

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

May 4, 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 4th day of May, 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 either in person or by teleconference were: District residents Anila Khan and Abdul Usmani; Robert Ferguson and 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"); Wendy Austin of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert of Champions Hydro-Lawn, Inc. ("Champions"); Avik Bonnerjee and Brenda Bonnerjee of B&A Municipal Tax Service, LLC; and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Director Lewis reported that the District received an appeal from the customer located at 21618 Reserve Ranch Trail requesting a bill adjustment and stated the appeal will be discussed later in the meeting.

MINUTES

The Board reviewed the minutes of the regular meeting held on April 6, 2022. After review and discussion, Director Bridges moved to approve the minutes of the regular meeting held on April 6, 2022, as submitted. Director Mathews 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 96.21% of the 2021 tax levy had been collected as of April 30,

2022. After review and discussion, Director Stubblefield 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.

REPORT ON SALES TAX AUDIT SERVICES

Mr. Bonnerjee reviewed a report on the District's sales tax revenue accounts, a copy of which is attached. He reviewed new and changed sales and use tax permits issued since the last report for businesses located within the District's boundaries.

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. 9861 to Rapid Research in the amount of \$135.00 and check no. 1310 to Nunn Constructors, Ltd. ("Nunn") in the amount of \$36,951.20, subject to Board approval during the engineer's report.

Discussion ensued regarding the refund to Grey Star Management (check no. 9840) in the amount of \$39,676.57. Following discussion, the Board directed Ms. Davis to hold the refund check to Grey Star Management pending approval from MDS.

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. 9861 to Rapid Research in the amount of \$135.00 and check no. 1310 to Nunn in the amount of \$36,951.20, subject to Board approval during the engineer's report. Director Stubblefield seconded the motion, which passed by unanimous vote.

AUTHORIZE PREPARATION OF THE PROJECT AUDIT RELATED TO THE ROAD DEVELOPMENT FINANCING AGREEMENT WITH MERITAGE HOMES OF TEXAS, LLC

Mr. Carpenter reviewed an engagement letter from the District's auditor, Mark C. Eyring, CPA, PLLC to conduct the project audit related to the payment to Meritage Homes of Texas, LLC in connection with the Road Development Financing Agreement. After review and discussion, Director Mathews moved to engage Mark C. Eyring, CPA, PLLC, to conduct the project audit related to the payment to Meritage Homes of Texas, LLC in connection with the Road Development Financing Agreement. Director Stubblefield seconded the motion, which passed by unanimous vote.

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

The Board discussed fees of office and expenses in connection with the AWBD summer conference in Fort Worth. After discussion and consideration of the District's Travel Reimbursement Guidelines, Director Mathews moved to authorize up to four fees of office for attendance at the conference and up to three nights at a hotel at the conference rate, with reimbursement to be submitted in accordance with the District's Travel Reimbursement Guidelines. Director Lajoie seconded the motion, which passed by unanimous vote.

REVIEW ARBITRAGE REBATE REPORT FOR SERIES 2017 REFUNDING BONDS

Mr. Carpenter stated that OmniCap Group LLC has completed the Interim Excess Earnings Reports on the Series 2017 Refunding Bonds (the "Report"). He added the Report reflects that no yield reduction payment is due to the Internal Revenue Service.

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 99.2% and reported on maintenance performed at the District's facilities.

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

Mr. Browne provided an update on installation of smart meters in the Grand Trails development. Following discussion, the Board requested that MDS replace the meters installed at Directors Lajoie and Bridges' properties with smart meters in order to enable informed Board evaluation of the installation and operations of the smart meters.

After review and discussion, Director Mathews moved to (1) approve the operator's report; and (2) approve the Consumer Confidence Report and authorize the operator to mail the Consumer Confidence Report and file the certificate of mailing with the Texas Commission on Environmental Quality ("TCEQ"); and (3) authorize MDS to turn over two accounts in the total amount of \$183.50, 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.

Ms. Khan and Mr. Usmani joined the meeting.

OPERATION OF DISTRICT FACILITIES (CONTINUED)

Mr. Browne reviewed the appeal from Ms. Khan requesting a bill adjustment for the months of February and March, a copy of which is filed appropriately in the District's official records. Ms. Khan reported that her family of four took occupancy of their home located in the Grand Trails subdivision in January 2022. She noted that the home is under builder warranty and the homebuilder detected no leaks in the plumbing or irrigation system. Discussion ensued. Following discussion, the Board directed MDS to research the cause of Ms. Khan's extremely high February and March water bills. The Board concurred to further consider Ms. Khan's request for a billing adjustment next month.

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on garbage and recycling matters.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

Mr. Wagner provided an update on the package that RG Miller is preparing 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 updated the Board on NFBWA matters and discussed the District's participation in the Water Provider Conservation Program (the "Program"). He reported that the first meeting of the District's Leadership Water Conservation Committee necessary for successful completion of the 2022 Program will take place immediately after today's Board meeting.

In response to an inquiry by Director Lewis, Ms. Miller discussed a waiver request to the Fort Bend Subsidence District ("FBSD") from the City of Sugar Land for a two-year extension to meet the current FBSD conversion mandates.

DEVELOPMENT IN THE DISTRICT

Mr. Robert Ferguson and Mr. Bobby Ferguson provided an update 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:

PERMANENT WASTEWATER TREATMENT PLANT ("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. He noted that RG Miller is working on the closeout package for removal of the interim WWTP. The Board discussed adopting a Resolution Declaring Surplus Property regarding the portion of the interim WWTP owned by the District and making it available for sale.

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 the replacement valve for the meter station has been installed and he anticipates that the NFBWA will program the meter tomorrow. Mr. Wagner recommended that the Board approve Pay Estimate No. 27 in the amount of \$36,951.20 to Nunn.

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 presented a pipeline crossing agreement with Atmos Energy ("Atmos") and stated the agreement is required for Atmos to permit equipment to cross an Atmos right-of-way to access to the project site. He noted a pipeline fill/crossing with Dow Pipeline Company 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 95% complete. He noted dirt from the project (the "Dirt") is stockpiled on site and that the District received a request from a contractor working with the developer to remove the Dirt at no cost to the District. Following discussion, the Board concurred to allow removal of the Dirt, as discussed.

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 that the permit from TxDOT for the project has been received and RG Miller is coordinating regarding pricing to proceed with the project.

WESTPARK LAKES DETENTION POND REHABILITATION

Mr. Wagner requested authorization to advertise for bids for the construction of the Westpark Lakes Detention Pond Rehabilitation project. Discussion ensued regarding bidding a trail along the detention pond as an alternate bid item of the 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 a storm sewer easement (0.095 acre), which is necessary for the proposed multifamily development in the District by Alliance Realty Partners, LLC ("Alliance"). Mr. Wagner stated that Alliance requested a Consent to Encroachment from the District for driveway, parking, and landscaping that encroach on District easements. He stated that RG Miller does not object to granting the Consent to Encroachment.

Mr. Wagner requested the Board's approval and acceptance of a 1.4791-acre sanitary sewer line easement, a 0.8106-acre water line easement, and 0.4257-acre, 0.1902-acre, and 2.0931-acre storm sewer easements, which are necessary for the proposed development in the District by Pelican Builders, Inc. ("Pelican"). He noted that these easements replace the ones approved by the Board for the Pelican development at the March 2, 2022 Board meeting.

Mr. Wagner stated that Pelican, 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.

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. Ms. Miller reviewed a Resolution Authorizing Application to the TCEQ for Approval of Project and Bonds.

After review and discussion, and based on the engineer's recommendation, Director Mathews moved to (1) approve the engineer's report; (2) adopt the Resolution Declaring Surplus Property and direct that the Resolution be filed appropriately and retained in the District's official records; (3) approve Pay Estimate No. 27 in the amount of \$36,951.20 to Nunn for construction of Water Plant No. 2; (4) approve the pipeline crossing agreement with Atmos and direct that the agreement be filed appropriately and retained in the District's official records; (5) authorize advertisement for bids for construction of the Westpark Lakes Detention Pond Rehabilitation project, including an alternate bid for a trail along the detention pond; (6) accept and authorize execution of the storm sewer easement (0.095 acre); (7) approve the Consent to Encroachment

between the District and Alliance; (8) accept and authorize execution of the 1.4791-acre sanitary sewer line easement, 0.8106-acre water line easement, and 0.4257-acre, 0.1902-acre, and 2.0931-acre storm sewer easements; (9) approve the Consent to Encroachment between the District and Pelican; (10) direct that the easements and Consent to Encroachments, be filed appropriately and retained in the District's official records; and (11) adopt a Resolution Authorizing Application to the TCEQ for Approval of Project and Bonds and direct that the Resolution be filed appropriately and retained in the District's official records. Director Bridges 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.

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	1
Report on the District's sales tax revenue accounts	2
Bookkeeper's report.....	2
Operator's report.....	3
Consumer Confidence Report.....	3
Engineer's report.....	5
Report from Champions	8