

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

OCTOBER 20, 2021

The Board of Directors (the "Board" or the "Directors") of Fort Bend County Municipal Utility District No. 37 (the "District") met in regular session at 7:00 p.m., at 1301 Misty Bend, Katy, Texas 77494 on Wednesday, October 20, 2021, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code. The roll was called of the members of the Board, to-wit:

Rudy Ammer	President
Larry W. Davis	Vice President
Kenneth L. Comeaux	Secretary
Greg Murray	Assistant Secretary
Stephen Berckenhoff	Treasurer

All members of the Board were present, except for Director Davis, thus constituting a quorum. Also attending were Kim Shelnett of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; Russ Davis of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; Clay Brandenburg and Robert Lugo of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); Will Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); Iggy Grillo with the Canterbury Development; and George Culver with LJA Engineering.

The President, after finding that the notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order and declared it open for such business as may regularly come before it.

1. Public Comment.

See below under Engineer's Report.

There being no further public comment the Board President proceeded with the regular agenda.

2. Approval of Minutes. The Board next considered approval of the meeting minutes of September 15, 2021, which were previously distributed to the Board.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the minutes as presented.

3. Bookkeeper's Report and Investment Report. Ms. Shelnett previously distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as Exhibit "A". She reviewed the written report and responded to questions. Discussion ensued.

a. Ms. Shelnutt next reviewed current and year-to-date revenue and expenditures against the District's budget for the fiscal year ending August 31, 2022.

Upon motion by Director Comeaux, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved 1) the Bookkeeper's Report and Investment Report, as presented, and 2) authorized payment of checks numbered 2250 through 2269 from the Operating Account.

4. Tax Assessor/Collector Report. The Tax Assessor/Collector's Report was presented by Mr. Davis, a copy of which is attached hereto as Exhibit "B".

a. Mr. Davis reviewed with the Board the Tax Assessor/Collector's Report. He also responded to questions from the Board.

b. Mr. Davis next reported that 92.1% of the 2020 taxes had been collected as of September 30, 2021.

c. Delinquent Tax Report. Mr. Davis then presented the proposal from Thornhill Law Firm with the Board and noted that two (2) accounts remained unpaid.

Upon motion by Director Berckenhoff, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board 1) approved the Tax Assessor/Collector's Report, as presented; 2) authorized payment of check numbers 2339 thru 2342 from the Tax Account; 3) approved the Delinquent Tax Attorney Report, including water service termination for the remaining unpaid accounts.

5. Operations Report. Messrs. Lugo and Brandenburg presented the Operations Report, a copy of which is attached hereto as Exhibit "C".

a. The operators reviewed the current operations in the District with the Board and answered questions. The operators also reported nine (9) delinquent accounts scheduled for termination due to non-payment of water and sewer bills. No members of the public wished to comment on termination of water for non-payment of the water and sewer bills. Discussion ensued. The Board then requested the Operator to tag and place door knockers, as a courtesy for any account that has above 7 gallons/minute.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board authorizing the Operator to tag and place door knockers, as a courtesy to any account that had above 7 gallons/minute.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized the termination of service to nine (9) delinquent accounts pursuant to the District's Rate Order.

6. Engineer's Report. Mr. Strange presented the Engineer's Report, a copy of which is attached hereto as Exhibit "D".

a. Mr. Strange updated the Board on the current engineering activities in the District and responded to questions from the Board.

Mr. Iggy Grillo with Canterbury Development spoke regarding the Ivy Point Cinco Ranch Development and requested that the District conduct a utility feasibility study for the property.

Mr. Young presented and discussed the bids for the Wastewater Rehabilitation Project (the "Project"), and suggested that the bids be rejected because the bids were excessively high. Mr. Young recommended rebidding the Project in February.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board rejected the bids to the Project and authorized Water Engineers to rebid the Project in February.

b. Next, Mr. Allen Perez with KMK Development Services, LLC, updated the Board on the status of his development.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved filing a petition for annexation with the City of Houston for the KMK Development Services, LLC (10.73 acres).

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report.

7. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the Stat Report. No action was taken.

8. New Business/Annual Agenda.

a. Presentation by George Culver (LJA Engineering) on LUKE Applications Software.

Mr. Culver presented and reviewed with the Board the features of the LUKE Applications. He stated that LUKE provides a collection of services that are designed to improve the communication and reporting capabilities centered on public and private assets. LUKE Services are a combined approach designed to offer mobile and web-based applications that can be accessed by both the general public and authorized users. LUKE has dispatching services, it allows residents the ability to report items that are in need of attention, such as road conditions, sidewalks, lights. Mr. Culver stated the costs would be an annual fee is \$3,200 composed of an upfront lump sum of \$2,000 and a monthly fee of \$100.00.

The Board did not take action on this item.

b. Amend Rate Order. This item was tabled.

c. Assignment of Westside Water Contract to Quadvest, L.P. This item was tabled.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

SIGNED, PASSED and APPROVED this 17th day of November, 2021.

[DISTRICT SEAL]


Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor/Collector's Report
- C - Operations Report
- D - Engineer's Report

