

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

NOVEMBER 20, 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, November 20, 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 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; 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; Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC (the "Auditor") auditor for the District; Erik Scott with Storm Water Solutions; and Allen Perez of 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. Mr. Perez present and invited the Board to an Open House of the Pin Oak Office Condominium on December 13th from 3-7 p.m.

2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of October 15, 2024, which was previously distributed to the Board.

Upon motion by Director Davis, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of October 15, 2024.

3. Audit Report. Mr. Ellis presented and reviewed the draft audit report for the fiscal year ended August 31, 2024, a copy of which is attached hereto as Exhibit "A". Mr. Ellis also responded to questions from the Board.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved the audit report for the fiscal year ended August 31, 2024.

4. 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. 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 the Bookkeeper's Report and Investment Report, as presented and authorized payment of checks from the Operating Account.

5. 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. Mr. Landreville also responded to questions from the Board. He reported that 6.7% of the 2024 taxes and 99.3% of the 2023 taxes had been collected as of October 31, 2024.

b. Mr. Landreville presented check nos. 2493 thru 2498 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 "C-1". The Board reviewed the report. No action was needed at this time.

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; and 2) authorized payment of check nos. 2493 thru 2498 from the Tax Account.

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

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 October.

Mr. Davila also reported four (4) 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 Gilliland, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board (i) authorized termination of service to four (4) delinquent accounts, pursuant to the District's Rate Order; and (ii) approved the Operations Report.

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

a. Mr. Strange reviewed the Engineer's Report and responded to questions from the Board. Mr. Strange reviewed and presented engineering design proposal in the amount of \$112,020 for the Disinfection Conversation at the Water Plant to administer and seek reimbursement from the NFBWA as stated in the Letter Agreement for a Variance and the NFBWA Rate Order. Discussion ensued.

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

See Engineer's Report.

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

d. Update and possible action on other projects within the District.

e. Update and Possible Action on the Mills Pointe Detention Pond. The Board reviewed a proposal from Storm Water Solutions to serve the Pond 2 Pilot Channel Clean Out, including Hydroseeding with Promatrix, in the amount of \$19,690.00. A copy of which is attached to the Engineer's Report.

Upon motion by Director Gilliland, seconded by Director Davis, after full discussion and with all Directors present voting aye, the Board approved a proposal from Storm Water Solutions to serve the Pond 2 Pilot Channel Clean Out, including Hydroseeding with Promatrix, in the amount of \$19,690.00.

Upon motion by Director Berkenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved 1) JNS's engineering design proposal in the amount of \$112,020 for the Disinfection Conversation at the Water Plant to administer and seek reimbursement from the NFBWA as stated in the Letter Agreement for a Variance and the NFBWA Rate Order and 2) the Engineers Report.

8. New Business/Annual Agenda.

a. 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.

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

c. 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.

d. Discussion and possible action regarding Adopting a Procurement Policy. Mr. Petrov reviewed and presented a Procurement Policy, a copy of which is attached hereto as Exhibit "F".

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved Adopting a Procurement Policy.

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

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned at 8:42 p.m.

SIGNED, PASSED and APPROVED this 18th day of December, 2024.


Secretary, Board of Directors

[DISTRICT SEAL]

EXHIBITS:

- A - Draft Audit Report
- B - Bookkeeper's Report
- C - Tax Assessor-Collector
- C-1- Delinquent Collection Tax Report
- D - Operations Report
- E - Engineer's Report
- F - Adopting a Procurement Policy
- G - City of Katy Stat Report