

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

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**APRIL 20, 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, April 20, 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 and Lucian Landreville of Equi-Tax, Inc. (the "Tax Assessor/Collector" or "Equi-Tax"), tax assessor/collector for the District; Clay Brandenburg of Inframark (the "Operator" or "Inframark"), operator for the District; Alan P. Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Joshua Garcia with USA Waste Solutions, Allen Perez with the Westheimer Parkway Project ("Developer"); Jami Lancaster, HOA President; and Bryan Matthey.

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.

Jami Lancaster stated that she had been in communication with the City of Katy regarding the berm issue with people trespassing. She requested No Trespassing signs and planting to discourage trespassing, as well as removal from Google Maps. She requested the District to relay this request to the Katy Management District.

Mr. Matthey asked about attachment to the District's Minutes and Mr. Petrov responded that the District's website was being updated.

2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of March 16, 2022, which were previously distributed to the Board.

Upon motion by Director Murray, seconded by Director Comeaux, 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 Davis, 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 97.7% of the 2021 taxes had been collected as of March 31, 2022. Discussion ensued regarding a property that may be incorrectly claiming exemptions.

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 collections account.

Upon motion by Director Berckenhoff, 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 2360 thru 2362 from the Tax Account; 3) approved the Delinquent Tax Attorney Report, including one (1) delinquent collections account; and 4) authorize tax assessor to contact Fort Bend County Central Appraisal District to review a property that may be incorrectly claiming exemptions.

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

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

b. Mr. Brandenburg reviewed with the Board the Water Provider Conservation Program formerly known as Larry's Toolbox. Discussion ensued.

Upon motion by Director Comeaux, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board the Water Provider Conservation Program.

The Board then discussed a Water Conservation Committee (the "Committee") and appointed Directors Comeaux and Ammer and Jamie Lancaster, the HOA president to the Committee to set a high water user threshold at 30,000 gallons.

Next, the operators also reported nine (9) 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 Davis, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized the termination of service to nine (9) delinquent accounts pursuant to the District's Rate Order.

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 "E".

b. The Board was approached regarding a feasibility study for 26411 Westheimer Parkway. Director Ammer explained the process to request a feasibility study and the requirement of a deposit in the amount to \$10,000.

c. Next, Mr. Perez updated the Board on the status of his project.

7. New Business.

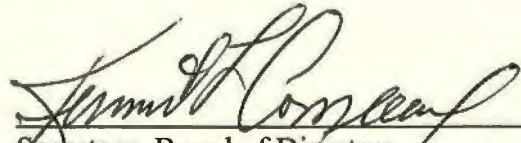
a. Renew emergency response procedures, amend as necessary. No action was taken at this time.

b. Mr. Joshua Garcia addressed the Board and acknowledged that March was a tough month. Mr. Garcia reported that he has taken the following measures to improve the garbage collection services: 1) replaced an employee, 2) revised the route schedule, and 3) ordered a new truck. Mr. Garcia stated that he would like to inform the residents on how to contact them directly and he provided three (3) lines of communication that he can be contacted. Johnson Petrov will update the District's website accordingly.

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.

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

**SIGNED, PASSED and APPROVED** this 20th day of April, 2022.

  
Secretary, Board of Directors

[DISTRICT SEAL]



EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor/Collector's Report
- B-1- Delinquent Tax Attorney Report
- C - Operations Report
- D - Engineer's Report and WWTP Construction Contract
- F - City of Katy Emergency Services Monthly Stat Report