

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

January 3, 2024

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 January, 2024, 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
Paula Vitello	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. ("Tax Tech"); Lynnette Tujague of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Justin Wagner of R.G. Miller Engineers, Inc. ("R.G. Miller"); Phil Halbert of Champions Hydro-Lawn, Inc. ("Champions"); Kelly Gard of KGA/DeForest Design, LLC ("KGA"); 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 December 6, 2023. After review and discussion, Director Stubblefield moved to approve the minutes of the regular meeting held on December 6, 2023, as submitted. Director Bridges 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 2023 tax levy had been collected as of December 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 Stubblefield seconded the motion, which passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Tujague presented the bookkeeper's report, including the investment report, a copy of which is attached, and submitted the District's bills for payment. She requested that the Board approve additional check no. 10638 to the Texas Commission on Environmental Quality ("TCEQ") in the amount of \$8,661.20 for regulatory assessment fees.

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, including check no. 10638 to the TCEQ in the amount of \$8,661.20; 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.

## 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. 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 2023. Mr. Carpenter then discussed the 2024 Program.

Ms. Miller discussed the 2024 appointment process for NFBWA Directors and submittal by the District of a Water Use Reporting Form for 2023 usage.

## DEVELOPMENT IN THE DISTRICT

Mr. Carpenter provided an update the Interim Water Supply Agreement (the "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. He stated that the Water Supply Agreement was approved by the FB 133 Board and is being reviewed by the FB 133 attorney and engineer for final confirmation.

## 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 construction of the Water Plant No. 2 Expansion No. 1 project and stated construction is 15% complete.

### 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 stated that construction is 99% complete and inspection of the project by the TCEQ is pending.

### SUB-REGIONAL DETENTION PHASE III

Mr. Wagner gave an update on construction of the sub-regional detention phase III project and stated construction is 99% complete.

He recommended that the Board approve Change Order No. 2 to the contract with Harris Construction Company, LLC ("Harris"), resulting in an increase to the contract in the amount of \$75,676.00 for quantity adjustments. After discussion, and based on the engineer's recommendation, the Board determined that Change Order No. 2 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 construction is 99% complete. He noted that hydro mulch application will be completed after construction of

the Westpark Lakes trail and landscape amenity improvements project is complete.

PARKWAY LAKES, SECTION 1, RESERVE K POND REPAIR

Mr. Wagner gave a report on the necessary repair of the concrete edge of the Parkway Lakes, Section 1, Reserve K pond and stated that R.G. Miller will coordinate with Champions and present a proposal for recommended repairs at a future Board meeting.

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 and acquisition of the necessary easements for the project.

DEEDS, EASEMENTS, APPRAISALS, CONSENTS TO ENCROACHMENT, ENCROACHMENT AGREEMENTS, ASSIGNMENT OF CAPACITY, REQUESTS FOR SERVICE, UTILITY CONVEYANCES, OUT-OF-DISTRICT SERVICE AGREEMENTS, UTILITY COMMITMENT LETTERS, PHASE I INSPECTIONS, AND CONVEYANCES OF DISTRICT PROPERTY

Mr. Carpenter presented a Utility Commitment Letter for 10 equivalent single-family sanitary sewer and water connections for a proposed retail and restaurant development located along Westpark Tollway within the District East development.

FORT BEND COUNTY SOUND WALL INSTALLATION PROJECT

The Board requested that R.G. Miller request design plans for the proposed TX-99 frontage road from Long Meadow Farms to Bellaire Boulevard from Fort Bend County and determine whether installation of a sound wall is included in the plans.

After review and discussion, Director Mathews moved to (1) approve the engineer's report; (2) approve Change Order No. 2 in the amount of \$75,676.00 to the contract with Harris for construction of the sub-regional detention phase III project, based on the engineer's recommendation and the Board's finding that the change order is beneficial to the District; and (3) approve the Utility Commitment Letter for the proposed retail and restaurant development, and direct that the letter be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed unanimously.

## 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 98.4% and reported on maintenance performed at the District's facilities.

Mr. Browne provided an update on installation of smart meters in the District and stated he anticipates that the smart meters will be installed within the next two months.

After review and discussion, Director Bridges moved to (1) approve the operator's report; and (2) authorize MDS to turn over three accounts in the total amount of \$1,287.81, 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 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 Stubblefield seconded the motion, which passed by unanimous vote.

## STORM WATER PERMITTING MATTERS

There was no discussion on this matter.

## GEOGRAPHIC INFORMATION SYSTEM ("GIS") MATTERS

There was no discussion on this matter.

## REPORT ON MAINTENANCE OF DISTRICT DETENTION PONDS AND FACILITY SITES

Mr. Halbert provided a report 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. He gave an update on construction of the trail and landscape amenity improvements project for the detention basins located in Westpark Lakes and noted that the project's three-month maintenance period ends this month. He recommended that the Board approve Pay Estimate No. 10 in the amount of \$972.00 to Triple E Landscapes ("Triple E").

Mr. Gard discussed Change Order No. 1 to the contract with Triple E to increase the contract in the amount of \$10,795.80 to replace an additional four feet of sidewalk and install two dog bowls. He noted that the cost to install two dog bowls is \$5,630.00. After discussion, and based on the engineer's recommendation, the Board determined that Change Order No. 1 is beneficial to the District.

Mr. Gard then discussed Change Order No. 2 to the contract with Triple E for the replacement of 9 dead trees at Pete's Park in the estimated amount of \$10,800.00. After discussion, and based on the engineer's recommendation, the Board determined that Change Order No. 2 is beneficial to the District.

After review and discussion, Director Bridges moved to (1) approve the landscape architect report; (2) approve Pay Estimate No. 10 in the amount of \$972.00 to Triple E for construction of the Westpark Lakes trail and landscape amenity improvements project; and (3) approve Change Order No. 2 to the contract with Triple E in the amount not to exceed \$15,000.00 to replace 9 dead trees at Pete's Park, based on the landscape architect's recommendation and the Board's finding that the change order is beneficial to the District. Director Stubblefield seconded the motion, which passed unanimously.

After discussion, Director Mathews then moved to approve Change Order No. 1 in the amount of \$5,165.80 to the contract with Triple E to replace an additional four feet of sidewalk, based on the landscape architect's recommendation and the Board's finding that the change order is beneficial to the District. Director Bridges seconded the motion, which passed unanimously. The Board concurred not to install the dog bowls at this time.

## DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

## 2024 DIRECTORS ELECTION

Mr. Carpenter discussed procedures related to the 2024 Directors Election. He reviewed a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2024 Directors Election Period.

Mr. Carpenter reported on requirements to file a Notice of Deadline to File Applications for Place on the Ballot for the 2024 Directors Election.

Mr. Carpenter stated that the District may contract with Fort Bend County to conduct the District's 2024 Directors Election.

Following review and discussion, Director Bridges moved to (1) adopt a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2024 Directors Election Period appointing Cheryl Panozzo as the agent of the Secretary of the Board of Directors to perform the duties of the District's Directors Election, authorize the agent to post the related notice as required, and direct that the Resolution be filed appropriately and retained in the District's official records; (2) authorize the Secretary's agent to post the notice as required; and (3) contract with Fort Bend County to administer the District's elections. Director Stubblefield seconded the motion, which was approved by unanimous vote.

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.

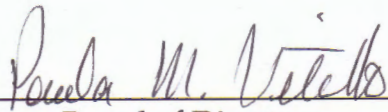
DISTRICT SECURITY MATTERS, INCLUDING APPROVAL OF PROPOSALS AND TERMINATION OF AGREEMENT WITH TODAY'S INTEGRATION, INC.

Director Matthews gave an update on security matters and stated he anticipates that installation of new security cameras for the water plant and wastewater treatment plant would be complete within 30 days of authorization. No Board action was taken.

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

(SEAL)



  
Secretary, Board of Directors

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