

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

JANUARY 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, January 18, 2023, 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, 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 of Inframark (the "Operator" or "Inframark"), operator for the District; Jon Strange P.E. of JNS Engineers, engineer for the District ("Engineer"); Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Allen Perez with the Westheimer Parkway Project ("Developer"); Ray Young of Water Engineers, Inc. and Jon Graves

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. 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 December 21, 2022, which were previously distributed to the Board.

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of December 21, 2022 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 "B". Ms. Shelnutt reviewed the written report and responded to questions. Discussion ensued.

Upon motion by Director Murray, 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. Landreville, a copy of which is attached hereto as Exhibit "C".

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 28.3% of the 2022 taxes and 99.5% of the 2021 taxes had been collected as of December 31, 2022.

b. 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. No action was needed at this time.

Upon motion by Director Comeaux, 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; and 2) authorized payment of check numbers 2394 thru 2396 from the Tax Account.

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

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

Mr. Brandenburg also reported sixteen (16) delinquent accounts scheduled for termination due to non-payment of water and sewer bills and three (3) collection accounts totaling \$1,024.56. No members of the public wished to comment on termination of water for non-payment of the water and sewer bills. Discussion ensued.

Mr. Brandenburg next reviewed with the Board a cost estimate to repair the pump of \$11,572.80 versus to purchase and install a new pump at the Lift Station at the estimated cost of \$14,636.40. Discussion ensued.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved purchasing and installation of a new pump at the Lift Station at the cost of \$14,636.40.

Upon motion by Director Berckenhoff, 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 and three (3) collection accounts totaling \$1,024.56.

6. Engineer's Report.

a. Mr. Strange reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "E" with the Board and responded to questions.

b. Mr. Jon Graves approached the Board regarding the potential need for a new well. The Board explained that a feasibility study at the cost of \$10,000 would be required in order for the Engineer to explore such options of a new well, rehab work on the existing well or obtaining a variance from the City of Houston.

Upon motion by Director Berckenhoff, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved expenses up to \$10,000 to explore such options of a new well, rehab work on the existing well or obtaining a variance from the City of Houston.

Next, Mr. Strange reviewed Pay Application No. 5 for final payment in the amount of \$119,180.00 to SiteCon Services, Inc. and Engineers Certification of Completion WWTP Rehabilitation Project and Change Order No. 3 in the amount of \$4,150.00 to SiteCon Services, Inc. for administrative work required to be compliant with the Davis-Bacon Wage Rate Requirements, copies of which are attached to the Engineer's Report.

c. Mr. Perez then updated the Board on the status of his development.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved 1) the Engineer's Report, 2) Pay Application No. 5 for the WWTP Rehabilitation Project to SiteCon Services, Inc. in the amount of \$119,180.00 and Change Order No. 3 to SiteCon Services, Inc. in the amount of \$4,150.00 for administrative work required to be compliant with the Davis-Bacon Wage Rate Requirements.

7. New Business/Annual Agenda.

a. Eminent Domain Filings on Texas Comptroller Website (Deadline 2/1/2023). Mr. Petrov informed the Board that recently enacted SB 1812 requires public and private entities with eminent domain authority to report specific information to the Texas Comptroller by February 1, 2023. Mr. Petrov informed the Board that Johnson Petrov has completed such filing and a copy of the filing confirmation receipt is attached hereto as Exhibit "F".

8. City of Katy Emergency Services Monthly Stat Report. The Board reviewed the Stat Report, a copy of which is attached hereto as Exhibit "G".

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned at 8:55 p.m.

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



G Murray
Secretary, Board of Directors

EXHIBITS:

- A - Audit Report
- B - Bookkeeper's Report
- C - Tax Assessor/Collector's Report
- D - Operations Report
- E - Engineer's Report
- F - Eminent Domain Filing
- G - City of Katy Stat Report