

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

July 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 July, 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 except Director Bridges, thus constituting a quorum.

Also present at the meeting were: Nevah Rodriguez, a member of the public; Leroy Eaglin of Mission Bend Municipal Utility District No. 2; Robert Ferguson and Bobby Ferguson of Parkway Lakes Development, Inc. ("Parkway Lakes"); Bill Calderon of Calderon Economic Development Strategies, LLC, representing Parkway Lakes; Alex Flores of Tax Tech, Inc.; 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"); Dane Turner of Best Trash, LLC; and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Eaglin introduced himself to the Board.

MINUTES

The Board reviewed the minutes of the regular meeting held on June 1, 2022. After review and discussion, Director Mathews moved to approve the minutes of the regular meeting held on June 1, 2022, as submitted. Director Lajoie 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 96.95% of the 2021 tax levy had been collected as of May 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 Lajoie seconded the motion, which passed by unanimous vote.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT THE AWBD WINTER CONFERENCE

The Board discussed the AWBD summer conference. Ms. Austin noted the expenses were submitted in accordance with the District's travel reimbursement guidelines. After review and discussion, Director Mathews moved to approve reimbursement of eligible expenses for the summer conference and authorize all interested directors to attend the AWBD winter conference. 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. After review and discussion, Director Mathews moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Stubblefield seconded the motion, which passed by unanimous vote.

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

The Board concurred to defer this matter to a future Board meeting after the District receives approval from Fort Bend County (the "County") on the paving to serve Grand Trails, Section 1.

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 97.0% and reported on maintenance performed at the District's facilities.

Mr. Browne reported that the annual fire hydrant inspections have been scheduled. In lieu of annual water line flushing, Mr. Browne recommended performing "quick tests" this year to conserve water. Following discussion, the Board concurred to authorize MDS to perform "quick tests" this year in lieu of water line flushing.

Mr. Brown reviewed a Lead and Copper Rule Revision ("LCRR") Summary, a copy of which is attached to the operator's report. He noted that MDS will coordinate with RG Miller to ensure that the District is in full compliance of LCRR by the October 16, 2024 deadline.

Mr. Browne provided an update on installation of smart meters in the Grand Trails development.

Mr. Browne requested authorization from the Board to perform sidewalk repairs at 6518 and 6531 Clair Brook Drive due to settling caused by a District issue.

After review and discussion, Director Mathews moved to (1) approve the operator's report; (2) authorize MDS to repair sidewalks located at 6518 and 6531 Clair Brook Drive at an approximate cost of \$1,200.00 each; and (3) authorize MDS to turn over six accounts in the amount of \$2,754.39, deemed to be uncollectible, to a collection agency. Director Lajoie 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 Lajoie seconded the motion, which passed by unanimous vote.

GARBAGE AND RECYCLING SERVICE MATTERS

Mr. Turner reviewed correspondence from Best Trash, a copy of which is attached, and reported that, pursuant to the First Amendment to Residential Solid Waste Collection Contract between the District and Best Trash, effective July 1, 2022, the garbage and recycling collection rate increased to \$20.37 per month per connection. Mr. Turner requested an additional price adjustment to increase the garbage and recycling collection rate for the District to \$21.19 per month per connection. Mr. Turner then requested approval for Best Trash to implement a fuel recovery fee when the price per gallon for diesel fuel increases above \$3.25 per gallon. Following review and discussion, the Board concurred to: (1) further discuss the requests from Best Trash to: (a) increase the garbage and recycling collection rate for the District; and (b) implement a fuel recovery fee; and (2) consider amending the District's Rate Order to increase the base sewer service rate next month.

APPROVE INTERLOCAL AGREEMENT WITH THE FORT BEND SUBSIDENCE DISTRICT (“FBSD”) FOR THE WATER WISE PROGRAM

Mr. Carpenter reviewed an Interlocal Agreement between the District and the FBSD for participation in the WaterWise program and noted that the agreement provides for sponsorship of a maximum of 160 students for the 2022-2023 school year. Following review and discussion, Director Mathews moved to approve and authorize execution of the Interlocal Agreement between the District and the FBSD for the WaterWise program, and direct that the Agreement be filed appropriately and retained in the District’s official records. Director Stubblefield seconded the motion, which passed by unanimous vote.

NORTH FORT BEND WATER AUTHORITY (“NFBWA”) MATTERS

Mr. Carpenter updated the Board on NFBWA matters and discussed the District’s participation in the Water Provider Conservation Program.

DEVELOPMENT IN THE DISTRICT

Mr. Bobby Ferguson and Mr. Robert provided an update on development in the District. Ferguson and reviewed the attached District West rendering and development map.

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

Mr. Wagner gave an update on construction of the permanent WWTP and lift station and stated that sewage has been introduced and the job will be closed out after electrical programming by ATS is complete.

WATER PLANT NO. 2

Mr. Wagner gave an update on construction of Water Plant No. 2 and stated that construction is complete and NFBWA completed the meter programming. He recommended that the Board approve Pay Estimate No. 28 in the amount of \$148,470.91 to Nunn Constructors, Ltd. (“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 and punch list items are being addressed. He noted he anticipates that the final inspection of the project will occur in three weeks.

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 and punch list items are being addressed. He noted he anticipates that the final inspection of the project will occur in three weeks.

SUB-REGIONAL DETENTION PHASE III

Mr. Wagner gave an update on design of the sub-regional detention phase III project and stated the design is 95% complete. He noted that pipeline fill/crossing with Dow Pipeline Company ("Dow") will need to be approved prior to advertising for bids for construction of the project and Dow has not provided a no objection letter for the project. Discussion ensued.

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 estimates the project costs to be in the range of \$40,000.00 to \$70,000.00. Following discussion, the Board concurred to not pursue the project and requested that this item be removed from future agendas.

WESTPARK LAKES DETENTION POND REHABILITATION

Mr. Wagner gave an update on construction of the Westpark Lakes Detention Pond Rehabilitation project and stated bids for the project were received on June 7, 2022. He noted none of the bids received were bids that will be recommended by the engineer and requested that the Board authorize re-advertisement for bids for construction of the Westpark Lakes Detention Pond Rehabilitation project. Mr. Wagner also requested authorization from the Board for MDS to pump down the two detention ponds located in Westpark Lakes (the "Ponds") prior to the pre-bid conference for 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 reported that BGE, Inc. received bids for construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development in the District and recommended the contract be awarded to the low bidder, R Construction Civil, LLC ("R Construction"), in the amount of \$1,854,535.00, subject to receipt of the executed necessary easements and Consent to Encroachment for the project. Based upon the engineer's recommendation, the Board concurred that, in its judgment, R Construction was a responsible bidder whose work would result in the best and most economical completion of the project.

BOND APPLICATION NO. 10

Mr. Wagner gave an update on preparation of bond application no. 10.

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. 28 in the amount of \$148,470.91 to Nunn for construction of Water Plant No. 2; (3) authorize MDS to pump down the Ponds at a cost not to exceed \$15,000.00 and authorize re-advertisement for bids for construction of the Westpark Lakes Detention Pond Rehabilitation project; and (4) approve the award of the contract for construction of the water, sanitary sewer, and storm sewer facilities to serve Light Haven at District West to R Construction, in the amount of \$1,854,535.00, subject to approval of the payment and performance bonds and review of the certificate(s) of insurance and endorsements, if any, provided by the contractor and receipt of the executed necessary easements and Consent to Encroachment for the project. Director Lajoie seconded the motion, which passed by unanimous vote.

DEVELOPMENT IN THE DISTRICT (CONTINUED)

Mr. Calderon discussed a First Amendment to the Economic Development Agreement (the "Amendment") between the District, Parkway Lakes, and the North Fort Bend Redevelopment Authority. He noted the Amendment extends the period in which the improvements must be completed to be eligible for reimbursement pursuant to the terms and conditions of the Economic Development Agreement by three years and that the Amendment has been approved by the County. Following review and discussion, Director Mathews moved to approve the Amendment and direct that it be

filed appropriately and retained in the District's official records. Director Lajoie seconded the motion, which passed unanimously.

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 reported that drainage screens have been removed from the detention pond that serves District East. The Board requested that Mr. Wagner determine whether the screens were constructed per the approved plans for the project.

PARK AND RECREATIONAL FACILITY PLANNING MATTERS

The Board reviewed the landscape architect report prepared by KGA/DeForest Design, LLC ("KGA"). Director Lewis reported that he is coordinating with KGA on design of the trail and landscape amenity improvements for the detention basins located in Westpark Lakes.

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, SECTION 551.076, AND SECTION 551.087 TEXAS GOVERNMENT CODE

The Board convened in Executive Session at 1:42 p.m., pursuant to Section 551.071 of the Texas Government Code, to seek the advice of its attorney regarding pending or contemplated litigation or to seek and receive legal advice by the District's attorney.

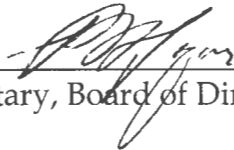
RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION

The Board reconvened in regular session at 1:54 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

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Tax Assessor/Collector's report	1
Bookkeeper's report.....	2
Operator's report.....	2
Correspondence from Best Trash	3
District West rendering and development map	4
Engineer's report.....	4
Report from Champions	7
Landscape architect report	7