

APPROVAL OF MINUTES
COMMISSIONERS COURT
FORT BEND COUNTY

I, Dianne Wilson, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 18th day of November, 2014.



DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Patterson, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 25th day of November, 2014.



ROBERT E. HEBERT, COUNTY JUDGE

MINUTES

BE IT REMEMBERED, That on this 18TH DAY of NOVEMBER, 2014, Commissioners Court of Fort Bend County, Texas, met at a regular 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

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

1. Call to Order.

Call to Order by Judge Hebert at 1:00 p.m.

2. Invocation and Pledge of Allegiance by Commissioner Richard Morrison.

Invocation and Pledge of Allegiance by Commissioner Richard Morrison.

3. Approve minutes of regular meeting held on November 4, 2014.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve minutes of regular meeting held on November 4, 2014.

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

4. Public Comments regarding the Agenda and Announcements.

No public comments.

Commissioner Prestage wished Judge Hebert a Happy Birthday.

Judge Hebert thanked everyone for their support on his re-election.

5. **PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:**
- A. **Acceptance of the traffic control plan for installation of a multi-way stop at Benton Road at Reading Road, Precinct 1.**
 - B. **Acceptance of the traffic control plan for King Lakes, Section 8, Precinct 3.**

Public hearing held. No public comments.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve agenda item 5 A-B.

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

CONSENT AGENDA ITEMS 6 - 21:

6. **OUT-OF-STATE TRAVEL: Record into Minutes the out- of-state travel for elected official:**

Constable, Pct. 2 : Ratify change in travel dates for Constable Ruben Davis to Orlando, Florida, from October 24 through October 29, 2014, to attend the International Association of Chiefs of Police Conference. (Fund: Constable, Pct. 2, Travel)

7. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**

- A. **District Attorney : Ratify travel by employee to Hoover, Alabama, November 2-6, 2014, to attend the National Computer Forensics Institute course on Mobile Devices in Court for Prosecutors. (Fund: District Attorney, Travel)**
- B. **Sheriff's Office : Ratify travel by J. Orlop and T. Tyrrell to Lafayette, Louisiana on November 5, 2014, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
- C. **Sheriff's Office : D. Haenel to Las Vegas, Nevada, June 27 - July 1, 2015, to attend the Society for Human Resource Management 2015 Annual Conference. (Fund: Sheriff, Enforcement, Training)**
- D. **Sheriff's Office : S. Holtz, W. Sparks, and C. Aquino to Washington, D.C., May 10-15, 2015, to attend the National Police Week Conference. (Fund: Sheriff, Enforcement, Travel)**

8. **COUNTY JUDGE:**

- A. **Approve setting the bond amounts at the maximum amount allowed by Statute for the following elected officials for the term beginning January 1, 2015: County Judge \$10,000; County Treasurer \$500,000; and County Court-at-Law Judges \$10,000.**

Item 8 continued - County Judge:

- B. Approve annual payment to Second Administrative Judicial Region of Texas in the amount of \$25,813.47 for Fort Bend County's proportionate share based on population of the total expenses for the region pursuant to Texas Government Code Section 74.043. (Fund: Non-Departmental, Fees)

9. COMMISSIONER, PCT. 3:

Approve renewal of Agreement For Additional Law Enforcement Services Between Fort Bend County And Grand Lakes Community Association, with services to be provided by the Sheriff's Office effective through September 30, 2015.

10. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. Auditor : Approve FY 2014 transfer in the amount of \$189,069 as detailed on Auditor's form dated November 12, 2014 to allocate capital mileage accruals from County Agreements for additional law enforcement services into the line item for purchase of replacement vehicles for the agreement programs.
- B. Commissioner, Pct. 4 : Approve FY 2014 transfer in the amount of \$64 from Fees into Information Technology to allocate funds for the purchase of two computer cables for conference room monitor into correct line item.
- C. County Attorney : Approve FY 2015 transfer in the amount of \$4,000 from Fees into Temporary/Part-Time to allocate funds for temporary administrative assistance due to increased workload.
- D. County Court at Law No. 3 : Approve FY 2015 transfer in the amount of \$170 from Fees into Property and Equipment to allocate funds into correct line item for expenditure.
- E. County Court at Law No. 3 : Approve FY 2015 transfer in the amount of \$65 from Fees into Property and Equipment to allocate additional funds for the purchase of office furniture into correct line item for expenditure.
- F. Health & Human Services : Approve FY 2015 transfer in the amount of \$11,882,356 as detailed on Auditor's form dated November 12, 2014, to allocate funds for the 1115 Waiver Program for Demonstration Years 2 through 5.
- G. Health & Human Services: Approve FY 2015 transfer in the amount of \$113,300 as detailed on Auditor's form dated November 12, 2014, to allocate 1115 waiver funds into the Colonoscopy Program for provider services through September 30, 2015.
- H. Health & Human Services : Approve FY 2015 transfer in the amount of \$15,120 as detailed on Auditor's form dated November 12, 2014 to allocate 1115 Waiver funds into the Community Paramedic Program for expenses through September 30, 2015.
- I. Health & Human Services : Approve FY 2015 transfer in the amount of \$31,000 as detailed on Auditor's form dated November 12, 2014 to allocate 1115 Waiver funds into the Behavioral Health segment of the Crisis Intervention Team Program for expenses through September 30, 2015.

Item 10 continued - Budget & Finance/Budget Transfers:

- J. **Health & Human Services** : Approve FY 2015 transfer in the amount of \$398,458 as detailed on Auditor's form dated November 12, 2014 to allocate 1115 Waiver funds into Sheriff's Office segment of Crisis Intervention Team for Tiburon Enhancement Agreement and expenses through September 30, 2015.
 - K. **Health & Human Services** : Approve FY 2015 transfer in the amount of \$4,000 as detailed on Auditor's form dated November 12, 2014 to allocate 1115 Waiver funds into the Administration segment of the program for expenses through September 30, 2015.
 - L. **Information Technology** : Approve FY 2015 transfer in the amount of \$67,855 Information Technology into Fees to reallocate budgeted funds into proper account for the installation and set-up of new computers.
 - M. **Office of Emergency Management** : Approve FY 2015 transfer in the amount of \$691 from Salaries into Temporary/Part-Time to allocate additional funds for temporary administrative assistance.
 - N. **Parks Department** : Approve FY 2015 transfer in the amount of \$3,500 from Repairs and Maintenance into Capital Acquisitions to allocate additional funds for the purchase of a truck for Parks Customer Service personnel.
11. **CONSTABLE, PCT. 2:**
- A. Approve renewal of the Agreement for Additional Law Enforcement Services between Fort Bend County and Quail Run Community Improvement Association effective through September 30, 2015.
 - B. Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Briar Villa Homeowners Association effective through September 30, 2015.
12. **CONSTABLE, PCT. 4:**
- Approve renewal of Interlocal Agreement For Additional Law Enforcement Services Between Fort Bend County and First Colony Community Services Association, Inc. effective October 1, 2014 through September 30, 2015.
13. **DISTRICT ATTORNEY:**
- A. Record into Minutes the State FY 2014 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of District Attorney.
 - B. Accept Grant Award Number 1344717 in the amount of \$79,625 from the Office of the Governor, Criminal Justice Division for the Violence Against Women Prosecutor program, with a cash match of \$53,866 required by Fort Bend County, for a total program cost of \$133,491 for the period of September 1, 2014 through August 31, 2015, and designate the County Judge as authorized official to electronically accept the award.

Item 13 continued - District Attorney:

- C. Accept Grant Award Number 1515716 in the amount of \$47,000 from the Office of the Governor, Criminal Justice Division for the Violence Against Women Investigator program, with a cash match of \$54,217 required by Fort Bend County, for a total program cost of \$101,217 for the period of September 1, 2014 through August 31, 2015, and designate the County Judge as authorized official to electronically accept the award.

14. ENGINEERING:

- A. Approve payment of Invoice No. 4731 in the amount of \$7,273.75 to Property Acquisition Services regarding right of way services within Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- B. Approve payment of Invoice No. 3 in the amount of \$79,447.85 to Allgood Construction Co., Inc. regarding Williams Way, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 9 in the amount of \$112,748.51 to Allgood Construction Co., Inc. regarding West Bellfort Road, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)
- D. Approve payment of Invoice No. 14-10109 in the amount of \$1,580.00 to Tolunay-Wong Engineers, Inc. regarding construction materials testing on Harlem Road, Mobility Bond Project No. 726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- E. Approve payment of Invoice No. 7 in the amount of \$225,994.00 to Gonzalez Construction Enterprise, Inc. regarding Mason Road, Phase 3, Mobility Bond Project No. 735B, Precinct 4. (Fund: 2007 Mobility Bonds)
- F. Approve payment of Invoice No. INV0005321 in the amount of \$1,136.05 to Percheron Field Services regarding Congestion Mitigation, Mobility Bond Project No. X23, Precinct 3. (Fund: Right of Way)
- G. Approve payment of Invoice No. 4764 in the amount of \$5,353.75 to Property Acquisition Services regarding right of way services, Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- H. Approve payment of Invoice No. INV0005323 in the amount of \$112.50 to Percheron Field Services regarding FM 1093 / Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)
- I. Approve payment of Invoice No. 091428C in the amount of \$3,022.55 to Aviles Engineering Corp. regarding West Bellfort Road, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)
- J. Approve release of cashier's check no. 090102 in the amount of \$5,000.00 to Jaynes Brothers Construction, Inc. for completion of work on Cinco Boulevard, Permit No. 84557, Precinct 3.
- K. Approve application from Gonzalez Construction Enterprise, Inc. to open cut and install two rows of 24-inch RCP on future Beechnut Road, Precinct 3.

Item 14 continued - Engineering:

- L. Approve application from E & J Unlimited Construction & Landscaping / Mexia Garcia to construct a driveway on Sam Brookins Street, Precinct 3.**
- M. Approve application from Beyer Construction, LLC to construct a driveway on Grand Mission Boulevard, Precinct 3.**
- N. Accept the streets in Monterrey at Willowbend, Section 2: Sweet Leaf Drive 263.90 LF, Blushing Hollow Drive 760.25 LF, Oakwood Knoll Drive 1,265.37 LF, Ensley Hollow Drive 200.33 LF, for a total of 2,489.85 LF, and release bond #SU1120739 in the amount of \$92,500.00, Precinct 3.**
- O. Accept the streets in Westridge Creek Lane Street Dedication: Westridge Creek Lane 2,859.69 LF for a total of 2,859.69 LF, and release bond #PB03010400461 in the amount of \$287,794.40, Precinct 3.**
- P. Accept the streets in Olive Hill at Riverstone: Olive Hill Boulevard 387.92 LF, Bellevue Falls Lane 1,174.35 LF, Manzanilla View Lane 1,582.68 LF for a total of 3,144.95 LF, and release bond #MNT9100008 in the amount of \$229,880.00, Pct. 4.**
- Q. Accept the streets in University Boulevard, Section 5B, (from HL&P Easement to LJ Parkway-Eastbound Lanes): University Boulevard 3,055.77 LF, for a total of 3,055.77 LF, and release bond #HSIFSU0603281 in the amount of \$192,640.00, Precinct 4.**
- R. Accept the streets in Winding Waters Lane (Riverstone): Winding Water Lane 563.60 LF and Winding Water Lane 1,114.13 LF, for a total of 1,677.73 LF, and release bond #HSIFSU0603278 in the amount of \$241,780.00, Precinct 4.**
- S. Approve the plat for Heritage Bluff Drive Street Dedication, Sec. 1, Precinct 3.**
- T. Approve the plat for Kingsland Boulevard Street Dedication, Sec. 1, Precinct 3.**
- U. Approve plat for the roads within Firethorne West, Sec. 11, Precinct 3.**
- V. Approve plat for the lots within Firethorne West, Sec. 11, Precinct 3.**
- W. Set public hearing for acceptance of the traffic control plan for Monterrey at Willowbend, Section 2, Precinct 3. *(Tuesday, December 16, 2014, at 1:00 p.m.)***
- X. Set public hearing for acceptance of the traffic control plan for Westridge Creek Lane Street Dedication, Precinct 3. *(Tuesday, December 16, 2014, at 1:00 p.m.)***
- Y. Set public hearing for acceptance of the traffic control plan for Olive Hill at Riverstone, Precinct 4. *(Tuesday, December 16, 2014, at 1:00 p.m.)***
- Z. Set public hearing for acceptance of the traffic control plan for Winding Waters Lane, Precinct 4. *(Tuesday, December 16, 2014, at 1:00 p.m.)***
- AA. Set public hearing for Fulbrook Section Five "C" Replat of Lots 9 and 10 of Block 1, Precinct 3. *(Tuesday, January 6, 2015, at 1:00 p.m.)***

Item 14 continued - Engineering:

- BB.** Set public hearing for Fulbrook Section Five 'C' Replat of Lots 14 and 15 of Block 1, Precinct 3. *(Tuesday, January 6, 2015, at 1:00 p.m.)*

15. FACILITIES MANAGEMENT & PLANNING:

Approve payment of Invoice No. 3003610110 in the amount of \$7,512.50 to Huitt-Zollars for Architectural Services regarding the Pedestrian Plaza. (Fund: Capital Improvement Project)

16. JUVENILE PROBATION & DETENTION:

Accept Grant Award Number sf-15-j20-25560-02 in the amount of \$61,141 from the Office of the Governor, Criminal Justice Division for the Transitions Work/Study Program, Educational Readiness, with a cash match of \$3,525 required by Fort Bend County, for a total program cost of \$65,166 for the period of September 1, 2014 through August 31, 2015, and designate the County Judge as authorized official to electronically accept the award, pending approval by the Juvenile Board at their next meeting.

Pulled.

17. LIBRARY:

Approve Renewal Fort Bend County Law Library Administration Agreement between Fort Bend County and Fort Bend County Bar Association, effective through September 30, 2015.

18. PURCHASING:

- A.** Authorize advertising for bids for baseball netting at Freedom Park and South Post Park for Parks Department.
- B.** Authorize advertising for bids for mowing maintenance of baseball fields at Freedom Park.
- C.** Authorize advertising for bids for interior painting at the Fairgrounds.
- D.** Authorize advertising for bids to stain and polish concrete floors at Fairgrounds.

19. ROAD & BRIDGE:

Accept Temporary Access Easement granted by Toll-GTIS Property Owner, LLC, as set forth in that certain Interlocal Project Agreement for Transportation Facilities dated October 12, 2012, Precinct 1.

20. TAX ASSESSOR/COLLECTOR:

- A.** Record into Minutes the Annual Report for Tax Assessor-Collector of all Taxes Collected from October 2013 through September 2014 as submitted by the Office of Patsy Schultz, Tax Assessor-Collector.
- B.** Record into Minutes the Summary Monthly Report of Property Taxes Collected in October, 2014, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.

21. TREASURER:

Approve Monthly Report submitted by County Treasurer for October 2014, and authorize advertisement of Affidavit of same, in accordance with Local Government Code Section 114.026.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-15 and 17-21 with item 16 being pulled at the request of Juvenile Department.

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

Consent agenda item 16 pulled.

22. COUNTY JUDGE:

Take all appropriate action on an Order authorizing the issuance, sale, and delivery of Fort Bend County, Texas Senior Lien Toll Road Revenue Bonds, Series 2014; approving a Second Supplement to the Toll Road Senior Lien Revenue Bond Trust Indenture, a Bond Purchase Agreement and Official Statement; authorizing the execution of documents and instruments necessary or convenient to carry out the issuance, sale, and delivery of the Series 2014 Bonds; authorizing and ratifying other actions; making certain findings with respect thereto; and containing other provisions relating to the subject.

Cliff Kavanaugh with FirstSouthwest Company gave an update on the Toll Road Revenue Bonds.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Order authorizing the issuance, sale, and delivery of Fort Bend County, Texas Senior Lien Toll Road Revenue Bonds, Series 2014; approving a Second Supplement to the Toll Road Senior Lien Revenue Bond Trust Indenture, a Bond Purchase Agreement and Official Statement; authorizing the execution of documents and instruments necessary or convenient to carry out the issuance, sale, and delivery of the Series 2014 Bonds; authorizing and ratifying other actions; making certain findings with respect thereto; and containing other provisions relating to the subject.

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

23. COMMISSIONER, PCT. 1:

- A. Take all appropriate action on amended terms of the Advance Funding Agreement for a Transportation Enhancement Project between Fort Bend County and Texas Department of Transportation, Project CSJ # 0027-12-137, approved by Commissioners Court on July 26, 2011, revising the total cost of the US 59/FM762 Landscaping Project to \$876,377.68, and modifying the local match to \$175,275.54.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve amended terms of the Advance Funding Agreement for a Transportation Enhancement Project between Fort Bend County and Texas Department of Transportation, Project CSJ # 0027-12-137, approved by Commissioners Court on July 26, 2011, revising the total cost of the US 59/FM762 Landscaping Project to \$876,377.68, and modifying the local match to \$175,275.54.

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

- B. Take all appropriate action on grant award from The George Foundation in the amount of \$37,275, revised to reflect the Foundation's twenty percent cash match on the modified cost of the County's joint project with Texas Department of Transportation for the US 59/FM 762 Landscaping Project.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to accept grant award from The George Foundation in the amount of \$37,275, revised to reflect the Foundation's twenty percent cash match on the modified cost of the County's joint project with Texas Department of Transportation for the US 59/FM 762 Landscaping Project.

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

24. AUDITOR:

Take all appropriate action on execution of Addendum to Engagement Letter with Sandersen Knox & Co. dated August 13, 2010, to perform Bond coverage testing for the 2014 Senior Lien Toll Road Revenue bonds.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve execution of Addendum to Engagement Letter with Sandersen Knox & Co. dated August 13, 2010, to perform Bond coverage testing for the 2014 Senior Lien Toll Road Revenue bonds.

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

25. COMMUNITY DEVELOPMENT:

Take all appropriate action on Agreement between Fort Bend County and The Salvation Army in the amount of \$60,000 to provide rapid re-housing assistance, relocation and stabilization services from November 1, 2014 through December 31, 2015, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Emergency Solutions Grant)

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and The Salvation Army in the amount of \$60,000 to provide rapid re-housing assistance, relocation and stabilization services from November 1, 2014 through December 31, 2015, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Emergency Solutions Grant)

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

26. COUNTY ATTORNEY:

A. Take all appropriate action on Agreement between Fort Bend County and Perdue Brandon Fielder Collins & Mott, LLP for the Collection of Fort Bend Grand Parkway Toll Road Authority Fines, Costs and Fees.

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and Perdue Brandon Fielder Collins & Mott, LLP for the Collection of Fort Bend Grand Parkway Toll Road Authority Fines, Costs and Fees.

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

B. Take all appropriate action on Engagement Letter from The Muller Law Group, PLLC regarding Disclosure Counsel Services for Fort Bend County Senior Lien Toll Revenue Bonds, Series 2014.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Engagement Letter from The Muller Law Group, PLLC regarding Disclosure Counsel Services for Fort Bend County Senior Lien Toll Revenue Bonds, Series 2014.

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

27. COUNTY COURT AT LAW NO. 2 :

Take all appropriate action on request for variance to the Fort Bend County Travel Policy to authorize reimbursement in the amount of \$532.89 to Brenda Michalik for hotel accommodations required during Probate Training that were not purchased within the guidelines detailed in the Fort Bend County Travel Policy. (Fund: County Court at Law No. 2, Travel)

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve a variance to the Fort Bend County Travel Policy to authorize reimbursement in the amount of \$532.89 to Brenda Michalik for hotel accommodations required during Probate Training that were not purchased within the guidelines detailed in the Fort Bend County Travel Policy. (Fund: County Court at Law No. 2, Travel)

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

28. COUNTY COURT AT LAW NO. 3:

Take all appropriate action on request to authorize reimbursement by Invoice Transmittal in the amount of \$168.86 to Benny Charles for office furniture purchased without a purchase order. (Fund: County Court at Law No. 3, Property & Equipment)

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement by Invoice Transmittal in the amount of \$168.86 to Benny Charles for office furniture purchased without a purchase order. (Fund: County Court at Law No. 3, Property & Equipment)

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

29. ELECTIONS ADMINISTRATION:

Canvass votes for the General Election conducted on November 4, 2014, pursuant to Section 67.004 of the Texas Election Code.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to accept the results of the General Election conducted on November 4, 2014, and canvass votes pursuant to Section 67.004 of the Texas Election Code as certified by John Oldham, Elections Administrator.

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

30. ENGINEERING:

Take all appropriate action to accept a 10.6058 acre tract of real property by Donation Deed from Taylor Morrison of Texas, Inc. for right of way improvements regarding Beechnut Street and record same in Official Public Records, Precincts 2 and 3.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to accept a 10.6058 acre tract of real property by Donation Deed from Taylor Morrison of Texas, Inc. for right of way improvements regarding Beechnut Street and record same in Official Public Records, Precincts 2 and 3.

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

31. FACILITIES MANAGEMENT & PLANNING:

- A. Take all appropriate action on Easement Agreement between Fort Bend County and the City of Richmond, Texas regarding property related to the proposed City of Richmond Fire Station; and record same in the Official Records of Fort Bend County, Texas, Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Easement Agreement between Fort Bend County and the City of Richmond, Texas regarding property related to the proposed City of Richmond Fire Station; and record same in the Official Records of Fort Bend County, Texas, Precinct 1.

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

- B. Take all appropriate action on Change Order No. One (1) to the Agreement between Fort Bend County and Bass Construction, for Construction of the Pedestrian Plaza, to provide additional services in the amount of \$4,500.41, for a total construction cost not to exceed \$657,500.41 regarding the Pedestrian Plaza. (Fund: Capital Improvement Project)**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. One (1) to the Agreement between Fort Bend County and Bass Construction, for Construction of the Pedestrian Plaza, to provide additional services in the amount of \$4,500.41, for a total construction cost not to exceed \$657,500.41 regarding the Pedestrian Plaza. (Fund: Capital Improvement Project)

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

32. FAIRGROUNDS:

Take all appropriate action on Agreement between Fort Bend County and Motorcycle Training Center, Inc. for the use of property at the Fort Bend County Fairgrounds to conduct motorcycle safety training courses.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and Motorcycle Training Center, Inc. for the use of property at the Fort Bend County Fairgrounds to conduct motorcycle safety training courses.

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

33. FIRE MARSHAL:

Take appropriate action on Agreement between Fort Bend County and City of Rosenberg for Fire Protection in Unincorporated Fort Bend County beginning with Fiscal Year 2015.

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and City of Rosenberg for Fire Protection in Unincorporated Fort Bend County beginning with Fiscal Year 2015.

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

Commissioner Morrison thanked Mark Flathouse, Fire Marshal, for his effort on this agreement.

34. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Positions 5401-0045 and 5401-0077, from Paramedic I, Grade P1, EMS Policy Group, to EMT-Basic, Grade EMT-B EMS Policy Group, and Positions 5401-0079 and 5401-0084, from Paramedic 1, Grade P1, EMS Policy Group, to EMT-Intermediate, Grade EMT-I, EMS Policy Group, in the Emergency Medical Service Department, effective November 18, 2014.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to reclassify Positions 5401-0045 and 5401-0077, from Paramedic I, Grade P1, EMS Policy Group, to EMT-Basic, Grade EMT-B EMS Policy Group, and Positions 5401-0079 and 5401-0084, from Paramedic 1, Grade P1, EMS Policy Group, to EMT-Intermediate, Grade EMT-I, EMS Policy Group, in the Emergency Medical Service Department, effective November 18, 2014.

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

35. LIBRARY:

A. Take appropriate action on Agreement between Fort Bend County and the University of North Texas regarding the digitizing of historical information for the Fort Bend County Libraries Genealogy Department.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and the University of North Texas regarding the digitizing of historical information for the Fort Bend County Libraries Genealogy Department.

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

B. Take all appropriate action on the Texas State Library and Archives Commission terms and conditions for reimbursement funds to Fort Bend County Libraries for loaning library materials to all Texas public, academic and special libraries.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve the Texas State Library and Archives Commission terms and conditions for reimbursement funds to Fort Bend County Libraries for loaning library materials to all Texas public, academic and special libraries.

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

36. PARKS & RECREATION:

Take all appropriate action on Utility Easement granting unexclusive, perpetual easement rights within Jones Creek Ranch Park to Southwestern Bell Telephone Company, d/b/a AT & T Texas, and record same in Official Public Records of Fort Bend County, Texas, Precinct 1.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Utility Easement granting unexclusive, perpetual easement rights within Jones Creek Ranch Park to Southwestern Bell Telephone Company, d/b/a AT & T Texas, and record same in Official Public Records of Fort Bend County, Texas, Precinct 3.

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

37. PUBLIC TRANSPORTATION:

Take all appropriate action on Petition for Addition of Certain Lands to Cinco Municipal Utility District No. 8 for inclusion of the Fort Bend County Park and Ride property into the boundaries of Cinco Municipal Utility District No. 8, and authorize County Judge to execute all documents pertinent to the request, including the Petition to City of Houston for Consent to Addition of Land to a Municipal Utility District, and the Certificate as to Qualified Voters and Liens.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Petition for Addition of Certain Lands to Cinco Municipal Utility District No. 8 for inclusion of the Fort Bend County Park and Ride property into the boundaries of Cinco Municipal Utility District No. 8, and authorize County Judge to execute all documents pertinent to the request, including the Petition to City of Houston for Consent to Addition of Land to a Municipal Utility District, and the Certificate as to Qualified Voters and Liens.

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

38. PURCHASING:

A. Take all appropriate action on request to purchase one (1) truck, replacement to fleet, for Parks Department, from Helfman Ford, pursuant to Bid 15-028. (Fund: Parks Department)

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to purchase one (1) truck, replacement to fleet, for Parks Department, from Helfman Ford, pursuant to Bid 15-028. (Fund: Parks Department)

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

B. Take all appropriate action on request to purchase of four (4) mowers, for Parks Department, from Professional Turf Products, utilizing Buy Board Contract 447-14, for an amount not to exceed \$52,356.19. (Fund: Parks Department)

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve purchase of four (4) mowers, for Parks Department, from Professional Turf Products, utilizing Buy Board Contract 447-14, for an amount not to exceed \$52,356.19. (Fund: Parks Department)

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

Item 38 continued - Purchasing:

- C. Take all appropriate action on Agreement for Arbitrage Rebate Compliance Services between Fort Bend County and Arbitrage Compliance Services, Inc., pursuant to SOQ 04-029, in an amount not to exceed \$18,000. (Fund: Non-Departmental, Fees)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve agreement for Arbitrage Rebate Compliance Services between Fort Bend County and Arbitrage Compliance Services, Inc., pursuant to SOQ 04-029, in an amount not to exceed \$18,000. (Fund: Non-Departmental, Fees)

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

- D. Take all appropriate action on amendment from Gomez Flooring, for carpet replacement project at Libraries, utilizing Texas Multiple Award Schedule (TXMAS) Contract 4-721A040-3, in an amount not to exceed \$11,669.86, for a contract total of \$131,009.30. (Fund: Library)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve amendment from Gomez Flooring, for carpet replacement project at Libraries, utilizing Texas Multiple Award Schedule (TXMAS) Contract 4-721A040-3, in an amount not to exceed \$11,669.86, for a contract total of \$131,009.30. (Fund: Library)

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

Gilbert Jalomo, Purchasing Agent, stated this contract contained revisions done since November 4 which are specific to this project.

Item 38 continued - Purchasing:

- E. Take all appropriate action on request to purchase radio equipment from Motorola Solutions, utilizing Houston Galveston Area Council Contract RA05-12, for an amount not to exceed \$254,999.34. (Fund: Office of Emergency Management, Urban Area Security Initiatives Grant)**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to purchase radio equipment from Motorola Solutions, utilizing Houston Galveston Area Council Contract RA05-12, for an amount not to exceed \$254,999.34. (Fund: Office of Emergency Management, Urban Area Security Initiatives Grant)

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

- F. Take all appropriate action to purchase radio equipment from Motorola Solutions for various departments, utilizing Houston Galveston Area Council Contract RA05-12, for an amount not to exceed \$2,947,630.52. (Fund: Capital Improvement Project)**

Moved by Commissioner Morrison, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to purchase radio equipment from Motorola Solutions for various departments, utilizing Houston Galveston Area Council Contract RA05-12, for an amount not to exceed \$2,947,630.52. (Fund: Capital Improvement Project)

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

Judge Hebert stated this was an upgrade of 427 portable radios for various agencies.

Commission Morrison noted that it was brought in early and under budget.

Item 38 continued - Purchasing:

- G. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item from only one source, for commitment hearings to state mental facilities from the following: Travis County for Austin State Hospital; Howard County for Big Spring Hospital; Cherokee County for Rusk State Hospital; Kerr County for Kerrville State Hospital; Wilbarger County for Vernon State Hospital; Bexar County for San Antonio State Hospital; and Kaufman County for Terrell State Hospital.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item from only one source, for commitment hearings to state mental facilities from the following: Travis County for Austin State Hospital; Howard County for Big Spring Hospital; Cherokee County for Rusk State Hospital; Kerr County for Kerrville State Hospital; Wilbarger County for Vernon State Hospital; Bexar County for San Antonio State Hospital; and Kaufman County for Terrell State Hospital.

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

- H. Take all appropriate action on Bid 15-034, a Term Contract for Mosquito Control Chemicals.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to award Bid 15-034, a Term Contract for Mosquito Control Chemicals to Clark Mosquito Control, low bidder on all the mosquito items listed on the tabulation.

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

Item 38 continued - Purchasing:

- I. Take all appropriate action on Agreement for Professional Engineering Services between Epic Transportation Group, LP and Fort Bend County, pursuant to SOQ 14-025, in an amount not to exceed \$64,967 for intersection improvements at three intersections on Cinco Ranch Boulevard, Precinct 3. (Fund: Road & Bridge)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve agreement for Professional Engineering Services between Epic Transportation Group, LP and Fort Bend County, pursuant to SOQ 14-025, in an amount not to exceed \$64,967 for intersection improvements at three intersections on Cinco Ranch Boulevard, Precinct 3. (Fund: Road & Bridge)

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

- J. Take all appropriate action on Statement of Work and Professional Services Work Order from NWN Corporation, Inc. per Texas Department of Information Resources contract DIR-SDD-1640 in an amount not to exceed \$67,855.00. (Fund: Information Technology, Fees)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Statement of Work and Professional Services Work Order from NWN Corporation, Inc. per Texas Department of Information Resources contract DIR-SDD-1640 in an amount not to exceed \$67,855.00. (Fund: Information Technology, Fees)

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

Item 38 continued - Purchasing:

- K. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source, for LifePak medical equipment from Physio-Control, Inc., in an amount not to exceed \$208,419. (Fund: Emergency Medical Service)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source, for LifePak medical equipment from Physio-Control, Inc., in an amount not to exceed \$208,419. (Fund: Emergency Medical Service)

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

- L. Take all appropriate action on Jaguar Software End-User License Agreement from Technique Data Systems, a sole source as authorized by Section 262.024 (a)(7) Texas Local Government Code, for the Tax Office in an amount not to exceed \$7,750. (Fund: Tax Office)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Jaguar Software End-User License Agreement from Technique Data Systems, a sole source as authorized by Section 262.024 (a)(7) Texas Local Government Code, for the Tax Office in an amount not to exceed \$7,750. (Fund: Tax Office)

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

Item 38 continued - Purchasing:

- M. Take all appropriate action on renewal of software maintenance from Perceptive Software for the Sheriff's Office, utilizing State of Texas Department of Information Resources Agreement DIR-SDD-1753, in an amount not to exceed \$27,685. (Fund: Sheriff's Office, Enforcement, Fees)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve renewal of software maintenance from Perceptive Software for the Sheriff's Office, utilizing State of Texas Department of Information Resources Agreement DIR-SDD-1753, in an amount not to exceed \$27,685. (Fund: Sheriff's Office, Enforcement, Fees)

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

- N. Take all appropriate action on Agreement between Fort Bend County and Forensic Technology for maintenance of Remote Data Acquisition Station equipment in an amount not to exceed \$45,616 for FY 2015. (Fund: Sheriff's Office)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and Forensic Technology for maintenance of Remote Data Acquisition Station equipment in an amount not to exceed \$45,616 for FY 2015. (Fund: Sheriff's Office)

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

- O. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source for digital media platform from Midwest Tape for the Library System in an amount not to exceed \$75,000.(Fund: Library)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source for digital media platform from Midwest Tape for the Library System in an amount not to exceed \$75,000.(Fund: Library)

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

39. SHERIFF'S OFFICE:

Take all appropriate action on acceptance of Grant Award Number 2662302 in the amount of \$110,247 from the Office of the Governor, Criminal Justice Division for the Community Services Division - Youth Programs, with a cash match of \$34,272 required by Fort Bend County, for a total program cost of \$144,519 for the period of September 1, 2014 through August 31, 2015, and designate the County Judge as authorized official to electronically accept the award.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to accept Grant Award Number 2662302 in the amount of \$110,247 from the Office of the Governor, Criminal Justice Division for the Community Services Division - Youth Programs, with a cash match of \$34,272 required by Fort Bend County, for a total program cost of \$144,519 for the period of September 1, 2014 through August 31, 2015, and designate the County Judge as authorized official to electronically accept the award.

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

Ed Sturdivant, Auditor, stated the source of the cash match is the Sheriff's budget.

40. Approve Bills.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$6,184,331.37

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

41. Ratify the release of time sensitive bills by Auditor on November 13, 2014.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to ratify the release of time sensitive bills by Auditor on November 13, 2014 in the amount of \$374,600.99.

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

Recess:

Recessed at 1:33 p.m.

- 42. 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 1:49 p.m.
Adjourned at 1:50 p.m.

Reconvene:

Reconvened at 1:52 p.m.

- 43. 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.**

No action.

- 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 on the previous referenced law suit to amend the contract of the lawfirm, Dunbar Harder, PLLC, special counsel, from \$200,000 to \$250,000.

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

- 44. Adjournment.**

Commissioners Court adjourned at 1:54 p.m. on Tuesday, November 18, 2014.

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.