

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

April 6, 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 6th day of April, 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: Bobby Ferguson of Parkway Lakes Development, Inc.; Alex Flores of Tax Tech, Inc.; Justin Wagner and Dennis Yazdanpanah of R.G. Miller Engineers, Inc. ("RG Miller"); Lynnette Tujague of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert of Champions Hydro-Lawn, Inc. ("Champions"); Harry Thompson of Allen Boone Humphries Robinson LLP ("ABHR") and Craig Kalkomey of LJA Engineering, Inc., representing the Willow Fork Drainage District; and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of ABHR.

PUBLIC COMMENTS

Ms. Miller reported that the Court of Appeals has dismissed the appeal filed by the Katy Dojo LLC in the case involving the District and noted that currently there is no pending District litigation.

Mr. Halbert reported that the District received notice from Jeannette Hall of Fort Bend County Municipal Utility District No. 133 regarding a broken tree limb and stated that Champions trimmed the tree and will return to remove the limb.

MINUTES

The Board reviewed the minutes of the regular meeting held on March 2, 2022, and the special meeting held on February 25, 2022. After review and discussion, Director Mathews moved to approve the minutes of the regular meeting held on March

2, 2022, and the special meeting held on February 25, 2022, as submitted. Director Stubblefield 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 95.71% of the 2021 tax levy had been collected as of March 31, 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.

PRESENTATION REGARDING WILLOW FORK DRAINAGE DISTRICT ("WFDD") STAKEHOLDER INFORMATION FOR FLOOD STORAGE IMPROVEMENT AND COMMUNITY PARK PROJECT WITHIN BARKER RESERVOIR

Mr. Thompson and Mr. Kalkomey reviewed the attached presentation on Project Barker, WFDD's Barker Reservoir flood risk reduction and park project. Mr. Thompson stated that the total projected cost of Project Barker is \$24,000,000 and WFDD is seeking contributions from its stakeholders in the approximate amount of \$12,000,000. Mr. Thompson and Mr. Kalkomey responded to questions regarding Project Barker from the Board.

Mr. Thompson and Mr. Kalkomey left the meeting.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Tujague 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. 9820 to Mark C. Eyring, CPA, PLLC in the amount of \$500.00 and check no. 9821 to MRPL Retail Partners, Ltd., in the amount of \$544,570.46. 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 additional check no. 9820 to Mark C. Eyring, CPA, PLLC in the amount of \$500.00 and check no. 9821 to MRPL Retail Partners, Ltd., in the amount of \$544,570.46. Director Mathews seconded the motion, which passed by unanimous vote.

REPORT ON SALES TAX AUDIT SERVICES

The Board concurred to defer the report on sales tax audit services to next month.

APPROVE PROJECT AUDIT FOR AND RELATED PAYMENT OF ECONOMIC DEVELOPMENT GRANT PAYMENT TO MRPL RETAIL PARTNERS, LTD., AND MRPL RETAIL PARTNERS II, LTD

Ms. Miller reviewed a project audit for the economic development grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., prepared by Mark C. Eyring CPA, PLLC. She noted that the audit reflects that an economic development grant payment is due to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., in the amount of \$544,570.46 for the year 2021. After review and discussion, Director Stubblefield moved to approve the project audit for and related payment of the economic development grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., and direct that the project audit be filed appropriately and retained in the District's official records. Director Mathews seconded the motion, which passed by unanimous vote.

UPDATE ON SERIES 2022 REFUNDING BONDS

Ms. Miller stated the District's financial advisor reported that, due to the recent rise in interest rates, the proposed refunding of certain maturities of the District's bonds presented to the Board in February is no longer feasible. Ms. Miller noted that the District's financial advisor will continue to monitor the market for District refunding opportunities.

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 94.1% and reported on maintenance performed at the District's facilities.

Mr. Browne reported on a permit excursion at the wastewater treatment plant ("WWTP") during the month of February 2022.

Mr. Browne then reported that Torres Construction completed the installation of a concrete driveway to the lift station located on Grand Mist Drive. The Board discussed a request (the "Request") from the community manager for the Grand Ridge Crossing Homeowners Association to expand the width of the concrete driveway. Following discussion, the Board concurred to deny the Request to expand the driveway.

Mr. Browne stated that MDS provides an annual written report evaluating the effectiveness of the District's Identity Theft Prevention Program (the "Program"), identifying significant instances of identity theft detection, and describing any recommendations regarding changes to the Program. He presented a report on the District's Program. Mr. Browne stated that the report indicates no significant incidents

of identity theft detection and MDS recommends no changes to the Program. The Board concurred that it was not necessary to adopt a Program amendment.

After review and discussion, Director Mathews moved to approve the operator's report. 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 NFBWA

Mr. Browne discussed the annual report on implementation of the District's Water Conservation Plan with the Board. He added that MDS will file the report with the NFBWA. After review and discussion, Director Mathews moved to approve the annual report on implementation of the Water Conservation Plan, authorize MDS to file the report with the NFBWA, and direct that the report be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed by unanimous vote.

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on garbage and recycling matters.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

Ms. Miller updated the Board on NFBWA matters and discussed the District's participation in the Water Provider Conservation Program (the "Program"). She discussed holding a meeting of the District's Leadership Water Conservation Committee necessary for successful completion of the 2022 Program.

Ms. Miller 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.

Ms. Miller stated that the District entered into an Irrigation System Evaluation Cost Sharing Agreement ("Irrigation Agreement") for participation in the W.I.S.E. Guys Program in June, 2011. She stated that the W.I.S.E. Guys Program provides evaluations of residential irrigation systems for the District's customers. Ms. Miller stated that the Irrigation Agreement automatically renews for another year if the District does not provide notice of termination at least 60 days prior to the renewal date. Following discussion, the Board concurred to allow the Irrigation Agreement to automatically renew for another year.

DEVELOPMENT IN THE DISTRICT

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

Ms. Miller stated that Parkway Lakes Development, Inc. ("Parkway"), has assigned their right to receive reimbursement pursuant to the Development Financing Agreement dated July 15, 2003 between the District and Parkway and the Regional Detention Pond Allocation Agreement dated December 9, 2014 between the District and Parkway (the "Agreements") to Frost Bank. She reviewed a Consent to Assignment (the "Consent") and stated that the Consent acknowledges the assignment of Parkway's right to receive reimbursement from the District pursuant to the Agreements to Frost Bank. After review and discussion, Director Mathews moved to approve and authorize execution of the Consent to Assignment, subject to legal review and the District's receipt of the final executed Assignment of MUD Agreement between Parkway and Frost Bank, and direct that the Consent be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Wagner reported that Jordan Williams is no longer employed by R.G. Miller, and he introduced Mr. Yazdanpanah to the Board. Mr. Wagner then presented the engineer's report, a copy of which is attached, including the projects specifically addressed as follows:

PERMANENT WWTP AND LIFT STATION, INCLUDING PROPOSALS FOR SECURITY SERVICES

Mr. Wagner gave an update on construction of the permanent WWTP and lift station and stated that construction is complete and sewage has been introduced.

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 is being installed this week.

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. He stated plans have been submitted for approval and pipeline fill/crossings will need to be approved prior to advertising for bids for construction of 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 construction is 5% complete.

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

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

WESTPARK LAKES DETENTION POND REHABILITATION

Discussion ensued regarding the proposed Westpark Lakes Detention Pond Rehabilitation project. Following discussion, the Board requested R.G. Miller to request a cost estimate for construction of the Westpark Lakes Detention Pond Rehabilitation project.

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 the following easements: (1) a water meter easement (0.0089 acre), which is necessary for the proposed volunteer fire department facility in the District; (2) water meter easements (0.0132 acre and 0.006 acre), which are necessary for the proposed District West Phase II apartment development in the District; (3) water meter easements (0.086 acre and 0.006 acre), and water line easements (0.0018 acre and 0.0815 acre), which are necessary for the proposed Peek Road Phase II apartment development in the District.

Mr. Wagner stated that DD WPT 11.45, LLC, requested a Consent to Encroachment from the District for pavement, fencing, and landscaping that encroach on District easements. He stated that R.G. Miller does not object to granting the Consent to Encroachment.

Ms. Miller presented a Utility Commitment Letter for 9 equivalent single-family sanitary sewer and water connections for the proposed squash facility at the southwest corner of North Park Drive and Park Westheimer Boulevard.

Ms. Miller reported that the District received a request from PacFin 6, Ltd., for an extension to the Utility Commitment Letter dated July 14, 2020, amended March 9, 2021, for a proposed development of a six-acre tract of land located at corner of the Westpark Tollway and Creeks End Boulevard.

BOND APPLICATION NO. 10

Mr. Wagner gave an update on preparation of bond application no. 10 and stated he anticipates that the application will be submitted within the next 60 days.

After review and discussion, and based on the engineer's recommendation, Director Mathews moved to (1) approve the engineer's report; (2) accept and authorize execution of the following easements: (a) the water

meter easement (0.0089 acre); (b) water meter easements (0.0132 acre and 0.006 acre); (c) water meter easements (0.086 acre and 0.006 acre); and (d) water line easements (0.0018 acre and 0.0815 acre); (3) approve the Consent to Encroachment between the District and DD WPT 11.45, LLC, subject to finalization; (4) approve the Utility Commitment Letter for the proposed squash facility; (5) approve an updated Utility Commitment Letter regarding sanitary sewer and water capacity for PacFin 6, Ltd.; and (6) direct that the easements, the Consent to Encroachment, and the Utility Commitment Letters 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.

Mr. Halbert discussed debris disposed of onto the drainage channel and stated he believes the Discount Tire store in the District is responsible for the debris disposal. Following review and discussion, Director Mathews moved to (1) accept the report from Champions; and (2) authorize ABHR to send a letter to the Discount Tire store in the District requesting that they remove the debris on the District's property. Director Bridges 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 FACILITIES USE AGREEMENT WITH GRAND MEADOWS HOMEOWNERS ASSOCIATION

Ms. Miller reported that the District received a request from Grand Meadow Homeowners Association (the "HOA") to use District detention facilities to host an Easter egg hunt for residents. She reviewed a District Facilities Use Agreement with the HOA. Following review and discussion, Director Lewis moved to approve the District Facilities Use Agreement and direct that it be filed appropriately and retained in the District's official records. Director Mathews seconded the motion, which carried by a vote of four for the motion, with Director Bridges abstaining.

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 1:37 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 1:49 p.m. Director Lewis made a motion to authorize the purchase and installation of security cameras for the WWTP at a cost not to exceed \$20,000. Director Bridges seconded the motion, which passed unanimously.

PRESENTATION REGARDING WFDD STAKEHOLDER INFORMATION FOR FLOOD STORAGE IMPROVEMENT AND COMMUNITY PARK PROJECT WITHIN BARKER RESERVOIR (CONTINUED)

The Board discussed contributing District funds to WFDD's Project Barker. Following discussion, the Board concurred not to make a contribution to WFDD's Project Barker at this time.

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

(SEAL)




Secretary, Board of Directors

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