

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

### **MINUTES OF MEETING OF BOARD OF DIRECTORS**

**NOVEMBER 19, 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, November 19, 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 Berkenhoff	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 Shelnutt 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; 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; and Suzanne Villarreal of McCall Gibson Swedlund Barfoot Ellis PLLC, auditor 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. The President first opened the meeting to public comment concerning the business of the District. There being no public comment, the Board President proceeded with the agenda.

2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of October 15, 2025, 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 the regular meeting minutes of October 15, 2025, as presented.

3. Audit Report. Ms. Villarreal presented and reviewed the draft audit report for the fiscal year ended August 31, 2025, a copy of which is attached hereto as Exhibit "A".

Ms. Villarreal presented and reviewed the draft audit report for the fiscal year ended August 31, 2025, a copy also responded to questions from the Board.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the audit report for the fiscal year ended August 31, 2025.

4. Storm Water Solutions Report. Mr. Scott presented and reviewed the Storm Water Solutions Report along with two (2) proposals for maintenance of Mills Pond 1, copies of which are attached hereto as Exhibit "B".

Mr. Scott explained the two proposals:

Option 1. Clearing of a 30' wide strip along the East fenceline, including trimming trees up, removing vines from fence and hydro-mulching 30' wide strip, in the amount of \$6,400.00.

Option 2: Clearing of the entire pond, including removal of the vines along the East fenceline and trimming the trees along East fenceline. Clearing out the center of the pond, but the trees along the West and South fenceline will not be trimmed, in the amount of \$12,270.00.

Upon motion by Director Gilliland to approve Option No. 2, there being no second motion, the motion failed.

Upon motion by Director Comeaux, seconded by Director Murray, after full discussion and with Directors Comeaux, Murray and Davis voting aye and Directors Berckenhoff and Gilliland voting nay, the motion passes to approve Option 1 for maintenance to Mills Pond 1, in the amount of \$6,400.00.

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

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

6. 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 "D".

a. Mr. Landreville reported that 7.7% of the 2025 taxes and 98.9% of the 2024 taxes had been collected as of October 31, 2025.

b. Mr. Landreville presented check nos. 2535 through 2538 for the Board's approval. Mr. Landreville also responded to questions from the Board.

c. Delinquent Tax Collection Report. There was no report to present.

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. 2535 through 2538 from the Tax Account.

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

a. Mr. Davila also reported three (3) 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 Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board (i) authorized the termination of service to three (3) delinquent accounts, pursuant to the District's Rate Order and (ii) approved the Operations Report.

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

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

The Board discussed the North Fort Bend Water Authority Receipt and Release Form No 5, in the amount of \$3,233.55 for Chloramine Conversion Reimbursement.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board submission of the North Fort Bend Water Authority Receipt and Release Form No 5, in the amount of \$3,233.55 for Chloramine Conversion Reimbursement.

Next, the Board discussed the proposed concrete drop structure for the Ditch into Buffalo Bayou. The District would provide the Rip Rap Materials only. Discussion ensued.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved awarding the contract to Cebellos Construction for the Rip Rap Material for the Bayou Erosion Protection for the Ditch at Buffalo Bayou, in the amount of \$84,000.00, a copy of which is attached to the Engineer's Report.

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

9. Discussion and possible action to amend the District's Rate Order.

The Board reviewed suggested amendments to the Rate Order prepared by Inframark and Johnson Petrov regarding Stormwater drainage, updated enforcement of violations and daily procedures. Next the Board discussed water and sewer rates in the rate order as the District currently pays for garbage within the District.

Upon motion by Director Comeaux, seconded by Director Murray, after full discussion and with all Directors present voting aye, with the exception of Director Gilliland, who was opposed, the Board approved amending the District's Rate Order with the proposed changes to the District's water and sewer rates.

10. New Business/Annual Agenda.

a. Resolution Adopting Contact Information For Public Information Requests.

Mr. Petrov presented the Resolution Adopting Contact Information for Public Information Requests, a copy of which is attached hereto as Exhibit "G." Mr. Petrov explained that House Bill 4214, which was passed in the 89th Texas Legislature, amended Chapter 552 of the Government Code, by adding a new Subsection E and Subsection F and requiring each governmental body to notify the attorney general of any adopted mailing address and email address for public information act requests and if the District chooses not to adopt one, then any email address associated with the District is considered valid for making a public information act request.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved the Resolution Adopting Contact Information for Public Information Requests.

b. 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.

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

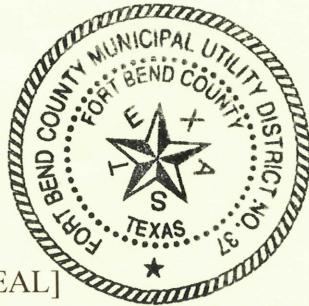
d. Annual review of Emergency Water Supply Contract with the City of Katy. The Board reviewed the contract and determined no action was needed at this time.

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

12. Items for Future Agenda.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD**, the meeting was adjourned at 8:41 p.m.

**SIGNED, PASSED and APPROVED** the 17<sup>th</sup> day of December, 2025.



[DISTRICT SEAL]

Secretary, Board of Directors

**EXHIBITS:**

- A - Draft Audit Report – FYE 8-31-25
- B - Storm Water Management Report
- C - Bookkeeper's Report
- D - Tax Assessor-Collector
- E - Operations Report
- F - Engineer's Report
- G - Resolution Adopting Contact Information for Public Information Requests
- H - City of Katy Stat Report