

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

May 3, 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 3rd day of May, 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 either in person or by telephone 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 ("KGA"); Dane Turner of Best Trash, LLC; Kelsey Taylor, a member of the public; and Christina Miller, Aaron Carpenter, Cheryl Panozzo, and Julie Gerdes of Allen Boone Humphries Robinson LLP.

PUBLIC COMMENTS

Mr. Carpenter reported that the District received additional correspondence from a resident of the Grand Trails neighborhood (the "Grand Trails Resident") regarding the trash and recycling containers in the District provided by Best Trash. He reported that the Grand Trails Resident requested that the District change all the trash and recycling containers in the Grand Trails neighborhood with new ones at a cost to the District of approximately \$4,000. Following discussion, the Board concurred to deny the Grand Trails Resident's request to replace the trash and recycling containers in the Grand Trails neighborhood.

MINUTES

The Board reviewed the minutes of the regular meeting held on April 5, 2023. After review and discussion, Director Bridges moved to approve the minutes of the regular meeting held on April 5, 2023, 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 97.37% of the 2022 tax levy had been collected as of April 30, 2023. Mr. Flores stated the District's 2023 preliminary taxable value from Fort Bend County Appraisal District is \$1,053,375,219. 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 Mathews seconded the motion, which passed by unanimous vote.

APPROVE PROJECT AUDIT FOR AND RELATED PAYMENT OF ECONOMIC DEVELOPMENT GRANT PAYMENT TO MRPL RETAIL PARTNERS, LTD., AND MRPL RETAIL PARTNERS II, LTD

Mr. Carpenter reviewed a project audit for the economic development grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., prepared by Mark C. Eyring CPA, PLLC. He noted that the audit reflects that an economic development grant payment is due to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., in the amount of \$556,371.54 for the year 2022. After review and discussion, Director Bridges moved to approve the project audit for and related payment of the economic development grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., and direct that the project audit be filed appropriately and retained in the District's official records. Director Mathews 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.

Mr. Carpenter provided an update on fraudulent activity on the District's checking account with Central Bank. He stated that Central Bank offered to reimburse one-half of the lost funds to the District in the amount of \$6,693.88. Mr. Carpenter noted that Central Bank has no legal obligation to reimburse the District for the lost funds.

Mr. Carpenter stated that OmniCap Group LLC has completed the Interim Excess Earnings Report on the Series 2013 Bonds (the "Report"). He added the Report reflects that no yield reduction payment is due to the Internal Revenue Service.

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 Central Bank's offer to reimburse the District in the amount of \$6,693.88. Director Lajoie 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 Corpus Christi. After discussion and consideration of the District's Travel Reimbursement Guidelines, the Board concurred 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.

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 95.3% and reported on maintenance performed at the District's facilities.

Mr. Browne reviewed a proposal from Torres Construction & Irrigation, LLC, a copy of which is included in the operator's report, to remove 47 dead trees located on District detention facilities and haul them away at a cost of \$5,640.00.

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

Mr. Browne reviewed an updated MDS rate schedule with the Board, proposed to be effective May 1, 2023. Following review and discussion, the Board concurred to consider amending the District's agreement with MDS next month and directed ABHR to prepare an amended District Rate Order for adoption at the June meeting reflecting the updated MDS rate schedule.

After review and discussion, Director Bridges moved to (1) approve the operator's report; (2) approve the proposal from Torres Construction & Irrigation, LLC, in the amount of \$5,640.00; (3) 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 (4) authorize MDS to turn over one account in the amount of \$147.67, 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.

REVIEW EMERGENCY PREPAREDNESS PLAN AND AUTHORIZE FILING OF UPDATES, IF NECESSARY

Mr. Carpenter provided an update on preparation of an updated District emergency preparedness plan.

GARBAGE AND RECYCLING SERVICE MATTERS

The Board discussed garbage and recycling service matters.

NFBWA MATTERS

Ms. Miller updated the Board on NFBWA matters and discussed the District's participation in the 2023 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. He requested approval of the plans and specifications and authorization to advertise for bids for 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 reported that construction has commenced, and R.G. Miller is coordinating design changes for a necessary off-site storm sewer easement for the project.

SUB-REGIONAL DETENTION PHASE III

Mr. Wagner reported that R.G. Miller received bids for construction of the sub-regional detention phase III project and recommended the contract be awarded to the low bidder, Harris Construction Company, LLC ("Harris"), in the amount of \$1,850,000.00. Based upon the engineer's recommendation, the Board concurred that, in its judgment, Harris was a responsible bidder whose work would result in the best and most economical completion of the project.

Mr. Wagner discussed the proposed sale of surplus fill and rip rap from the sub-regional detention phase III project site to TPHTM 1464 LLC. Mr. Carpenter reviewed a letter agreement (the "Letter Agreement") with TPHTM 1464 LLC for same, which includes a finding by the Board of fair market value of the personal property to be sold.

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 98% complete. He recommended that the Board approve Pay Estimate Nos. 6 and 7 in the amounts of \$185,169.60 and \$55,571.28, respectively, to Champions.

FORT BEND COUNTY BELLAIRE BOULEVARD RIGHT TURN LANE PROJECT

Mr. Wagner gave an update on design of the right turn lanes on Bellaire Boulevard to be installed by Fort Bend County. He reported that R.G. Miller returned comments on the initial design plan and provided an update on the necessary easements for the project.

UPDATE ON BOND APPLICATION NO. 11

Mr. Wagner gave an update on bond application no. 11 and reported that the District received the draft Order from the TCEQ approving the issuance of the Series 2023A Bonds.

After review and discussion, based on the engineer's recommendation, Director Bridges moved to (1) approve the engineer's report; (2) approve the plans and specifications, and authorize advertisement for bids for construction of Water Plant No. 2 Expansion No. 1; (3) approve the award of the contract for construction of the sub-regional detention phase III project to Harris, in the amount of \$1,850,000.00, 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; (4) approve the Letter Agreement, subject to final review; and (5) approve Pay Estimate Nos. 6 and 7 to Champions in the amounts of \$185,169.60 and \$55,571.28, respectively, for construction of the Westpark Lakes Detention Pond Rehabilitation project. Director Lajoie seconded the motion, which passed by unanimous vote.

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

Mr. Carpenter stated that the Preliminary Official Statement for the Series 2023A Bonds will be presented for approval at the June meeting.

Mr. Carpenter stated that the District's tax assessor/collector will need to request a Certificate of Assessed Value as of January 1, 2023, from the Fort Bend Central Appraisal District in connection with the Series 2023A Bonds.

After review and discussion, Director Bridges moved to (1) authorize preparation of the Preliminary Official Statement and Official Notice of Sale for the Series 2023A Bonds; and (2) authorize the tax assessor/collector to request a Certificate of Assessed Value as of January 1, 2023, from the Fort Bend Central Appraisal District. 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. He discussed tree debris disposed of onto District property by the property owner located at 23102 Broad Springs Court.

Mr. Halbert then reviewed a proposal from Champions, a copy of which is attached, in an amount not to exceed \$16,525.00 to repair three sink holes on the slope of Lost Creek Pond B behind Still Haven Drive.

Following review and discussion, Director Bridges moved to (1) accept the report from Champions; (2) authorize ABHR to send a letter to the property owner located at 23102 Broad Springs Court requesting that they remove the tree debris from the District's property; and (3) approve the proposal from Champions in an amount not to exceed \$16,525.00.00. Director Lajoie seconded the motion, which passed unanimously.

PARK AND RECREATIONAL FACILITY PLANNING MATTERS

Mr. Gard reviewed the landscape architect report, a copy of which is attached. He gave an update on construction of the trail and landscape amenity improvements project for the detention basins located in Westpark Lakes and reported that a pre-construction meeting was held on April 24, 2023. Mr. Gard recommended that the Board approve Pay Estimate No. 2 in the amount of \$86,525.28 to Triple E Landscapes ("Triple E"). He also requested authorization to coordinate materials testing for the project in an amount not to exceed \$8,050.00.

After review and discussion, based on the landscape architect's recommendation, Director Bridges moved to (1) approve the landscape architect report; (2) approve Pay Estimate No. 2 to Triple E in the amount of \$86,525.28 for construction of the trail and landscape amenity improvements project; and (3) authorize KGA to coordinate materials testing for the project in an amount not to exceed \$8,050.00. Director Stubblefield seconded the motion, which passed by unanimous vote.

DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

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

Director Mathews provided an update on matters regarding security of District facilities.


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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