

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

DECEMBER 20, 2023

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, December 20, 2023, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code. The roll was called, the members of the Board, to-wit:

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

All members of the Board were present, thus constituting a quorum. Also attending were Kim Shelnutt of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; Lucian Landreville of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; Clay Brandenburg and Randy Davila of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange of JNS Engineers LLC (the "Engineer" or "JNS") engineer for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); Bryan Matthey, a resident of the District; Rick Lawler and Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District.

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. Director Gilliland read a letter to the Board from a resident who's water meter needs to be fixed. There being no further public comment, the President directed the Board to proceed with the agenda.

2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of November 15, 2023, which was previously distributed to the Board.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of November 15, 2023, as presented.

3. Bookkeeper's Report and Investment Report. Ms. Shelnutt previously distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as

Exhibit "A". Ms. Shelnutt reviewed the written report and responded to questions. Discussion ensued.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Bookkeeper's Report and Investment Report, as presented and 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. Landreville, a copy of which is attached hereto as Exhibit "B".

a. Mr. Landreville reviewed with the Board the Tax Assessor/Collector's Report. Mr. Landreville also responded to questions from the Board. He reported that 99.1% of the 2022 taxes and 7.5% of the 2023 taxes had been collected as of November 30, 2023.

b. Delinquent Tax Collection Report. There was no report to present at this time.

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

a. Mr. Davila discussed with the Board the replacement of the interconnect meter between the District and Harris-Fort Bend County MUD No. 5.

Upon motion by Director Gilliland, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board approved splitting the cost of replacing the interconnect meter between the District and Harris-Fort Bend County MUD No. 5.

Mr. Davila next reviewed the current operations in the District with the Board and answered questions. Mr. Davila also reported there was one (1) collection account and twelve (12) 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.

b. Renew emergency response procedures, amend as necessary.

c. Discussion and possible action regarding amending the District's Rate Order regarding delinquent fees and deposits. Discussion ensued.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved amending the District's Rate Order by amending Section 2.9, Deposit, to secure payment to require a deposit for irrigation connections.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the Operations Report; and 2) authorized transferring one (1) collection account to collections and the termination of service to twelve (12) delinquent accounts pursuant to the District's Rate Order.

6. Engineer's Report. The Board reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "D".

a. Mr. Strange reviewed the Engineer's Report and responded to questions from the Board.

b. Update on service request by Developers, if any including annexation requests. See Engineer's Report.

c. Update on Engineering/Construction projects, if any.

d. Update and possible action on other projects within the District. See Engineer's Report.

e. Update and possible action regarding reimbursement to KMK. This was tabled until the January Board of Director's meeting.

f. Update and possible action regarding the Drainage Ditch Reimbursement Agreement with KMK. No action was taken on this matter at this time.

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

7. New Business/Annual Agenda.

a. a. Website Rate Increase. The monthly maintenance rate for the District's website will increase from \$62.50 to \$85.00 per month effective December 1, 2023, a copy of which is attached hereto as Exhibit "E".

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board accepted the fee increase for the monthly maintenance of the District's website from \$62.50 to \$85.00 per month effective December 1, 2023.

b. 2024 Annual Agenda. The Board reviewed the 2024 Annual Agenda.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the 2024 Annual Agenda subject to certain revisions.

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. Appointment of Designated Agent. Mr. Petrov discussed appointment of Johnson Petrov as the District's designated agent for the May 4, 2024 Directors Election and that such notice appointing Johnson Petrov will be properly posted.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved designating Johnson Petrov as Designated Agent.

b. Notice of Deadline to File Applications for Place on Ballot. Mr. Petrov updated the Board concerning the May 4, 2024 Directors Election. He stated that two (2) Directors are up for reelection and that the first date to submit an application for place on the ballot is January 17, 2024 and the deadline to submit an application for place on ballot is February 16, 2024.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board accepted posting Notice of Deadline to File Applications for Place on Ballot as required.

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

SIGNED, PASSED and APPROVED this 17th day of January, 2024.




Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor-Collector / Delinquent Tax Report
- C - Operations Report
- D - Engineer's Report
- E - Website Agreement
- F - City of Katy Stat Report