

**FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37**

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**NOVEMBER 18, 2020**

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, November 18, 2020, 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/Investment Officer/Co-Tax Compliance Officer
Larry W. Davis	Secretary
Kenneth L. Comeaux	Assistant Secretary
Greg Murray	Treasurer

All members of the Board were present, with the exception of Director Comeaux, 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; and Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; David Leyendecker, of Clay & Leyendecker, Inc., engineer; Trevor Royal, Regional Manager of WCA Waste Corporation ("WCA"); and Allen Perez with the Westheimer Parkway Project ("Developer").

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 October 21, 2020, which was previously distributed to the Board. Upon motion by Director Davis, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the minutes subject to a correction.

3. Bookkeeper's Report and Investment Report. Ms. Shelnett 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. Shelnett first reviewed the written report and responded to questions from the Board.

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

Upon motion by Director Ammer, seconded by Director Davis, 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 2000 through 2020 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 "C".

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 4.3% of the 2020 taxes had been collected as of October 31, 2020.

c. The Board then reviewed the Delinquent Tax Collection Report prepared by Thornhill Law Firm with the Board and noted that three (3) accounts remained unpaid. Should the accounts remain unpaid by November 27, they will be given to the Operator for water service termination.

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 2) authorized payment of check numbers 2285 thru 2289 from the Tax Account and 3) approved the Delinquent Tax Attorney Report, including water service termination for the remaining unpaid accounts if such accounts have not been cured by November 27<sup>th</sup>.

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

a. Mr. Ring reviewed the current operations in the District with the Board and answered questions. He discussed request from a customer concerning a repair to the district's sewer line, Mr. Ring forwarded the request to the Board.

b. Next, Mr. Ring also reported there were seventeen (17) 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.

Upon motion by Director Davis, seconded by Director Ammer, after full discussion and with all Directors present voting aye, the Board approved the Operations Report and 2) authorized termination of service to seventeen (17) delinquent accounts pursuant to the District's Rate Order.

6. Engineering Report. Mr. Leyendecker was not presented at tonight's meeting.

7. New Business/Annual Agenda.

a. Annual Review of Emergency Water Contract with H-FBCMUD Nos. 1 and 5. The Board reviewed the contract and determined no action was needed at this time.

b. Annual review of Westheimer Parkway Landscape Maintenance Contract.  
The Board reviewed the contract and determined no action was needed at this time.

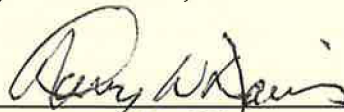
c. Annual review of Emergency Water Supply Contract with the City of Katy.  
The Board reviewed the contract and determined no action was needed at this time.

d. Discussion and possible action concerning Districts Rate Order. The Board discussed the proposed agreement with the City of Katy. Discussion also ensued regarding a need to amend the rate order to account for the City of Katy Fire/EMS Agreement. The Board will continue this item at the December meeting.

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

SIGNED, PASSED and APPROVED this 16<sup>th</sup> day of December, 2020.

[DISTRICT SEAL]

  
Secretary, Board of Directors

EXHIBITS:

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

