

MINUTES

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

May 11, 2021

The Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 50 (the "District") met in regular session by teleconference and videoconference, with access by telephone and video 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 11th day of May, 2021, and the roll was called of the members of the Board being present by telephone and/or video:

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

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

Also attending the teleconference were Josh Penton of Meritage Homes; Esther Flores of Tax Tech, Inc.; 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, 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 and videoconference. She announced that the meeting was being recorded and that consultant reports presented at the meeting were posted online and made 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 COMMENTS

Ms. Miller offered any members of the public attending the meeting by video or 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

Mr. Browne confirmed that there were no adverse District service impacts resulting from the COVID-19 epidemic.

MINUTES

The Board reviewed the minutes of the regular meeting held on April 13, 2021, and the special meeting held on April 21, 2021. After review and discussion, Director Lewis moved to approve the minutes of the regular meeting held on April 13, 2021, and the special meeting held on April 21, 2021, as submitted. Director Lajoie seconded the motion, which passed by unanimous vote, 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 95.54% of the 2020 tax levy had been collected as of April 30, 2021. Ms. Flores stated the District's 2021 preliminary taxable value from Fort Bend County Appraisal District is \$725,536,409.00. 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, which passed by unanimous vote, with all directors voting "yea."

SERIES 2021 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 2021 Refunding Bonds.

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 noted that District accounts with fund amounts greater than \$250,000.00 are being transferred to Central Bank. After review and discussion, Director Lajoie moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Bridges seconded the motion, which passed by unanimous vote, with all directors voting "yea."

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

Ms. Miller reviewed the travel reimbursement guidelines for Directors for the AWBD Summer conference to be held from June 17th to June 20th in San Antonio. There was no need for action on this item.

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 94.3% and reported on maintenance performed at the District's facilities.

Mr. Browne reported regarding an investigation by the Texas Commission on Environmental Quality (the "TCEQ") of an odor complaint at the Wastewater Treatment Plant ("WWTP") and stated no violations are being alleged as a result of the investigation.

Mr. Browne reported that the control room lighting at Water Plant No. 1 is in need of repair and stated that the cost to upgrade the control room electrical wiring system is \$6,450.00.

Mr. Browne then reported that booster pump no. 4 is in need of repair. He stated that the cost to repair the booster pump is \$4,593.00 and the replacement cost of the booster pump is \$10,197.00.

Following discussion, the Board requested that MDS email a copy of the District's high-water user notices to the Board and concurred to consider modifying the notice language next month.

Mr. Browne reviewed the Consumer Confidence Report with the Board, a copy of which is attached.

After review and discussion, Director Bridges moved to (1) approve the operator's report; (2) approve the control room electrical wiring system upgrade at a cost of \$6,450.00; (3) authorize MDS to replace booster pump no. 4 at a cost of \$10,197.00; (4) authorize MDS to turn over accounts, deemed to be uncollectible to a collection agency; and (5) 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 Stubblefield seconded the motion, which passed by unanimous vote, with all directors voting "yea."

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 Mathews 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, and to authorize MDS to continue to set up payment plans with District customers on an as-needed basis until further notice. Director Stubblefield seconded the motion, which passed by unanimous vote, 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

The Board discussed garbage and recycling matters. Following discussion, the Board requested that ABHR contact Best Trash and request that they present options for water bill inserts regarding Best Trash's trash collection guidelines at the next meeting.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

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

DEVELOPMENT IN THE DISTRICT

Mr. Penton gave an update on the Grand Trails development in the District.

Ms. Williams discussed proposed development at the southwest corner of the intersection of Bellaire Boulevard and Peek Road (the "Tract") and stated that Davis Development ("Davis") is now under contract to purchase the Tract to develop a proposed multi-family development (the "Proposed Development"). Following discussion, the Board concurred to authorize ABHR to prepare an amendment to its current Development Financing Agreement with Davis to contemplate the Proposed Development, if applicable.

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 complete.

PERMANENT WWTP AND LIFT STATION, INCLUDING PROPOSALS FOR SECURITY SERVICES

Ms. Williams gave an update on construction of the permanent WWTP and lift station and stated construction is 95% complete.

She requested authorization to prepare an application for renewal of TPDES Permit No. WQ0014763001 for the permanent WWTP.

WATER PLANT NO. 2

Ms. Williams gave an update on construction of Water Plant No. 2 ("WP No. 2") and stated construction is 90% complete. She recommended that the Board approve Pay Estimate No. 22 in the amount of \$83,464.20 to Nunn Constructors, Ltd. ("Nunn").

Ms. Williams reported on a meeting with representatives from R.G. Miller, FenceCrete, and Nunn to discuss remedies for the aesthetic concerns of the fence surrounding WP No. 2.

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

Ms. Williams gave an update on construction of the water, sewer, and drainage facilities to serve Grand Trails, Section 1 and stated construction is 95% complete. She recommended approval of Pay Estimate No. 4 in the amount of \$72,295.19 to Fellers & Clark, LP. Discussion ensued regarding damage to landscaping at the entrance of the Grand Meadows subdivision caused by Fellers & Clark, LP. Following discussion, the Board concurred not to approve Pay Estimate No. 4 at this time. The Board requested that Ms. Williams discuss the landscaping damage with Fellers & Clark, LP.

PAVING TO SERVE GRAND TRAILS, SECTION 1

Ms. Williams gave an update on construction of the paving to serve Grand Trails, Section 1 and stated construction is 90% complete. She recommended

approval of Pay Estimate No. 3 in the amount of \$563,805.00 to DeCrosta Construction, LLC (“DeCrosta”).

SUB-REGIONAL DETENTION PHASE II

Ms. Williams gave an update on construction of the sub-regional detention phase II project and stated construction is 99% complete.

SUB-REGIONAL DETENTION PHASE III

Ms. Williams gave an update on design of the sub-regional detention phase III project and stated that the District has not yet received developer advances for the project.

DISTRICT EAST DETENTION FACILITIES PHASE II

Ms. Williams gave an update on design of District East Detention Facilities Phase II and stated that plans have been being submitted to the City of Houston.

TEXAS DEPARTMENT OF TRANSPORTATION (“TxDOT”) DRAINAGE DITCH IMPROVEMENTS PROJECT

Ms. Williams gave an update on design of the TxDOT drainage ditch improvements project and stated that plans have been submitted to TxDOT for review.

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

Ms. Williams reported that the District received a request from Downtown Investors, LLC for an extension to the Utility Commitment Letter dated November 10, 2020, for a proposed retail and gas station.

Ms. Williams reported that the District received a request from Davis Development for 126 equivalent single-family sanitary sewer and water connections for the Proposed Development.

Ms. Miller presented a Utility Commitment Letter for sanitary sewer and water connections for a proposed volunteer fire department community center located at the intersection of Peek Road and Beechnut.

After review and discussion, based on the engineer's recommendation, Director Bridges moved to (1) approve the engineer's report; (2) authorize the engineer to prepare an application for renewal of TPDES Permit No. WQ0014763001; (3) approve Pay Estimate No. 22 in the amount of \$83,464.20 to Nunn for construction of WP No. 2; (4) approve Pay Estimate No. 4 in the amount of \$563,805.00 to DeCrosta for construction of the paving to serve Grand Trails, Section 1; (5) approve the amended Utility Commitment Letter regarding sanitary sewer and water capacity for Downtown Investors, LLC; (6) authorize ABHR to prepare a Utility Commitment Letter for Davis Development regarding sanitary sewer and water capacity for the Proposed Development; and (7) approve the Utility Commitment Letter regarding sanitary sewer and water capacity for the proposed volunteer fire department community center. Director Lajoie seconded the motion, which passed by unanimous vote, 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.

Director Bridges reported on an abundance of fire ants at the Grand Meadows detention pond.

Following review and discussion, Director Lajoie moved to (1) approve the report from Champions; and (2) authorize reimbursement to a Director Bridges for the costs to purchase ant killer to be applied at the Grand Meadows detention pond in an amount not to exceed \$100.00. Director Mathews seconded the motion, which passed by unanimous vote, 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.

DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER, AND SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES

The Board did not convene in Executive Session.

SMART METER MATTERS

The Board discussed installing smart water meters offered by Accurate Meter & Supply in the District. Following discussion, the Board concurred to further discuss installing smart meters in the Grand Trails development in the District next month.

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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