

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

SEPTEMBER 21, 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, September 21, 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:

Larry W. Davis	President
Kenneth L. Comeaux	Vice President
Greg Murray	Secretary
Stephen Berckenhoff	Assistant Secretary
Jeff Gilliland	Treasurer

All members of the Board were present, with the exception of Director Davis, 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; Robert Lugo of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); Justin Jenkins of McCall Gibson Swedlund Barfoot PLLC (the "Auditor"); Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"), and Diane Wilson, a residents of the District.

The Vice 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.

Ms. Wilson spoke to the Board, stating her check was lost in the mail and as a result incurred a late fee. Ms. Wilson requested the late fee be waived. She also requested reimbursement for a sprinkler head.

2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of August 17, 2022, which were previously distributed to the Board.

Upon motion by Director Murray, seconded by Director Berckenhoff, 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. Shelnutt 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 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. Landreville, a copy of which is attached hereto as Exhibit "B".

a. Mr. Landreville reviewed with the Board the Tax Assessor/Collector's Report. He also responded to questions from the Board. Mr. Landreville next reported that 99.1% of the 2021 taxes had been collected as of August 31, 2022.

b. Mr. Landreville 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. Landreville reported three (3) outstanding account holders, all accounts have been notified of 2021 tax, penalty and interest amounts that are past due. He also stated that any remaining unpaid accounts with a previous year balance will be added to the delinquent list for collection/termination of water services.

c. Public Hearing. The Vice President opened the public hearing on the 2022 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 "B-2". The Vice President asked if there was any comment from the public.

There was no public comment on the tax rate. The Vice President closed the public hearing.

d. Order Setting Rate and Levying Tax for 2022. The Board next considered the Order Setting Rate and Levying Tax for 2022 which proposes a total ad valorem tax rate of \$0.48050 per \$100 assessed valuation for maintenance and operation purposes only, a copy of which is attached as Exhibit "B-3".

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, with a total ad valorem tax rate of \$0.48050 per \$100 assessed valuation for maintenance and operation purposes only.

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

f. Order Appointing Tax Assessor Collector. The Board next considered appointing a Tax Assessor/Collector for collection of 2022 taxes, a copy of which is attached hereto as Exhibit "B-5".

Upon motion by Director Murray, seconded by Director Berckenhoff, 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.

g. 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 "B-6".

Upon motion by Director Berckenhoff, seconded by Director Murray, 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 Berckenhoff, seconded by Director Gilliland, 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 2377 thru 2380 from the Tax Account; and 3) approved the Delinquent Tax Attorney Report, including termination of delinquent accounts.

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

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

Mr. Lugo reviewed and discussed with the Board a letter that he received from Janet & James Sprague dated September 16, 2022. The Board also reviewed a letter drafted by Johnson Petrov in response to Janet & James Sprague, copies of which are attached hereto as Exhibit "C-1." Discussion ensued. The Board authorized Johnson Petrov to send the letter to Janet & James Sprague.

b. Five-Year Plan. No action taken at this time.

Mr. Lugo also reported sixteen (16) 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 Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized termination of service to sixteen (16) delinquent accounts pursuant to the District's Rate Order.

6. Engineer's Report. No action taken at this time.

7. New Business.

Reimbursement to the KMK Development. Mr. Perez updated the Board on the status of the KMK Development. The Board tabled the issue until the next meeting.

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

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

SIGNED, PASSED and APPROVED this 19th day of October, 2022.




Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor/Collector's Report
- B-1- Delinquent Tax Attorney Report
- B-2- Tax Rate Publication Notice
- B-3- Order Setting Rate and Levying Tax for 2022
- B-4- Amended District Information Form
- B-5- Order Appointing Tax Assessor Collector
- B-6- Resolution Concerning Tax Collection Procedures
- C - Operations Report
- C-1- Letters to/from Janet & James Sprague
- D - City of Katy Stat Report