

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

September 7, 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 7th day of September, 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. ("Parkway Lakes"); Jeannette Hall of Fort Bend Municipal Utility District No. 133 ("FB MUD 133"); Alex Flores of Tax Tech, Inc.; Justin Wagner and Dennis Yazdanpanah of R.G. Miller Engineers, Inc. ("R.G. Miller"); Wendy Austin of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert and Zach Halbert of Champions Hydro-Lawn, Inc. ("Champions"); Kelly Gard of KGA/DeForest Design, LLC; and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Ms. Hall stated that she is the Secretary of the FB MUD 133 Board and discussed removal of coyotes from property located near the District owned by Westlake Preparatory Academy and CenterPoint Energy. Ms. Hall also reported on a proposed fire station to be constructed outside the District on Katy-Gaston Road.

Ms. Hall left the meeting.

MINUTES

The Board reviewed the minutes of the regular meeting held on August 3, 2022. After review and discussion, Director Bridges moved to approve the minutes of the regular meeting held on August 3, 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 97.98% of the 2021 tax levy had been collected as of August 31, 2022. After review and discussion, Director Lajoie moved to approve the tax assessor/collector's report and payment of the bills listed in the report. Director Stubblefield seconded the motion, which passed by unanimous vote.

CONDUCT PUBLIC HEARING REGARDING DISTRICT'S TAX RATE, ADOPT ORDER LEVYING TAXES, AND AUTHORIZE EXECUTION OF AMENDMENT TO INFORMATION FORM

Mr. Flores stated that the notice was published of the public hearing to be held at today's meeting regarding adoption of the District's proposed 2022 total tax rate of \$0.91.

Director Lewis then opened the public hearing at 12:13 p.m. There being no comments from the public, Director Lewis closed the public hearing at 12:14 p.m.

Ms. Miller presented an Order Levying Taxes reflecting the proposed 2022 tax rate. After review and discussion, Director Stubblefield moved to adopt the Order Levying Taxes reflecting a total 2022 tax rate of \$0.91 per \$100 of assessed valuation, comprised of \$0.65 to pay debt service and \$0.26 for operations and maintenance, and direct that the Order be filed appropriately and retained in the District's official records. Director Mathews seconded the motion, which passed by unanimous vote.

Ms. Panozzo stated that an Amendment to Information Form is not needed because the tax rate the District is adopting for the 2022 tax year is the same tax rate that the District adopted for the 2021 tax year.

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.

Ms. Austin reviewed a proposed budget for the fiscal year ending September 30, 2023, a copy of which is attached. Following review and discussion, the Board directed Ms. Austin to make the following revisions to the budget for the fiscal year ending September 30, 2023: (1) change the GIS Engineering expense to \$46,800.00; (2) change the election expense to \$0; (3) change the Westpark Lakes Detention Pond Rehabilitation expense to \$700,000.00 and move the line item to below the Other Expense line item; (4) move the Park & Trail Construction expense line item to below the Other Expense line item; (5) add a line item for Operating Fund-Reserve income in the amount of \$700,000.00 below the Other Income line item; and (6) add a line item in the amount of \$600,000.00 for COH SPA-Reserve below the Other Income line item.

After review and discussion, Director Bridges moved to (1) approve the bookkeeper's report, investment report, and payment of the bills listed in the report; and (2) adopt the budget for the fiscal year ending September 30, 2023, as revised. Director Stubblefield seconded the motion, which passed by unanimous vote.

AUTHORIZE AUDITOR TO CONDUCT AUDIT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022

Ms. Miller stated that the Board previously executed an engagement letter with Mark C. Eyring, CPA, PLLC, to perform the District's audit for the fiscal year ending September 30, 2022. Following review and discussion, Director Bridges moved to authorize Mark C. Eyring, CPA, PLLC, to conduct the audit for the District's fiscal year ending September 30, 2022. Director Lajoie seconded the motion, which passed unanimously.

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 99.1% and reported on maintenance performed at the District's facilities.

Discussion ensued regarding language to use on the District's water bills to educate District residents on the water and North Fort Bend Water Authority ("NFBWA") usage fees. Following discussion, the Board requested that suggested language from the NFBWA to use on the District's water bills be presented at next month's Board meeting.

After review and discussion, Director Bridges moved to (1) approve the operator's report; and (2) authorize MDS to turn over four accounts in the total amount of \$560.15, deemed to be uncollectible, to a collection agency. Director Mathews 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 Bridges 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. Director Mathews seconded the motion, which passed by unanimous vote.

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on this matter.

AMENDED RATE ORDER

The Board considered amending the District's Rate Order to increase the base sewer service rate. Following discussion, the Board concurred to further consider amending the District's Rate Order to increase the base sewer service rate next month.

NFBWA MATTERS

Ms. Miller reported that R.G. Miller submitted a package to NFBWA 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 NFBWA.

Directors Lewis and Bridges provided updates on a Water Provider Conservation Program webinar conducted by NFBWA that they attended during the week prior to the meeting.

DEVELOPMENT IN THE DISTRICT

Mr. 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

Mr. Wagner gave an update on construction of the permanent WWTP and lift station and stated that the job will be closed out after electrical programming by ATS is complete. He noted that the Texas Commission on Environmental Quality ("TCEQ") approved the close-out package to abandon the interim WWTP, and he anticipates that removal of the interim WWTP will be complete in October 2022.

WATER PLANT NO. 2

Mr. Wagner gave an update on construction of Water Plant No. 2 and recommended that the Board approve Pay Estimate No. 29 and Final in the amount of \$5,000.00 to Nunn Constructors, Ltd. ("Nunn") and acceptance of 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 that a request to schedule the final inspection of the project has been submitted to the County.

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 that a request to schedule the final inspection of the project has been submitted to the County.

WATER, SANITARY SEWER, AND STORM SEWER FACILITIES TO SERVE LIGHT HAVEN AT DISTRICT WEST

Mr. Wagner gave an update on construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development in the District. He noted construction will commence after the District receives the executed necessary easements and Consent to Encroachment for 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 98% complete. He then reviewed a pipeline fill/crossing agreement with Dow Pipeline Company ("Dow") and stated the agreement is required for Dow to permit the proposed detention basin facility to cross a Dow right-of-way.

WESTPARK LAKES DETENTION POND REHABILITATION

Mr. Wagner gave an update on construction of the Westpark Lakes Detention Pond Rehabilitation project and stated the project was re-advertised and bids for the project were received on September 1, 2022. He recommended the contract be awarded to the second lowest bidder, Champions, in the amount of \$699,399.00, due in part to concerns about the amount of time that the low bidder would take to complete the project. Based upon the engineer's recommendation, the Board concurred that, in its judgment Champions was a responsible bidder whose work would result in the best and most economical completion of the project.

FORT BEND COUNTY BELLAIRE BOULEVARD RIGHT TURN LANE PROJECT

Mr. Wagner gave an update 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.

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 discussed a Utility Commitment Letter for 4 equivalent single-family sanitary sewer and water connections ("ESFC") for a proposed expansion to the Kelsey Seybold clinic.

GEOGRAPHIC INFORMATION SYSTEM ("GIS")

Mr. Wagner presented a proposal from R.G. Miller in the annual amount of \$46,800.00 for services related to the GIS system for facilities in the District and a new GIS standard rate schedule.

BOND APPLICATION NO. 10

Mr. Wagner gave an update on preparation of bond application no. 10 and reported that the application has been declared administratively complete by the TCEQ.

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. 29 in the amount of \$5,000.00 to Nunn for construction of Water Plant No. 2 and accept the project; (3) approve the pipeline crossing agreement with Dow and direct that the agreement be filed appropriately and retained in the District's official records; (4) award the contract for construction of the Westpark Lakes Detention Pond Rehabilitation project to Champions in the amount of \$699,399.00, based on the engineer's recommendation, subject to approval of payment and performance bonds and review of the certificate of insurance and endorsements, if any, provided by the contractor; (5) approve the Utility Commitment Letter for the proposed expansion to the Kelsey Seybold clinic and direct that the letter be filed appropriately and retained in the District's official records; and (6) approve the proposal from R.G. Miller in the annual amount of \$46,800.00 and the new GIS rate schedule and direct that they be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed by unanimous vote.

Mr. Carpenter reported that Crestwater Homeowners Association ("Crestwater") contacted the District and requested relief from the contracted water charges pursuant to the Water Supply Agreement between Crestwater and the District. Following discussion, the Board requested that an item be added the next month's Board meeting agenda to further discuss the request from Crestwater.

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. Discussion ensued.

Following discussion, the Board requested that ABHR contact Precinct 4 Commissioner Ken DeMerchant's staff and request that a representative from Commissioner DeMerchant's office attend a Board meeting before the end of the calendar year.

PARK AND RECREATIONAL FACILITY PLANNING MATTERS

Mr. Gard reviewed the landscape architect report, a copy of which is attached. He provided an update on design of the trail and landscape amenity improvements for the detention basins located in Westpark Lakes.

The Board discussed requests from residents in the Lost Creek neighborhood in the District for a sidewalk to be installed along Bellaire Boulevard from Sierra Bend to the new sidewalk in front of the Harmony School and an entrance to allow access to the Lost Creek park facility from Bellaire Boulevard (the "Sidewalk Improvements"). Mr.

Gard stated KGA estimates that the total design and construction cost to install the Sidewalk Improvements will be \$55,000. Following discussion, the Board directed ABHR to contact the Lost Creek homeowners association and the property owners association and request that they contribute \$10,000 towards the cost of the installation of the Sidewalk Improvements.

DISTRICT WEBSITE MATTERS

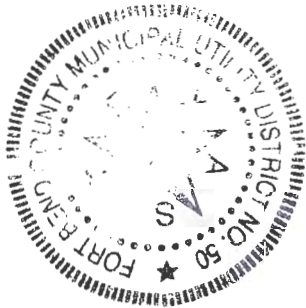
The Board discussed District website matters.

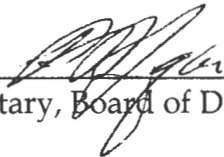
CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, SECTION 551.076, AND SECTION 551.087 TEXAS GOVERNMENT CODE

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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