

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

April 2, 2025

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 April, 2025, 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, thus constituting a quorum.

Also present at the meeting were: Bobby Ferguson and Corey Ferguson of Parkway Lakes Development, Inc.; David Colunga of Taylor Morrison, Inc.; Craig Lewis of the North Fort Bend Water Authority ("NFBWA") and District resident; Rick Harsch of the North Fort Bend Redevelopment Authority; Bill Calderon of Calderon Economic Development Strategies, LLC, representing North Fort Bend Redevelopment Authority; Alex Flores of Tax Tech, Inc.; Roshell Arterburn of District Data Services, Inc. ("DDS"); Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert of Storm Water Solutions, LLC ("SWS"); Andy Mersmann of BGE, Inc. ("BGE"); Avik Bonnerjee of B&A Municipal Tax Service, LLC; and 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 March 5, 2025. After review and discussion, Director Vitello moved to approve the minutes of the regular meeting held on March 5, 2025, as submitted. Director Stubblefield seconded the motion, which passed by unanimous vote.

## REPORT ON SALES TAX AUDIT SERVICES

Mr. Bonnerjee reviewed a report on the District's sales tax revenue accounts, a copy of which is attached. He reviewed new and changed sales and use tax permits issued since the last report for businesses located within the District's boundaries.

## TAX ASSESSMENT AND COLLECTION MATTERS

Mr. Flores reviewed the tax assessor/collector's report, a copy of which is attached. He reported that 98.19% of the 2024 tax levy had been collected as of March 31, 2025. 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.

## APPROVE PROJECT AUDIT FOR AND RELATED PAYMENT OF ECONOMIC DEVELOPMENT GRANT PAYMENT TO MRPL RETAIL PARTNERS, LTD., AND MRPL RETAIL PARTNERS II, LTD

Mr. Carpenter reviewed a project audit prepared by Mark C. Eyring CPA, PLLC for the economic development grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd. He noted that the audit reflects that an economic development grant payment is due to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., in the amount of \$492,324.67 for the year 2024. After review and discussion, Director Stubblefield moved to approve the project audit for and related payment of the economic development grant payment to MRPL Retail Partners, Ltd., and MRPL Retail Partners II, Ltd., and direct that the project audit be filed appropriately and retained in the District's official records. 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. Following review and discussion, the Board directed DDS to add a footnote to explain the negative current cash balance shown on the report for the Central Bank \*\*\*362 operating account.

Mr. Carpenter discussed a project audit conducted by Mark C. Eyring CPA, PLLC for payment to Meritage Homes of Texas, LLC ("Meritage") pursuant to the Road Development Financing Agreement between the District and Meritage. He noted that a payment is due to Meritage in the amount of \$200,000 for the year 2024.

After review and discussion, Director Vitello moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report, including

payment to Meritage in the amount of \$200,000. Director Stubblefield seconded the motion, which passed by unanimous vote.

ECONOMIC DEVELOPMENT AGREEMENT AMONG THE DISTRICT, PARKWAY LAKES MASTER, LTD., AND THE NORTH FORT BEND REDEVELOPMENT AUTHORITY (THE "ECONOMIC DEVELOPMENT AGREEMENT")

Mr. Carpenter reported that Mr. Bonnerjee will work to determine the amount of generated sales tax revenue related to grant amounts that Parkway Lakes Master, Ltd. would receive from the District pursuant to the Economic Development Agreement. Discussion ensued.

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

There was no discussion on this matter.

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 95.8% and reported on maintenance performed at the District's facilities. He provided an update on the installation of smart meters in the District.

Mr. Browne reviewed proposals from Torres Construction & Irrigation, LLC ("Torres"), copies of which are included in the operator's report, to replace the fences surrounding Lift Station Nos. 2-6 in a total amount of \$62,740.00.

Mr. Browne stated that MDS provides an annual written report evaluating the effectiveness of the District's Identity Theft Prevention Program (the "Program"), identifying significant instances of identity theft detection, and describing any recommendations regarding changes to the Program. He presented a report on the District's Program. Mr. Browne stated that the report indicates no significant incidents of identity theft detection and MDS recommends no changes to the Program. The Board concurred that it was not necessary to adopt a Program amendment.

After review and discussion, Director Mathews moved to (1) approve the operator's report; (2) approve the proposals from Torres to replace the fences surrounding Lift Station Nos. 2-6 in the total amount of \$62,740.00; and (3) authorize MDS to turn over one account in the amount of \$45.42, deemed to be uncollectible, to a collection agency. Director Stubblefield 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 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 unanimously.

## GARBAGE AND RECYCLING SERVICE MATTERS

The Board discussed garbage and recycling matters.

## NFBWA MATTERS

Mr. Carpenter updated the Board on NFBWA matters. The Board discussed the District's enrollment in the 2025 NFBWA Water Provider Conservation Program.

Mr. Carpenter stated that the District entered into an Irrigation System Evaluation Cost Sharing Agreement ("Irrigation Agreement") for participation in the W.I.S.E. Guys Program in June, 2011. He stated that the W.I.S.E. Guys Program provides evaluations of residential irrigation systems for the District's customers. Mr. Carpenter stated that the Irrigation Agreement automatically renews for another year if the District does not provide notice of termination at least 60 days prior to the renewal date. Following discussion, the Board concurred to allow the Irrigation Agreement to automatically renew for another year.

## DEVELOPMENT IN THE DISTRICT

Mr. Colunga gave an update on the proposed development of an approximately 191.3-acre single-family home community by Taylor Morrison, Inc. located at the southeast corner of Grand Parkway and Beechnut Street.

Mr. Bobby Ferguson and Mr. Corey Ferguson provided updates on development in the District, including the District West development.

## 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 Engineers, Inc. reported that the contractor's electrician submitted a request to CenterPoint for a load bank test on the power supply to the site. Following discussion, the Board requested that bi-weekly updates on the project be provided to all Board members.

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

Mr. Mersmann 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 and stated that BGE reviewed design plans provided by the Richmond Community Center ("RCC") engineer. He reported that execution of a Utility Commitment Letter by RCC and necessary easements for the project are pending.

### 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 the District West mixed-use development.

### WESTPARK LAKES POND B RETAINING WALL REPAIR

Mr. Mersmann reported that BGE is coordinating with SWS on a repair recommendation and cost estimate for the Westpark Lakes Pond B retaining wall.

### GENERATORS AT DISTRICT LIFT STATIONS

Mr. Mersmann gave an update on the installation of generators at District lift stations. He noted that there are five District lift stations and the approximate construction/material cost for generator installation is \$220,000 per lift station. Mr. Mersmann presented a proposal from BGE for design and construction phase engineering services related to generator additions at Lift Station Nos. 2 and 4 in the amount of \$75,000.00.

## 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 Fort Bend County (the "County") and reported that the County is working with utility companies to relocate existing utility lines.

## CAPITAL IMPROVEMENT PLAN

Mr. Mersmann presented a proposal from BGE in an amount not to exceed \$15,000.00 for initial creation of a ten-year Capital Improvement Plan for the District and in the estimated amount of \$12,000.00 for annual updates to the plan.

## BOND APPLICATION NO. 12

Mr. Mersmann provided an update on preparation of a cost summary for bond application no. 12.

## 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 reported that the District received a request from Grand Meadow Homeowners Association (the "HOA") to use District detention facilities to host an Easter egg hunt for residents. He reviewed a District Facilities Use Agreement with the HOA.

After review and discussion, Director Mathews moved to (1) approve the engineer's report; (2) approve the proposal from BGE in an amount not to exceed \$15,000.00 for initial creation of a ten-year Capital Improvement Plan for the District and in the estimated amount of \$12,000.00 for annual updates to the plan; (3) approve the proposal from BGE for engineering services related to generator additions at Lift Station Nos. 2 and 4 in the amount of \$75,000.00; and (4) approve the District Facilities Use Agreement and direct that it be filed appropriately and retained in the District's official records. Director Lewis seconded the motion, which passed unanimously.

## STORM WATER PERMITTING MATTERS

There was no discussion on this matter.

## 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.

Mr. Halbert discussed construction debris disposed of along the entrance to the abandoned interim wastewater treatment plant site by the contractors for the Orca car wash.

Discussion ensued regarding a portion of a wrought iron fence along Bellaire Boulevard owned by the District which was damaged in a recent automobile accident.

Following review and discussion, Director Mathews moved to authorize ABHR to send a letter to the owners of the Orca carwash requesting that they remove the construction debris from along the entrance to the interim wastewater treatment plant site. Director Stubblefield seconded the motion, which passed unanimously.

## OPERATION OF DISTRICT FACILITIES (Continued)

The Board discussed removal of the material that remains at the District's abandoned interim wastewater treatment plant site. Following discussion, the Board directed MDS to provide a cost estimate for the hauling away of the remaining material next month.

## DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

## DISTRICT SECURITY MATTERS

Director Mathews provided an update on the proposal to implement unique security code access at the District's water plant and wastewater treatment plant sites and noted the proposal will be presented for Board approval at a future meeting and before the unique security code access system is implemented.

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)



  
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Secretary, Board of Directors



## LIST OF ATTACHMENTS TO MINUTES

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