

MINUTES  
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

October 2, 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 2nd day of October, 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, 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"); Llarance Turner of Kaluza Inc., representing Lamar Consolidated Independent School District ("LCIDS"); Alex Flores of Tax Tech, Inc.; Roshell Arterburn of District Data Services, Inc.; Calvin Browne of Municipal District Services, LLC ("MDS"); Phil Halbert of Storm Water Solutions, LLC; Andy Mersmann of BGE, Inc.; Duncan Flintoff of Quiddity Engineering ("Quiddity"); and Aaron Carpenter and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

Mr. Turner provided a presentation regarding the proposed LCISD Elementary School No. 37 (the "School") in the District scheduled to open for operation by Fall 2026. He reported that LCISD is requesting that the District construct the public water, sewer and drainage improvements to serve the School and LCISD will finance the associated expenses. Discussion ensued.

MINUTES

The Board reviewed the minutes of the special meeting held on August 29, 2024, and the regular meeting held on September 4, 2024. After review and discussion, Director Mathews moved to approve the minutes of the special meeting held on August 29, 2024, and the regular meeting held on September 4, 2024, as submitted. Director Stubblefield 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 Mathews moved to approve the tax assessor/collector's report and payment of the bills listed in the report. Director Vitello seconded the motion, which passed by unanimous vote.

## REPORT ON SALES TAX AUDIT SERVICES

The Board reviewed the Sales Tax Audit Report dated September, 2024, prepared by B&A Municipal Tax Service, LLC. Following review and discussion, the Board directed that the Sales Tax Audit Report be filed appropriately and retained in the District's official records.

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

## 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 98.0% and reported on maintenance performed at the District's facilities.

Mr. Browne updated the Board on the District's lead and copper service line inventory (the "Lead & Copper Inventory"), as reflected in the operator's report. He reported that MDS completed the Lead & Copper Inventory for the District, as required by the EPA, and it has been determined that the system has no lead service lines or galvanized requiring replacement service lines.

Mr. Browne gave an update on the repair of sanitary sewer manholes located at 7223 Still Haven Drive and 21419 Bedias Creek Drive and the related sidewalks. Discussion ensued.

After review and discussion, Director Stubblefield moved to (1) approve the operator's report; (2) authorize MDS to conduct a survey and prepare a report on

sanitary sewer manholes and meter boxes in the District; and (3) authorize MDS to turn over four accounts in the total amount of \$1,054.24, deemed to be uncollectible, to a collection agency. Director Mathews 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 Stubblefield 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 Mathews seconded the motion, which passed unanimously.

#### GARBAGE AND RECYCLING SERVICE MATTERS

There was no discussion on this matter.

#### NFBWA MATTERS

Mr. Lewis updated the Board on NFBWA matters. He reported that the NFBWA Board anticipates no fee increases for 2025.

#### DEVELOPMENT IN THE DISTRICT

Mr. Corey Ferguson and Mr. Bobby Ferguson provided an update on development in the District. Mr. Bobby Ferguson presented a conceptual rendering of the proposed District West mixed-use development ("District West") to be located off of FM 1093 between Peek Road and Kelsey Seybold Lane, a copy of which is attached.

Mr. Carpenter reviewed a Letter Agreement with D-W North Tract, LLC related to construction of the water, sanitary sewer, and drainage facilities to serve District West (the "Letter Agreement") and D-W North Tract, LLC escrowing the required funds per the Letter Agreement.

Mr. Carpenter then reviewed an Infrastructure Financing Agreement with Pulte Homes of Texas, LP for proposed development of a portion of the approximately 191.3-acre single-family home community to be located at the southeast corner of Grand Parkway and Beechnut Street.

Following review and discussion, Director Bridges moved to (1) approve the Letter Agreement between the District and D-W North Tract, LLC; (2) approve the Infrastructure Financing Agreement between the District and Pulte Homes of Texas, LP; and (3) direct that such agreements be filed appropriately and retained in the District's official records. Director Mathews seconded the motion, which passed unanimously.

MATTERS RELATED TO CHANGE IN DISTRICT ENGINEER

EXECUTION OF LETTERS TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE ENVIRONMENTAL PROTECTION AGENCY DESIGNATING THE ENGINEER TO BE THE DISTRICT'S AGENT IN DEALING WITH THE AGENCIES

Mr. Carpenter reviewed letters to the Texas Commission on Environmental Quality ("TCEQ") and the Environmental Protection Agency ("EPA") designating BGE, Inc. as the District's agent in dealing with the agencies.

RESOLUTION CHANGING DISTRICT OFFICE AND ESTABLISHING ADDITIONAL OUT-OF-DISTRICT MEETING PLACE

Mr. Carpenter presented a Resolution Changing District Office and Establishing Additional Out-of-District Meeting Place Office reflecting: (i) establishment of an additional out-of-District meeting place at the offices of BGE, Inc., 23501 Cinco Ranch Blvd., Suite A-250, Katy, Texas 77494; and (ii) establishment of a new office of the District at BGE, Inc., 23501 Cinco Ranch Blvd., Suite A-250, Katy, Texas 77494. He noted the Resolution also lists all current meeting places outside the District and that the Board will need to publish notice of any additional out-of-District meeting places.

EXECUTION OF DISTRICT REGISTRATION FORM

The Board then considered authorizing the filing of an updated District Registration Form with the TCEQ reflecting BGE, Inc. as the District engineer.

AUTHORIZE UPDATE OF EMERGENCY PREPAREDNESS PLAN

The Board discussed necessary updates to the District's emergency preparedness plan.

AUTHORIZE UPDATE OF CRITICAL LOAD SPREADSHEET

The Board reviewed an updated Critical Load Spreadsheet for District facilities. Mr. Carpenter stated that the Critical Load Spreadsheet will be filed with the appropriate governmental agencies as required by the Water Code.

## AUTHORIZE WORK OF PRIOR ENGINEER ON CERTAIN ONGOING PROJECTS

The Board considered continuing the District's agreement with R.G. Miller Engineers, Inc. ("R.G. Miller") for the following projects: (1) Water Plant No. 2 Expansion No. 1; and (2) Sub-regional detention basin, storm sewer outfall and junction box and waterline. Mr. Carpenter noted that R.G. Miller is agreeable to continuing to perform under its current agreement with the District.

Following review and discussion, Director Bridges moved to (1) authorize execution of the letters to the TCEQ and the EPA; (2) adopt the Resolution Changing District Office and Establishing Additional Out-of-District Meeting Place Office, authorize publication of the new out-of-District meeting place, and direct that such resolution be filed appropriately and retained in the District's official records; (3) authorize filing of the updated District Registration Form with the TCEQ; (4) authorize BGE, Inc. and MDS to update the District's emergency preparedness plan; (5) authorize filing of the Critical Load Spreadsheet with the appropriate governmental agencies; and (6) authorize R.G. Miller to continue to perform under its current agreement with the District for the Water Plant No. 2 Expansion No. 1 and Sub-regional detention basin, storm sewer outfall and junction box and waterline projects. Director Stubblefield seconded the motion, which passed by unanimous vote.

## 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 a well pump has been ordered but has not yet been delivered.

### GENERATOR 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 Fort Bend 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. Carpenter discussed a water line and storm sewer easement (0.3438-acre) and an abandonment of a 0.3427-acre water line easement for the proposed Richmond Community Center development in the District.

Mr. Carpenter then discussed the District acquiring land from Taylor Morrison, Inc. needed for detention facilities for the approximately 191.3-acre single-family home community to be located at the southeast corner of Grand Parkway and Beechnut Street. He reviewed a proposal from Berg Oliver Associates, Inc. in the amount of \$3,025.00 to conduct a phase I environmental assessment.

After review and discussion, Director Mathews moved to (1) approve the engineer's report; (2) accept and authorize execution of the water line and storm sewer easement (0.3438 acre) and the abandonment of a 0.3427-acre water line easement for the proposed Richmond Community Center development and direct that the such documents be filed appropriately and retained in the District's official records; and (3) approve the proposal from Berg Oliver Associates, Inc. in the amount of \$3,025.00 and direct that the proposal be filed appropriately and retained in the District's official records. Director Bridges seconded the motion, which passed unanimously.

STORM WATER PERMITTING MATTERS

There was no discussion on this matter.

GEOGRAPHIC INFORMATION SYSTEM MATTERS

Mr. Flintoff presented Quiddity's updated 2024 hourly rates. Following review and discussion, Director Bridges moved to approve the updated 2024 hourly rates for Quiddity. Director Mathews seconded the motion, which passed unanimously.

REPORT ON MAINTENANCE OF DISTRICT DETENTION PONDS AND FACILITY SITES

Mr. Halbert gave a report on maintenance of the District’s detention ponds and facility sites. He discussed tree debris disposed of onto District property by the property owner located at 23019 Canal Road. Following review and discussion, Director Mathews moved to authorize ABHR to send a letter to the property owner located at 23019 Canal Road requesting that they remove the tree debris from the District’s property. Director Stubblefield 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

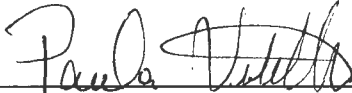
The Board did not convene in executive session.

Following discussion, the Board concurred to authorize all interested directors to attend NFBWA Board meetings.

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

(SEAL)



  
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Tax Assessor/Collector's report .....	2
Bookkeeper's report.....	2
Operator's report.....	2
Conceptual rendering of the proposed District West mixed-use development .....	3
Engineer's report.....	5