

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37

MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 18, 2025

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, June 18, 2025, 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:

Stephen Berckenhoff
Jeff Gilliland
Larry W. Davis
Kenneth L. Comeaux
Greg Murray

President
Vice President
Secretary
Assistant Secretary
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; 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; Daniel David, Attorney of Johnson Petrov LLP (the "Attorney" or "JP"), attorneys for the District; Erik Scott with Storm Water Solutions; Chris Thornhill of The Thornhill Law Firm (the "Delinquent Tax Attorney") and Eli Buchner, a property owner/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 May 21, 2025, 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 regular meeting minutes of May 21, 2025, as presented.

3. Storm Water Solutions Report. Mr. Scott presented and reviewed the Storm Water Solutions Report, a copy of which is attached hereto as Exhibit "A". Mr. Scott also responded to questions. No action was taken at this time.

4. Bookkeeper's Report and Investment Report. Ms. Shelnutt previously distributed the Bookkeeper's Report and Investment Report, copies of which are attached hereto as Exhibit "B". Ms. Shelnutt reviewed the written report and responded to questions.

- a. Mr. Strange requested check number 2038 from Ceballos be held for required affidavits.
- b. Ms. Shelnutt requested the Board's authorization to move \$230,000 from the Operating Account to a Certificate of Deposit.
- c. Ms. Shelnut requested the Board's authorization to file the Texas Unclaimed Property Report.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board authorized the Bookkeeper to move \$230,000 from the Operating Account to a Certificate of Deposit and authorized filing the Texas Unclaimed Property Report.

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.

5. Tax Assessor/Collector Report. The Tax Assessor/Collector's Report was presented by Mr. Thornhill, a copy of which is attached hereto as Exhibit "C".

a. Mr. Thornhill reviewed with the Board the Tax Assessor/Collector's Report. Mr. Thornhill also responded to questions from the Board. He reported that 97.9% of the 2024 taxes and 99.6% of the 2023 taxes had been collected as of May 31, 2025.

b. Mr. Thornhill then presented check nos. 2520 through 2524 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". Mr. Thornhill then reviewed the report with Board. 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 nos. 2520 through 2524 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 one (1) excursion for the month of May.

The Board requested Inframark bill Ezee Fiber monthly for the water loss and damages that occurred during Ezee Fiber's Construction, a copy of the Ezee Fiber damages are attached hereto as Exhibit "D-1".

Mr. Davila also reported ten (10) 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.

Upon motion by Director Gilliland, seconded by Director Comeaux, after full discussion and with all Directors present voting aye, the Board (i) authorized the termination of service to ten (10) delinquent accounts, pursuant to the District's Rate Order; (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.

b. Update on Service Request by Developers. Eli Buchner discussed potential sale and use of tracts he owns. No action was taken by the Board at this time.

c. Update on Engineering/Construction projects, if any. There were no updates at this time.

d. Update and possible action on other projects within the District. Mr. Strange presented an Interlocal Agreement for the Restoration of a Drainage Ditch with Fort Bend County Drainage District, a copy of which is attached hereto as Exhibit "E-1". Mr. Strange reviewed the formalized tasks (*see* Page 3 of the Engineer's Report) and noted the total project cost of \$913,100.

Next, Mr. Strange presented and reviewed a Sales Agreement between Allegion Services LLC (the "Seller") and the District (the "Buyer") to purchase dirt as clean fill material from the KMK project site in the amount of \$5.00 per cubic yard, based on 10 cubic yard loads, or \$50.00 per truck load. A copy of the Sales Agreement is attached hereto as Exhibit "E-2".

Upon motion by Director Davis, seconded by Director Gilliland, after full discussion and with all Directors present voting aye, the Board 1) approved the Interlocal Agreement for the Restoration of a Drainage Ditch with Fort Bend County Drainage District subject to legal review and 2) approved the Sale Agreement subject to additional terms and authorized Johnson Petrov to revise the Sales Agreement.

e. Update and Possible Action on the Mills Pointe Detention Pond. There was no action at this time.

f. TCEQ Storm Water Maintenance Plan and MS4 Requirements. There was no action at this time.

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

8. 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.

9. Items for Future Agenda. The Board discussed possibly scheduling a special meeting to address the Ezee Fiber water loss and damages, if the Board cannot agree to a date for a special, this item will be discussed at the next regular board meeting.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned at 8:30 p.m.

SIGNED, PASSED and APPROVED this 16th day of July, 2025.

Roy A Davis

Secretary, Board of Directors

[DISTRICT SEAL]



EXHIBITS:

- A - Storm Water Management Report
- B - Bookkeeper's Report
- C - Tax Assessor-Collector
- C-1- Delinquent Collection Tax Report
- D - Operations Report
- D-1- Ezee Fiber Damages
- E - Engineer's Report
- E-1- Interlocal Agreement for the Restoration of a Drainage Ditch
- E-2- Sales Agreement
- F - City of Katy Stat Report