

MINUTES

BE IT REMEMBERED, That on this 10th DAY of FEBRUARY, 2015, 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
LINDA WILLIS FOR LAURA RICHARD	COUNTY CLERK

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

1. Call to Order.

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

2. Invocation and Pledges of Allegiance by Commissioner Grady Prestage.

3. Approve minutes of regular meeting held on February 3, 2015.

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 February 3, 2015.

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.

5. PUBLIC HEARINGS: 1:00 p.m.:

A. Conduct Public Hearing to consider creation of Fort Bend County Emergency Service District No 7 in Precinct 3, pursuant to Chapter 775 of the Health and Safety Code.

Howard Katz of Richmond, speaking on behalf of petitioners for Fort Bend County ESD #7 and Pecan Grove Volunteer Fire Department. Mr. Katz explained that the petitions originally filed, included the ETJ of the City of Richmond and the City of Houston. The Pecan Grove portion is within the City of Richmond's ETJ. Waterside Estates is in the Houston ETJ area. The City of Richmond did not grant consent to include the ETJ of Richmond, which is the Pecan Grove area, in this proposed ESD. The City of Houston did grant consent for Waterside Estates. Mr. Katz pointed out that we may have comments and may get testimony from the Waterside Estates area and others that an ESD that would only be composed of Waterside Estates would not be feasible based on the geographics and the valuation. If that is the finding that the court makes, then the action would be to decline the petition, as not being feasible. An appeal has been requested with the City of Richmond on a couple of occasions which has not been granted. Pecan Grove would be out of this proposed district and thereby considered not being feasible. If that is the required finding, then it is ordered to proceed to the next stage, which would be an election.

Commissioner Patterson questioned the action on this item.

Judge Hebert stated there is no action on this agenda. All action will take place at a future meeting. There will be an item pertaining to this Emergency Services District and unless something significantly changes between now and then it will be requested to decline the call of the election. For the record, please note that Mr. Katz has delivered a copy of the letter to us signed by Romain Barski, President of Waterside Estate Homeowners Association, which advises Mr. Katz that currently the Emergency Services District for only the Waterside Estate portion of the proposed ESD would not be deemed feasible or in the best interest of the community.

No action.

B. Conduct Public Hearings and take all appropriate action on the following matters:

1. Replat: LaCenterra at Cinco Ranch, Sec. 1, Precinct 3.

No action.

2. Replat: LaCenterra at Cinco Ranch, Sec. 2, Precinct 3.

No action.

CONSENT AGENDA ITEMS 6 - 18

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

- A. **Library : Mary Miller and Huong Mai Nguyen to Minneapolis, Minnesota, April 13-18, 2015, to attend the Annual Polaris Users Group Conference. (Fund: Library, Travel)**
- B. **Sheriff's Office : A. Pascual to Memphis, Tennessee, May 3-7, 2015, to attend the Tiburon Conference. (Fund: Sheriff, Enforcement, Training)**

7. COMMISSIONER, PCT. 1:

Approve First Amendment to Agreement between Fort Bend County and Fresno Volunteer Fire Department to provide additional funding in the amount of \$37,418 for fire protection services in the Fresno/Arcola area for the 2014-2015 contract year, utilizing revenue received from BFI tipping fees. (Fund: Fresno/Arcola Projects)

8. COMMISSIONER, PCT. 4:

Approve the reappointment of Scott Jacobson to the Board of Directors of First Colony Levee Improvement District for a term effective February 27, 2015 through February 27, 2019.

9. AUDITOR:

Accept Monthly Financial Report prepared by the County Auditor for eleven months ending August 31, 2014, pursuant to Local Government Code Section 114.023.

10. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. **Behavioral Health Services : Approve transfer in the amount of \$4,700 as detailed on Auditor's form dated February 4, 2015 to allocate funds for expenditures related to the start of new position, Forensic Psychologist.**
- B. **Health & Human Services - Emergency Medical Service : Approve transfer in the amount of \$11,575 as detailed on Director's form dated February 5, 2015, to allocate funds into correct line item for vehicle upfitting expenses.**

Pulled

- C. **Library : Approve transfer in the amount of \$52,305 as detailed on County Librarian's form dated February 2, 2015, to allocate funds for the purchase of shelving and a forklift.**
- D. **Office of Emergency Management : Approve transfer in the amount of \$400 from Fees into Information Technology to allocate funds into correct line item for computer related expenditures.**
- E. **Road & Bridge - Vehicle Maintenance : Approve transfer in the amount of \$150 from Fees into Information Technology to allocate funds for the purchase of battery backup for the lobby computer.**

11. CONSTABLE, PCT. 3:

Record into Minutes the 2014 Racial Profiling Report, Tier 2, for the Office of Constable, Pct. 3, pursuant to Code of Criminal Procedure, Articles 2.131-2.138.

12. ENGINEERING:

- A. Approve payment of Invoice No. 121439C in the amount of \$3,511.00 to Aviles Engineering Corp. regarding West Bellfort Road, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 2018 (sequence no. 8) in the amount of \$170,842.50 to Aranda Brothers Construction Co., Inc. regarding Harlem Road, Mobility Bond Project No. 726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 14-12-016 (sequence no. 12) in the amount of \$1,680.00 to Kelly R. Kaluza & Associates, Inc. regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 1-150091 in the amount of \$4,140.00 to Brown & Gay Engineers regarding Spring Green, Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)**
- E. Approve payment of Invoice No. 1333 in the amount of \$1,448.33 to Austin-Reed Engineers, LLC regarding Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. INV0006143 in the amount of \$1,724.16 to Percheron Field Services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)**
- G. Approve payment of Invoice No. 8 (Final) in the amount of \$251,043.70 to Gonzalez Construction Enterprise, Inc. regarding Mason Road, Phase 3, Mobility Bond Project No. 735b, Precinct 4. (Fund: 2007 Mobility Bonds)**
- H. Approve application from Devon Street Homes to construct driveways on Longvale Drive and Oak River Lane, Precinct 1.**
- I. Approve application from Devon Street Homes to construct driveways on Waterview Meadow Drive and Quill Rush Way, Precinct 4.**
- J. Approve application from Lischka Utilities, LLC to construct a driveway on Beechnut Road, Precinct 4.**
- K. Approve application from Centerpoint Energy Houston Electric LLC to install overhead electrical lines over Steep Bank Creek, Precinct 2 and Precinct 4.**
- L. Approve application from Gonzales Construction Enterprise, Inc. to construct an outfall into Seabourne Creek, Precinct 1.**
- M. Approve application from Centerpoint Energy to bore under and bury a 2-inch plastic gas line along Westmoor Drive, Precinct 2.**

Item 12 continued - Engineering:

- N. Approve release of performance bond No. SUR6009359 in the amount of \$10,000.00 to Landmark Industries for completion of work on South Firethorne Road, Permit No. 83841, Precinct 3.**
- O. Approve application from AT&T to bury fiber optic cable along Morton Road, Precinct 4.**
- P. Accept bond Decrease Rider #70105249 for Firethorne West, Section 10 reducing the amount from \$227,640.00 to \$113,820.00, Precinct 3.**
- Q. Release bond #70084130 in the amount of \$267,110.00 for Firethorne Section 25 and Firethorne Section 19 Partial Replat. The streets are private and will be maintained by the Homeowners Association, Precinct 3.**
- R. Accept the streets in Firethorne, Section 21: Iron Point Court 175.00 LF, Eastonwood Court 531.72 LF, Warren Park Drive 377.33 LF, Bruning Way 178.00 LF, for a total of 1,262.05 LF, and release bond #5108293 in the amount of \$83,930.00, Precinct 3.**
- S. Accept the streets in Firethorne, Section 22: South Firethorne Road 1,502.37 LF, Carlson Manor Drive 576.25 LF, Carlson Manor Court 148.00 LF, Blinkwood Park 601.13 LF, Hillstrom Park Drive 219.98 LF, Gladway Manor Drive 518.25 LF, Sparrow Crest Drive 621.58 LF, Pinkstone Court 391.26 LF, for a total of 4,578.82 LF, and release bond 5108294 in the amount of \$316,260.00, Precinct 3.**
- T. Accept the streets in Firethorne, Section 23: North Firethorne Road 449.00 LF, North Firethorne Road 924.68 LF, Draycutt Drive 1,619.48 LF, Hunting Bay Court 323.47 LF, Meeks Bay Court 502.08 LF, Rumson Drive 300.05 LF, Beauford Drive 430.68 LF, Sparrow Crest Drive 251.46 LF, for a total of 4,800.90 LF, and release bond #70084128 in the amount of \$362,520.00, Precinct 3.**
- U. Accept the streets in Firethorne, Section 24: Rumson Drive 1,403.53 LF, Bruning Way 208.00 LF, Caney Fork Court 251.46 LF, for a total of 1,776.51 LF, and release bond #70084129 in the amount of \$120,680.00, Precinct 3.**
- V. Approve the plat for Canyon Gate at the Brazos Section Two Partial Replat No. 3, Precinct 1.**
- W. Approve plat for the roads within Avalon at Riverstone, Section Ten-B, Precinct 4.**
- X. Approve plat for the lots within Avalon at Riverstone, Section Ten-B, Precinct 4.**
- Y. Set public hearing for Blue Bonnet Acres Partial Replat No. 1, Precinct 1. *(Tuesday, March 24, 2015, at 1:00 p.m.)***
- Z. Set public hearing for Satya Long Meadow Farms Partial Replat No. 1, Precinct 4. *(Tuesday, March 24, 2015, at 1:00 p.m.)***
- AA. Set public hearing for acceptance of the traffic control plan for Firethorne, Sections 21, 22, 23, 24, Precinct 3. *(Tuesday, March 10, 2015, at 1:00 p.m.)***

13. **FORT BEND FLOOD CONTROL WATER SUPPLY CORP.:** The Board of Directors of Fort Bend Flood Control Water Supply Corporation reviewed these items at their regular meeting held on January 28, 2015, and makes the following recommendations to Commissioners Court:
 - A. **Approve renewal of insurance policies for Fort Bend Flood Control Water Supply Corporation as presented by SIG/McDonald & Wessendorff Insurance in the amount of \$6,563.00 for one year effective February 12, 2015.**
 - B. **Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated January 28, 2015 for an amount totaling \$12,716.65 regarding Big Creek. (Fund: Big Creek)**

14. **JUVENILE PROBATION & DETENTION**

Approve Agreement between Fort Bend County and Houston-Galveston Area Council for the County's Juvenile Probation Department to receive grant funds in the amount of \$14,000 to provide mental health assessment and/or therapy to referred juveniles for the period of January 1, 2015 through August 31, 2015, to be ratified by the Juvenile Board at their next meeting.

15. **OFFICE OF EMERGENCY MANAGEMENT:**

Approve and sign three FY 2013 Grant Adjustment Notices (GAN) between Fort Bend County and the State of Texas Department of Public Safety to close out the Urban Area Security Initiative (UASI), Urban Area Security Initiative Law Enforcement Terrorism Prevention Activities (UASI-LETPA) and Urban Area Security Initiative Management and Administration (UASI-M&A) grant projects for the FY 2013 Homeland Security Grant Performance period.

16. **PURCHASING:**
 - A. **Authorize advertising for bids for Printing and Mailing of Tax Statements.**
 - B. **Authorize advertising for requests for proposals for electronic content management (ECM) solution.**

17. **SHERIFF'S OFFICE:**

Ratify Application for Participation in the Texas 1033 Surplus Property Program by the Sheriff's Office for the current Fiscal Year.

18. TAX ASSESSOR/COLLECTOR:

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 4, 2015 for an amount totaling \$227,105.38 for the Office of Patsy Schultz.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve consent items 6 - 10A & 10C - 18.

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

Item 10B pulled.

19. COUNTY JUDGE:

A. Take all appropriate action on Resolution by Commissioners Court Requesting the State Legislature Create an Additional General Jurisdiction District Court Giving Preference to Family Law Matters.

Commissioner Meyers motioned and Commissioner Patterson seconded to approve Resolution by Commissioners Court Requesting the State Legislature Create an Additional General Jurisdiction District Court Giving Preference to Family Law Matters.

Judge Shoemake approached the podium at Commissioner Patterson's request.

Commissioner Patterson mentioned that he seconded the motion because he believes we need another court; but we must work as a team. He feels that the Judiciary facility is not being used efficiently. The County Auditor and County Facilities have done a survey of vacancy of time and the building is vacant for a large portion of time.

Judge Hebert stated that there were two surveys that were independently taken; one by the County Auditor and one by Facilities at his request. The findings of the survey correlated very well and it was found that the court rooms are used 50% of the time or less. This is an expensive square footage, and this is not for the Commissioners Court to determine how they should be used more efficiently. Judge Hebert is in agreement with Commissioner Patterson and stated the Judges should come up with a resolution and have an obtainable goal of using the facility 75% of the time. Several counties have night court for convenience in certain matters, because some people have to work during the day. Judge Hebert has asked to investigate what others are doing for night court for the next several months. He agrees that we need the court and has every intention of voting for it and pointed out that it is tremendously expensive to build and maintain courtroom space and any efficiency we can get is to the benefit of the taxpayer.

Commissioner Patterson commented again that there is a partnership with the Judges running the courtrooms.

Commissioner Prestage commented that he is concerned about not being taken seriously when we discuss the public defender's office. We cannot get a public defender's office unless a judge requests it.

Assistant County Attorney Michelle Rangel, pointed out that the comments should be kept either for/against the resolution of additional courts, which is the subject matter that was posted for the meeting.

Judge Hebert stated that Commissioner Prestage voted no until they call for a public defender's office in the Resolution. The item will be placed on the agenda in the future. The judges can meet with Commissioner Prestage to work on this matter.

Judge Shoemake, of the 434th District Court, mentioned that this is a Family Court and would not have a Public Defender's office associated with it in any way.

No action taken.

Item 19 continued - County Judge:

- B. Take all appropriate action on the appointment of Underwriters for the issuance of approximately \$51,000,000 Fort Bend County Texas, Unlimited Tax Road and Refunding Bonds, Series 2015 and approximately \$93,000,000 Fort Bend County, Texas, Limited Tax Refunding Bonds, Series 2015.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to approve the appointment of Underwriters for the issuance of approximately \$51,000,000 Fort Bend County Texas, Unlimited Tax Road and Refunding Bonds, Series 2015 and approximately \$93,000,000 Fort Bend County, Texas, Limited Tax Refunding Bonds, Series 2015.

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

Judge Hebert mentioned the list of underwriters as follows:

Citigroup Global Markets Inc	Co-Senior & Bookrunner (40%)
Loop Capital Markets LLC	Co-Senior (30%)
BOSC, Inc	Co-Manager (10%)
Estrada Hinojosa & Co., Inc	Co-Manager (10%)
Stifel Nicolaus & Company, Inc.	Co-Manager (10%)

20. AUDITOR:

Take all appropriate action on request to transfer the amount of \$444,600 as detailed on the Auditor's form dated February 4, 2015 to allocate funds into various project accounts.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
 Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$444,600 as detailed on the Auditor's form dated February 4, 2015 to allocate funds into various project accounts.

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

21. ENGINEERING:

A. Take all appropriate action on Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and Authorizing the Acquisition and Payment of Compensation by record vote for the FM 1093 Westpark Tollway Project, Precinct 3.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered by verbal vote to authorize the use of the power of eminent domain to acquire all needed right-of-way for FM 1093 Westpark tollway Project, Phase I to be located on and along existing FM 1093 from State Highway 99 to FM 1463 and Phase II to be located on and along existing FM 1093 from FM 1463 to James Lane, in Fort Bend County, Texas BY ADOPTION OF THE RESOLUTION AND ORDER DECREEING THE ACQUISITION OF PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE ACQUISITION AND PAYMENT OF COMPENSATION for the public purpose of widening, aligning, construction, operation and maintenance of the FM 1093 Westpark Tollway Project including appurtenant drainage and detention required for said project. This motion applies to any and all parcels of land that must be condemned along the FM 1093 Westpark Tollway Project.

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

B. Take all appropriate action on Permanent Easement Agreement granting a 0.86 acre permanent easement area, a 1.49 acre temporary workspace area, and a 0.28 acre additional temporary workspace area to Enterprise Crude Pipeline, LLC for installation of pipeline, and record same in Official Public Records of Fort Bend County, Texas, Precinct 1.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Permanent Easement Agreement granting a 0.86 acre permanent easement area, a 1.49 acre temporary workspace area, and a 0.28 acre additional temporary workspace area to Enterprise Crude Pipeline, LLC for installation of pipeline, and record same in Official Public Records of Fort Bend County, Texas, Precinct 1.

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

Commissioner Meyers mentioned that some of the pipelines are not low enough to build a road across and would like the court to take into consideration, when using a pipeline company, to make sure that they are lowering the pipeline enough in order that no adjustments have to be made if a road is to be built over the pipes.

Item 21 continued - Engineering:

- C. Take all appropriate action to accept the Donation Deed - LPA, JDC/Firethorne, Ltd, for 10-foot wide right-of-way dedication along FM 1463, out of the Thomas Caraway Survey, Abstract 156, and record same in Official Public Records, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to accept the Donation Deed - LPA, JDC/Firethorne, Ltd, for 10-foot wide right-of-way dedication along FM 1463, out of the Thomas Caraway Survey, Abstract 156, and record same in Official Public Records, Pct 3.

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

- D. Take all appropriate action on Order regarding the Fort Bend County Major Thoroughfare Plan as proposed by the Engineering Department.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Order regarding the Fort Bend County Major Thoroughfare Plan as proposed by the Engineering Department.

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

Commissioner Morrison thanked the Engineering Department for all of their hard work.

- E. Take all appropriate action on request for a variance to the general building setback requirement as stated in Section 5.12.C.1 of the Fort Bend County Regulations of Subdivisions, for Winfield Lakes Sec. 17 Partial Replat No. 1, on behalf of Long Lake Ltd., Precinct 2.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve variance to the general building setback requirement as stated in Section 5.12.C.1 of the Fort Bend County Regulations of Subdivisions, for Winfield Lakes Sec. 17 Partial Replat No. 1, on behalf of Long Lake Ltd., Precinct 2.

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

Item 21 continued - Engineering:

F. Take all appropriate action on plat for Winfield Lakes Sec. 17 Partial Replat No. 1, Pct 2.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve plat for Winfield Lakes Sec. 17 Partial Replat No. 1, Pct 2.

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

22. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on request to transfer the amount of \$51,290 from Non-Departmental Contingency into Facilities, Custodial, as detailed on Director's form dated February 3, 2015, to allocate additional funds necessary due to change in vendors.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$51,290 from Non-Departmental Contingency into Facilities, Custodial, as detailed on Director's form dated February 3, 2015, to allocate additional funds necessary due to change in vendors.

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

23. FIRE MARSHAL:

Take all appropriate action on Interlocal Agreement for Fire Code Inspections between Fort Bend County and City of Arcola.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement for Fire Code Inspections between Fort Bend County and City of Arcola.

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

24. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position 5701-0018 in the Community Supervision & Corrections Department from Community Corrections Officer II, Grade 10 of the Professional Management Policy Group to Senior Officer, Grade 11 of the Professional Management Policy group effective February 14, 2015.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to reclassify Position 5701-0018 in the Community Supervision & Corrections Department from Community Corrections Officer II, Grade 10 of the Professional Management Policy Group to Senior Officer, Grade 11 of the Professional Management Policy group effective February 14, 2015.

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

25. OFFICE OF EMERGENCY MANAGEMENT:

Take all appropriate action on request to transfer the amount of \$1,246 from Non-Departmental Contingency into Fees to allocate additional funds necessary for payment of invoice for emergency oil spill cleanup on November 19, 2014.

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$1,246 from Non-Departmental Contingency into Fees to allocate additional funds necessary for payment of invoice for emergency oil spill cleanup on November 19, 2014.

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

26. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Application to Federal Transit Administration (FTA) for Fiscal Year 2013 Congestion Mitigation and Air Quality grant funds totaling \$2,504,175 with land as local match for the Westpark Park & Ride, and authorize Grants Coordinator to electronically submit the application in the Transportation Electronic Award Management (TEAM) System, as designated by the County Judge.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Application to Federal Transit Administration (FTA) for Fiscal Year 2013 Congestion Mitigation and Air Quality grant funds totaling \$2,504,175 with land as local match for the Westpark Park & Ride, and authorize Grants Coordinator to electronically submit the application in the Transportation Electronic Award Management (TEAM) System, as designated by the County Judge.

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

- B. Take all appropriate action on Application to Houston Galveston Area Council for the Commuter and Transit Services Pilot Program in the amount of \$310,877 for expansion of Texas Medical Center commuter service, with a cash match of \$113,908 by Fort Bend County. (Fund: Public Transportation Grants)**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Application to Houston Galveston Area Council for the Commuter and Transit Services Pilot Program in the amount of \$310,877 for expansion of Texas Medical Center commuter service, with a cash match of \$113,908 by Fort Bend County. (Fund: Public Transportation Grants)

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

Commissioner Patterson stated that this would move us from 24 commuter routes to 32 routes for that location; plus one dedicated to the Veterans Hospital in the middle of the day.

27. PURCHASING:

A. Take all appropriate action on Bid 15-043 to provide and install baseball barrier netting.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Bid 15-043 to provide and install baseball barrier netting.

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

B. Take all appropriate action on Bid 15-044 for Sheriff's Office Interior Remodel of West Jail Tower.

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Bid 15-044 for Sheriff's Office Interior Remodel of West Jail Tower.

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

Gilbert Jalomo, Purchasing Agent, mentioned that Pride Services is doing the work on only the 2nd and 4th floor for an amount of \$42,440.

C. Take all appropriate action on Bid 15-045 for the construction of a double turn lane at private drive on Fry Road.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to reject and readvertise Bid 15-045 for the construction of a double turn lane at private drive on Fry Road.

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

Item 27 continued - Purchasing:

D. Take all appropriate action on SOQ 15-046 for design/build equipment barn at Freedom Park.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve SOQ 15-046 for design/build equipment barn at Freedom Park.

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

Gilbert Jalomo, Purchasing Agent asked permission to negotiate with Bass Construction.

Item 27 continued - Purchasing:

- E. Take all appropriate action on Second Amendment to Agreement for Engineering Services between Fort Bend County and Klotz Associates, Inc. in an amount not to exceed \$341,434.68, for a total amount not to exceed \$853,269.36 regarding project management services for Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Agreement for Engineering Services between Fort Bend County and Klotz Associates, Inc. in an amount not to exceed \$341,434.68, for a total amount not to exceed \$853,269.36 regarding project management services for Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds).

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

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to amend previous motion and authorize Second Amendment to the original Agreement for Engineering Services duly authorized by First Amendment on August 25, 2009 to increase the total amount not to exceed \$853,269.68 and, include services rendered beyond the scope of the First Amendment and project management services to be provided for Mobility Bond Projects within Precincts 1, 2, 3, and 4.

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

Judge Hebert mentioned that this motion is taken because of an Administrative issue on the previous payment and asked Mr. Jalomo to discuss the steps taken so that we do not see this again.

Gilbert Jalomo, Purchasing Agent, mentioned that this started in 2008, with an amendment in 2009, and was asked to do the exact amendment in 2011 with the exact dollar amount. The buyer that handles this project thought it had come to court because it is the exact dollar amount and amended the purchase order. Currently, the agenda items are checked to make sure they are approved before requisition is processed. The confusion was because the dollar amounts were the same. We have received the services that were paid for up till now and there was no intention of wrong doing from purchasing or engineering. The work was done in a professional manner.

Judge Hebert stated that a change order was done without approval from Commissioner's Court.

28. SHERIFF'S OFFICE:

- A. Take all appropriate action on request to authorize payment by Invoice Transmittal for an amount totaling \$150.00 to A & M Wrecker Services for towing services provided on June 23, 2014 and on September 25, 2014 without a purchase order. (Fund: Sheriff, Enforcement, Fees)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal for an amount totaling \$150.00 to A & M Wrecker Services for towing services provided on June 23, 2014 and on September 25, 2014 without a purchase order. (Fund: Sheriff, Enforcement, Fees)

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

- B. Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$250.00 to Mike Davis Signs for the purchase of a banner without a purchase order. (Fund: Sheriff, Forfeited Assets, Federal)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$250.00 to Mike Davis Signs for the purchase of a banner without a purchase order. (Fund: Sheriff, Forfeited Assets, Federal)

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

Item 28 continued - Sheriff's Office:

- C. Take all appropriate action on request to accept the donation of property from the Texas Department of Public Safety as part of the Texas 1033 Military Surplus Property Program described as: three (3) Humvee Model 998, 4-door, 1-1/4 ton 4 x 4 personnel/cargo carriers, and three (3) trailers for use by the Fort Bend County Sheriff's Office; and authorize County Judge to sign all documentation related to acceptance of the property.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to accept the donation of property from the Texas Department of Public Safety as part of the Texas 1033 Military Surplus Property Program described as: three (3) Humvee Model 998, 4-door, 1-1/4 ton 4 x 4 personnel/cargo carriers, and three (3) trailers for use by the Fort Bend County Sheriff's Office; and authorize County Judge to sign all documentation related to acceptance of the property.

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

Commissioner Patterson stated that the Sheriff's Department has the authority to assign vehicles to other appropriate departments within the county.

Sherriff Troy Nehls answered that the vehicles have to be law enforcement related vehicles.

29. 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 \$6,365,363.62.

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

30. Authorize County Auditor to pay and release time sensitive bills on February 19, 2015, to be ratified by Commissioners Court on February 24, 2015.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to pay and release time sensitive bills on February 19, 2015, to be ratified by Commissioners Court on February 24, 2015.

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

Recess:

Recessed at 1:44 p.m.

31. 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. Medical Subrogation Claim of Melba Pyka - Right of Reimbursement for Benefits Paid; County Attorney File # 14-SUB-020.**
- 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 1:56 p.m.
Adjourned at 2:05 p.m.

Reconvene:

Reconvened at 2:05 p.m.

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

§ 551.071. Consultation With Attorney.

A. Medical Subrogation Claim of Melba Pyka - Right of Reimbursement for Benefits Paid; County Attorney File # 14-SUB-020.

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate the complete terms and provisions for the full and final settlement of the medical subrogation claim of Melba Pyka for benefits paid, approve and accept the proposal made by the attorney letter date February 4, 2015 for the settlement of the county health care plan in the same settlement medical subrogation plan.

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.

No action.

33. Adjournment.

Commissioners Court adjourned at 2:08 p.m. on Tuesday, February 10, 2015.