based on the recommendation of Ms. Williams, the Board determined that Change Order No. 3 is beneficial to the District.

Ms. Williams then discussed a Facilities Extension Agreement between the District and CenterPoint Energy for Water Plant No. 2.

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 and stated plans have been submitted to agencies for approval.

SUB-REGIONAL DETENTION PHASE II

Ms. Williams gave an update on design of the sub-regional detention phase II project and stated plans have been submitted to agencies for approval.

DETENTION FACILITIES TO SERVE DISTRICT EAST

Ms. Williams and Mr. Milton 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.

FORT BEND COUNTY SOUND WALL INSTALLATION PROJECT

Discussion ensued regarding the possibility requesting that Fort Bend County install a sound wall along the proposed TX-99 frontage road from Long Meadow Farms to Bellaire Boulevard. Following discussion, the Board requested Ms. Williams and Ms. Miller discuss the proposed sound wall project with Fort Bend County.

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. 7 in the amount of \$589,792.05 to C4 Partners for construction of the permanent WWTP and lift station; (3) approve Pay Estimate No. 11 in the amount of \$88,953.03 to Nunn for construction of Water Plant No. 2; (3) approve Change Order No. 3 in the amount of \$4,100.00 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; and (4) approve the Facilities Extension Agreement with CenterPoint subject to attorney review and direct that the Agreement be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

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. Following review and discussion, Director Bridges moved to accept the report from Champions. Director Lajoie seconded the motion. A roll call of the Board was taken and the motion passed unanimously, with all directors voting "yea."

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.

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

/s/ Peter Lajoie
Secretary, Board of Directors



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