

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

**MINUTES OF MEETING OF BOARD OF DIRECTORS**

**MARCH 15, 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, March 15, 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, with the exception of Director Comeaux, 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 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").

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 February 15, 2023, which were previously distributed to the Board.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved regular meeting minutes of February 15, 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 Berckenhoff, 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 95.4% of the 2022 taxes had been collected as of February 28, 2023.

Upon motion by Director Murray, 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 2404 thru 2412 from the Tax Account.

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

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 twenty (20) 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 Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board 1) approved the Operations Report; and 2) authorized termination of service to twenty (20) delinquent accounts pursuant to the District's Rate Order.

b. Discussion and possible action regarding sewer rates. Director Murray spoke to the Board regarding scheduling a special Workshop meeting for the Board to review the current water, sewer and garbage rates.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved a special Workshop meeting.

6. Engineer's Report. Mr. Strange presented the Engineer's Report, a copy of which is attached hereto as Exhibit "E".

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

b. Update on service request by Developers, if any including annexation requests. Mr. Perez then updated the Board on the status of his development.

c. Update on Engineering/Construction projects, if any.

The Board authorized Johnson Petrov (or JNS) to send a letter to the county requesting dirt for repair of the drainage ditches within the District.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved sending a letter to the county requesting dirt for repair of the drainage ditches within the District.

Mr. Strange presented and reviewed with the Board a Change Order with Jerdon, the contractor for KDA on the Board Walk Project, in the amount of \$69,537.50.

d. Update and possible action on other projects within the District. Sanjay Ahuja submitted the deposit of \$10,000 for the Feasibility Study for a proposed development on Westheimer Parkway 6 acres along with the Layout of the proposed development.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report, including the Change Order with Jerdon, the contractor for KDA on the Board Walk Project, in the amount of \$69,537.50.

7. 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 19th day of April, 2023.



*G Murray*  
Secretary, Board of Directors

**EXHIBITS:**

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