

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

MAY 18, 2022

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, May 18, 2022, 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, 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; Robert Lugo of Inframark (the "Operator" or "Inframark"), operator for the District; J. William Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); Karen Sears of Storm Water Solutions; Jami Lancaster, HOA President; James Schuck, Diane Wilson and Jeffrey Gilliland.

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.

Members of the public were allowed to speak.

2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of April 20, 2022, which were previously distributed to the Board.

Upon motion by Director Murray, seconded by Director Berckenhoff, 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". Ms. Shelnett reviewed the written report and responded to questions. Discussion ensued.

Upon motion by Director Murray, seconded by Director Comeaux, 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 from the Operating Account and Central Bank.

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 98.0% of the 2021 taxes had been collected as of April 30, 2022.

c. Mr. Davis then presented and reviewed the Delinquent Tax Collection Report prepared by the Thornhill Law Firm, a copy of which is attached hereto as Exhibit "B-1". Mr. Davis noted one (1) delinquent collection account.

Upon motion by Director Berckenhoff, seconded by Director Davis, 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 2363 thru 2364 from the Tax Account; and 3) approved the Delinquent Tax Attorney Report, including one (1) delinquent collection account

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

a. Mr. Lugo reviewed the current operations in the District with the Board and answered questions.

A resident requested authorization to lower their water bill due to a sprinkler system going off every hour instead of for one hour. The Board denied this request.

Mr. Lugo presented an estimate in the amount of \$5,330 to repair/replace fire hydrants. This was tabled.

b. Next, Mr. Lugo presented and reviewed a draft copy of the 2021 Drinking Water Quality Report (the "CCR"), a copy of which is attached to the Operator's Report and it will be posted on the District's website.

Mr. Lugo also reported four (4) 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.

Upon motion by Director Berckenhoff, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized termination of service to four (4) delinquent accounts pursuant to the District's Rate Order; and 3) authorized the operator to post the CCR on the District's website.

6. Engineer's Report.

a. Mr. Strange was not present at the Board of Director meeting. The Board reviewed the Engineer's Report prepared by JNS Engineers LLC, a copy of which is attached hereto as Exhibit "D".

b. Mr. Perez gave an update to the Board regarding the status of his project. He then requested early reimbursement in June.

c. Ms. Sears of StormWater Solutions presented a proposal for getting the ditch ready for Hurricane Season. The Board approved the proposal subject to Johnson Petrov's review.

Upon motion by Director Comeaux, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board approved the proposal presented by StormWater Solutions to clean the ditches in time for Hurricane Season, subject to Johnson Petrov's review.

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

7. New Business.

a. Interlocal Agreement with Fort Bend County Commissioner's Office regarding trees. The Board discussed entering into an Interlocal Agreement with Fort Bend County Commissioner's Office for three (3) trees on behalf Pin Oak Village Park on Valley Lane. Discussion ensued.

Upon motion by Director Berckenhoff, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board approved entering into an Interlocal Agreement with Fort Bend County Commissioner's Office for three (3) trees on behalf Pin Oak Village Park on Valley Lane.

b. HOA Letter regarding Berm, a copy of which is attached hereto as Exhibit "E". The Board reviewed and discussed a request made on behalf the HOA to send a letter to the City Katy regarding trespassing along the Berm. Discussion ensued.

Upon motion by Director Murray, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved sending the HOA letter to the City of Katy specifying which sections they agreed with.

8. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the Stat Report, a copy of which is attached hereto as Exhibit "F". No action was taken.

9. Election Agenda.

a. Adopt Order Canvassing Returns and Declaring Results of Directors Election, a copy of which is attached hereto as Exhibit "G".

Mr. Petrov announced that the biennial Directors Election had been held in the District on Saturday, May 7, 2022 (the "Election") for the purpose of electing three (3) Directors to the Board. Mr. Petrov then reviewed the Election returns and reported the candidates received the following votes:

Steve Berckenhoff	68 votes
Jeff Gilliland	73 votes
Rudy Ammer	42 votes
Ken Comeaux	65 votes

Mr. Petrov noted that there was one (1) provisional vote cast in the Election. Mr. Petrov next stated that, based on the Election returns, and upon adoption of the Order Canvassing the Election, Steve Berckenhoff, Jeff Gilliland and Ken Comeaux have been elected to the Board to serve four (4) year terms of office to expire in May 2026.

Upon motion by Director Comeaux, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board voted unanimously to adopt an Order Canvassing Returns and Declaring Results of Directors Election, thereby declaring Steve Berckenhoff, Jeff Gilliland and Ken Comeaux as duly elected members of the Board.

b. Certificates of Election.

Mr. Petrov then delivered the Certificates of Election for Directors Davis and Murray, copies of which are attached hereto as Exhibit "H".

c. Qualification of Directors.

Mr. Petrov then presented the Director Qualification Affidavits, copies of which are attached hereto as Exhibit "H", to Directors Berckenhoff, Gilliland and Comeaux, who executed same, thereby verifying their qualifications to serve as Directors of the District.

d. Administration of Oaths of Office.

Mr. Petrov next presented Directors Berckenhoff, Gilliland and Comeaux with their sworn Statement of Elected/Appointed Officer, copies of which are attached hereto as Exhibit "H", as required by the Texas Constitution, which statement was then duly executed by Directors Berckenhoff, Gilliland and Comeaux. Mr. Petrov then proceeded to administer the Oaths of Office to Directors Berckenhoff, Gilliland and Comeaux, copies of which are attached hereto as Exhibit "H".

e. Elect officers. The Board next considered electing officers for the Board and the Directors' positions will be as follows:

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

Upon motion by Director Murray, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the Certificates of Election, Qualification of Directors, Administration of Oaths of Office and Election of Officers.

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

SIGNED, PASSED and APPROVED this 15th day of June, 2022.




Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor/Collector's Report
- B-1- Delinquent Tax Attorney Report
- C - Operations Report
- D - Engineer's Reports
- E - HOA Letter
- F - City of Katy Emergency Services Monthly Stat Report
- G - Canvassing Order
- H - Certificates of Election, Qualification of Directors, Administration of Oaths of Office