

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

July 5, 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 5th day of July, 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 except Director Stubblefield, 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 ("KGA"); Christie Leighton of Best Trash, LLC; and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board reviewed the minutes of the regular meeting held on June 7, 2023. After review and discussion, Director Mathews moved to approve the minutes of the regular meeting held on June 7, 2023, 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 98.58% of the 2022 tax levy had been collected as of May 31, 2023. 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 Bridges seconded the motion, which passed by unanimous vote.

ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2023 TAX YEAR

The Board considered the District's 2023 tax rate. Mr. Carpenter discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district's development status and/or tax rate. He reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developing District for the 2023 tax year.

Following review and discussion, Director Bridges moved to adopt a Resolution Regarding Development Status for 2023 Tax Year establishing the District as a Developing District for the 2023 tax year, pursuant to Section 49.23602, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion, which passed by a unanimous vote.

ADOPT RESOLUTION NOMINATING CANDIDATE FOR BOARD OF DIRECTOR ELECTION FOR FORT BEND CENTRAL APPRAISAL DISTRICT

Mr. Carpenter stated that the Board has the opportunity to nominate a candidate for the Fort Bend Central Appraisal District Board. He reviewed a Resolution Nominating Candidate for Board of Directors Election for Fort Bend Central Appraisal District. After review and discussion, Director Bridges moved to approve the Resolution Nominating Candidate for Board of Directors Election for Fort Bend Central Appraisal District reflecting the nomination of Mike Rozell and direct that the Resolution be filed appropriately and retained in the District's official records. 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 ASSOCIATION OF WATER BOARD DIRECTORS 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 Bridges moved to approve reimbursement of eligible expenses for the summer conference and authorize all interested directors to attend the AWBD winter conference. 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. After review and discussion, Director Bridges moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Lajoie seconded the motion, which passed by unanimous vote.

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

Mr. Carpenter stated that the sale of the Series 2023A Bonds is scheduled for Tuesday, July 11, 2023, at 2:00 p.m.

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 92.9% and reported on maintenance performed at the District's facilities. After review and discussion, Director Bridges moved to (1) approve the operator's report; and (2) authorize MDS to turn over two accounts in the total amount of \$122.78, 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 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 Lajoie seconded the motion, which passed by unanimous vote.

GARBAGE AND RECYCLING SERVICE MATTERS, INCLUDING ANNUAL CPI RATE ADJUSTMENT

Ms. Leighton reported that, pursuant to the First Amendment to Residential Solid Waste Collection Contract between the District and Best Trash, L.L.C., effective

July 1, 2021, the garbage and recycling collection rate increased to \$22.86 per month per connection.

The Board considered amending the District's Rate Order to increase the base sewer service rate. Following discussion, the Board concurred to consider a \$2.00 increase of the base sewer service rate and amending the District's Rate Order 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 2023-2024 school year. Following review and discussion, Director Bridges 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 Lajoie seconded the motion, which passed by unanimous vote.

NORTH FORT BEND WATER AUTHORITY("NFBWA") MATTERS

Ms. Miller updated the Board on NFBWA matters.

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 the Water Plant No. 2 Expansion No. 1 project and stated that bids for the project will be received on July 6, 2023.

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 and stated construction is 65% complete. He reported that R.G. Miller is coordinating design changes for a necessary off-site storm sewer

easement for the project. Mr. Wagner stated BGE, Inc., recommends that the Board approve Pay Estimate No. 1 in the amount of \$949,648.50 to R Construction Civil, LLC ("R Construction").

SUB-REGIONAL DETENTION PHASE III

Mr. Wagner gave an update on construction of the sub-regional detention phase III project and stated the contractor has mobilized on site.

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 complete. He noted that hydro mulch application will be completed after construction of the Westpark Lakes trail and landscape amenity improvements project is complete.

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.

After review and discussion, based on the engineer's recommendation, Director Bridges moved to (1) approve the engineer's report; and (2) approve Pay Estimate No. 1 in the amount of \$949,648.50 to R Construction for construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development. Director Lajoie 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. Mr. Halbert stated Lost Creek residents reported that two park rules signs need to be replaced and several ant beds have been located at Pete's Park. He noted that there are a total of nine signs throughout the District that need to be replaced. Following review and discussion, the Board directed Mr. Halbert to provide a report regarding whether ant treatment is required at Pete's Park next month. The Board concurred to consider replacing the park rules signs in the District following completion of construction of the sub-regional detention phase III project.

PARK AND RECREATIONAL FACILITY PLANNING MATTERS

Mr. Gard reviewed the landscape architect report, a copy of which is attached, and gave an update on construction of the trail and landscape amenity improvements project for the detention basins located in Westpark Lakes. Mr. Gard recommended that the Board approve Pay Estimate No. 4 in the amount of \$107,101.60 to Triple E Landscapes ("Triple E"). After review and discussion, based on the landscape architect's recommendation, Director Bridges moved to (1) approve the landscape architect report; and (2) approve Pay Estimate No. 4 in the amount of \$107,101.60 to Triple E for construction of the trail and landscape amenity improvements project. Director LaJoie seconded the motion, which passed by unanimous vote.

DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

DISTRICT SECURITY MATTERS

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

REPORT REGARDING LEGISLATIVE MATTERS

Mr. Carpenter distributed a report prepared by ABHR regarding legislative matters pertaining to the 88th Regular Session of the Texas Legislature.

DIRECTOR PER DIEMS

Mr. Carpenter stated that House Bill No. 2815, which became effective on June 18, 2023, sets the maximum water district director fees of office at the per diem amount set by the Texas Ethics Commission for members of the legislature. He noted that, pursuant to House Bill No. 2815, the current maximum amount for director fees of office is \$221.00, and going forward, the maximum amount automatically will be indexed for inflation. After discussion, the Board concurred to approve payment of directors' fees of office at the new maximum amount allowed by law, effective as of June 18, 2023.

ENGINEERING MATTERS (Continued)

Mr. Wagner reported that the Texas Commission on Environmental Quality ("TCEQ") is pursuing an enforcement action against the District for violations at the Wastewater Treatment Plant. He reported the District received a proposed Agreed Order from the TCEQ and that the District was assessed an administrative penalty in the amount of \$1,470.00, if payment is received within 60 days from the date of the letter

dated June 14, 2023. He noted that R.G. Miller will make the payment for the penalty costs. After review and discussion, the Board concurred to authorize execution of the TCEQ Agreed Order and direct R.G. Miller to submit the Agreed Order and related payment to the TCEQ prior to the deadline.


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

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Tax Assessor/Collector's report	1
Bookkeeper's report.....	3
Operator's report.....	3
Engineer's report.....	4
Report from Champions	5
Landscape architect report	6