

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

SEPTEMBER 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, September 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; Randy Davila of Inframark (the "Operator" or "Inframark"), operator for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); 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. There being no 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 August 16, 2023, and the special meeting minutes of August 21, 2023, which were previously distributed to the Board.

Upon motion by Director Davis, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of August 16, 2023 subject to certain revisions and the special meeting minutes of August 21, 2023, as presented.

Ms. Shelnutt entered the meeting at this time.

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 Gilliland, seconded by Director Murray, 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 99.0% of the 2022 taxes had been collected as of August 31, 2023.

b. Delinquent Tax Collection Report, prepared by The Thornhill Law Firm, P.C., a copy of which is attached hereto as Exhibit "B-1." The Board reviewed the report. No action was needed at this time.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board 1) approved the Tax Assessor/Collector's Report, as presented; and 2) authorized payment of check numbers 2428 thru 2431 from the Tax Account.

c. Public Hearing. The President opened the public hearing on the 2023 tax rate, reporting that the notice of which was published, as required, in the Katy Times for seven (7) days prior to the meeting, a copy of which is attached hereto as Exhibit "B-2". The President asked if there was any comment from the public.

There was no public comment on the tax rate. The President closed the public hearing.

d. Order Setting Rate and Levying Tax for 2023. The Board next considered the Order Setting Rate and Levying Tax for 2022 which proposes a total ad valorem tax rate of \$0.450537 per \$100 assessed valuation for maintenance and operation purposes only, a copy of which is attached as Exhibit "B-3."

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, with a total ad valorem tax rate of \$0.450537 per \$100 assessed valuation for maintenance and operation purposes only.

e. Amended District Information Form. The Board then discussed approval of an Amended District Information Form, a copy of which is attached hereto as Exhibit "B-4", which is required to be amended to show the current tax rate, any outstanding debt, of which there is none, and the Notice to Purchasers form, and is to be recorded in the Fort Bend County Real Property Records (the "FBCRPR") and filed with the Texas Commission on Environmental Quality (the "TCEQ").

Upon motion by Director Davis, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the Amended District Information Form, and authorized JP to record same in the FBCRPR and file it with the TCEQ, as required by law.

f. Order Appointing Tax Assessor Collector. The Board next considered appointing a Tax Assessor/Collector for collection of 2023 taxes, a copy of which is attached hereto as Exhibit "B-5".

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board adopted the Order Appointing Tax Assessor/Collector, appointing Equi-Tax, Inc. as Tax Assessor/Collector for the District.

g. Resolution Concerning Tax Collection Procedures. The Board next consider adopting the Resolution Concerning Tax Collection Procedures, a copy of the resolution is attached hereto as Exhibit "B-6".

Upon motion by Director Davis, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board voted to adopt the Resolution Concerning Tax Collection Procedures, thereby rejecting the optional tax payment options.

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

a. Mr. Davila next reviewed the current operations in the District with the Board and answered questions. Mr. Davila also reported seven (7) 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 Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Operations Report; and 2) authorized termination of service to seven (7) 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. The Board reviewed the Engineer's Report.

b. Update on service request by Developers, if any including annexation requests. No updates at this time.

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

a. Update on Engineering/Construction projects, if any. See Engineer's Report.

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

7. New Business.

a. Annual Review of Investment Policy. Mr. Petrov stated that reviewing the Investment Policy was an annual requirement of the Texas Public Funds Investment Act, but that no changes were being proposed at this time. The Board reviewed the Investment Policy. No action was taken.

b. Discussion and consideration regarding Enstor Gas Storage Facility Assignment and take any action deemed necessary. No Action was taken.

c. Ethics Policy. The Board tabled reviewing this policy.

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

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

SIGNED, PASSED and APPROVED this 18th day of October, 2023.




Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor-Collector Report
- B-1- Delinquent Tax Report
- B-2- Tax Rate Publication Notice
- B-3- Order Setting Rate and Levying Tax for 2023
- B-4- Amended District Information Form
- B-5- Order Appointing Tax Assessor Collector
- B-6- Resolution Concerning Tax Collection Procedures
- C - Operations Report
- D - Engineer's Report
- E - City of Katy Stat Report