

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

March 2, 2022

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 2nd day of March, 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, 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, thus constituting a quorum.

Also present at the meeting were: Alex Flores of Tax Tech, Inc. ("Tax Tech"); Justin Wagner of R.G. Miller Engineers, Inc. ("RG 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 Aaron Carpenter and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board reviewed the minutes of the regular meeting held on February 2, 2022. After review and discussion, Director Stubblefield moved to approve the minutes of the regular meeting held on February 2, 2022, as submitted. Director Bridges seconded the motion, which passed by unanimous vote.

TAX ASSESSMENT AND COLLECTION MATTERS

Mr. Flores reviewed the tax assessor/collector's report, a copy of which is attached. He reported that 93.83% of the 2021 tax levy had been collected as of February 28, 2022. After review and discussion, Director Mathews 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.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board reviewed a proposal for insurance from HARCO Insurance Services ("HARCO"), which includes a list of the District's facilities provided by RG Miller. Following review and discussion, Director Mathews moved to approve the proposal for renewal of the District's insurance from HARCO and direct that the proposal be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed by unanimous vote.

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. 9749 to Best Trash in the amount of \$28,879.02, check no. 9450 to HARCO in the amount of \$5,065.00, and check no. 9451 to TML IRP in the amount of \$59,006.00. After review and discussion, Director Stubblefield moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report, including additional check no. 9749 to Best Trash in the amount of \$28,879.02, check no. 9450 to HARCO in the amount of \$5,065.00, and check no. 9451 to TML IRP in the amount of \$59,006.00. Director Mathews seconded the motion, which passed by unanimous vote.

AUTHORIZE PREPARATION OF PROJECT AUDIT FOR ECONOMIC DEVELOPMENT GRANT PAYMENT TO MRPL RETAIL PARTNERS, LTD., AND MRPL RETAIL PARTNERS II, LTD., BY AUDITOR

Mr. Carpenter stated that the Board previously engaged Mark C. Eyring, CPA, PLLC, to conduct the annual supplemental project audit for the annual Economic Development Grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd. After review and discussion, Director Mathews moved to authorize Mark C. Eyring, CPA, PLLC, to proceed with conducting the supplemental project audit for the annual Economic Development Grant payment. Director Stubblefield seconded the motion, which passed by unanimous vote.

APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME IN ACCORDANCE WITH THE DISTRICT'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15C2-12

Mr. Carpenter reviewed the District's annual report containing the District's most recent Official Statement and audit to be filed in accordance with the continuing disclosure provisions contained in the bond resolutions. He stated that the District is required to file the annual report with the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access System ("EMMA"). Following review and discussion, Director Mathews moved to approve the annual report, authorize the

attorney to submit the District's annual report in compliance with the continuing disclosure provisions contained in the bond resolutions through EMMA, and direct that the report be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed by unanimous vote.

ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance. Mr. Carpenter stated that no changes are required at this time.

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 93.0% and reported on maintenance performed at the District's facilities.

Mr. Browne reported that the Lift Station No. 4 pump controller is in need of repair and requested authorization to replace the pump controller at a cost of \$5,650.00.

Mr. Browne then reported that MDS solicited proposals for the installation of a concrete driveway to the lift station located on Grand Mist Drive, copies of which are included in the operator's report. He noted that the proposal from Torres Construction ("Torres") includes 6 inches of concrete thickness and that Torres has obtained the insurance required by the District.

Mr. Browne also reported that MDS solicited proposals to de-water, remove, and dispose of sludge from WWTP No. 1, and recommended approval of the proposal from Sourcepoint in the amount of \$48,360.00.

After review and discussion, Director Mathews moved to (1) approve the operator's report; (2) approve replacement of Lift Station No. 4 pump controller in the amount of \$5,650.00; (3) approve the proposal from Torres in the amount of \$11,770.00 for the installation of a concrete driveway to the lift station located on Grand Mist Drive; (4) approve the proposal from Sourcepoint in the amount of \$48,360.00 to de-water, remove, and dispose of sludge from WWTP No. 1; and (5) authorize MDS to turn over five accounts in the total amount of \$727.16, 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 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.

APPROVE ANNUAL REPORT ON IMPLEMENTATION OF WATER CONSERVATION PLAN AND AUTHORIZE SUBMITTAL TO NORTH FORT BEND WATER AUTHORITY ("NFBWA")

Mr. Carpenter discussed the annual report on implementation of the District's Water Conservation Plan with the Board. He added that the District is required to file the report with the NFBWA by May 1, 2022. After discussion, the Board concurred to defer approving the annual report on implementation of the Water Conservation Plan to next month.

CONDUCT ANNUAL REVIEW OF DROUGHT CONTINGENCY PLAN

Mr. Carpenter reported that the District is required to review the District's Drought Contingency Plan ("Plan") annually. Mr. Browne confirmed that no changes were necessary to the current Plan, and the Board took no further action.

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT FACILITIES AND AUTHORIZE ANNUAL FILING

Mr. Carpenter reviewed the Critical Load Spreadsheet for the District's facilities. He stated that the District's engineer, bookkeeper, and operator have reviewed the Critical Load Spreadsheet. After review and discussion, Director Mathews 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, which passed by unanimous vote.

REVIEW EMERGENCY PREPAREDNESS PLAN AND AUTHORIZE FILING OF UPDATES, IF NECESSARY

The Board discussed necessary updates to the District's emergency preparedness plan. After review and discussion, Director Mathews moved to authorize MDS to update the District's emergency preparedness plan and submit the updated emergency

preparedness plan to the Texas Commission on Environmental Quality. Director Bridges seconded the motion, which passed unanimously.

GARBAGE AND RECYCLING SERVICE MATTERS

The Board discussed garbage and recycling matters.

NFBWA MATTERS

Mr. Carpenter updated the Board on NFBWA matters.

Mr. Carpenter reported that RG Miller is preparing a package to submit to the NFBWA, upon final completion of Water Plant No. 2, 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 the NFBWA.

Mr. Carpenter reported that ABHR submitted the 2022 NFBWA Water Provider Conservation Program enrollment form for the District to the NFBWA.

DEVELOPMENT IN THE DISTRICT

There was no discussion on development in the District.

ENGINEERING MATTERS

Mr. Wagner 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

Mr. Wagner gave an update on construction of the Park Westheimer Boulevard extension and drainage improvements and stated construction is complete. He recommended approval of Pay Estimate No. 6 and Final in the amount of \$7,009.51 to Clearwater Utilities, Inc. ("Clearwater") and acceptance of the project.

PERMANENT WWTP AND LIFT STATION, INCLUDING PROPOSALS FOR SECURITY SERVICES

Mr. Wagner gave an update on construction of the permanent wastewater treatment plant and lift station and stated that construction is complete and sewage has been introduced. He recommended approval of Pay Estimate No. 20 in the amount of \$334,595.61 to C4 Partners, LLC.

WATER PLANT NO. 2

Mr. Wagner gave an update on construction of Water Plant No. 2 and stated that construction is 99% complete. He noted that the replacement valve for the meter station has been received, and he anticipates that the valve will be operational within 30 days.

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

Mr. Wagner 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

Mr. Wagner gave an update on construction of the paving to serve Grand Trails, Section 1 and stated construction is complete.

SUB-REGIONAL DETENTION PHASE III

Mr. Wagner gave an update on design of the sub-regional detention phase III project and stated plans have been submitted to the City of Houston for final approval. He requested approval of the plans and specifications and authorization to advertise for bids for the project.

DISTRICT EAST DETENTION FACILITIES PHASE II

Mr. Wagner gave an update on construction of District East Detention Facilities Phase II and outfall modifications for Atlas 14 and stated that contracts are being finalized.

TEXAS DEPARTMENT OF TRANSPORTATION ("TXDOT") DRAINAGE DITCH IMPROVEMENTS PROJECT

Mr. Wagner gave an update on design of the TxDOT drainage ditch improvements project and reported paperwork for the permit was submitted to TxDOT.

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

Mr. Wagner requested the Board's approval and acceptance of a 6.8514-acre sanitary sewer line easement, a 4.8182-acre water line easement, and 0.4247-acre and 0.2887-acre storm sewer easements, which are necessary for the proposed development in the District by Pelican Builders, Inc. ("Pelican").

STORM WATER PERMITTING MATTERS

Mr. Wagner reviewed the District's Annual Report for the Phase II MS4 Storm Water Management Plan pursuant to the General Permit TXR040000.

BOND APPLICATION NO. 10

Mr. Wagner gave an update on preparation of bond application no. 10 and reviewed a summary of costs, a copy of which is attached to the engineer's report.

After review and discussion, and based on the engineer's recommendation, Director Mathews moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 6 and Final in the amount of \$7,009.51 to Clearwater for construction of the Park Westheimer Boulevard extension and drainage improvements and accept the project; (3) approve Pay Estimate No. 20 in the amount of \$334,595.61 to C4 Partners, LLC for construction of the permanent wastewater treatment plant and lift station; (4) approve the plans and specifications, and authorize advertisement for bids for construction of the sub-regional detention phase III project; (5) accept and authorize execution of the 6.8514-acre sanitary sewer line easement, the 4.8182-acre water line easement, and the 0.4247-acre and 0.2887-acre storm sewer easements and direct that the easements be filed appropriately and retained in the District's official records; and (6) approve the Annual Report for the Phase II MS4 Storm Water Management Plan, subject to review by ABHR, authorize the District's engineer to file such Annual Report with the Texas Commission on Environmental Quality, and direct that such Annual Report be filed appropriately and retained in the District's official records. Director Stubblefield 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. He reported that several semi-trailer trucks are parking on roads in the District. Following discussion, the Board requested that Mr. Wagner report the parked semi-trailer trucks to Fort Bend County (the "County").

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.

2022 DIRECTORS ELECTION

Mr. Carpenter discussed procedures related to the 2022 Directors Election. He presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the three director positions for the May 7, 2022, Directors Election. Following review and discussion, Director Mathews moved to accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed unanimously.

Mr. Carpenter presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 7, 2022, Directors Election is cancelled and that the unopposed candidates, Ken Mathews, Reginald Stubblefield, and Leon Bridges, are declared elected to office to serve from the May 7, 2022, election until the May 2, 2026, Directors Election. He reviewed the posting requirements for the Order Cancelling. Following review and discussion, Director Mathews moved to adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office, authorize the Secretary's agent to post the Order Cancelling, as required, and direct that the Order Cancelling be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed unanimously.

Mr. Carpenter discussed that the Board had approved entering into a contract with the County to administer the District's 2022 Directors Election. After discussion,

Director Mathews moved to cancel the contract with the County for election services for the May 7, 2022 Directors Election. Director Stubblefield seconded the motion, which passed unanimously.

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 1:18 p.m., 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 1:35 p.m. No Board action was taken.

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

(SEAL)




Secretary, Board of Directors

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