

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

October 12, 2021

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 12th day of October, 2021, 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
Leon Bridges	Vice President
Peter Lajoie	Secretary
Reginald Stubblefield	Assistant Secretary
Ken Mathews	Assistant Vice President

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

Also present at the meeting were: 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.

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for members of the public to listen to the meeting and to address the Board.

On the telephone were: Avik Bonnerjee of B&A Municipal Tax Service, LLC; and Bobby Ferguson of Parkway Lakes Development, Inc.

PUBLIC COMMENTS

Ms. Miller reported that the hearing for the pending County Court at Law case involving Katy Dojo LLC and the District, which was originally scheduled for October 7, 2021, was postponed and the hearing is now set for November 18, 2021.

Ms. Miller gave an update on the request to the District from Fort Bend County (the "County") to donate a 0.1371-acre permanent drainage easement related to the County's future Peek Road project and reported that the District has not yet received the requested information from the County to determine the impact of the easement on planned District facilities.



## MINUTES

The Board reviewed the minutes of the regular meeting held on September 14, 2021. After review and discussion, Director Lajoie moved to approve the minutes of the regular meeting held on September 14, 2021, as submitted. Director Bridges 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. 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, which passed by unanimous vote.

## REPORT ON SALES TAX AUDIT SERVICES

Mr. Bonnerjee presented and reviewed the Sales Tax Audit Report (the "Report") dated September, 2021. He reviewed new and changed sales and use tax permits issued since the last report for businesses located within the District's boundaries. Following review, the Board directed that the Report be filed appropriately and retained in the District's official records.

## 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 reviewed Central Bank's fees and noted that Central Bank's fee to stop payment on a check is \$30.00. Following discussion, the Board concurred to further discuss Central Bank's fees in connection with its next amendment to the District's Rate Order.

After review and discussion, Director Stubblefield 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.

## 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 95.5% and reported on maintenance performed at the District's facilities.

Mr. Browne discussed a letter the District received from the Texas Commission on Environmental Quality ("TCEQ") regarding splash pads connected to public water supplies and *Naegleria fowleri*.



Mr. Browne then discussed maintenance items at the interim Wastewater Treatment Plant ("WWTP") which were required by the TCEQ following its inspection of the interim WWTP.

Mr. Browne requested authorization from the Board for Electrical Field Services, Inc., to replace the existing interior lighting fixtures at Water Plant No. 1 with new LED fixtures at a cost of \$3,700.00.

After review and discussion, Director Bridges moved to (1) approve the operator's report; (2) authorize replacement of the interior lighting fixtures at Water Plant No. 1 with new LED fixtures in the amount of \$3,700.00; and (3) authorize MDS to turn over six accounts in the total amount of \$1,216.02, deemed to be uncollectible, to a collection agency. Director Stubblefield seconded the motion, which passed by unanimous vote.

#### 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 Bridges 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.

#### GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on this matter.

#### 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 (the "Program"). She discussed supplemental Program initiatives (the "Initiatives") launched by the NFBWA in recognition of disruption to the 2021 Program caused by COVID-19. Following review and discussion, the Board directed all interested directors and the District's attorney, engineer, and operator to participate in the Initiatives.



Ms. Miller reported that R.G. Miller is preparing a package to submit to NFBWA requesting reimbursement to the District for construction costs associated with extending a water line to the District's water plant no. 2 pursuant to the Water Supply Letter Agreement between the District and NFBWA, which is anticipated to be submitted upon final completion of water plant no. 2.

Ms. Miller stated that members of the Board have been invited by Willow Fork Drainage District to attend a meeting on October 19, 2021, at The Golf Club at Cinco Ranch about the Project Barker project.

#### DEVELOPMENT IN THE DISTRICT

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

Ms. Miller reviewed a Development Financing Agreement between the District and Alliance Residential Company ("Alliance"). Discussion ensued regarding the source of funds to be advanced to the District for construction of the water, sewer, and drainage facilities to serve the proposed multi-family development. Following discussion, the Board concurred to defer the Development Financing Agreement with Alliance to next month.

#### 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. She stated that construction is 99% complete and initiation of final inspections begins this week.

##### WATER PLANT NO. 2

Ms. Williams gave an update on construction of Water Plant No. 2. She stated that construction is 99% complete and initiation of final inspections begins this week.



#### 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. She stated construction is complete and recommended acceptance of the project.

#### SUB-REGIONAL DETENTION PHASE III

Ms. Williams gave an update on design of the sub-regional detention phase III project. She stated that the District received developer advances for the project and project design has commenced.

#### DISTRICT EAST DETENTION FACILITIES PHASE II

Ms. Williams gave an update on construction of District East Detention Facilities Phase II and stated that the opening of bids for the project is scheduled for October 28, 2021.

#### 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 comments from TxDOT are being addressed.

#### 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. Miller reviewed a Utility Commitment Letter to Lamar Consolidated Independent School District for 22 equivalent single-family sanitary sewer and



water connections for a proposed elementary school in the District at the intersection of Peek Road and Beechnut Road.

Ms. Williams requested the Board authorize the Board President to execute the District's application for renewal of the TPDES Permit No. WQ0014763001 for the permanent WWTP.

After review and discussion, and based on the engineer's recommendation, Director Stubblefield moved to (1) approve the engineer's report; (2) accept the sub-regional detention phase II project; (3) approve the Utility Commitment Letter to Lamar Consolidated Independent School District; and (4) authorize the Board President to execute the District's application for renewal of the TPDES Permit No. WQ0014763001 for the permanent WWTP. Director Lajoie 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.

Mr. Halbert then reviewed the attached District Detention and Drainage Facilities Tree Report and related proposal and stated the proposed cost for Champions to trim 584 of the District's trees at a cost of \$73.25 per tree is \$42,778.00.

Following review and discussion, Director Bridges moved to (1) accept the report from Champions; and (2) approve the proposal from Champions in the total approximate amount of \$42,778.00 to trim approximately 584 District trees at a cost of \$73.25 per tree. 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.

#### DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

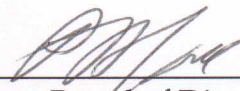
CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, OR A SETTLEMENT OFFER, AND SECTION 551.076, TEXAS GOVERNMENT CODE, TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION,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

The Board did not convene in Executive Session.

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

(SEAL)



  
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.....	2
Engineer's report.....	4
Report from Champions .....	6
District Detention and Drainage Facilities Tree Report and related proposal.....	6