

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

July 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 July, 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 Director Stubblefield, thus constituting a quorum.

Also present at the meeting were: Bobby Ferguson and Corey Ferguson of Parkway Lakes Development, Inc.; Craig Lewis of the North Fort Bend Water Authority ("NFBWA"); Alex Flores of Tax Tech, Inc.; Roshell Arterburn of District Data Services, Inc. ("DDS"); 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"); Duncan Flintoff, Andrew Ausec, Luis Alejandro, Jeff Pike, and Nova Aulwes of Quiddity; Christie Leighton of Best Trash, LLC ("Best Trash"); and Aaron Carpenter and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Ms. Panozzo reported that the District received additional correspondence from a District resident requesting that the District remove an alligator from within Westpark Lakes Pond A and that the pond be mowed and maintained on a weekly basis.

MINUTES

The Board reviewed the minutes of the regular meeting held on June 5, 2024. After review and discussion, Director Mathews moved to approve the minutes of the regular meeting held on June 5, 2024, as submitted. Director Lewis 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 98.63% of the 2023 tax levy had been collected as of June 30, 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 Lewis seconded the motion, which passed by unanimous vote.

AMENDMENT TO AMENDED AND RESTATED CONTRACT FOR ASSESSMENT AND COLLECTION OF TAXES

Mr. Flores reviewed a Second Amendment to Amended and Restated Contract for the Assessment and Collection of Taxes with Tax Tech, Inc. Following review and discussion, Director Mathews moved to approve the Second Amendment to Amended and Restated Contract for the Assessment and Collection of Taxes with Tax Tech, Inc. and direct that such agreement be filed appropriately and retained in the District's official records. Director Vitello seconded the motion, which passed unanimously.

ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2024 TAX YEAR

The Board considered the District's 2024 tax rate. Mr. Carpenter discussed the "truth-in-taxation" property tax calculations and tax levy process for water districts and stated that Chapter 49 of the Texas Water Code establishes three main categories for water districts, based on a district's development status and/or tax rate. He reviewed the definitions for each of the three categories and said the Board must annually determine the District's category for that tax year and follow the associated notice and levy provisions in the Texas Water Code.

Discussion ensued regarding the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developing District for the 2024 tax year.

Following review and discussion, Director Mathews moved to adopt a Resolution Regarding Development Status for 2024 Tax Year establishing the District as a Developing District for the 2024 tax year, pursuant to Section 49.23602, Texas Water Code, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Vitello seconded the motion, which passed by a unanimous vote.

ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") SUMMER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES, AND AUTHORIZE ATTENDANCE AT THE ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE

The Board discussed the AWBD summer conference. Ms. Arterburn noted the expenses were submitted in accordance with the District's travel reimbursement guidelines. After review and discussion, Director Mathews moved to approve reimbursement of eligible expenses for the summer conference and authorize all interested directors to attend the AWBD winter conference. Director Vitello 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. After review and discussion, Director Vitello moved to approve the bookkeeper's report, investment report, and payment of the bills listed in the report. Director Lewis seconded the motion, which passed by unanimous vote.

Ms. Arterburn requested that an item be added to the agenda for the next Board meeting for an amendment to the contract with DDS for bookkeeping services.

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 94.8% and reported on maintenance performed at the District's facilities. Mr. Browne provided an update on the installation of smart meters in the District.

Mr. Browne and Mr. Montes responded to questions from the Board related to available District water and sanitary sewer capacity.

After review and discussion, Director Mathews moved to (1) approve the operator's report; and (2) authorize MDS to turn over five accounts in the total amount of \$1,852.80, 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 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 Vitello seconded the motion, which passed unanimously.

GARBAGE AND RECYCLING SERVICE MATTERS, INCLUDING ANNUAL CPI RATE ADJUSTMENT

Ms. Leighton reviewed a letter from Best Trash, a copy of which is attached, and stated that pursuant to the First Amendment to Residential Solid Waste Collection Contract between the District and Best Trash, the annual CPI increase for 2024 is 3.8% and effective July 1, 2024, the garbage and recycling collection rate increased to \$23.73 per month per connection.

APPROVE INTERLOCAL AGREEMENT WITH THE FORT BEND SUBSIDENCE DISTRICT ("FBSD") FOR THE WATER WISE PROGRAM

Mr. Carpenter reviewed an Interlocal Agreement between the District and the FBSD for participation in the WaterWise program and noted that the agreement provides for sponsorship of a maximum of 160 students at Hubanek Elementary for the 2024-2025 school year. Following review and discussion, the Board directed ABHR to contact FBSD and determine whether the District has to option to sponsor McNeill Elementary. The Board concurred to consider approving the Interlocal Agreement at the next meeting.

NFBWA MATTERS

Mr. Carpenter updated the Board on NFBWA matters and discussed the District's participation in the Water Provider Conservation Program.

DEVELOPMENT IN THE DISTRICT

Mr. Corey Ferguson and Mr. Bobby Ferguson provided an update on development in the District. Mr. Bobby Ferguson presented a rendering of proposed improvements to the 3.61-acre detention pond (the "Detention Pond") located at the southwest corner of Peek Road and Westpark Tollway and of proposed improvements for the 2.2-acre pipeline tract (the "Pipeline Tract"), including connecting trail, and estimated costs associated with each, copies of which are attached. He discussed dedicating the Detention Pond and Pipeline Tracts to the District and requested reimbursement from the District for the land conveyances and the proposed improvements. Following review and discussion, the Board concurred to further

discuss funding sources for improvements in the District, including the proposed Detention Pond and Pipeline Tract improvements, at future Board meeting(s).

ENGINEERING MATTERS

Mr. Montes 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. Montes gave an update on construction of the Water Plant No. 2 Expansion No. 1 project and stated construction is 80% complete. He recommended that the Board approve Pay Estimate No. 5 in the amount of \$117,090.00 to Alsay Incorporated ("Alsay").

The Board reviewed a proposal from Storm Water Solutions, LLC in the amount not to exceed \$25,000.00 for coordination and remediation efforts related to the Water Plant No. 2 diesel spill pursuant to the implementation of the District's Stormwater Management Program. Mr. Montes stated that Alsay is responsible for payment of the costs related to coordination and remediation efforts related to the diesel spill.

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

Mr. Montes 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 and stated that the project is complete. He stated BGE, Inc. recommends that the Board approve Pay Estimate No. 5 and Final in the amount of \$32,664.23 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 and acceptance of the project.

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

Mr. Montes gave a report on design 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 then discussed a proposal from R.G. Miller in the amount of \$84,653.00 for advertising, bidding, and construction management services for the project.

FORT BEND COUNTY BELLAIRE BOULEVARD RIGHT TURN LANE PROJECT

Mr. Montes gave an update on design of the right turn lanes on Bellaire Boulevard to be installed by Fort Bend County.

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 6 equivalent single-family sanitary sewer and water connections for the proposed Grand Park Professional Phase III.

CAPITAL IMPROVEMENT PLAN ("CIP")

Mr. Montes reviewed a proposed CIP for the District, a copy of which is attached to the engineer's report.

Mr. Montes reviewed an analysis and proposal of repair options for the concrete edge of the Parkway Lakes, Section 1, Reserve K pond, a copy of which is included in the engineer's report. Following review and discussion, the Board tabled this item.

Mr. Montes then reviewed a proposal from R.G. Miller in the amount of \$26,250.00 for Facility Inspections of the Districts water plants, wastewater treatment plant, and lift stations, a copy of which is included in the engineer's report.

After review and discussion, based on the engineer's recommendation, Director Mathews moved to (1) approve the engineer's report; (2) approve the proposal from Storm Water Solutions, LLC in the amount not to exceed \$25,000.00 and direct that it be filed appropriately and retained in the District's official records; (3) approve Pay Estimate No. 5 in the amount of \$117,090.00 to Alsay for construction of the Water Plant No. 2 Expansion No. 1 project; (4) approve Pay Estimate No. 5 and Final in the amount of \$32,664.23 to R Construction for construction of the water, sanitary sewer, and storm sewer facilities to serve the Light Haven at District West development and accept the project; (5) approve the proposal from R.G. Miller in the amount of \$84,653.00 and authorize R.G. Miller to advertise for bids for construction of the Sub-Regional Detention Basin - Storm Sewer Outfall project; (6) approve the Utility Commitment Letter for the proposed Grand Park Professional Phase III, subject to final review, and direct that the letter be filed appropriately and retained in

the District's official records; and (7) approve the proposal from R.G. Miller in the amount of \$26,250.00 for Facility Inspections. Director Vitello seconded the motion, which passed unanimously.

STORM WATER PERMITTING MATTERS

There was no discussion on this matter.

GEOGRAPHIC INFORMATION SYSTEM ("GIS") MATTERS

Mr. Flintoff provided a demonstration of the District's GIS. Discussion ensued.

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 Champions, a copy of which is attached. He reported that replacement of the park rules signs in the District is complete. Following review and discussion, the Board requested that Champions present a report regarding the Grand Meadows dry retention pond holding water next month.

The Board discussed delegating authority for District maintenance project approvals between Board meetings to prevent delay of necessary maintenance projects. Following discussion, the Board concurred to authorize either Director Bridges or Director Mathews to approve District irrigation repairs in an amount not to exceed \$4,000 and removal of trash in the District in an amount not to exceed \$1,500 between Board meetings.

DISTRICT WEBSITE MATTERS

There was no discussion on this matter.

DISTRICT SECURITY MATTERS

Director Mathews provided an update on installation of security cameras for the District's water plant and wastewater treatment plant facilities. He then discussed a proposed automated security access code system for tracking MDS employees and subcontractors who access the facility sites. Following discussion, the Board requested that Director Mathews obtain a proposal to implement unique security code access at the District's water plant and wastewater treatment plant sites for presentation at a future Board meeting.

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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