

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

OCTOBER 18, 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, October 18, 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, with the exception of Director Berckenhoff, thus constituting a quorum. Also attending were Kim Shelnett 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; Christopher Thornhill of The Thornhill Law Firm (the "DTA" or "Thornhill"); 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. No one from the public spoke during Public Comment, therefore, 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 September 20, 2023, which was previously distributed to the Board.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of September 20, 2023, 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 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 September 30, 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." Next, the Tax Attorney asked if anyone from the public wished to speak on the matter of delinquent taxes. There being no member of the public desiring to comment.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board 1) approved the Tax Assessor/Collector's Report, including payment of check numbers 2432 thru 2434 from the Tax Account; 2) approved the Delinquent Tax Report, as presented, including the termination list and authorized the Tax Attorney to terminate service to all customers who remain unpaid.

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 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. Discussion ensued.

Upon motion by Director Davis, 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 seventeen (17) 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.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board authorized JNS, and Johnson Petrov to proceed with the reimbursement agreement for Allen Perez.

- c. Update on Engineering/Construction projects, if any. See Engineer's Report.
- d. Update and possible action on other projects within the District.

Next, the Board discussed the Interconnect with Harris-Fort Bend County MUD Nos. 1 and 5. Discussion ensued.

Upon motion by Director Gilliland, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board authorized closing the Interconnect with Harris-Fort Bend County MUD Nos. 1 and 5 after a performance test is performed on the well to determine if the water level has risen from the 21 feet of submergence.

- e. Discussion and consideration to approve JNS Engineering Hourly Rate Adjustment.

The Board tabled this at this time.

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

7. New Business.

- a. Ethics Policy. Mr. Petrov presented and reviewed the Ethics Policy, a copy of which is attached hereto as Exhibit "E."

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved adoption of the Ethics 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 "F". No action was taken.

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

SIGNED, PASSED and APPROVED this 15th day of November, 2023.



Stephen B. ...
Secretary, Board of Directors

EXHIBITS:

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