

MINUTES

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

June 8, 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 8th day of June, 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 Bobby Ferguson of Parkway Lakes Development, Inc.; Esther Flores of Tax Tech, Inc.; 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"); Christie Leighton of Best Trash, LLC ("Best Trash"); and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

Mr. Carpenter reviewed certain recommended protocols for conducting the District's meeting via teleconference and videoconference. He 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

Mr. Carpenter reported that the District received written correspondence from Jeannette Hall of Fort Bend County Municipal Utility District No. 133 regarding a leaking backflow device in the District, which is maintained by Walmart. He indicated that the correspondence had been forwarded to MDS. He then 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 May 11, 2021. After review and discussion, Director Stubblefield moved to approve the minutes of the regular meeting held on May 11, 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 95.85% of the 2020 tax levy had been collected as of May 31, 2021. 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 Bridges seconded the motion, which passed by unanimous vote, with all directors voting "yea."

AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

After discussion, Director Lewis moved to authorize the delinquent tax attorney to proceed with the collection of delinquent taxes as of July 1, 2021. Director Mathews seconded the motion, which passed by unanimous vote, with all directors voting "yea."

SERIES 2021 REFUNDING BONDS

Mr. Carpenter reported that the District's Series 2021 Refunding Bonds are scheduled to close on June 10, 2021, at 10:00 a.m.

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 then requested that the Board approve check no. 9446 to ABHR in the amount of \$13,486.67, check no. 9447 to the North Fort Bend Water Authority in the amount of \$74,067.30, and check no. 1275 to C4 Partners, LLC in the amount of \$292,358.37 subject to Board approval during the engineer's report. After review and discussion, Director Bridges moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report, as well as check no. 9446 to ABHR in the amount of \$13,486.67, check no. 9447 to the North Fort Bend Water Authority in the amount of \$74,067.30, and

check no. 1275 to C4 Partners, LLC in the amount of \$292,358.37 subject to Board approval during the engineer's report. Director Lajoie seconded the motion, which passed by unanimous vote, 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 95% and reported on maintenance performed at the District's facilities.

Ms. Browne presented a brochure on sanitary sewer overflow reporting in connection with the District's Storm Water Management Plan, a copy of which is attached to the operator's report, and requested approval from the Board to insert the brochure in the water bill.

Mr. Browne then reviewed modifications to the District's high-water user notices. He stated that MDS will present alternative options for telephone and internet service for the District next month.

After review and discussion, Director Mathews moved to (1) approve the operator's report; and (2) authorize MDS to include the brochure in connection with the District's Storm Water Management Plan in the water bill. Director Bridges 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 Bridges seconded the motion, which passed by unanimous vote, with all directors voting "yea."

APPROVE RISK AND RESILIENCE ASSESSMENT AND FILING OF CERTIFICATION OF SAME WITH THE ENVIRONMENTAL PROTECTION AGENCY

Mr. Carpenter reported on certain certification obligations that the District must meet under the America's Water Infrastructure Act of 2018 (the "Act"). He stated that, pursuant to the Act, the District must certify to the Environmental Protection Agency that its community water system has completed a Risk and Resilience Assessment (the "Assessment"). Mr. Browne discussed the District's Assessment. After review and discussion, Director Mathews moved to (1) approve the Risk and Resilience Assessment, (2) authorize the filing of certification of the Assessment with the Environmental Protection Agency, and (3) direct the Assessment to be filed, confidentially, in the District's official records and the confirmation of certification be filed in the District's official records. Director Bridges seconded the motion, which passed by unanimous vote, with all directors voting "yea."

SMART METER MATTERS

The Board discussed installing smart water meters offered by Accurate Meter & Supply in the District. Following discussion, Director Bridges moved to authorize MDS to install smart meters in the Grand Trails development in the District. Director Lajoie seconded the motion, which passed by unanimous vote, with all directors voting "yea." The Board concurred to defer the sub-items listed on today's meeting agenda related to the installation of smart meters in the remainder of the District to next month. The Board directed ABHR and MDS to coordinate regarding a plan to retrofit the District with smart meters over the next several years.

GARBAGE AND RECYCLING SERVICE MATTERS

Ms. Leighton presented a flyer regarding Best Trash's trash collection guidelines and a list of recyclable items, copies of which are attached. Following review and discussion, the Board concurred to authorize MDS to include the trash collection guidelines flyer and the recyclable items list in the water bill.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

There was no discussion on this matter.

DEVELOPMENT IN THE DISTRICT

Mr. Ferguson gave an update on development in the District. He 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 under contract to purchase the Tract to develop a proposed multi-family development (the "Proposed Development"). Mr. Carpenter reported that an amendment to the Development Financing Agreement between the District and Davis is not needed for

the Proposed Development since there are not anticipated to be any reimbursable facilities in connection with the Proposed 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 complete.

PERMANENT WASTEWATER TREATMENT PLANT ("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 recommended that the Board approve Pay Estimate No. 18 in the amount of \$292,358.37 to C4 Partners, LLC.

WATER PLANT NO. 2

Ms. Williams gave an update on construction of Water Plant No. 2 ("WP No. 2") and stated construction is 95% complete. She recommended that the Board approve Pay Estimate No. 23 in the amount of \$158,442.76 to Nunn Constructors, Ltd. ("Nunn").

Discussion ensued regarding the aesthetic concerns of the fence surrounding WP No. 2 (the "Fence"). Ms. Williams reported that FenceCrete submitted a change order to remedy the aesthetic concerns of the Fence. She noted that a delay in Fence construction will delay construction of WP No. 2. Following discussion, the Board concurred to request bids to remedy the aesthetic concerns of the Fence with a new contractor after construction of WP No. 2 is complete.

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 complete.

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 complete.

SUB-REGIONAL DETENTION PHASE II

Ms. Williams gave an update on construction of the sub-regional detention phase II project and stated construction is 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. She stated that plans have been submitted to the City of Houston (the "City") and requested authorization to authorize advertisement for bids for the project after approval of the plans is received from the City.

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 Grand Park Professional Place, LLC for 8 equivalent single-family sanitary sewer and water connections for phase 2 of the office condominium development. Mr. Carpenter reviewed a Utility Commitment Letter to Grand Park Professional Place, LLC.

Mr. Carpenter then reviewed a Utility Commitment Letter to DD Bellaire BLVD, LLC for 196 equivalent single-family sanitary sewer and water connections for the Proposed Development.

After review and discussion, based on the engineer's recommendation, Director Bridges moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 18 in the amount of \$292,358.37 to C4 Partners, LLC for construction of the permanent WWTP and lift station; (3) approve Pay Estimate No. 23 in the amount of \$158,442.76 to Nunn for construction of WP No. 2; (4) authorize advertisement for bids for construction of the District East Detention Facilities Phase II project after design approval is received from the City; (5) approve the Utility Commitment Letter to Grand Park Professional Place, LLC regarding sanitary sewer and water capacity for phase 2 of the office condominium development; and (6) approve the Utility Commitment Letter to DD Bellaire BLVD, LLC regarding sanitary sewer and water capacity for the Proposed Development. 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. He reported that he submitted an inventory list of trees in the District to Director Lewis.

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 convened in Executive Session at 10:38 a.m., pursuant to Section 551.071 of the Texas Government Code, to conduct a private consultation with attorney to discuss pending or contemplated litigation or a settlement offer and pursuant to Section 551.076 of the Texas Government Code, to deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION
REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION

The Board reconvened in regular session at 11:00 a.m. No action was taken by the Board.

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

/s/ Peter Lajoie
Secretary, Board of Directors



LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Tax Assessor/Collector's report	2
Bookkeeper's report	2
Operator's report	3
Flyer regarding Best Trash's trash collection guidelines	4
List of recyclable items.....	4
Engineer's report	5
Report from Champions	7