

APPROVAL OF MINUTES  
COMMISSIONERS COURT  
FORT BEND COUNTY

I, Laura Richard, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 3rd day of March, 2015.

  
\_\_\_\_\_  
LAURA RICHARD, 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 10th day of March, 2015.

  
\_\_\_\_\_  
ROBERT E. HEBERT, COUNTY JUDGE

**MINUTES**

BE IT REMEMBERED, That on this 3RD DAY of MARCH, 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 1:00 p.m.

**2. Invocation and Pledge of Allegiance by Commissioner James Patterson.**

Invocation and Pledge of Allegiance by Commissioner James Patterson.

**3. Approve minutes of regular meeting held on February 24, 2015.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on February 24, 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.

Don Shirley, Executive Director of Connected Texas, presented Judge Hebert with an award to Fort Bend County for being Certified Connected and having effective internet access available to the public.

Commissioner Patterson mentioned that on March 4 at 6:00 p.m. Emergency Services District 5 and Northeast Fire Department will break ground on the new firestation that will house EMS at Clodine Road and Denver Miller.

**CONSENT AGENDA ITEMS 5 - 12:**

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

- A. **District Attorney : Approve change in return date for employee traveling to Las Vegas, Nevada, May 17-21, 2015 to attend Computer and Enterprise Investigations Conference. (Fund: District Attorney, Travel)**
- B. **Fire Marshal : Jim Hargraves to Emmitsburg, Maryland, April 25 through May 9, 2015 to attend training at the National Fire Academy. (Fund: Fire Marshal, Travel)**
- C. **Health & Human Services - Animal Services : Rene Vasquez to New Orleans, Louisiana, March 29 through April 2, 2015, to attend Animal Care Expo. (Fund: Animal Services, Tatum Fund)**
- D. **Sheriff's Office : Ratify travel by M. Kubricht and B. Schmitt to Manchester, Tennessee, February 25-26, 2015, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

**6. BUDGET & FINANCE/BUDGET TRANSFERS:**

- A. **Health & Human Services - Emergency Medical Service: Approve transfer in the amount of \$29,800 from Fees into Capital Acquisitions to allocate funds into correct account for ambulance remounting fees.**
- B. **Health & Human Services: Approve transfer in the amount of \$14,760 as detailed on the Auditor's form dated February 24, 2015 to allocate funds for the Juvenile and Recovery/Reintegration programs under the 1115 Waiver Program.**
- C. **Sheriff's Office : Approve transfer in the amount of \$12,000 from Forfeited Assets, Federal, Contingency, into Capital Acquisitions, to allocate funds for the installation of navigation system in helicopters.**

March 3, 2015

**7. ENGINEERING:**

- A. Approve payment of Invoice No. 459301/35/II in the amount of \$674,194.70 to Dannenbaum Engineering Corp. regarding FM 1093 / Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 011564C in the amount of \$3,362.60 to Aviles Engineering Corp. regarding West Bellfort Road, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 77 in the amount of \$2,800.00 to Schaumburg & Polk, Inc. regarding administrative support services for 2007 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 67944 Revise (Sequence No. 3) in the amount of \$107,953.58 to R.G. Miller Engineers, Inc. for professional services regarding Bellaire Boulevard, Mobility Bond Project Nos. 13302, 13303, and 13304, Precinct 3. (Fund: 2013 Mobility Bonds)**
- E. Approve payment of Invoice No. 4 in the amount of \$9,600.00 to Schaumburg & Polk, Inc. for administrative support services regarding Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- F. Approve payment of Invoice No. 00182801 in the amount of \$843.74 to Bio-West, Inc. for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- G. Approve application from 723 Partnership, Ltd. to construct a driveway on Riverside Boulevard, Precinct 1.**
- H. Approve application from Devon Street Homes to construct a driveway on Day Lilly Court, Precinct 1.**
- I. Approve application from Devon Street Homes to construct driveways on Dragonfly Drive and Longvale Drive, Precinct 1.**
- J. Approve application from Aztec Decorative Concrete to repair a driveway at 1318 Forest Brook, Precinct 1.**
- K. Approve application from Blazer Building Texas, LLC to construct driveways on Farmer Road and Mason Road, Precinct 3.**
- L. Approve application from Devon Street Homes to construct driveways on Jay Thrush Drive and Waterview Meadow Drive, Precinct 4.**
- M. Approve application from Comcast, LLC to bore under and bury fiber optic cable along University Boulevard, Twilight Springs Lane and L J Parkway, Precinct 4.**
- N. Approve application from Bass Construction to construct driveways on Denver Miller Road and Clodine Road, Precinct 4.**

**Item 7 continued - Engineering:**

- O. Approve release of performance bond # SUR6009359 in the amount of \$10,000.00 to Landmark Industries for completion of work on South Firethorne Road, Permit #83841, Precinct 3.
- P. Approve release of performance bond #TX880462 in the amount of \$5,000.00 to HPI Construction, Inc. for completion of work on South Mason Road, Permit #84543, Precinct 3.
- Q. Approve release of performance bond #SUR6025189 in the amount of \$10,000.00 to Landmark Industries /Texas Petroleum Group for completion of work on Corbitt Road, Permit #84383, Precinct 3.
- R. Approve release of performance bond #SUR6026324 in the amount of \$30,000.00 to Texas Petroleum Group/Interplan Architects, Inc. for completion of work on L J Parkway and University Boulevard, Permit #84433, Precinct 4.
- S. Accept the streets in Fairpark Village, Section 4: Red Cedar Trail 196.42 LF, Keystone Square Lane 979.79 LF, Upland Plover Court 585.20 LF, Bishop Hollow Lane 777.74 LF, Andell Ridge Lane 362.35 LF, Feather Hill Drive 914.37 LF for a total of 3,815.87 LF, and release bond #105009507 in the amount of \$267,111.00, Precinct 1.
- T. Accept the streets in Sunrise Meadow, Section 7: Chessgate Falls Lane 1,168.07 LF, Flagstone Pine Lane 190.43 LF, Flagstone Pine Lane 364.64 LF, Atwood Preserve Court 535.42 LF for a total of 2,258.56 LF, and release bond #SUR00000038 in the amount of \$150,080.00, Precinct 1.
- U. Accept the streets in Providence at Riverstone, Section 1: Ledbury Way 131.44 LF, Ledbury Way 111.11 LF, Fairford Drive 824.61 LF, Hastings Street 155.00 LF, for a total of 1,222.16 LF, and release bond #MNT9118156 in the amount of \$115,640.00, Precinct 4.
- V. Accept the streets in Oak Lake Court: Bandicoot Drive 595.43 LF, Pademelon Drive 1,300.23 LF, Bettong Court 458.88 LF, Goanna Court 443.88 LF, Yabbie Drive 546.56 LF, Sitella Court 341.76 LF, Woma Court 303.83 LF, for a total of 3,990.57 LF, and release bond # 58623778 in the amount of \$279,339.00, Precinct 4.
- W. Approve the plat for Katy Gaston Plaza, Precinct 3.
- X. Approve plat for the roads within Prestwick at Riverstone, Precinct 4.
- Y. Approve plat for the lots within Prestwick at Riverstone, Precinct 4.
- Z. Approve plat for the roads within Aliana, Sec. 46, Precinct 4.  
  
Pulled
- AA. Approve plat for the lots within Aliana, Sec. 46, Precinct 4.  
  
Pulled
- BB. Set public hearing for acceptance of traffic control plan for Fairpark Village, Section 4, Precinct 1. (*Tuesday, April 7, 2015, at 1:00 p.m.*)

**Item 7 continued - Engineering:**

- CC. Set public hearing for acceptance of traffic control plan for Sunrise Meadow, Section 7, Precinct 1. *(Tuesday, April 7, 2015, at 1:00 p.m.)*
- DD. Set public hearing for acceptance of traffic control plan for Providence at Riverstone, Section 1, Precinct 4. *(Tuesday, April 7, 2015, at 1:00 p.m.)*
- EE. Set public hearing for acceptance of traffic control plan for Oak Lake Court, Precinct 4. *(Tuesday, April 7, 2015, at 1:00 p.m.)*
- 8. **FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by Facility Bond and/or Capital Projects:**
  - A. Pay Application No. 14-016 002 in the amount of \$52,925.96 to Bass Construction Co., Inc., for construction services regarding the new office building and addition to the Bud O'Shieles Community Center;
  - B. Invoice No. 1557 in the amount of \$97,875.00 to Brown Aerobic Service Company for septic system installation at Jones Creek Ranch Park.
- 9. **FIRE MARSHAL:**
  - A. Approve the reappointment of Mark Flathouse as Fort Bend County Fire Marshal for a two-year term commencing March 18, 2015, subject to conditions of employment and employment policies of all Fort Bend County employees, pursuant to Local Government Code Section 352.011 (b).
  - B. Approve the Official Bond and Oath for Mark Flathouse, Fire Marshal, in the amount of \$2,000 effective March 18, 2015 through March 18, 2017.
- 10. **PUBLIC TRANSPORTATION:**

Accept grant award from the Federal Transit Administration (FTA) on Project ID# TX-95-X080 for FY2013 Congestion Mitigation and Air Quality funding in the amount of \$2,504,175 with land as local match for the Westpark Park & Ride, and authorize Grants Coordinator to electronically execute the award in the Transportation Electronic Award Management (TEAM) system. (Fund: Public Transportation, Grants)
- 11. **PURCHASING:**
  - A. Approve renewal of Official Bond and Oath for Gilbert Jalomo, Purchasing Agent, in the amount of \$5,000 effective March 29, 2015 through March 29, 2017.
  - B. Authorize advertising for bids for paving, drainage, and water line for Sansbury Blvd., from Grand Estates Drive to Canyon Lake Drive.
  - C. Authorize advertising for sealed bid sale of moisture/density gauge.
  - D. Authorize advertising for statements of qualification for design/build of generator for water treatment plant in Kendleton.

**12. SHERIFF'S OFFICE:**

**Record into Minutes the Agreement for HV/AC Heating and Air Conditioning Instructional Classes between Fort Bend County Sheriff and Wharton County Junior College for the school to provide instruction to incarcerated individuals of the Fort Bend County Jail effective through December 31, 2015. (Fund: Sheriff Commissary)**

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Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 5-7Y and items 7BB-12.

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

Items 7Z-AA pulled.

**13. COUNTY JUDGE:**

**A. Take all appropriate action on Resolution to the 84th Legislature regarding the Gulf Coast Water Authority.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Resolution to the 84th Legislature regarding the Gulf Coast Water Authority.

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

**B. Take all appropriate action on Resolution to the 84th Legislature regarding Appraisal Caps.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Resolution to the 84th Legislature regarding Appraisal Caps.

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

**Item 13 continued - County Judge:**

**C. Take all appropriate action on Resolution to the 84th Legislature regarding Revenue Caps.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Resolution to the 84th Legislature regarding Revenue Caps.

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

Commissioner Patterson noted that both items B and C are very important for the community to realize what a disaster those two items could be and could take away citizens' rights. He urged the public to take a look at these mandated items being controlled by Austin and suggested contacting the County Commissioner to explain the items more clearly.

Commissioner Meyers commented that this is about reducing taxes. Since he has been on the Court, the County has reduced the tax rate from about \$.65 to the current \$.49 ½, which is almost a 30% decrease in the tax rate, saving taxpayers a substantial amount of money. Commissioners Court runs the County very prudently and conservatively from a financial standpoint, providing the services required by the residents. This is also a local government control issue where you want to keep control at the local government level. Commissioner Meyers also identified with the effort to keep the taxes in line and as low as possible and stated the court as a whole has worked to achieve those goals.

Commissioner Morrison added that after talking to the budget officer on numerous occasions, there is an amount of money that the county would be out, if the caps had been a law since 2008. There is also a hidden cost. If the revenues are capped one year, then the next year you start with the smaller amount, so the revenues do not grow as they did the previous year. This is a progression that is not just a straight line; but a curved line as to how much revenue Fort Bend County would not receive. We must be able to utilize the revenue in order for citizens to be able to enjoy the services that Fort Bend County offers; such as EMS and libraries. If these items go forward, it will stunt our county's growth. Commissioner Morrison urged the citizens to contact legislators, senators, and state representatives to let them know we oppose revenue caps.

Commissioner Patterson added that according to research, two out of the last five years would require mandatory elections and according to our Elections Administrator would cost the County \$235,000.

Commissioner Morrison supplemented this by stating that since 2008 if we had included the elections necessary because of the caps for the County and Drainage District the loss to the County's revenue would be \$13,000,000. That is the obvious portion of the revenue which does not include the amount that we would have received based upon having the previous amount uncapped.

**Item 13 continued - County Judge:**

In summary, Judge Hebert stated the county has averaged 3% of the proposed roll-back rate. Mandatory roll-back rate is 4%. In the last 5 years, the county has been at 5% twice but it has also been at 0%. The average is 3.3%. Pressuring local government leaves little choice but to protect themselves against the bad years by adopting a rate slightly below 4% and working backwards from there. The people that are proposing these kinds of radical caps on revenue are really triggering in Fort Bend County what would effectively be a tax increase in self-defense. This is not the appropriate way to budget. The County should spend the money in the way necessary to provide the services and improvements the citizens demand, which should be expected with our growth. In years when we don't need it, we really should be able to set it at 0% and that is exactly what we do. On average, over the last several years, we have run well below the 4%. When you get into a recessionary period, if you want to keep your level of services, you have to exceed 4% and that would trigger, as we just heard on at least two occasions, a total of about \$500,000 in expenses for the elections only. Another point is that anything that casts doubt about a county's revenue stream affects its credit rating. Rating agencies would have to take that into consideration because we cannot guarantee that in any one year we would enter the year with certifiable funds in an operating budget. We would be in violation of state law if we went over 4%. That would trigger a necessary reduction in the credit rating in the municipal governments across the state of Texas. While it might be slight, it would add up to a cumulative cost of millions of dollars a year. As we grow, our municipal agencies, counties, and cities do incur debt to meet their capital needs. These are serious considerations and we say leave us alone. We have a cap right now at 8%. There is a petition process if we exceed that 8% to allow for an election. We have proven we can live within that and in all likelihood we can live within the 4% but we know that in the thin years we would seriously have to curtail services. We don't think that is a decision Austin should make. It's a decision for local taxpayers to determine.

**D. Take all appropriate action on Agreement for Direct Services for the Prevention of Violence or Abuse/Neglect of a Child between Fort Bend County and Fort Bend County Women's Center in the amount of \$15,500 to provide services effective through November 30, 2015, pursuant to Section 51.961 of the Texas Government Code. (Fund: Family Protection Fund)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Direct Services for the Prevention of Violence or Abuse/Neglect of a Child between Fort Bend County and Fort Bend County Women's Center in the amount of \$15,500 to provide services effective through November 30, 2015, pursuant to Section 51.961 of the Texas Government Code. (Fund: Family Protection Fund)

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

**Item 13 continued - County Judge:**

- E. Take all appropriate action on Agreement for Direct Services for the Prevention of Violence or Abuse/Neglect of a Child between Fort Bend County and Child Advocates of Fort Bend, Inc. in the amount of \$15,500 to provide services effective through November 30, 2015, pursuant to Section 51.961 of the Texas Government Code. (Fund: Family Protection Fund)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Direct Services for the Prevention of Violence or Abuse/Neglect of a Child between Fort Bend County and Child Advocates of Fort Bend, Inc. in the amount of \$15,500 to provide services effective through November 30, 2015, pursuant to Section 51.961 of the Texas Government Code. (Fund: Family Protection Fund)

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

- F. Take all appropriate action on Agreement for Direct Services for the Prevention of Violence or Abuse/Neglect of a Child between Fort Bend County and Fort Bend Community Partners Rainbow Room in the amount of \$3,458 effective through November 30, 2015, pursuant to Section 51.961 of the Texas Government Code. (Fund: Family Protection Fund)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Direct Services for the Prevention of Violence or Abuse/Neglect of a Child between Fort Bend County and Fort Bend Community Partners Rainbow Room in the amount of \$3,458 effective through November 30, 2015, pursuant to Section 51.961 of the Texas Government Code. (Fund: Family Protection Fund)

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

**14. COMMISSIONER, PCT. 4:**

**Take all appropriate action on Release and Agreement between Fort Bend County and Gulf Coast Stabilized Materials, LLC for the County to utilize space within Gulf Coast's property for ambulance storage.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Release and Agreement between Fort Bend County and Gulf Coast Stabilized Materials, LLC for the County to utilize space within Gulf Coast's property for ambulance storage.

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

Commissioner Patterson clarified that the "storage" is the location where Medic 7 will operate out of while the new facility is being built.

**15. ENGINEERING:**

**A. Take all appropriate action on request for variance to the building setback line requirement, as stated in Section 5.12 C.1 of the Fort Bend County Regulations of Subdivisions, for Aliana, Sec. 44, on behalf of Aliana Development Company, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve variance to the building setback line requirement, as stated in Section 5.12 C.1 of the Fort Bend County Regulations of Subdivisions, for Aliana, Sec. 44, on behalf of Aliana Development Company, Precinct 4.

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

**B. Take all appropriate action on plat for the roads within Aliana, Sec. 44, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve plat for the roads within Aliana, Sec. 44, Precinct 4.

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

**Item 15 continued - Engineering:**

**C. Take all appropriate action on plat for the lots within Aliana, Sec. 44, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve plat for the lots within Aliana.  
Sec. 44, Precinct 4.

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

**16. HEALTH & HUMAN SERVICES:**

**Emergency Medical Service : Take all appropriate action on Memorandum of Understanding regarding the Greater Harris County 9-1-1 Emergency Network, to document that Fort Bend County is relinquishing EMS call handling and dispatch interrogation for calls originating within the City of Sugar Land, and that the City of Sugar Land will be providing EMS call handling and dispatch interrogation as the responding agency.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Memorandum of Understanding regarding the Greater Harris County 9-1-1 Emergency Network, to document that Fort Bend County is relinquishing EMS call handling and dispatch interrogation for calls originating within the City of Sugar Land, and that the City of Sugar Land will be providing EMS call handling and dispatch interrogation as the responding agency.

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

**17. HUMAN RESOURCES:**

**A. Take all appropriate action on request for an additional position in the Office of County Attorney, Senior Litigation Coordinator, Grade 9, Administrative Clerical Policy Group, effective March 3, 2015, and authorize funding from Non-Departmental Contingency.**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve request for an additional position in the Office of County Attorney, Senior Litigation Coordinator, Grade 9, Administrative Clerical Policy Group, effective March 3, 2015, and authorize funding from Non-Departmental Contingency.

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

**Item 17 continued - Human Resources:**

- B. Take all appropriate action on request to transfer the amount of \$38,380 from Non-Departmental Contingency into salary line items detailed on County Attorney's form dated February 27, 2015 to allocate funds for additional position, Senior Litigation Coordinator, through September 30, 2015.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$38,380 from Non-Departmental Contingency into salary line items detailed on County Attorney's form dated February 27, 2015 to allocate funds for additional position, Senior Litigation Coordinator, through September 30, 2015.

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

**18. PURCHASING:**

- A. Take all appropriate action on Amendment No. 2 to Professional Services Agreement between Fort Bend County and HDR Engineering Inc., pursuant to RFP 09-071, for planning services, to increase contract rates and extend the contract expiration date to September 30, 2015. (Fund: Public Transportation, Grants)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 2 to Professional Services Agreement between Fort Bend County and HDR Engineering Inc., pursuant to RFP 09-071, for planning services, to increase contract rates and extend the contract expiration date to September 30, 2015. (Fund: Public Transportation, Grants)

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

- B. Take all appropriate action on change order request from Bio Landscape and Maintenance, Inc. add additional field to Bid 15-040, Term Contract for Mowing and Maintenance Services of Freedom Park Baseball Field, in the amount of \$300 per month for new monthly fee of \$1,120 per month. (Fund: Parks Department)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve change order request from Bio Landscape and Maintenance, Inc. add additional field to Bid 15-040, Term Contract for Mowing and Maintenance Services of Freedom Park Baseball Field, in the amount of \$300 per month for new monthly fee of \$1,120 per month. (Fund: Parks Department)

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

**Item 18 continued - Purchasing:**

- C. Take all appropriate action on request by QuadMed, Inc. to withdraw from Section 3 of Bid 15-011, for Medical Supplies, and award Section 3 to next low bidder, Midwest Medical Supplies, LLC.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve request by QuadMed, Inc. to withdraw from Section 3 of Bid 15-011, for Medical Supplies, and award Section 3 to next low bidder, Midwest Medical Supplies, LLC.

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

Gilbert Jalomo, Purchasing Agent, stated this is about a \$700 annual increase.

- D. Take all appropriate action on Bid 15-048, Term Contract for Pavement Markings on Various Roads.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Bid 15-048, Term Contract for Pavement Markings on Various Roads.

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

Gilbert Jalomo, Purchasing Agent, recommended Stripes and Stops of Houston.

Commissioner Patterson commented that there is a big discrepancy in the pricing.

Gilbert Jalomo noted that Batterson was disqualified because they did not provide their insurance. After reviewing the pricing with Batterson, it was determined the price from Stripes and Stops is right in line with what we currently pay. A-1 Construction pricing is out of line.

- E. Take all appropriate action on Bid 15-050, Term Contract for the Purchase and Installation of Carpet.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to reject and rebid.

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

Gilbert Jalomo, Purchasing Agent, recommended to reject and rebid.

**Item 18 continued - Purchasing:**

**F. Take all appropriate action on Bid 15-051, Term Contract for the Purchase of Culverts.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Bid 15-051, Term Contract for the Purchase of Culverts.

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

Gilbert Jalomo, Purchasing Agent, recommends to award bid to low bidder per item. He requested the court to notice on the bid tabulation, Wyatt Resources of Fulshear and MDN Enterprises bid the same pricing for riveted pipe. We want to invoke the local preference statute and award the entire riveted pipe to Wyatt Resources of Fulshear.

**G. Take all appropriate action on Bid 15-054, Term Contract for the Purchase and Hauling of Chemical Type Road Materials.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Bid 15-054, Term Contract for the Purchase and Hauling of Chemical Type Road Materials.

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

Gilbert Jalomo, Purchasing Agent, recommends awarding to all bidders and the selection of the vendor will be made based on the delivery and pick-up requirements of Road and Bridge.

**H. Take all appropriate action on Bid 15-060 to provide and install GPS/Navigation communication equipment in Sheriff's Office helicopter.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Bid 15-060 to provide and install GPS/Navigation communication equipment in Sheriff's Office helicopter.

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

Gilbert Jalomo, Purchasing Agent, stated to award Von's Avionics for a total of \$68,879.

Commissioner Patterson requested clarification about which fund item would be used for payment.

Pamela Gubbels, Director of Finance & Investments, stated funds would be coming from Forfeited Assets.

**Item 18 continued - Purchasing:**

- I. Take all appropriate action on renewal of Smartnet Maintenance Agreement between Fort Bend County and NWN Corporation, utilizing State of Texas Department of Information Resources Contract DIR-TSO-2542, for an amount not to exceed \$84,436.95. (Fund: Information Technology, Fees)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve renewal of Smartnet Maintenance Agreement between Fort Bend County and NWN Corporation, utilizing State of Texas Department of Information Resources Contract DIR-TSO-2542, for an amount not to exceed \$84,436.95.  
(Fund: Information Technology, Fees)

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

- J. Take all appropriate action on Agreement for Construction Services between Fort Bend County and Bass Construction Co., Inc. for design/build of equipment barn at Freedom Park, pursuant to Q15-046, in an amount not to exceed \$77,488.00. (Fund: Parks)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Construction Services between Fort Bend County and Bass Construction Co., Inc. for design/build of equipment barn at Freedom Park, pursuant to Q15-046, in an amount not to exceed \$77,488.00. (Fund: Parks)

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

Commissioner Meyers commented that a \$16,000 pool barn turned into a \$77,000 building because it is in the City of Houston.

**19. PUBLIC TRANSPORTATION:**

**Take all appropriate action on Work Authorization No. 3 to the Professional Services Agreement between Fort Bend County and HDR Engineering, Inc. pursuant to RFP 09-071, in an amount not to exceed \$50,000 for update to the Public Transit Short and Long Range Plan. (Fund: Public Transportation, Grants)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Work Authorization No. 3 to the Professional Services Agreement between Fort Bend County and HDR Engineering, Inc. pursuant to RFP 09-071, in an amount not to exceed \$50,000 for update to the Public Transit Short and Long Range Plan. (Fund: Public Transportation, Grants)

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

**20. SHERIFF'S OFFICE:**

**Take all appropriate action on Grant Application G15HN0010A for the County's participation in the Office of the National Drug Council Policy High Intensity Drug Trafficking Area (HIDTA) Program, requesting funds in the amount of \$564,633 to be administered by the Sheriff's Office, with no additional funds required by the County for the period of January 1, 2015 through December 31, 2016.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Grant Application G15HN0010A for the County's participation in the Office of the National Drug Council Policy High Intensity Drug Trafficking Area (HIDTA) Program, requesting funds in the amount of \$564,633 to be administered by the Sheriff's Office, with no additional funds required by the County for the period of January 1, 2015 through December 31, 2016.

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

**21. 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 \$5,921,292.91.

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

**22. WORKSHOP:**

**Elections Administration : Receive presentation by Elections Administrator regarding the Texas Countywide Polling Place Program, and how it might be implemented in Fort Bend County.**

John Oldham, Elections Administrator, presented a PowerPoint on the Texas Countywide Polling Program.

Commissioner Patterson asked about the possibility of the early voting sites now also becoming voting centers and what the process would be to have that come about.

Commissioner Morrision had two concerns. One is having an excellent outreach to the interested groups to inform them that this process is occurring. Two is having a very good plan in place to ensure our voters are informed that this is occurring.

Commissioner Prestage was concerned about what the new process would do to the traditional voting day proceedings.

Mr. Oldham addressed each Commissioner's concerns in turn.

Judge Hebert stated that public hearings would be held regarding this matter. He also mentioned that Fort Bend County is transitioning in an attempt to keep ahead of modern trends.

**Recess:**

Recessed at 2:07 p.m.

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

- A. § 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.**

**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.**

**Item 23 continued - Closed Session:**

- B. § 551.072. Deliberation Regarding Real Property. Commissioners Court will meet in Closed Session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

**Acquisition for Right of Way Widening, Congestion Mitigation, Mobility Bond Project X23, Precinct 3.**

**Closed Session:**

Convened at 2:21 p.m.  
Adjourned at 2:35 p.m.

**Reconvene:**

Reconvened at 2:37 p.m.

- 24. Reconvene Open Session and consider taking action on the following matters:**

- A. § 551.071. Consultation With Attorney.**

**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 that the County Attorney negotiate the complete terms and provisions for the full and final settlement of the previously referenced case and authorize the County Judge to execute and deliver the settlement agreement recommended for approval by the County Attorney in the same case.

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

**Item 24 continued - Reconvene:**

**B. § 551.072. Deliberation Regarding Real Property.**

**Acquisition for Right of Way Widening, Congestion Mitigation, Mobility Bond Project X23, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to refer to the County Attorney as per prior resolution on right to take, plus litigation expenses not to exceed \$5,000, to acquire by eminent domain Parcel 1 of the X23 Mobility Project. (Funds from the Right of Way Fund) and refer to County Attorney as per prior resolution on right to take, plus litigation expenses not to exceed \$5,000, to acquire by eminent domain Parcel 7 of the X23 Mobility Project. (Fund from the Right of Way Fund)

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

**25. Adjournment.**

Commissioners Court adjourned at 2:39 p.m. on Tuesday, March 3, 2015.

March 3, 2015

**DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 3RD DAY of MARCH, 2015, 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
LINDA WILLIS FOR LAURA RICHARD	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 1:05 p.m.

**2. Accept the Fort Bend County Drainage District Annual Financial Report for the year ended September 30, 2014; audited by Sandersen Knox & Company, LLP.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to accept the Fort Bend County Drainage District Annual Financial Report for the year ended September 30, 2014; audited by Sandersen Knox & Company, LLP.

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

Commissioner Meyers asked if this item had a clean opinion.

Ed Sturdivant, County Auditor, confirmed that it did.

**Recess:**

Recessed at 1:106 p.m.

March 3, 2015

3. **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.

**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 2:35 p.m.  
Adjourned at 2:36 p.m.

**Reconvene:**

Reconvened at 2:39 p.m.

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

**§ 551.071. Consultation With Attorney.**

**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 Patterson  
Duly put and unanimously carried (5-0), it is ordered that the County Attorney negotiate the complete terms and provisions for the full and final settlement of the previously referenced case and authorize the County Judge to execute and deliver the settlement agreement recommended for approval by the County Attorney in the same case.

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

5. **Adjournment.**

The Drainage District Board adjourned at 2:40 p.m. on Tuesday, March 3, 2015.