

MINUTES
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 129

September 23, 2019

The Board of Directors of Fort Bend County Municipal Utility District No. 129 (“District”) met in regular session, open to the public, on September 23, 2019, at the offices of The Muller Law Group, PLLC, 202 Century Square Boulevard, Sugar Land, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Brian Gray	President
Robert Lin	Vice President
Linda Garcia	Secretary
Hope Guidry-Groves	Assistant Secretary
John Dimicelli	Assistant Vice President

all of the above were present, thus constituting a quorum.

Also present at all or part of the meeting were: June Tang of Johnson Development; Julie Kveton of Riverstone Homeowners Association, Inc.; Mary Ann Mihills of Municipal Accounts & Consulting, LP; Brian Bare of Si Environmental, LLC; Chad Hablinski of Costello, Inc.; Kristy Hebert of Tax Tech, Inc.; and Shima Jalalipour, Nancy Carter and Tara Miles of The Muller Law Group, PLLC (“MLG”).

PUBLIC COMMENTS

There were no members of the public who wished to address the Board.

MINUTES

The Board considered approving the minutes of the August 26, 2019, meeting. Following review and discussion, Director Garcia moved to approve the minutes, as submitted. Director Dimicelli seconded the motion, which passed unanimously.

2019 TAX RATE

Director Gray opened the public hearing regarding the adoption of the District’s 2019 tax rate. There being no members of the public in attendance who wished to address the Board, the public hearing was closed.

Discussion ensued regarding the 2019 tax rate. Following discussion, Director Garcia moved to i) adopt an Order Levying Taxes, reflecting a total tax rate of \$0.32 per \$100 of assessed valuation, consisting of \$0.085 to provide for the District’s maintenance and operations and \$0.235 to provide for the District’s debt service obligations, and ii) authorize the execution of an Amended and Restated Information Form reflecting the adopted tax rate. Director Lin seconded the motion, which passed unanimously.

The Board confirmed its intention that the 2019 tax levy includes a maintenance tax component for the fiscal year ending July 31, 2020.

CITY OF MISSOURI CITY MATTERS

Ms. Carter reported on a meeting with the City of Missouri City (“City”) held on September 10, 2019, regarding billing procedures for sanitary sewer service and stated that the City sent an estimated bill for the City’s fiscal year ending September 30, 2019, sanitary sewer service in the amount of \$41,349 on September 20, 2019. She noted discrepancies with the estimated bill and stated that she will follow up with the City to obtain additional information.

Ms. Carter also stated that the City issued its final Water and Wastewater Utility Service Providers/MUD Feasibility analysis.

FINANCIAL AND BOOKKEEPING MATTERS

Ms. Mihills presented and reviewed the bookkeeper’s report, including a list of checks presented for Board approval, the year-end budget comparison, and the projected cash flow forecast. Ms. Mihills said that she prepared a blank check to the City for the sewer service true-up, which will not be released until MLG approves the amount, and that all future monthly bills will not be released to the City until an invoice is received each month. Following review and discussion, Director Garcia moved to approve the bookkeeper’s report, including payment of the presented checks. Director Dimicelli seconded the motion, which passed unanimously. A copy of the bookkeeper’s report is attached.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Hebert presented and reviewed the tax assessor/collector’s report for the month of August, including the lists of checks for approval and the delinquent tax report, a copy of which is attached. She stated that 99.89% of the District’s 2018 taxes were collected to-date. Following review and discussion, Director Garcia moved to approve the tax assessor/collector’s report and payment of the bills listed in the report. Director Dimicelli seconded the motion, which passed unanimously.

OPERATION OF DISTRICT FACILITIES

Mr. Bare presented and reviewed the operator’s report, a copy of which is attached. He stated that the District’s water accountability was 98.91% for the reporting period. Following review and discussion, Director Garcia moved to accept the operator’s report. Director Dimicelli seconded the motion, which passed unanimously.

Mr. Bare noted he filed a wastewater discharge report with the Texas Commission on Environmental Quality due to a power losing power outage at the City’s lift station serving the District.

The Board next conducted a hearing on the termination of utility service. Mr. Bare presented and reviewed a recommended termination list, noting that the residents on the list were mailed written notice prior to this meeting in accordance with the Rate Order, notifying them of the opportunity to

appear before the Board to explain, contest, or correct the utility service bill and to show reason why the utility service should not be terminated for reason of nonpayment. Director Garcia moved that, because the residents on the attached list were neither present at the meeting nor had presented any statement on the matter, utility service should be terminated in accordance with procedures set forth in the Rate Order. Director Dimicelli seconded the motion, which passed unanimously.

ENGINEERING MATTERS

Mr. Hablinski presented and reviewed the engineer's report, a copy of which is attached. After review and discussion, Director Garcia moved to accept the engineer's report. Director Dimicelli seconded the motion, which passed by unanimous vote.

REPORT REGARDING DEVELOPMENT

Ms. Tang presented and reviewed a report on the status of development in Riverstone, a copy of which is attached. After review and discussion, Director Garcia moved to accept the developer's report. Director Dimicelli seconded the motion, which passed unanimously.

STORMWATER QUALITY MANAGEMENT PLAN

There was no discussion regarding the District's stormwater quality management plan.

RENEWAL OF DISTRICT INSURANCE POLICIES

The Board reviewed a renewal proposal from McDonald Wessendorff for the District's insurance policies. The Board requested that a representative from McDonald Wessendorff attend the next Board meeting and tabled any action on the renewal proposal.

ARBITRAGE REBATE REVIEW LETTER FOR SERIES 2009 BONDS

Ms. Jalalipour presented and reviewed the arbitrage study prepared by BLX Group regarding the District's Series 2009 bonds, noting no money is due to the Internal Revenue Service.

ORDER AMENDING AND RESTATING THE POST-ISSUANCE COMPLIANCE POLICY

Ms. Jalalipour and Ms. Carter presented and reviewed an Order Amending and Restating Procedures for Post-Issuance Compliance ("Order"). After review and discussion, Director Garcia moved to adopt the Order. Director Dimicelli seconded the motion, which passed by unanimous vote.

SECURITY MATTERS

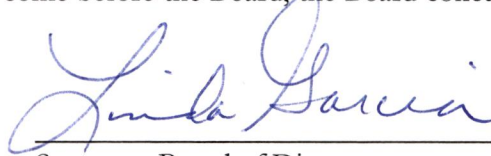
The Board received the Riverstone security report for the month of August 2019, a copy of which is attached.

NEXT MEETING DATE AND AGENDA ITEMS

Director Gray inquired about directors participating in Board meetings via videoconference. Ms. Jalalipour distributed a memorandum regarding the legal requirements for the same. Director Gray said he is interested in pursuing the matter further.

The Board concurred to change its next meeting date from October 28, 2019, to October 21, 2019, at 12:00 p.m.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.



Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

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Any documents referenced in these minutes and not attached herein are retained in the District's official records in accordance with the District's Record Management Program and are available upon request.

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202 Century Square Blvd. | Sugar Land, TX 77478 | 281.500.6050

MEMORANDUM

TO: Board Directors

FROM: Kene Chinweze

DATE: October 29, 2019

RE: Procedure for Videoconferencing During a District Board Meeting

Equipment Requirements:

- Equipment must meet or exceed International Telecommunications Union ITU H.323 standards (established in 2009) for sending and receiving audio, video, and data on an IP-based internet network.
 - Essentially, videoconferencing equipment manufactured since 2009 were made to meet these standards.
 - Make sure to use equipment made after 2009.
- Minimum 384 KB transmission speed (considered a low threshold) at both locations.
 - MLG currently has 12 MB transmission speed on site.
- At least one color monitor at the primary meeting location must be at least 27 inches in size.
 - No size requirement at the remote location.
- Color monitors must be used in both locations.
- Audio recording device (i.e. tape recorder, cell phone, laptop) at the primary location in order to record the meeting.
 - If using a cell phone, be sure the cell phone has at least 2 GB of available space at time of recording [NOTE: 1 free GB equals approx. 101 minutes of audio recording.]
 - If using a cell phone, download the app Cloud Audio Recorder or SoundCloud to use for audio recording.
- Audio signals from both locations should be of similar quality and volume.

Recommended Equipment:

- Hardware:
 - Primary location: Color monitor with speakers (i.e. mounted TV in MLG conference room), camera (from cell phone or laptop), two microphones, and audio recording device.
 - Remote location: Color monitor and camera (both items can be used from cell phone or laptop).
- Software (both locations): Microsoft Teams (free) or Apple FaceTime (free).
- Any equipment that needs to be purchased must be approved by the Board.

Prior to the Meeting:

- Determine and download appropriate software to be used at both locations.
- Make sure all necessary equipment is ready and available for both locations.
- Prior to posting agenda, verify that a quorum will be physically present at one primary location.
- In the agenda, specify the primary location where the quorum of the Board will be physically present and specify the intent to have quorum present at that primary location [NOTE: *place an asterisk after the MLG address, noting, "The Board of Directors intends to have a quorum of the Board physically present at this location."*].
- Make sure the remote Director has all necessary documentation to be presented at the meeting (via Dropbox or hard copies).
- Board will assign a Director attending the primary location to act as moderator during the board meeting.
- At least one hour prior to the meeting, the legal assistant and the remote Director must test the videoconferencing equipment between the two locations.
 - Equipment at the primary location should be set up in the following manner:
 - Place camera in far left corner of the MLG conference room (farthest from the Board) so as to include all attendees in camera range.
 - Station one microphone near the Board seating and one microphone at the opposite end of the table.
 - Use TV closest to camera to display visual of remote director.
 - Use TV closest to Board Directors to display any documents, websites, etc. during the meeting.
 - Place audio recording device at the center of the conference table.
 - Equipment at the remote location should be set up in the following manner:
 - Place the camera and monitor on a table (or similar item) stationed in front of the seated Director.
 - Camera should be positioned to capture the full face of the Director down to the shoulders.

During the Meeting:

- To keep all attendees in camera range, make sure all attendees sit in all available seats at the conference table before sitting at the adjacent couch.
 - Adjust camera position as necessary.
- Make sure that the audio/video feed from the remote location is visible and audible to the public at the primary location.
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- When speaking from either location, the face of the speaker shall be clearly visible, and voice audible to each attendee at both locations.
- Make sure the primary location and the remote location have two-way audio/video communication during the entire meeting.
 - If the audio/video connection to the remote Director is lost, make sure that quorum remains at the primary location so that the Board may continue the meeting.

- If the Board goes into executive session, the videoconference must be ended. Resume the videoconference of the open session at the conclusion of the executive session.

After the Meeting:

- Make at least an audio recording of the meeting.
 - The Open Meeting Act requires that at least an audio recording of the meeting be made; however, the Department of Information Resources, which specifies the minimum standards for audio/video signals for meetings held by videoconference, states in its guidelines that an audio **and** video recording of the meeting should be made.
- Legal assistant will do the following:
 - Transfer the audio file to a computer.
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- If the Board goes into executive session, the videoconference must be ended. Resume the videoconference of the open session at the conclusion of the executive session.

After the Meeting:

- Make at least an audio recording of the meeting.
 - The Open Meeting Act requires that at least an audio recording of the meeting be made; however, the Department of Information Resources, which specifies the minimum standards for audio/video signals for meetings held by videoconference, states in its guidelines that an audio **and** video recording of the meeting should be made.
- Legal assistant will do the following:
 - Transfer the audio file to a computer.
 - Retain the recording in the District records in accordance with the District's records management policy.