

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

SEPTEMBER 18, 2024

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 18, 2024, 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:

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

All members of the Board were present, with the exception of Director Berckenhoff, 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; 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; Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys 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. There was no public wishing to speak at this time.
2. Approval of Minutes. The Board next considered approval of the special meeting minutes of August 26, 2024, which was previously distributed to 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 special meeting minutes of August 26, 2024.

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 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.

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. Mr. Landreville also responded to questions from the Board. He reported that 99.2% of the 2022 taxes and 99.1% of the 2023 taxes had been collected as of August 31, 2024.

b. Mr. Landreville presented check nos. 2486 through 2490 for the Board's approval.

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

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 numbers 2486 thru 2490 from the Tax Account.

d. Public Hearing. The President opened the public hearing on the 2024 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 President asked if there was any comment from the public.

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

e. Order Setting Rate and Levying Tax for 2024. The Board next considered the Order Setting Rate and Levying Tax for 2024 which proposes a total ad valorem tax rate of \$0.445045 per \$100 assessed valuation for maintenance and operation purposes only, a copy of which is attached as Exhibit "B-3."

Upon motion by Director Gilliland, seconded by Director Davis, after full discussion and with all Directors present voting aye, with a total ad valorem tax rate of \$0.445045 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 "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 Comeaux, 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.

g. Order Appointing Tax Assessor Collector. The Board next considered appointing a Tax Assessor/Collector for collection of 2024 taxes, a copy of which is attached hereto as Exhibit "B-5".

Upon motion by Director Davis, 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 "B-6".

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

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

Mr. Davila next reviewed the current operations in the District with the Board and answered questions. Mr. Davila reported no excursions for the month of August.

Mr. Davila also reported seven (7) 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.

Next, the Board discussed amending the District's Water Conservation Plan and Drought Contingency Plan (the "WCP" and "DCP"), to add language requested by the TCEQ.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board authorized Inframark to amend the DCP by adding language requested by the TCEQ.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board (i) authorized termination of service to seven (7) delinquent accounts, pursuant to the District's Rate Order; and (ii) approved the Operations Report.

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

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

b. Update on service request by Developers, if any including annexation requests.

See Engineer's Report.

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

Mr. Strange requested the Board's authorization on the Notice to Proceed for Interim Erosion Control by Ceballos Construction LLC for the new detention pond KMK Development Outfall into the District's Ditch in the amount of \$22,695.00 with \$10,470.00 for alternates as needed to complete the project.

d. Update and possible action on other projects within the District. See Engineer's Report.

a. Update on Mills Point Detention Pond. Mr. Strange then requested Board consider an Agreement with Mills Point HOA concerning mowing and maintenance of the Detention Ponds and the trail system and playground equipment currently on the District's Property. Additionally, Mr. Strange requested the Board authorization to approving clearing and grading of the 2.47 acre tract known as the Detention Pond No. 1 north Mills Pointe Pond, a copy of the proposal from Storm Water Solutions is attached to the Engineer's Report.

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

7. New Business/Annual Agenda:

a. AWBD Mid-Winter Conference. Next, the Board then considered attendance at the Association of Water Board Directors – Texas (the "AWBD") the 2025 Mid-Winter Conference, Friday, January 24 thru Saturday, January 25, in Austin, Texas.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board authorized the Directors' attendance to the AWBD 2025 Mid-Winter Conference, Friday, January 24 thru Saturday, January 25, in Austin, Texas.

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

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned at 8:18 p.m.

SIGNED, PASSED and APPROVED this 16th day of October, 2024.


Secretary, Board of Directors

[DISTRICT SEAL]



EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor-Collector
- B-1- Delinquent Collection Tax Report
- B-2- Tax Rate Affidavit of Publication Notice
- B-3- Order Setting Rate and Levying Tax for 2024
- B-4- Amended District Information Form
- B-5- Order Appointing Tax Assessor Collector
- B-6- Resolution Concerning Tax Collection Procedures
- C - Operations Report
- D - Engineer's Report
- E - City of Katy Stat Report