

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

January 4, 2023

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 January, 2023, 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: Alex Flores of Tax Tech, Inc.; Justin Wagner 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 of Champions Hydro-Lawn, Inc. ("Champions"); Kelly Gard of KGA/DeForest Design, LLC; Mark Eyring of Mark C. Eyring, CPA, PLLC; Justin Klump of Storm Water Solutions, LLC ("SWS"); and Christina Miller, Aaron Carpenter, Jordan Fine, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board reviewed the minutes of the regular meeting held on December 7, 2022. After review and discussion, Director Bridges moved to approve the minutes of the regular meeting held on December 7, 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 7.64% of the 2022 tax levy had been collected as of December 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.

AUDIT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2022

Mr. Eyring reviewed the District's audit for the fiscal year ended September 30, 2022. After review and discussion, Director Mathews moved to approve the audit, subject to final director and consultant review, authorize filing of the audit with the Texas Commission on Environmental Quality, and direct that the audit be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed unanimously.

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.

Mr. Carpenter stated that in accordance with the District's Investment Policy, Ms. Austin, as the bookkeeper and an Investment Officer, and Stephanie Viator, as an Investment Officer, are required to execute disclosure statements that disclose any relationships with banks and brokers who seek to sell investments to the District. He added that the disclosure statements will be filed with the Texas Ethics Commission.

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) accept the disclosure statements pursuant to the District's Investment Policy and the Public Funds Investment Act and direct that the statements be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed by unanimous vote.

ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Mr. Carpenter reported on the District's compliance activities during the prior calendar year related to bond financings. He stated that no corrective action is required at this time.

UNLIMITED TAX BONDS, SERIES 2023 ("SERIES 2023 BONDS"),

Mr. Carpenter provided an update on the Series 2023 Bonds and reported that the sale of the Series 2023 Bonds is scheduled for Tuesday, January 10, 2023.

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 94.2% and reported on maintenance performed at the District's facilities.

Discussion ensued regarding the recent winter weather event. Mr. Browne discussed the preventative measures taken by MDS in anticipation of the winter weather event.

After review and discussion, Director Lajoie moved to (1) approve the operator's report; and (2) authorize MDS to turn over two accounts in the total amount of \$576.12, 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 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. Director Stubblefield seconded the motion, which passed by unanimous vote.

PUBLIC UTILITY COMMISSION RULES REGARDING EXTREME WEATHER EMERGENCIES, INCLUDING ISSUANCE OF ONE-TIME NOTICE TO CUSTOMERS AND ADOPT AMENDED RATE ORDER

Mr. Carpenter discussed rules adopted by the Public Utility Commission of Texas ("PUC") to implement legislation prohibiting certain retail water or sewer providers from imposing late fees or terminating service for nonpayment of water bills that are due during a period when the previous day's highest temperature and the predicted temperature for the next 24 hours is not higher than 28 degrees Fahrenheit. Mr. Browne reviewed and discussed the one-time notice of the requirements that must be sent to utility customers by January 31, 2023. Mr. Carpenter then presented a proposed Amended Rate Order incorporating the provisions of the PUC rules, including terms for customers to request and receive a payment schedule for payment

of bills due during such an extreme weather emergency. After review and discussion, Director Stubblefield moved to authorize the operator to send the one-time notice to District customers and to adopt the Amended Rate Order and direct that it be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed unanimously.

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on this matter.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

Mr. Carpenter updated the Board on NFBWA matters. He discussed the District's participation in the Water Provider Conservation Program (the "Program") and stated that the District fulfilled the Program requirements for the year 2022. He then discussed the 2023 NFBWA Water Provider Conservation Program.

DEVELOPMENT IN THE DISTRICT

There was no discussion on this matter.

ENGINEERING MATTERS

Mr. Wagner presented the engineer's report, a copy of which is attached, including the projects specifically addressed as follows:

WATER PLANT NO. 2 EXPANSION NO. 1

Mr. Wagner gave an update on design of Water Plant No. 2 Expansion No. 1 and reported that design is 30% complete.

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 the contractor is addressing County punch list items necessary 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 the contractor is addressing County punch list items necessary to close out the project.

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 construction of the sub-regional detention phase III project. He stated that advertisement for bids for construction of the project will begin after R.G. Miller has coordinated with Parkway Lakes Development, Inc., on fill dirt locations.

WESTPARK LAKES DETENTION POND REHABILITATION

Mr. Wagner gave an update on construction of the Westpark Lakes Detention Pond Rehabilitation project and stated that the project is 50% complete.

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 and noted that the Participation Agreement with the County regarding District participation in the County's relocation of District facilities is scheduled to be presented for County approval at the County Commissioners meeting on January 10, 2023.

STORM WATER PERMITTING MATTERS

Mr. Klump reviewed a Master Service Agreement between the District and SWS for SWS to provide MS4 assistance in connection with the Storm Water Management Plan ("SWMP") beginning with the 2023 permit year.

After review and discussion, Director Mathews moved to (1) approve the engineer's report; (2) approve the Master Service Agreement between the District and SWS and direct that it be filed appropriately and retained in the District's official records; and (3) authorize termination of the proposal with R.G. Miller for assistance in connection with the SWMP for permit years 2023 and 2024. 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

Mr. Gard reported that KGA received bids for construction of the trail and landscape amenity improvements project for the detention basins located in Westpark Lakes, and he recommended the Board award the contract to the lowest bidder, Triple E Growers, Inc., dba Triple E Landscapes ("Triple E"), in the total bid amount, excluding alternate bid #1 but including alternate bid #2 for builders' risk or installation floater, of \$784,345.00. The Board concurred that, in its judgment, Triple E was a responsible bidder who would be most advantageous to the District and would result in the best and most economical completion of the project. After review and discussion, Director Mathews moved to award the contract to Triple E in the amount of \$784,345.00 for construction of the trail and landscape amenity improvements project, based upon the landscape architect's recommendation and 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 issuance of a notice to proceed for the project. Director Stubblefield seconded the motion, which passed by unanimous vote.

RESOLUTION DECLARING SURPLUS PROPERTY

The Board concurred to defer this matter to a later Board meeting.

DISTRICT WEBSITE MATTERS

The Board discussed District website matters.

DISTRICT SECURITY MATTERS, INCLUDING TERMINATION OF AGREEMENT WITH TODAY'S INTEGRATION, INC.

The Board concurred to defer this matter to a later Board meeting.


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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