

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

August 2, 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 2nd day of August, 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: Kristy Hebert 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"); Craig Rathmann of Rathmann & Associates, L.P.; Duncan Flintoff of Quiddity Engineering, LLC ("Quiddity"); 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 July 5, 2023, and the special meeting held on July 11, 2023. After review and discussion, Director Bridges moved to approve the minutes of the regular meeting held on July 5, 2023, and the special meeting held on July 11, 2023, as submitted. 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.

Ms. Austin reviewed a proposed budget for the fiscal year ending September 30, 2023, and requested that the Board and consultants submit comments on the budget prior to the next meeting. The Board concurred to consider the budget at the September meeting.

After review and discussion, Director Bridges moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report and. Director Lajoie seconded the motion, which passed by unanimous vote.

UPDATE ON SERIES 2023A UNLIMITED TAX BONDS (THE "SERIES 2023A BONDS")

Mr. Carpenter stated that the 2023A Bonds are scheduled to closed on August 8, 2023. Following discussion, Director Bridges moved to authorize disbursement of the Series 2023A Bond proceeds. Director Mathews seconded the motion, which passed by unanimous vote.

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 95.9% 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 \$423.74, 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.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Hebert reviewed the tax assessor/collector's report, a copy of which is attached. She reported that 99.06% of the 2022 tax levy had been collected as of July 31, 2023. After review and discussion, Director Bridges moved to approve the tax assessor/collector's report and payment of the bills listed in the report. Director Lajoie seconded the motion, which passed by unanimous vote.

DISCUSS 2023 TAX RATE, SET PUBLIC HEARING DATE, AND AUTHORIZE NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF TAX RATE

The Board considered the District's 2023 tax rate. Mr. Rathmann distributed and reviewed a debt service tax rate analysis, a copy of which is attached, reflecting the recommendation for the District to levy a 2023 debt service tax rate of \$0.55 per \$100 of assessed valuation. The Board discussed a proposed maintenance tax rate of \$0.32 per \$100 of assessed valuation. Mr. Carpenter discussed the two-step process for setting the District's tax rate.

Following review and discussion, Director Bridges moved to: (1) set the public hearing for adoption of the tax rate for September 6, 2023; and (2) authorize the tax assessor/collector to publish notice in the *Fort Bend Herald* of the District's meeting on September 6, 2023, to set the proposed 2023 total tax rate of \$0.87 per \$100 of assessed valuation, with \$0.55 allocated for debt service and \$0.32 allocated for operations and maintenance. Director Mathews seconded the motion, which passed unanimously.

RESOLUTION VOTING FOR WATER DISTRICT NOMINEE FOR THE ELECTION OF THE BOARD OF DIRECTORS OF THE FORT BEND CENTRAL APPRAISAL DISTRICT ("FBCAD")

After review and discussion, Director Lewis moved to adopt a Resolution Voting for Water District Nominee for the Election of the Board of Directors of the FBCAD, reflecting 14 votes in favor of Michael D. Rozell, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Mathews seconded the motion, which passed by unanimous vote.

ADOPT AMENDED RATE ORDER

The Board considered amending the District's Rate Order to increase the base sewer service rate in the amount of \$2.00. After review and discussion, Director Bridges moved to adopt the Amended Rate Order effective June 1, 2023, and direct that it be filed appropriately and retained in the District's official records. Director Lajoie seconded the motion, which passed by unanimously.

GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on this matter.

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 reported that R.G. Miller received bids for construction of the Water Plant No. 2 Expansion No. 1 project and recommended the Board award the contract to the second lowest bidder, Alsay Incorporated ("Alsay"), in the amount of \$2,991,500.00. He indicated that R.G. Miller recommends the second lowest bidder due to the extent to which Alsay is able to meet the District's timing needs for project completion. The Board concurred that, in its judgment, Alsay 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.

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. 2 in the amount of \$62,458.07 to R Construction Civil, LLC ("R Construction").

Mr. Wagner then stated that BGE, Inc. recommends that the Board approve Change Order No. 2 to the contract with R Construction, resulting in an increase to the contract in the amount of \$86,981.18. He noted that the change order is related to moving the storm sewer off site. After discussion, and based on the engineer's recommendation, the Board determined that Change Order No. 2 is beneficial to the District.

SUB-REGIONAL DETENTION PHASE III

Mr. Wagner gave an update on construction of the sub-regional detention phase III project and stated construction is 30% complete.

Mr. Wagner recommended that the Board approve Pay Estimate No. 1 in the amount of \$446,481.00 to Harris Construction Company, LLC ("Harris").

Mr. Wagner then recommended that the Board approve Change Order No. 1 to the contract with Harris, resulting in an increase to the contract in the amount of \$18,480.00 for additional site preparations. After discussion, and based on the engineer's recommendation, the Board determined that Change Order No. 1 is beneficial to the District.

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.

UTILITY COMMITMENT LETTERS

Mr. Carpenter presented the following: (1) a Utility Commitment Letter with Parkway Lakes Master, Ltd. for 117 ESFC for the proposed development of an approximately 20-acre tract of land located at the southwest corner of the intersection of Peek Road and FM 1093 for the proposed District West development; (2) a Utility Commitment Letter with Fidelis for 3 ESFC for proposed development of 9,360 square feet of retail commercial use at Shops of Bella Terra located near the southwest corner of Grand Parkway and Bellaire Boulevard; and (3) a Utility Commitment Letter with Creative Loop, LLC for 8 ESFC for the proposed development of an approximately one-acre tract of land for a car wash facility located on the northeast corner of Parkway Lakes Boulevard and Bellaire Boulevard.

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; (2) award the contract to Alsay in the amount of \$2,991,500.00 for construction of the Water Plant No. 2 Expansion No. 1 project, 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; (3) approve Pay Estimate No. 2 in the amount of \$62,458.07 to R Construction for construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development; (4) approve Change Order No. 2 in the amount of \$86,981.18 to the contract with R Construction for construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development, based on the Board's finding that the change order is beneficial to the District; (5) approve Pay Estimate No. 1 in the amount of \$446,481.00 to Harris for construction of the sub-regional detention phase III project; (6) approve Change Order No. 1 in the amount of \$18,480.00 to the contract with Harris for construction of the sub-regional detention phase III project, based on the Board's finding that the change order is beneficial to the District; and (7) approve the Utility Commitment Letters with Parkway Lakes Master, Ltd., Fidelis, and Creative Loop, LLC and direct that the letters be filed appropriately and retained in the District's official records. Director Mathews seconded the motion, which passed unanimously.

GEOGRAPHIC INFORMATION SYSTEM

Mr. Flintoff presented a Professional Services Agreement between the District and Quiddity for Quiddity to serve as the District's Geographic Information System (GIS) consultant. Following review and discussion, Director Bridges moved to (1) approve the Professional Services Agreement between the District and Quiddity and direct that such agreement be filed appropriately and retained in the District's official records; and (2) authorize all necessary actions for Quiddity to serve as the District's GIS consultant. Director Mathews 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.

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. 5 in the amount of \$23,134.60 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. 5 in the amount of \$23,134.60 to

Triple E for construction of the trail and landscape amenity improvements project. Director Mathews seconded the motion, which passed by unanimous vote.

DISTRICT WEBSITE MATTERS

Following discussion, the Board directed ABHR to request a proposal from The Texas Network for website management.

DISTRICT SECURITY MATTERS

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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