

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 18TH DAY of NOVEMBER, 2014, The Drainage District Board of Fort Bend County, Texas, met at a scheduled meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
DIANNE WILSON	COUNTY CLERK
MARK VOGLER	DRAINAGE DISTRICT MANAGER

When the following were heard and the following orders were passed:

1. Call to Order.

Call to Order by Judge Hebert at 1:03 p.m.

2. Take all appropriate action on request to purchase one (1) articulated dump truck, from Romco Equipment Co., utilizing Houston Galveston Area Council Contract EM06-13, for an amount not to exceed \$297,702, which includes a trade-in discount of \$20,000 for the District's current D250E truck. (Fund: Drainage District)

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to purchase one (1) articulated dump truck, from Romco Equipment Co., utilizing Houston Galveston Area Council Contract EM06-13, for an amount not to exceed \$297,702, which includes a trade-in discount of \$20,000 for the District's current D250E truck. (Fund: Drainage District)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

3. Take all appropriate action on Amendment to Recreational Facilities Agreement between Fort Bend County Drainage District and Mission Bend Greenbelt Association for extension of hiking and jogging trail and related facilities.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Recreational Facilities Agreement between Fort Bend County Drainage District and Mission Bend Greenbelt Association for extension of hiking and jogging trail and related facilities.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

Recess:

Recessed at 1:05 p.m.

4. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:

§ 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.

- A. Kerry A. Kilburn and Cynthia H. Kilburn vs. Fort Bend County Drainage District. Case No. 11-CCV-044047; in the County Court at Law Number One (1) of Fort Bend County, Texas.**
- B. Fort Bend County, et al vs. LJA Engineering, Inc. F/K/A/ LJA Engineering and Surveying, Inc. et al; Case No. 12-DCV-198114. In the 268th Judicial District Court of Fort Bend County, Texas.**

Closed Session:

Convened at 1:41 p.m.
Adjourned at 1:48 p.m.

Reconvene:

Reconvened at 1:51 p.m.

5. Reconvene Open Session and consider taking action on the following matters:

§ 551.071. Consultation With Attorney.

A. Kerry A. Kilburn and Cynthia H. Kilburn vs. Fort Bend County Drainage District. Case No. 11-CCV-044047; in the County Court at Law Number One (1) of Fort Bend County, Texas.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve in the above referenced case litigation expenses not to exceed \$20,000 (Fund: 100410101-63000)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

B. Fort Bend County, et al vs. LJA Engineering, Inc. F/K/A/ LJA Engineering and Surveying, Inc. et al; Case No. 12-DCV-198114. In the 268th Judicial District Court of Fort Bend County, Texas.

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered in the previous referenced cause that the law firm of Dunbar Harder, PLLC, special counsel, have their contract amended and increase amount from \$200,000 to \$250,000 for their attorneys fees funded out of the Drainage District.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

6. Adjournment.

The Drainage District Board adjourned at 1:52 p.m. on Tuesday, November 18, 2014.