

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

APRIL 21, 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., via Teleconference on Wednesday, April 21, 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:

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

All members of the Board were present, thus constituting a quorum. Also attending either in person or by Teleconference were Kim Shelnett of Myrtle Cruz, Inc. (the "Bookkeeper" or "MCI"), bookkeeper for the District; David Ferrier of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; Bob Ring of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); Ray Young, P.E. of Water Engineers, Inc. (Project Engineer); Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); Nino Corbett, a property owners in the District; Yunus Dogan of Broadway Construction; Mehdi Nezami, P.E. of Stantec; Allen A. Aydogdu of Panther Hill Apartments; and Joshua Garcia with USA Waste Solutions ("USA Waste").

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.

Mr. Corbett stated that he is still thinking of developing his remaining three and a half (3-1/2) acres in the District in the near future and just wanted to remind the Board that he may have capacity needs for that property. He thanked the Board for all of their work.

2. Approval of Minutes. The Board next considered approval of the meeting minutes of March 17, 2021, which was previously distributed to the Board.

Upon motion by Director Murray, seconded by Director Davis, 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. Shelnutt 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 first reviewed the written report and responded to questions from the Board. She noted that a \$10,000 deposit from Broadway Construction was received.

b. Ms. Shelnutt next reviewed current and year-to-date revenue and expenditures against the District's budget for the fiscal year ending August 31, 2021.

Upon motion by Director Davis, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the Bookkeeper's Report and Investment Report, as presented, authorized payment of checks numbered 2106 through 2125 from the Operating Account.

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

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

b. Mr. Ferrier next reported that 89.5% of the 2020 taxes had been collected as of March 31, 2021.

c. The Board reviewed the Delinquent Tax Collection Report attached hereto as Exhibit "B-1", prepared by Thornhill Law Firm with the Board and noted that one (1) account remained unpaid and once account was terminated.

Upon motion by Director Ammer, seconded by Director Murray, 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 2313 thru 2318 from the Tax Account; and 3) approved the Delinquent Tax Attorney Report, including water service termination for the remaining unpaid account.

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

a. Mr. Ring reviewed the current operations in the District with the Board and answered questions. Mr. Ring also reported there were fifteen (15) 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.

b. Next, Mr. Petrov distributed a draft letter to Quadvest concerning the meter under-read issue. Discussion ensued. The Board requested that the letter be finalized and sent to Quadvest as soon as possible.

Upon motion by Director Murray, seconded by Director Ammer, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and

2) authorized termination of service to fifteen (15) delinquent accounts pursuant to the District's Rate Order; and 3) authorized Johnson Petrov to finalize and send the letter to Quadvest.

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

a. Mr. Dogan, a representative of Broadway Construction presented his plans for an apartment project with some commercial. The Project will be in two (2) phases and he anticipates starting the project in 2022 and would need wastewater capacity of approximately 75,000 GPD. The estimated value of the project is \$50-100 million. Director Berckenhoff asked the Engineer if this property is within the boundaries of the District. Mr. Strange responded, no, it would need to be annexed. It was noted that Broadway Construction provided a \$10,000 deposit for a review of the feasibility of service from the District. Director Berckenhoff then requested a letter of understanding as to exactly what the \$10,000 deposit will cover.

b. Mr. Perez updated the Board on his development. He discussed the water line and City of Houston requirement to loop the line. He stated that looping the line would add an additional \$150,000 to the water line cost, and he requested the Board to consider approval of the bids, route, change order for costs and amendment to the Developer Agreement to include the cost of the loop.

Upon motion by Director Comeaux, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the bids, route, change order for costs and amendment to the Developer Agreement to include the cost of the loop.

c. Mr. Strange reported on a review of the District's facilities. He reported that the District does not need to do a Risk Assessment at this time as the number of customers served is below the number required by EPA regulations.

Mr. Young presented a preliminary proposal for the wastewater treatment plant expansion and responded to questions from the Board.

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

7. New Business/Annual Agenda.

a. Next, the Board reviewed and discussed the Garbage Collection Contract with USA Waste Solutions, LLC, a copy of which is attached hereto as Exhibit "E".

Upon motion by Director Ammer, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the Garbage Collection Contract with USA Waste.

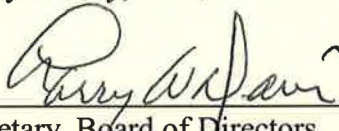
b. NFBWA Resolution Adopting Policy and Procedures for February 2021 Freeze Event Fee Adjustment Credits. No action was taken.

8. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the March Stat Report.

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

SIGNED, PASSED and APPROVED this 19th day of May, 2021.

[DISTRICT SEAL]


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 Report
- E - Garbage Collection Contract with USA Waste Solutions, LLC

