

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

November 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 November, 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:

Leon Bridges	President
Ken Mathews	Vice President
Paula Vitello	Secretary
Sandy Lewis	Assistant Secretary
Reginald Stubblefield	Assistant Vice President

and all of the above were present except Directors Mathews and Stubblefield, thus constituting a quorum.

Also present at the meeting were: Rafael Go, a member of the public; Bobby Ferguson and Corey Ferguson of Parkway Lakes Development, Inc.; Cole Fuller of Pelican Builders; Craig Lewis of the North Fort Bend Water Authority ("NFBWA") and District resident; Alex Flores of Tax Tech, Inc.; Roshell Arterburn of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert, David Beyer, and Drew Anderson of Storm Water Solutions, LLC ("SWS"); Andy Mersmann and Andrew Paderanga of BGE, Inc. ("BGE"); Loren Morales of Rathmann & Associates, L.P.; and Aaron Carpenter, Cheryl Panozzo, and Julie Gerdes of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Lewis stated that a resident of the Lost Creek subdivision reported that SWS crossed through their property to access District property. He noted that he reported the issue to Mr. Halbert.

MINUTES

The Board reviewed the minutes of the regular meeting held on October 2, 2024. After review and discussion, Director Vitello moved to approve the minutes of the regular meeting held on October 2, 2024, 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. After review and discussion, Director Vitello moved to approve the tax assessor/collector's report and payment of the bills listed in the report. Director Lewis seconded the motion, which passed by unanimous vote.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Arterburn presented the bookkeeper's report, including the investment report, a copy of which is attached, and submitted the District's bills for payment.

The Board conducted an annual review of the District's Investment Policy. Mr. Carpenter reviewed a Resolution Regarding Annual Review of Investment Policy with the Board. The Board concurred that no changes were necessary to the current policy.

Mr. Carpenter then reviewed a Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions. He stated that the District's bookkeeper has provided the District with an updated list of qualified broker/dealers with whom the District may engage in investment transactions.

After review and discussion, Director Vitello moved to (1) approve the bookkeeper's report, investment report, and payment of the bills listed in the report; (2) adopt a Resolution Regarding Annual Review of Investment Policy reflecting that no changes were made to the policy and direct that such Resolution be filed appropriately and retained in the District's official records; and (3) adopt the Resolution Establishing the Authorized Depository Institutions and Adopting List of Qualified Broker/Dealers with Whom the District May Engage in Investment Transactions, and direct that such Resolution be filed appropriately and retained in the District's official records. Director Lewis seconded the motion, which passed by unanimous vote.

## AMENDMENT TO RECREATIONAL FACILITIES AGREEMENT WITH WESTHEIMER PARKWAY LAKES ASSOCIATION, INC.

Mr. Carpenter provided an update on an amendment to the Recreational Facilities Agreement with Westheimer Parkway Lakes Association, Inc.

## 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 99.9% and reported on maintenance performed at the District's facilities.

Mr. Browne gave an update on repair of sanitary sewer manholes and related sidewalks in the District and stated he anticipates that the survey of sanitary sewer manholes and meter boxes in the District will be complete within two months. Discussion ensued.

After review and discussion, Director Lewis moved to (1) approve the operator's report; and (2) authorize MDS to turn over two accounts in the total amount of \$201.46, deemed to be uncollectible, to a collection agency. Director Vitello seconded the motion, which passed unanimously.

#### 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 Lewis 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 Vitello seconded the motion, which passed unanimously.

#### GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on this matter.

#### 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 2024 Program requirements will be submitted to NFBWA by MDS, and the District is expected to fulfill the Program requirements for the year 2024.

#### DEVELOPMENT IN THE DISTRICT

Mr. Corey Ferguson and Mr. Bobby Ferguson provided an update on development in the District.

## ENGINEERING MATTERS

Mr. Mersmann 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. Mersmann gave an update on construction of the Water Plant No. 2 Expansion No. 1 project and stated R.G. Miller reported that the well acceptance package has been submitted to the Texas Commission on Environmental Quality ("TCEQ") and they anticipate that a response/approval of the well completion documents will be received from the TCEQ by November 25, 2024.

### SUB-REGIONAL DETENTION BASIN, STORM SEWER OUTFALL AND JUNCTION BOX AND WATERLINE PROJECT

Mr. Carpenter gave an update on construction of the Sub-Regional Detention Basin, Storm Sewer Outfall and Junction Box and Waterline project for the outfall from the proposed junction box to the Sub-Regional Detention Basin. He reported that the District will be responsible for construction of the project and Fort Bend County (the "County") will pay a percentage of the construction cost based on drainage service area. He requested that the Board approve a cost-sharing letter agreement with the County for construction of the project.

### WATER, SANITARY SEWER, AND DRAINAGE FACILITIES TO SERVE PACIFIC PEEK, LTD. (DISTRICT WEST MIXED USE DEVELOPMENT)

Mr. Mersmann gave an update on construction of the water, sanitary sewer, and drainage facilities to serve District West. He reported that Kimley Horn, the design engineer for the project, will perform construction management services for the project, and he requested authorization from the Board for BGE to work with Kimley Horn on project construction management. Following discussion, the Board concurred to allow BGE, Inc. to work with Kimley Horn on construction management related services for the project.

Mr. Carpenter reported that D-W North Tract, LLC will escrow the required funds for the project pursuant to the Letter Agreement between the District and D-W North Tract, LLC.

### GENERATORS AT DISTRICT LIFT STATIONS

Mr. Mersmann gave an update on the installation of generators at District lift stations and stated that BGE, Inc. will meet with MDS to plan the installation of generators during 2025 and prepare a related cost analysis for presentation to the Board at a future Board meeting.

FORT BEND COUNTY BELLAIRE BOULEVARD RIGHT TURN LANE PROJECT

Mr. Mersmann gave an update on design of the right turn lanes on Bellaire Boulevard to be installed by the County and stated he anticipates that bidding of the project will occur in the fourth quarter of 2024.

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. Mersmann discussed requests for interim sanitary sewer and water capacity commitments for the Pelican Builders and Kroozin Car Wash developments in the District until the Water Plant No. 2 Expansion No. 1 project is complete. Discussion ensued. Following discussion, the Board directed BGE to coordinate with MDS and ABHR to determine whether sanitary sewer and water connections are currently available for temporary allocation to Pelican Builders and Kroozin Car Wash.

Mr. Carpenter requested the Board's approval and acceptance of a Special Warranty Deed for the conveyance of 3.034-acre and 9.056-acre drainage tracts from a Taylor Morrison entity to the District for proposed development in the District by Taylor Morrison.

EMERGENCY PREPAREDNESS PLAN

Mr. Mersmann gave a report on preparation of the necessary update to the District's Emergency Preparedness Plan.

After review and discussion, Director Vitello moved to (1) approve the engineer's report; (2) approve the cost-sharing letter agreement with the County for construction of the Sub-Regional Detention Basin, Storm Sewer Outfall and Junction Box and Waterline project; (3) authorize the Board President to approve the temporary assignment of water supply capacity, if available, for the Pelican Builders and Kroozin Car Wash developments in the District, to be effective upon determination of available water supply capacity by the District engineer until the Water Plant No. 2 Expansion No. 1 project is complete; and (4) accept and authorize execution of the Special Warranty Deed for proposed development in the District by Taylor Morrison and direct that such document be filed appropriately and retained in the District's official records. Director Lewis seconded the motion, which passed unanimously.

## STORM WATER PERMITTING MATTERS

Mr. Beyer updated the Board on the District's Storm Water Management Plan ("SWMP") and reviewed the attached summary of objectives pursuant to the Districts' new SWMP goals. He discussed the Notice of Intent (the "NOI") and presented the updated SWMP prepared in accordance with the requirements set forth in the 2024 Texas Pollutant Discharge Elimination System General Permit No. TXR040000 for the Board's review. Following review and discussion, Director Vitello moved to approve the SWMP, authorize Director Bridges to electronically execute and submit the NOI on behalf of the District to the TCEQ, and direct that the NOI and the SWMP be filed appropriately and retained in the District's official records. Director Lewis seconded the motion, which was approved by unanimous vote.

## GEOGRAPHIC INFORMATION SYSTEM MATTERS

There was no discussion on this matter.

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

Mr. Halbert reviewed a report on maintenance of the District's detention ponds and facility sites prepared by SWS, a copy of which is attached. He presented a proposal from SWS in the amount of \$4,732.00 to install approximately 400 linear feet of bender board to prevent washout onto sidewalks at Westpark Lakes A and B. Following review and discussion, Director Vitello moved to (1) approve the report from SWS; and (2) approve the proposal from SWS in the amount of \$4,732.00. Director Lewis seconded the motion, which passed unanimously.

## DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

## DISTRICT SECURITY MATTERS

There was no discussion on this matter.

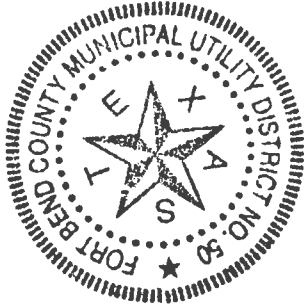
## CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, SECTION 551.076, AND SECTION 551.087 TEXAS GOVERNMENT CODE

The Board did not convene in executive session.

Due to the New Year's Day holiday, the Board concurred to hold its regular meeting in January on Monday, January 6, 2024 at 12:00 p.m. at ABHR's offices.

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

(SEAL)



Paula Vitello  
Secretary, Board of Directors

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