

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

MAY 15, 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, May 15, 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, with the exception of Director Davis, 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; Allen Perez with the Westheimer Parkway Project ("Developer"); Jami Lancaster, a resident of the District; and 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. Ms. Lancaster asked how taxes are set.
2. Approval of Minutes. The Board next considered approval of the regular meeting minutes of April 17, 2024, which was 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 the regular meeting minutes of April 17, 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. Shelnett reviewed the written report and responded to questions. Discussion ensued.

Upon motion by Director Berckenhoff, 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 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. Mr. Landreville also responded to questions from the Board. He reported that 99.2% of the 2022 taxes and 97.8% of the 2023 taxes had been collected as of April 30, 2024.

b. Mr. Landreville presented check nos. 2563 thru 2567 for the Board's approval.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved 1) the Tax Assessor/Collector's Report, and 2) approved payment of check nos. 2563 thru 2567.

c. Delinquent Tax Collection Report, a copy of which is attached hereto as Exhibit "C." The Board reviewed the Delinquent Tax Collection Report. No action was deemed necessary.

5. 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 April.

Mr. Davila also reported one (1) collection account being sent to collections and six (6) 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.

Mr. Davila next presented and reviewed the 2023 Consumer Confidence Report ("CCR"), a copy of which is attached to the Operations Report.

Upon motion by Director Comeaux, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved the 2023 CCR.

Director Gilliland spoke to the Board regarding holding a special meeting to discuss amending the commercial water rates. No action was taken at this time.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board (i) authorized one (1) collection account to be sent for collection and the termination of service to six (6) 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 "E".

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

Mr. Strange presented and reviewed Change Order No. 2 in the amount of \$9,061.00 and Pay Estimate No. 3 and Final in the amount of \$42,377.60 to Alsay Incorporated for the Water Well Rehabilitation Project, a copy of which is attached to the Engineer's Report. JNS Engineering recommended payment to Alsay Incorporated.

Upon motion by Director Comeaux, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved Change Order No. 2 in the amount of \$9,061.00 to brush the inside of casing to remove gravel pack residuals and jet gravel pack material from well by air lifting, and Pay Estimate No. 3 and Final in the amount of \$42,377.60 to Alsay Incorporated for the Water Well Rehabilitation Project.

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.

Mr. Strange presented and reviewed with the Board a letter to Fort Bend County Drainage District, attention Mark Vogler, P.E. regarding Drainage Ditch Interim Erosion Control for KMK Outfall and requested the Board approve same, a copy of which is attached to the Engineer's Report.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board approved and accepted the letter to Fort Bend County Drainage District regarding Drainage Ditch Interim Erosion Control for KMK Outfall.

Next, Mr. Strange presented and reviewed and stated one (1) bid was received from Ceballos Construction, a qualified bidder in the amount of \$21,695.00 for the Interim Erosion Control for the KMK Outfall into the District's Ditch.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved the bid from Ceballos Construction, a qualified bidder in the amount of \$21,695.00 for the Interim Erosion Control for the KMK Outfall into the District's Ditch Project.

- e. Review the 5 Year Capital Improvements Plan. - Tabled
- f. Update and Possible Action on Mills Pointe Detention Pond.

Mr. Petrov reviewed and discussed with the Board the who is responsible for the maintenance of the Mills Pointe Detention Pond. Discussion ensued.

Upon motion by Director Gilliland, seconded by Director Berckenhoff, after full discussion and with all Directors present voting aye, the Board approved authorized Johnson Petrov to negotiate an Amendment to the Walking Trains Facilities Maintenance Agreement, a copy of which is attached hereto as Exhibit "F."

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

7. 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.

Election Agenda.

a. Adopt Order Canvassing Returns and Declaring Results of Directors Election, a copy of which is attached hereto as Exhibit "H".

Mr. Petrov announced that the biennial Directors Election had been held in the District on Saturday, May 4, 2024 (the "Election") for the purpose of electing two (2) Directors to the Board. Mr. Petrov then reviewed the Election returns and reported the candidates received the following votes:

Greg Murray	109 votes
Bryan Matthey	42 votes
Larry W. Davis	103 votes

Mr. Petrov noted that there were three (3) provisional vote cast in the Election. Mr. Petrov next stated that, based on the Election returns, and upon adoption of the Order Canvassing the Election, Greg Murray and Larry W. Davis have been elected to the Board to serve four (4) year terms of office to expire in May 2028.

Upon motion by Director Berckenhoff, seconded by Director Murray, after full discussion and with all Directors present voting aye, the Board voted unanimously to adopt an Order Canvassing Returns and Declaring Results of Directors Election, thereby declaring Greg Murray and Larry W. Davis as duly elected members of the Board.

b. Certificate of Election.

Mr. Petrov then delivered the Certificate of Election for Director Murray, a copy of which is attached hereto as Exhibit "H".

c. Qualification of Directors.

Mr. Petrov then presented the Director Qualification Affidavit, a copy of which is attached hereto as Exhibit "H", to Director Murray, who executed same, thereby verifying his qualification to serve as a Director of the District.

d. Administration of Oaths of Office.

Mr. Petrov next presented Director Murray with a sworn Statement of Elected/Appointed Officer, a copy of which is attached hereto as Exhibit "H", as required by the Texas Constitution, which statement was then duly executed by Director Murray. Mr. Petrov then proceeded to administer the Oath of Office to Director Murray, a copy of which is attached hereto as Exhibit "H".

e. Elect officers. The Board next considered electing officers for the Board and the Directors' positions will be as follows:

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

Upon motion by Director Berckenhoff, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board approved the Certificate of Election, Qualification of Director, Administration of Oath of Office and Election of Officers.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
The meeting was adjourned at 9:50 p.m.

SIGNED, PASSED and APPROVED this 19th day of June, 2024.



[DISTRICT SEAL]


Secretary, Board of Directors

EXHIBITS:

- A - Bookkeeper's Report
- B - Tax Assessor-Collector
- C - Delinquent Tax Report
- D - Operations Report
- E - Engineer's Report
- F - Mills Pointe Maintenance Agreement
- G - City of Katy Stat Report
- H - Election Related Documents