

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

December 6, 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 6th day of December, 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: Paula Vitello, resident in the District; Alex Flores of Tax Tech, Inc. ("Tax Tech"); 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"); Mark Eyring of Mark C. Eyring, CPA, PLLC; and Christina Miller, Aaron Carpenter, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Carpenter reported that the District continues to receive correspondence from an individual resident of the Grand Trails neighborhood regarding the trash and recycling containers/services in the District.

MINUTES

The Board reviewed the minutes of the regular meeting held on November 1, 2023. After review and discussion, Director Mathews moved to approve the minutes of the regular meeting held on November 1, 2023, as submitted. Director Bridges seconded the motion, which passed by unanimous vote.

AUDIT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2023

Mr. Eyring reviewed the District's audit for the fiscal year ended September 30, 2023. After review and discussion, Director Bridges 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 Mathews seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Mr. Flores reviewed the tax assessor/collector's report, a copy of which is attached.

The Board discussed adding a notice to the water bill to notify customers that they can contact Tax Tech if they do not receive a tax statement. The Board requested MDS include the notice on the next water bill.

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.

Director Stubblefield joined the meeting.

RESOLUTION VOTING FOR DIRECTOR FOR BOARD OF DIRECTOR ELECTION FOR FORT BEND CENTRAL APPRAISAL DISTRICT

The Board reviewed a ballot for voting for a director for the Board of Director election for Fort Bend Central Appraisal District. After review and discussion, Director Bridges moved to adopt a Resolution Voting for Director for Board of Director Election for Fort Bend Central Appraisal District 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 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. After review and discussion, Director Lajoie moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Bridges seconded the motion, which passed by unanimous vote.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE

The Board discussed the upcoming Association of Water Board Directors winter conference to be held January 19 and 20, 2024. After discussion, Director Lajoie moved to authorize directors attending the conference up to three per diems, two nights' hotel accommodations, mileage, and reimbursement of any meals not sponsored by the conference. Director Bridges 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 98.8% and reported on maintenance performed at the District's facilities.

Mr. Browne provided an update on installation of smart meters in the District and reported that MDS has received the smart meters that the District ordered.

After review and discussion, Director Stubblefield moved to approve the operator's report. 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 Stubblefield 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 garbage and recycling matters.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

Mr. Carpenter updated the Board on NFBWA matters and discussed the District's participation in the Water Provider Conservation Program (the "Program"). He noted that the District is expected to fulfill the Program requirements for the year 2023.

Ms. Miller reported that due to the Christmas holiday, the December NFBWA Board meeting will be held on Thursday, December 21, 2023.

DEVELOPMENT IN THE DISTRICT

Mr. Carpenter reported that the District received an inquiry from Bill Calderon of Calderon Economic Development Strategies, LLC, regarding eligible economic development payments to be made to Parkway Lakes Master Ltd. ("Parkway Lakes") pursuant to the Economic Development Agreement between the District, Parkway Lakes, and the North Fort Bend Redevelopment Authority.

Discussion ensued regarding MRLP Retail Partners, Ltd.'s landscaping maintenance obligations pursuant to the Economic Development Agreement with the District for the medians in the District on Bellaire Boulevard adjacent to the Shops at Bella Terra.

ENGINEERING MATTERS

Mr. Carpenter reported that a representative from R.G. Miller Engineers, Inc. ("R.G. Miller") was not able to attend today's meeting and reviewed the engineer's report prepared by R.G. Miller, a copy of which is attached.

Mr. Carpenter stated BGE, Inc. recommends that the Board approve Pay Estimate No. 4 in the amount of \$372,309.22 to R Construction Civil, LLC ("R Construction") for construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development in the District.

Mr. Carpenter presented an Interim Water Supply Agreement with Fort Bend County Municipal Utility District No. 133 ("FB 133") to temporarily provide the District with eight equivalent single-family connections necessary for the proposed Kroozin Car Wash to be located at the northeast corner of Parkway Lakes Boulevard and Bellaire Boulevard Tract until the District completes construction of the Water Plant No. 2, Phase 1 Expansion Project.

After review and discussion, Director Bridges moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 4 in the amount of \$372,309.22 to 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 engineer's recommendation; and (3) approve the Interim Water Supply Agreement with FB 133, subject to final review. Director Lajoie seconded the motion, which passed unanimously.

STORM WATER PERMITTING MATTERS

There was no discussion on this matter.

GEOGRAPHIC INFORMATION SYSTEM ("GIS") MATTERS

Director Lewis gave a report on necessary updates to the GIS that were submitted to Quiddity Engineering, LLC.

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 gave a report on replacement of park rules signs in the District.

Mr. Halbert also gave a report on repair of the concrete edge of the Parkway Lakes, Section 1, Reserve K pond and reported that the estimated costs for the repairs will exceed the \$22,500.00 proposal approved by the Board last month due to unanticipated field conditions. He noted that Champions will coordinate with R.G. Miller and present an updated proposal for Parkway Lakes, Section 1, Reserve K pond repairs at a future Board meeting.

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. He recommended that the Board approve Pay Estimate No. 9 in the amount of \$486.00 to Triple E Landscapes ("Triple E"). Mr. Gard reported that a substantial completion walkthrough for the Westpark Lakes trail and landscape amenity improvements project was held on November 7, 2023, and he presented a certificate of substantial completion and punch list for the project.

Discussion ensued regarding the report of ponding of water caused by the installation of the sidewalk at the Westpark Lakes detention basin. Mr. Gard reported that KGA coordinated with RG Miller on necessary site restoration to eliminate the ponding, and KGA requested pricing for the restoration from the contractor.

After review and discussion, Director Lewis moved to (1) approve the landscape architect report; and (2) approve Pay Estimate No. 9 in the amount of \$486.00 to Triple E for construction of the Westpark Lakes trail and landscape amenity improvements project and authorize execution of the certificate of substantial completion for the project. Director Bridges seconded the motion. The motion carried by a vote of four for the motion, with Director Mathews voting against the motion.

REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Mr. Carpenter reported that ABHR has filed the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas.

DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

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

The Board concurred to discuss security matters in executive session.

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

The Board convened in Executive Session at 1:05 p.m., pursuant to Section 551.076 of the Texas Government Code, to deliberate the deployment, or specific occasions for implementation, of security personnel or devices. All attendees left the meeting except for the Board members, Mr. Browne, Ms. Miller, Mr. Carpenter, and Ms. Panozzo.

At 1:22 p.m., the Board convened in executive session pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with attorney to discuss pending or contemplated litigation, or a settlement offer.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION

The Board reconvened in regular session at 1:34 p.m.

Ms. Vitello rejoined the meeting.

Director Bridges moved to authorize ABHR and MDS to take all actions necessary to notify the appropriate parties that the District requests exclusion from settlement agreements reached with respect to (i) *Aqueous Film-Forming Foams Products Liability Litigation*, MDL No. 2:18-mn-2873-RMG (D.S.C.), this document relates to: *City of Camden, et al., v. 3M Company*, No. 2:23-cv-03147-RMG; and (ii) *Aqueous Film-Forming Foams Products Liability Litigation*, MDL No. 2:18- mn-2873 (D.S.C.), this document relates to: *City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al.*, No. 2:23-cv-03230-RMG. Director Stubblefield seconded the motion, which passed unanimously.

DIRECTOR MATTERS

ACCEPT RESIGNATION OF DIRECTOR LAJOIE

Mr. Carpenter reported that Director Lajoie submitted a letter of resignation, a copy of which is filed in the District's official records. Following discussion, Director Stubblefield made a motion to accept the resignation of Peter Lajoie. Director Bridges seconded the motion, which passed unanimously.

ADOPT RESOLUTION COMMENDING PETER LAJOIE FOR SERVICE TO THE DISTRICT

The Board reviewed a Resolution Commending Peter Lajoie for Service to the District reflecting that the District park located in Lost Creek shall be known as "Pete's Park."

APPOINT NEW DIRECTOR

The Board considered appointing Paula Vitello to fill the vacancy on the Board.

SWORN STATEMENT, OFFICIAL BOND, AND OATH OF OFFICE OF NEW DIRECTOR

The Board considered approving the Sworn Statement, Oath of Office, and Official Bond of Ms. Vitello for her appointment to the Board.

REORGANIZATION OF THE BOARD AND EXECUTION OF DISTRICT REGISTRATION FORM

The Board discussed appointing Ms. Vitello as Secretary and making no changes to the remaining Board positions.

The Board then considered authorizing the filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ") reflecting the appointment and reorganization of the Board.

OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING

Ms. Carpenter reviewed a Memorandum from ABHR regarding the Open Meetings Act and Public Information Act Training Requirements, a copy of which is attached. He stated the Texas Legislature requires each elected or appointed public official to complete a course of training regarding the responsibilities of the governmental body and its members under the Texas Open Meetings Act, Chapter 551, Government Code.

CONFLICT OF INTEREST DISCLOSURE REQUIRED UNDER CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE, INCLUDING REVIEW OF DISCLOSURE FORMS ADOPTED BY THE TEXAS ETHICS COMMISSION AND LIST OF LOCAL GOVERNMENT OFFICERS

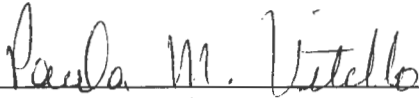
Mr. Carpenter reviewed a Memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission, a copy of which is attached. He also reviewed the List of Local Government Officers required under Chapter 176 of the Texas Local Government Code.

After review and discussion, Director Mathews moved to (1) adopt the Resolution Commending Peter Lajoie for Service to the District and direct that it be filed appropriately and retained in the District's official records; (2) appoint Paula Vitello to fill the vacancy on the Board; (3) accept the Sworn Statement, Oath of Office, and Official Bond of Director Vitello and direct that these documents be filed appropriately and retained in the District's official records; (4) appoint Director Vitello as Secretary; (5) authorize filing of the updated District Registration Form with the TCEQ; and (6) approve and authorize execution of the list of Local Government Officers and direct that the list be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed by unanimously.

There being no further business to come before the Board, the meeting was adjourned.

(SEAL)




Secretary, Board of Directors

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