

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

June 1, 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 1st day of June, 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 Stubblefield, thus constituting a quorum.

Also present at the meeting either in person or by teleconference 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"); Wendy Austin of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Kim Cosco of Champions Hydro-Lawn, Inc. ("Champions"); Kelly Gard of KGA/DeForest Design, LLC ("KGA"); and Christina Miller, Aaron Carpenter, Kristina Pekkala, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Ms. Miller reported that the customer located at 21618 Reserve Ranch Trail who attended last month's meeting and requested a bill adjustment for the months of February and March due to extremely high water bills was issued a credit once MDS confirmed that the inaccurate billing was due to a faulty meter.

Ms. Miller then reported that the District received a request from Muhammad Sadiq for a refund of the deposit he submitted to the District pursuant to his agreement for the annexation of land into the District. She noted the fees to annex the tract for the proposed squash and fitness center into the District exceeded the \$25,000 deposit for annexation costs and that ABHR will submit a response to Mr. Sadiq.

Ms. Miller also reported that the District received an inquiry from Jeannette Hall, a member of the Board of Directors of Fort Bend County Municipal District No. 133, regarding whether the District Board meetings are available via Zoom.

MINUTES

The Board reviewed the minutes of the regular meeting held on May 4, 2022. After review and discussion, Director Mathews moved to approve the minutes of the regular meeting held on May 4, 2022, as submitted. Director Bridges seconded the motion, which passed by unanimous vote.

2022 DIRECTORS ELECTION, INCLUDING APPROVE AND DISTRIBUTE CERTIFICATES OF ELECTION, APPROVE DIRECTORS' SWORN STATEMENTS, BONDS, AND OATHS OF OFFICE, REORGANIZE THE BOARD AND ELECT OFFICERS, AND AUTHORIZE FILING OF DISTRICT REGISTRATION FORM WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ")

The Board considered approving a Certificate of Election, reflecting the election of Reginald Stubblefield, Leon Bridges, and Ken Mathews to the Board of Directors of the District, each for a four-year term. After review and discussion, Director Bridges moved to approve the Certificate of Election and the distribution of same to Directors Stubblefield, Bridges, and Mathews, and direct that the Certificate be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion, which passed by unanimous vote.

Ms. Miller reviewed the Sworn Statements and Oaths of Office for Reginald Stubblefield, Leon Bridges, and Ken Mathews. After review and discussion, Director Bridges moved to approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State as required by law. Director Lajoie seconded the motion, which passed by unanimous vote.

The Board considered reorganizing the Board of Directors. Following discussion, the Board concurred that the directors would maintain their current positions on the Board.

The Board then considered authorizing filing of an updated District Registration Form with the TCEQ, reflecting the terms of the newly elected directors. Following review and discussion, Director Bridges moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the Form be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion, which passed by unanimous vote.

PARK AND RECREATIONAL FACILITY PLANNING MATTERS

Mr. Gard reviewed a proposal from KGA in the total amount of \$96,000.00 for design and bidding and construction phase services for a trail and landscape amenity

improvements for the detention basins located in Westpark Lakes. Following review and discussion, Director Mathews moved to approve the proposal from KGA in the amount of \$96,000.00 and direct that the proposal be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed by unanimous vote.

The Board deferred discussing a Resolution Establishing Rules and Regulations Governing the Use of District Detention and Recreation Facilities.

TAX ASSESSMENT AND COLLECTION MATTERS

Mr. Flores reviewed the tax assessor/collector's report, a copy of which is attached. He reported that 96.70% of the 2021 tax levy had been collected as of May 31, 2022. After review and discussion, Director Lewis 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.

AUTHORIZE DELINQUENT TAX ATTORNEY TO PROCEED WITH COLLECTION OF DELINQUENT TAXES

After discussion, Director Lewis moved to authorize the delinquent tax attorney to proceed with the collection of delinquent taxes as of July 1, 2021. Director Lajoie 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. 9890 to Texas Bulkhead & Construction LLC ("Texas Bulkhead") in the amount of \$93,425.00, subject to Board approval during the engineer's report.

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. 9890 to Texas Bulkhead in the amount of \$93,425.00, subject to Board approval during the engineer's report. Director Lajoie 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 97.5% and reported on maintenance performed at the District's facilities.

Mr. Browne reported on a permit excursion at the Wastewater Treatment Plant ("WWTP") for the month of April 2022.

Mr. Browne reported that removal of the interim WWTP is complete. Mr. Wagner provided an update regarding efforts to sell surplus District-owned interim WWTP equipment.

Mr. Browne provided an update on installation of smart meters in the Grand Trails development. He reviewed information on the EyeOnWater app, a copy of which is attached, and requested approval from the Board to mail and email the information to smart meters users within in the Grand Trails development.

After review and discussion, Director Lajoie moved to (1) approve the operator's report; (2) authorize MDS to mail and email the information on the EyeOnWater app to smart meters users within in the Grand Trails development; and (3) authorize MDS to turn over one account in the amount of \$47.47, deemed to be uncollectible, to a collection agency. Director Bridges 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 Lajoie 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 Bridges 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

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.

Ms. Miller updated the Board on NFBWA matters and discussed the District's participation in the Water Provider Conservation Program. She reported that a 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.

Ms. Miller reported that a hearing regarding the 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 had been scheduled for June 21st, 2022.

DEVELOPMENT IN THE DISTRICT

Mr. Bobby Ferguson reviewed the attached development map and 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 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 final items in order to close out the project are being addressed by the contractor.

WATER PLANT NO. 2

Mr. Wagner gave an update on construction of Water Plant No. 2 and stated that construction is complete and pump issues are being addressed in order to close out the project.

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 for final inspection to close out the project.

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 for final inspection to close out the project.

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 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 AND OUTFALL MODIFICATIONS FOR ATLAS 14

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 complete. He recommended that the Board approve Pay Estimate No. 1 and Final in the amount of \$72,800.00 for construction of the District East Detention Facilities Phase II project and Pay Estimate No. 1 and Final in the amount of \$20,625.00 for construction of the outfall modifications for Atlas 14 to Texas Bulkhead and acceptance of the projects.

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 gave an update on construction of the Westpark Lakes Detention Pond Rehabilitation project and stated opening of bids for the project is scheduled for June 7, 2022.

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 (1) a water meter easement (0.0086 acre), (2) a sanitary sewer easement (0.577 acre), which includes abandonment of a 0.6374 acre sanitary sewer easement; and (3) a water line easement (1.28 acre), which includes abandonment of an existing 1.818 acre water line easement, which are necessary for the proposed multifamily development in the District by Trammel Crow. Mr. Wagner stated that Trammel Crow requested a Consent to Encroachment from the District for paving, electric, and landscaping that encroach on a District easement. He stated that RG Miller does not object to granting the Consent to Encroachment.

Mr. Wagner then requested the Board's approval and acceptance of a water meter easement (0.0172 acre), which is necessary for the Harmony Public School in the District.

Mr. Wagner reported on proposed right turn lanes on Bellaire Boulevard to be installed by the County. He stated that the County is requesting a participation agreement with the District to relocate District facilities and utilize District easements necessary for road widening due to the installation of the right turn lanes.

Ms. Miller then reported that the District received a request from MKAAA Associates LLC for a Utility Commitment Letter for proposed development of a 1.62 acre tract of land located at corner of the Bellaire Boulevard and North Park Drive for a proposed retail/office building. Ms. Miller presented a Utility Commitment Letter for 5 equivalent single-family sanitary sewer and water connections for the proposed retail/office building.

STORM WATER PERMITTING MATTERS

Mr. Wagner reported that the remainder of the District's contract with RG Miller for MS4 compliance permitting services will be performed by 5E Engineering Services, as a subcontractor to RG Miller. Discussion ensued.

BOND APPLICATION NO. 10

Mr. Wagner gave an update on preparation of bond application no. 10 and reviewed a revised summary of costs in the amount of \$13,050,000.00, 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 (a) Pay Estimate No. 1 and Final in the amount of \$72,800.00 for the construction of the District East Detention Facilities Phase II project and (b) Pay Estimate No. 1 and Final in the amount of \$20,625.00 for construction of the outfall modifications for Atlas 14 to Texas Bulkhead, and accept such projects; (3) accept and authorize execution of the (a) water meter easement (0.0086 acre), (b) sanitary sewer easement (0.577 acre), including abandonment of the existing 0.6374 acre sanitary sewer easement, (c) water line easement (1.28 acre), including abandonment of the existing 1.818 acre water line easement, and (d) water meter easement (0.0172 acre); (4) approve the Consent to Encroachment for the proposed Trammel Crow multifamily development; (5) approve the Utility Commitment Letter for the proposed retail/office building; (6) direct that the easements, Consent to Encroachment, and Utility Commitment Letter be filed appropriately and retained in the District's official records; (7) authorize ABHR to prepare a participation agreement with the County; and (8) approve the revised summary of costs in the amount of \$13,050,000.00 for bond application no. 10. Director Lajoie seconded the motion, which passed by unanimous vote.

REPORT ON MAINTENANCE OF DISTRICT DETENTION PONDS AND FACILITY SITES

Mr. Cosco reviewed a report from Champions on maintenance of the District's detention ponds and facility sites, a copy of which is attached. He discussed tree debris disposed of into an amenity pond in the District and stated he believes the resident located at 22907 Spellbrook Bend Lane is responsible for the tree disposal. Following review and discussion, Director Bridges moved to (1) accept the report from Champions; and (2) authorize ABHR to send a letter to the resident located at 22907 Spellbrook Bend Lane requesting that they remove the tree debris from the District's property. Director Mathews seconded the motion, which passed by unanimous vote.

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

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