

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

March 6, 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 6th day of March, 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: Milton Allen of Parkway Lakes Development, Inc.; Alex Flores of Tax Tech, Inc. ("Tax Tech"); Wendy Austin and Roshell Arterburn of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Mark Gehringer and Marco Montes 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 Aaron Carpenter and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Carpenter reported that the District received an inquiry from Jeannette Hall regarding whether the District plans to contract with Fort Bend County for law enforcement services. Discussion ensued.

MINUTES

The Board reviewed the minutes of the regular meeting held on February 7, 2024. After review and discussion, Director Stubblefield moved to approve the minutes of the regular meeting held on February 7, 2024, as submitted. Director Mathews 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 88.23% of the 2023 tax levy had been collected as of February 29, 2024. 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 Stubblefield seconded the motion, which passed by unanimous vote.

RENEWAL OF DISTRICT'S INSURANCE POLICIES

The Board deferred this matter to next month.

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 Stubblefield moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Vitello seconded the motion, which passed by unanimous vote.

AUTHORIZE PREPARATION OF PROJECT AUDIT FOR ECONOMIC DEVELOPMENT GRANT PAYMENT TO MRPL RETAIL PARTNERS, LTD., AND MRPL RETAIL PARTNERS II, LTD., BY AUDITOR

Mr. Carpenter stated that the Board previously engaged Mark C. Eyring, CPA, PLLC, to conduct the annual supplemental project audit for the annual Economic Development Grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd. After discussion, Director Mathews moved to authorize Mark C. Eyring, CPA, PLLC, to proceed with conducting the supplemental project audit for the annual Economic Development Grant payment. Director Stubblefield seconded the motion, which passed by unanimous vote.

AUTHORIZE PREPARATION OF THE PROJECT AUDIT RELATED TO THE ROAD DEVELOPMENT FINANCING AGREEMENT WITH MERITAGE HOMES OF TEXAS, LLC

Mr. Carpenter reported the auditor already conducted a project audit related to payment to Meritage Homes of Texas, LLC ("Meritage") in connection with the Road Development Financing Agreement and that a supplemental project audit for payment due to Meritage for the year 2023 is not needed. He noted that an item for approval of payment to Meritage for the year 2023 will be included on the agenda next month.

APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME IN ACCORDANCE WITH THE DISTRICT'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15C2-12

Mr. Carpenter reviewed the District's annual report containing the District's most recent Official Statement and audit to be filed in accordance with the continuing disclosure provisions contained in the bond resolutions. He stated that the District is required to file the annual report with the Municipal Securities Rulemaking Board

through the Electronic Municipal Market Access System (“EMMA”). Following review and discussion, Director Mathews moved to approve the annual report, authorize the attorney to submit the District’s annual report in compliance with the continuing disclosure provisions contained in the bond resolutions through EMMA, and direct that the report be filed appropriately and retained in the District’s official records. Director Bridges seconded the motion, which passed by unanimous vote.

ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District’s procedures for continuing disclosure compliance. Mr. Carpenter stated that no changes are required at this time.

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. He then provided an update on installation of smart meters in the District. After review and discussion, Director Mathews moved to approve the operator’s report. 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 Mathews 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.

REVIEW WATER CONSERVATION PLAN; APPROVE ANNUAL REPORT AND WATER CONSERVATION IMPLEMENTATION REPORT; ADOPT ORDER ADOPTING AMENDED AND RESTATED WATER CONSERVATION PLAN; AUTHORIZE SUBMITTAL TO NORTH FORT BEND WATER AUTHORITY

The Board deferred this matter to next month.

ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN

Mr. Carpenter stated that the Texas Commission on Environmental Quality ("TCEQ") rules require that the District review and adopt an Amended and Restated Drought Contingency Plan in 2024, prior to May 1st. He reviewed an Amended and Restated Drought Contingency Plan with the Board. After review and discussion, Director Mathews moved to adopt an Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject and direct that the Order be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed by unanimous vote.

REVIEW CRITICAL LOAD SPREADSHEET FOR DISTRICT FACILITIES AND AUTHORIZE ANNUAL FILING

Mr. Carpenter reviewed the Critical Load Spreadsheet for the District's facilities. He stated that the District's engineer, bookkeeper, and operator have reviewed the Critical Load Spreadsheet. After review and discussion, Director Bridges moved to authorize annual filing of the Critical Load Spreadsheet and direct that the Spreadsheet be filed appropriately and retained in the District's official records. Director Stubblefield seconded the motion, which passed by unanimous vote.

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

The Board discussed the District's Emergency Preparedness Plan and concurred that no updates are necessary.

GARBAGE AND RECYCLING SERVICE MATTERS

Mr. Carpenter stated that the Residential Solid Waste Collection Contract (the "Contract") between the District and Best Trash automatically renews on June 30, 2024, for a three-year period unless 60 days advance written notice of cancellation is given to or by either party. Following discussion, the Board concurred to allow the Contract to automatically renew for another three years.

NORTH FORT BEND WATER AUTHORITY ("NFBWA") MATTERS

Ms. Carpenter updated the Board on NFBWA matters and discussed the District's participation in the Water Provider Conservation Program (the "Program"). He reported that ABHR submitted the 2024 Program enrollment form for the District to NFBWA and discussed holding a meeting of the District's Leadership Water Conservation Committee necessary for successful completion of the 2024 Program.

DEVELOPMENT IN THE DISTRICT

Mr. Allen provided an update on development in the District. He presented a conceptual design plan, a copy of which is attached, of proposed District West detention facilities improvements, including a jogging path.

Mr. Carpenter reported that the District received a request for a short-term assignment (the "Assignment") from a developer of a portion of the District's surface water delivery rights pursuant to the Water Supply Commitment Letter Agreement. Following discussion, Director Lewis moved to authorize preparation of a valuation and feasibility analysis of the Assignment. Director Mathews seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Gehringer 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. Gehringer gave an update on construction of the Water Plant No. 2 Expansion No. 1 project and stated construction is 35% complete. He recommended that the Board approve Pay Estimate No. 2 in the amount of \$298,800.00 to Alsay Incorporated ("Alsay").

WATER, SANITARY SEWER, AND STORM SEWER FACILITIES TO SERVE LIGHT HAVEN AT DISTRICT WEST

Mr. Gehringer 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.

WESTPARK LAKES DETENTION POND REHABILITATION

Mr. Gehringer 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. Gehringer gave a report on the necessary repair of the concrete edge of the Parkway Lakes, Section 1, Reserve K pond. He discussed a proposal from

R.G. Miller in an amount not to exceed \$10,000 to identify and evaluate repair options.

FORT BEND COUNTY BELLAIRE BOULEVARD RIGHT TURN LANE PROJECT

Mr. Gehringer gave an update on design of the right turn lanes on Bellaire Boulevard to be installed by Fort Bend County and noted that ABHR is negotiating one remaining easement needed for the project with Sam's.

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. Gehringer discussed a Utility Commitment Letter for 62 equivalent single-family sanitary sewer and water connections for proposed development of a 5.34-acre school complex along the north Beechnut Road frontage and approximately 1100 feet east of S Peek Road. He noted that no taps will be issued for the development until after the Water Plant No. 2 Expansion No. 1 project is complete and the necessary non-taxable user capital improvement fee has been paid pursuant to the Rate Order.

Mr. Wagner requested the Board's approval and acceptance of the following, which are necessary for the proposed multifamily development in the District by D-W North Tract, LLC: (1) a water meter easement (0.017 acre; 0.017 acre; 0.017 acre; 0.5218 acre); (2) partial abandonment of an access easement (1.077 acre); and (3) partial abandonment of a water line easement (0.8067).

FORT BEND COUNTY SOUND WALL INSTALLATION PROJECT

Mr. Gehringer reported that R.G. Miller received design plans from Fort Bend County for the proposed TX-99 frontage road from Long Meadow Farms to Bellaire Boulevard and stated that installation of a sound wall is not included in the plans.

Mr. Gehringer discussed a proposal from R.G. Miller in an amount not to exceed \$10,000.00 to prepare a Capital Improvement Plan for the District.

After review and discussion, Director Mathews moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 2 in the amount of \$298,800.00 to Alsay for construction of the Water Plant No. 2 Expansion No. 1 project; (3) approve the proposal from R.G. Miller related to repair options for the concrete edge of the Parkway Lakes, Section 1, Reserve K pond in an amount not to

exceed \$10,000.00; (4) approve the Utility Commitment Letter for the proposed school complex, subject to final review, and direct that the letter be filed appropriately and retained in the District's official records; (5) accept and authorize execution of the following: (a) water meter easement (0.017 acre; 0.017 acre; 0.017 acre; 0.5218 acre); (b) partial abandonment of a access easement (1.077 acre); and (c) partial abandonment of a water line easement (0.8067); and (6) approve the proposal from R.G. Miller related to prepare a Capital Improvement Plan for the District in an amount not to exceed \$10,000.00. Director Stubblefield seconded the motion, which passed unanimously.

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. He reported that the District received a complaint from a District resident of trash and tree debris located at Lost Creek Detention Pond B. Following review and discussion, Director Mathews moved to authorize Champions to remove the trash and tree debris located at Lost Creek Detention Pond B at a cost not to exceed \$2,000.00. Director Bridges 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. He reported that a final project walkthrough was held yesterday. Mr. Gard recommended that the Board approve Pay Estimate No. 12 and Final in the amount of \$79,769.08 to Triple E Landscapes and acceptance of the project subject to completion of a few remaining punchlist items. Discussion ensued. No action was taken by the Board.

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.

Following discussion, Director Bridges made a motion to (1) authorize the purchase and installation of security cameras for the water plant and wastewater treatment plant; and (2) authorize termination of the agreements between the District and Today's Integration, Inc. for security system services, as appropriate given installation timelines. Director Stubblefield seconded the motion, which carried by a vote of four for the motion, with Director Mathews abstaining.

2024 DIRECTORS ELECTION

Mr. Carpenter discussed procedures related to the 2024 Directors Election. He presented a Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors executed by the Board Secretary stating that the District received three candidate applications for the two director positions for the May 4, 2024, Directors Election.

Mr. Carpenter presented an Order Cancelling Election and Declaring Unopposed Candidates Elected to Office (the "Order Cancelling") stating that the May 4, 2024, Directors Election is cancelled and that the unopposed candidates, Craig Lewis and Paula Vitello, are declared elected to office to serve from the May 4, 2024, election until the May 6, 2028, Directors Election. He reviewed the posting requirements for the Order Cancelling.

Mr. Carpenter discussed that the Board had approved entering into a contract with Fort Bend County to administer the District's 2024 Directors Election.

Following review and discussion, Director Bridges moved to (1) accept the Certificate Declaring Unopposed Status of Candidates for Election to the Board of Directors and direct that the Certificate be filed appropriately and retained in the District's official records; (2) adopt the Order Cancelling Election and Declaring Unopposed Candidates Elected to Office, authorize the Secretary's agent to post the Order Cancelling, as required, and direct that the Order Cancelling be filed appropriately and retained in the District's official records; and (3) cancel the contract with Fort Bend County for election services for the May 4, 2024 Directors Election. Director Mathews seconded the motion, which passed unanimously.


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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