

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

JANUARY 17, 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, January 17, 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:

Kenneth L. Comeaux	President
Greg Murray	Vice President
Stephen Berckenhoff	Secretary
Jeff Gilliland	Assistant Secretary
Larry W. Davis	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 and 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; Allen Perez with the Westheimer Parkway Project ("Developer"); Bryan Matthey, a resident of the District; Rick Lawler, Joseph "Will" Petrov of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District and John (Hydrologist).

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 20, 2023 and the special meeting minutes of January 11, 2024, which were previously distributed to the Board.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of December 20, 2023 and the special meeting minutes of January 11, 2024, 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 Davis, 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 and Central Bank.

4. Agreed Upon Procedures for the KMK Reimbursement.

The Board discussed the KMK Reimbursement.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board appointed Directors Murray and Gilliland to a committee and to authorize the committee to approve final payment to KMK pursuant to the Reimbursement Agreement and negotiate terms regarding the KMK Drainage Ditch Agreement.

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 "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 99.1% of the 2022 taxes and 22.4% of the 2023 taxes had been collected as of December 31, 2023.

Upon motion by Director Murray, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor/Collector's Report.

b. 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.

6. 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 also reported fourteen (14) 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.

b. Renew emergency response procedures, amend as necessary. Nothing at this time.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved the Operations Report; and 2) authorized the termination of service to fourteen (14) delinquent accounts pursuant to the District's Rate Order.

7. 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 Item 4a regarding KMK Development. Mr. Rick Lawler updated the Board regarding Lucky Star Corporation.

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

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

e. Update and possible action regarding reimbursement to KMK. See Item 4a above.

f. Consideration and possible action regarding amending the Rate Order to amend the District's water and sewer rates. This item was tabled.

Upon motion by Director Davis, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report.

8. New Business/Annual Agenda.

a. Texas Rural Water Association Membership. The Board reviewed the correspondence from Texas Rural Water Association regarding membership. No action was taken at this time.

9. 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.

10. Election Agenda.

a. Order Calling Directors Election. Mr. Petrov presented the Order Calling Directors Election for the upcoming May 4, 2024.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved the Order Calling Directors Election as presented, a copy of which is attached hereto as Exhibit "F".

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

SIGNED, PASSED and APPROVED this 21st day of February, 2024.




Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor-Collector
- B-1- Delinquent Tax Report
- C - Operations Report
- D - Engineer's Report
- E - City of Katy Stat Report
- F - Order Calling Directors Election