

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

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**SEPTEMBER 17, 2025**

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 17, 2025, 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:

Stephen Berckenhoff	President
Jeff Gilliland	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 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; J. William Petrov II, Attorney of Johnson Petrov LLP; Matt Petrov, Law Clerk, (the "Attorney" or "JP"), attorneys for the District; Erik Scott with Storm Water Solutions; Kevin Mathers of Mather's Construction Specialties, LLC and Hesam Saffari Miandaab.

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. The President first opened the meeting to public comment concerning the business of the District. 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 20, 2025, which was previously distributed to the Board.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of August 20, 2025, subject to certain corrections.

Director Davis entered the meeting at this time.

3. Storm Water Solutions Report. Mr. Scott presented and reviewed the Storm Water Solutions Report, a copy of which is attached hereto as Exhibit "A". Mr. Scott also responded to questions. No action was taken at this time.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board authorized JP and JNS to send a letter requiring Simon to mow the District.

4. Bookkeeper's Report and Investment Report. Ms. Shelnut previously distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as Exhibit "B". Ms. Shelnut reviewed the written report and responded to questions.

Upon motion by Director Gilliland, 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 and authorized payment of checks from the Operating Account.

5. Tax Assessor/Collector Report. Mr. Landreville presented and reviewed the Tax Assessor/Collector's Report prepared by Equi-Tax, Inc., a copy of which is attached hereto as Exhibit "C".

a. Mr. Landreville reported that 98.5% of the 2024 taxes and 99.6% of the 2023 taxes had been collected as of August 31, 2025.

b. Mr. Landreville presented check nos. 2531 through 2532 for the Board's approval. Mr. Landreville also responded to questions from the Board.

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

d. Public Hearing. The President opened the public hearing on the 2025 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 "C-2". The President asked if there was any comment from the public.

The public was afforded an opportunity to speak. After no public comment from the public on the 2025 proposed tax rate, the President closed the public hearing.

e. Order Setting Rate and Levying Tax for 2025. The Board next considered the Order Setting Rate and Levying Tax for 2025 which proposes a total ad valorem tax rate of \$0.4725 per \$100 assessed valuation for maintenance and operation purposes only, a copy of which is attached as Exhibit "C-3". The Board explained that the proposed tax rate is the same effective dollar increase that the District has historically adopted.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, with a total ad valorem tax rate of \$0.4725 per \$100 assessed valuation for maintenance and operation purposes only.



f. Amended District Information Form. The Board then discussed approval of an Amended District Information Form, a copy of which is attached hereto as Exhibit "C-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 Gilliland, seconded by Director Comeaux, 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.

g. Order Appointing Tax Assessor Collector. The Board next considered appointing a Tax Assessor/Collector for collection of 2025 taxes, a copy of which is attached hereto as Exhibit "C-5".

Upon motion by Director Comeaux, 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.

h. 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 "C-6".

Upon motion by Director Gilliland, seconded by Director Davis, 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.

Upon motion by Director Gilliland, seconded by Director Comeaux, 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 nos. 2531 through 2532 from the Tax Account.

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

a. Mr. Davila also reported six (6) 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. Mr. Davila next reviewed the District's current rate order and presented his rate order recommendations.

c. Next, Mr. Davila presented and reviewed with the Board Inframark's Fourth Amendment to Professional Services Agreement, a copy of which is attached hereto as Exhibit "D-1".

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved Inframark's Fourth Amendment to Professional Services Agreement.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board (i) authorized the termination of service to six (6) delinquent accounts, pursuant to the District's Rate Order and (ii) approved the Operations Report.

7. Engineer's Report. The Board reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "E".

Mr. Strange reviewed the Engineer's Report and responded to questions from the Board.

Mr. Strange presented and reviewed the two (2) bids for the Turf Establishment for the Ditch from Westheimer Parkway to Buffalo Bayou and recommended awarding the contract to Storm Water Solutions, the lowest qualified bidder in the amount of \$48,918.50.

Next, Mr. Strange presented and reviewed the four (4) bids received for the proposed drop structure for the Ditch at Buffalo Bayou and recommended awarding the contract to Ceballos Construction LLC, the lowest qualified bidder in the amount of \$120,000.00.

Mr. Strange reviewed Pay Estimate No. 2 and Final for the Interim Erosion Control for KMK Outfall in the amount of \$6,384.50 from Ceballos Construction LLC.

Mr. Strange also presented and reviewed Change Order No. 1 for the Interim Erosion Control for KMK Outfall from Ceballos Construction LLC, in the amount of \$4,756.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved (i) Bid from Storm Water Solutions for turf establishment in the amount of \$48,918.50; (ii) Bid by Ceballos Construction LLC for the proposed drop structure for the Ditch at Buffalo Bayou, in the amount of \$120,000; (iii) Pay Estimate No. 2 and Final for the Interim Erosion Control for KMK Outfall in the amount of \$6,384.50 from Ceballos Construction LLC; iv) Change Order No. 1 for the Interim Erosion Control for KMK Outfall from Ceballos Construction LLC, in the amount of \$4,756; and approved the Engineer's Report.

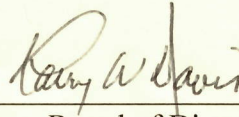
8. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the Stat Report, a copy of which is attached hereto as Exhibit "F". No action was taken.

9. Items for Future Agenda.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,** the meeting was adjourned at 8:35 p.m.



**SIGNED, PASSED and APPROVED** the 15<sup>th</sup> day of October, 2025.



Secretary, Board of Directors

[DISTRICT SEAL]



**EXHIBITS:**

- A - Storm Water Management Report
- B - Bookkeeper's Report
- C - Tax Assessor-Collector
- C-1- Delinquent Collection Tax Report
- C-2- Affidavit of Publication of 2025 Proposed Tax Rate
- C-3- Order Setting Rate and Levying Tax for 2025
- C-4- Amended District Information Form
- C-5- Order Appointing Tax Assessor Collector
- C-6- Resolution Concerning Tax Collection Procedures
- D - Operations Report
- D-1 Inframark's Fourth Amendment to Professional Services Agreement
- E - Engineer's Report
- F - City of Katy Stat Report