

MINUTES

BE IT REMEMBERED, That on this 7TH DAY of APRIL, 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
JAMES PATTERSON	COMMISSIONER PRECINCT 4
LINDA WILLIS FOR LAURA RICHARD	COUNTY CLERK

Commissioner Meyers absent.

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 Pledges of Allegiance by Commissioner James Patterson.

Invocation and Pledges of Allegiance by Commissioner James Patterson.

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

Moved by Commissioner Prestage, Seconded by Commissioner Patterson
Duly put and unanimously carried (4-0), it is ordered to approve minutes of regular meeting held on
March 24, 2015.

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

4. Public Comments regarding the Agenda and Announcements.

No public comments.

Judge Hebert issued a proclamation to Marilynn Kindell, Director of Community Development, proclaiming the month of April, 2015 as Fair Housing Month.

Commissioner Patterson mentioned that at 2:30 p.m. there will be 10 individuals from the jail who will receive certification for HVAC training. This event will take place behind the jail.

5. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:

Public hearing held. No public comments.

- A. Acceptance of the traffic control plan for Fairpark Village, Section 4, Precinct 1.**
- B. Acceptance of the traffic control plan for Sunrise Meadow, Section 7, Precinct 1.**
- C. Acceptance of the traffic control plans for Bella Terra Parkway STD, Bella Terra Center Way STD and Katy Gaston Road STD, Precinct 3.**
- D. Acceptance of the traffic control plans for Silver Ranch, Section 8 and Section 9, Pct. 3.**
- E. Acceptance of the traffic control plan for Providence at Riverstone, Section 1, Precinct 4.**
- F. Acceptance of the traffic control plan for Oak Lake Court, Precinct 4.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to approve items 5A - F.

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

CONSENT AGENDA ITEMS 6 - 17:

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

- A. Sheriff's Office : Ratify travel by J. Hernandez and C. Pocasangre to Auburn, California, March 26-27, 2015, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
- B. Sheriff's Office : Ratify travel by M. Kubricht and J. Fontenot to Kew Gardens, New York, March 29-30, 2015, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
- C. Sheriff's Office : T. Eddlueblute to Durango, Colorado, May 24-30, 2015, to attend training at the Equine Investigations Academy. (Fund: Sheriff, Enforcement, Training)**

7. **COUNTY JUDGE:**

Approve request for Historic Site Property Tax Exemption for the Morton Ferry Home, located at 402 North Second Street in Richmond, Texas for tax year 2015.

8. **COMMISSIONER, PCT. 1:**

- A. **Approve Interlocal Project Agreement between Fort Bend County and City of Needville to provide assistance by eliminating dust, preventing grass growing on the roadway, and mowing grass in roadway ditches on Harvest Park Access Roads and City Park and Ride, at sole expense of County, not to exceed \$3,950. (Fund: Road & Bridge)**
- B. **Approve payment of Invoice No. 010 in the amount of \$2,985.00 to AutoArch Architects LLC for services regarding the Fort Bend Seniors Administration Building and renovations to the Bud O'Shieles Community Center. (Fund: Capital Improvement Project)**

9. **AUDITOR:**

- A. **Authorize County Judge to sign, on behalf of Commissioners Court, the Management Representation Letter to Sandersen Knox & Co., L.L.P. for their audit of the Fort Bend County Comprehensive Annual Report for the year ended September 30, 2014, accepted by Commissioners Court on March 24, 2015.**
- B. **Accept Monthly Financial Report prepared by the County Auditor for month ending October 31, 2014, pursuant to Local Government Code Section 114.023.**
- C. **Approve Interlocal Cooperation Contract between Fort Bend County and Texas Department of Family and Protective Services (DFPS) for Claims Processing effective March 1, 2015 through August 31, 2019.**
- D. **Approve Signature Authority Designation for Contract 24185932 between Fort Bend County and Texas Department of Family and Protective Services (DFPS).**
- E. **Approve Internal Control Structure Questionnaire (ICSQ) for Contract 24185932 between Fort Bend County and Texas Department of Family and Protective Services (DFPS) for Fiscal Year 2015.**

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

- A. **Auditor : Approve transfer in the amount of \$1,050,000 as detailed on Auditor's form dated April 1, 2015 to allocate additional funds for estimated expenditures from the Employee Benefit account through September 30, 2015.**
- B. **Facilities Management & Planning: Approve transfer in the amount of \$24,504 as detailed on Director's form dated April 1, 2015 to reallocate funds from the completed Pedestrian Plaza Project into the Precinct 4 Renovations Project and other Facilities Projects account.**

Motion was made with correction to the dollar amount being \$24,052.

- C. **Fire Marshal : Approve transfer in the amount of \$4,800 from Salaries into Part-Time Temporary to allocate funds for part-time assistance.**

Item 10 continued - Budget & Finance/Budget Transfers:

- D. Health & Human Services : Approve transfer in the amount of \$864,297 as detailed on Auditor's form dated March 27, 2015, to allocate funds for the Extended Provider Team and Care Management functions, part of the 1115 Waiver Programs authorized by Commissioners Court on November 5, 2013.**
- E. Health & Human Services - Emergency Medical Service : Approve transfer in the amount of \$1,770 from Office Supplies into Retirement to allocate funds for employee benefit due to reclassification from temporary to part-time.**
- F. Sheriff's Office - Enforcement: Approve transfer in the amount of \$185 from Travel into Information Technology to allocate funds for the purchase of a computer monitor.**

11. ENGINEERING:

- A. Approve payment of Invoice No. 6 in the amount of \$312,515.31 to Allgood Construction Co. Inc., regarding Williams Way, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 00349993 in the amount of \$1,339.00 to Professional Service Industries, Inc. regarding Williams Way, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 1355 in the amount of \$12,766.65 to Austin-Reed Engineers, LLC. for construction material testing regarding Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 459301/36/II in the amount of \$550,289.88 to Dannenbaum Engineering Corp. for professional engineering services regarding FM 1093 / Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of final Invoice No. 15-02-026 in the amount of \$2,000.00 to Kelly R. Kaluza & Associates, Inc. for professional engineering services regarding Harlem Road, Mobility Bond Project No. 726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 12 in the amount of \$501,908.05 to Allgood Construction Co., Inc. regarding West Bellfort, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 78 in the amount of \$7,800.00 to Schaumburg & Polk, Inc. for Project Management Services regarding 2007 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. INV0005525 in the amount of \$5,547.20 to Percheron Field Services for right of way services regarding FM 1093/ Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: Right of Way)**
- I. Approve payment of Invoice No. INV0006969 in the amount of \$14,914.84 to Percheron Field Services for right of way services regarding FM 1093 / Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: Right of Way)**

Item 11 continued - Engineering:

- J. Approve payment of Invoice No. INV0005524 in the amount of \$1,743.75 to Percheron Field Services for right of way services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)**
- K. Approve payment of Invoice No. INV0006415 in the amount of \$1,273.63 to Percheron Field Services for right of way services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)**
- L. Approve payment of Invoice No. INV0006968 in the amount of \$3,164.10 to Percheron Field Services for right of way services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)**
- M. Approve payment of Invoice No. 22238 in the amount of \$18,023.71 to Binkley & Barfield, Inc. for Project Management Services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- N. Approve payment of Invoice No. 315086 in the amount of \$13,976.75 to Klotz Associates, Inc. for Project Management Services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- O. Approve payment of Invoice No. 5 in the amount of \$7,600.00 to Schaumburg & Polk, Inc. for Project Management Services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- P. Approve payment of Invoice No. 22621 in the amount of \$28,789.92 to Binkley & Barfield, Inc. for Project Management Services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- Q. Approve the release of Oversize, Overweight, Overlength, Bond #SUR0000538 in the amount of \$50,000.00 from Hilcorp Energy Company, Precinct 1.**
- R. Approve the release of cashier's check # 1281101919 in the amount of \$5,000.00 to E & J Unlimited Construction & Landscaping / Mexi Garcia for completion of work on Sam Brookins Street, Permit # 84713, Precinct 3.**
- S. Accept bond reduction rider #024057335 for LJ Parkway Phase 7 and Garden Plantation Drive Street Dedication, reducing it from \$229,460.00 to \$114,730.00, Precinct 4.**
- T. Accept Suretec Insurance Company perpetual bond #5195728 for Larrett Energy Services, Inc., Precincts 1, 2, 3 and 4.**
- U. Approve application from Larrett Energy Services, Inc. to bore under and bury a CO2 line along Rabbs Prairie Road, Glass Big Creek Road, Davis Estates Road, Zamanek Road, Jeske Road, Padon Road, Krueger Road, Shenley Road, and several drainage easements, including Dutch John Creek, Big Creek, Deer Creek, Guy Creek, Mound Creek, Cedar Creek, and Buffalo Creek, Precinct 1.**
- V. Approve application from J.C. Hernandez Construction / Debo Homes, LLC to construct driveways on April Drive and Leah Elizabeth Drive, Precinct 1.**

Item 11 continued - Engineering:

- W. Approve application from Trunkline Gas Company, LLC to construct a driveway on B J Dusek Road, Precinct 1.**
- X. Approve application from J.C. Hernandez Construction / Debo Homes, LLC to construct driveways on Emily Ruth Drive and Leah Elizabeth Drive, Precinct 1.**
- Y. Approve application from AT&T Texas to bury fiber optic cable along Kingdom Heights Boulevard, Precinct 1.**
- Z. Approve application from AT&T Texas to bury fiber optic cable along Wildwood Park Road, Precinct 1.**
- AA. Approve application from Centerpoint Entex to bore under and bury a 2 inch plastic gas line along Caracas Drive, Londres Drive, San Lucas Drive, Mesones Drive, Espinosa Drive and Alametos Drive, Precinct 2.**
- BB. Approve application from Consolidated Communications to bury a phone line along Cow Creek Road, Precinct 2.**
- CC. Approve application from Centerpoint Energy Houston Electric, LLC to cross over Flat Bank Creek Diversion Channel with overhead electrical facilities, Precinct 2.**
- DD. Approve application from Devon Street Homes to construct a driveway on Round Moon Lane, Precinct 3.**
- EE. Approve application from Rodriguez Construction Group, LLC to bore under and bury a 3 inch sanitary force main on Beechnut Road, Precinct 3.**
- FF. Accept the streets in Fairpark Village, Section 3: Dogwood Knoll Trail 820.28 LF, Trigon Lane 160.00 LF, Red Cedar Trail 1,226.88 LF, Sage Grouse Court 455.40 LF, Fern Brook Lane 658.85 LF, for a total of 3,321.41 LF, and release bond #105009506 in the amount of \$235,998.00, Precinct 1.**
- GG. Accept the streets in Lakes of Bella Terra, Section 17: Mirandola Lane 824.63 LF, Poeta Lane 537.73 LF, Olivara Lane 236.32 LF, Quarto Lane 415.49 LF, for a total of 2,014.17 LF, and release bond #TXC104003 in the amount of \$161,910.00, Precinct 3.**
- HH. Accept the streets in Mirandola Lane & West Lugano Verde Drive STD: Mirandola Lane 1,024.00 LF, West Lugano Verde 229.30 LF for a total of 1,253.30 LF, and release bond #8215-49-56 in the amount of \$162,120.00, Precinct 3.**
- II. Set public hearing for acceptance of the traffic control plan for Fairpark Village, Section 3, Precinct 1. *(Tuesday, May 5, 2015, at 1:00 p.m.)***
- JJ. Set public hearing for acceptance of the traffic control plan for Lakes of Bella Terra, Section 17 and Mirandola Lane & West Lugano Verde Drive STD, Precinct 3. *(Tuesday, May 5, 2015, at 1:00 p.m.)***

12. ENGINEERING - PLATS:

- A. Approve the plat for Dinh Warehouse, Precinct 3.**
- B. Approve the plat for East Avalon Drive Phase II Street Dedication, Precinct 4.**
- C. Approve plat for the roads within Lakes of Bella Terra, Sec. 32, Precinct 3.**
- D. Approve plat for the lots within Lakes of Bella Terra, Sec. 32, Precinct 3.**
- E. Approve plat for the roads within Lakes of Bella Terra, Sec. 33, Precinct 3.**
- F. Approve plat for the lots within Lakes of Bella Terra, Sec. 33, Precinct 3.**
- G. Approve plat for the roads within Lakes of Bella Terra, Sec. 34, Precinct 3.**
- H. Approve plat for the lots within Lakes of Bella Terra, Sec. 34, Precinct 3.**
- I. Approve plat for the roads within Creekside Ranch, Sec. 1, Precinct 3.**
- J. Approve plat for the lots within Creekside Ranch, Sec. 1, Precinct 3.**
- K. Approve plat for the roads within Creekside Ranch, Sec. 2, Precinct 3.**
- L. Approve plat for the lots within Creekside Ranch, Sec. 2, Precinct 3.**
- M. Approve plat for the roads within Creekside Ranch, Sec. 3, Precinct 3.**
- N. Approve plat for the lots within Creekside Ranch, Sec. 3, Precinct 3.**

13. 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. 11 (Final) in the amount of \$37,668.00 to Turner Construction Company for construction services regarding expansion of the Central Appraisal District facility;**
- B. Invoice No. 1561 (Final) in the amount of \$9,975.00 to Brown Aerobic Service Company for septic system installation at Jones Creek Ranch Park.**

14. HUMAN RESOURCES:

Approve request for withdrawal of 480 hours from the Shared Sick Leave Pool for employee of Clinical Health Services, Position No. 6301-0007.

15. RISK MANAGEMENT:

Approve Full Release and accept Settlement regarding property damage claim made by Fort Bend County on automobile collision which occurred June 19, 2014, Claim No. HRR4482-002, and authorize Director of Risk Management to execute and deliver said settlement and release documents dated March 24, 2015, as recommended by County Attorney.

16. ROAD & BRIDGE:

Approve payment of Invoice No. 4173 in the amount of \$51,763.27 to Traffic Systems Construction, Inc. for traffic signal installation work at the intersection of Falcon Landing Boulevard and Spring Green Boulevard, Precinct 3. (Fund: Road & Bridge)

17. TAX ASSESSOR/COLLECTOR:

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on March 31, 2015, for an amount totaling \$48,445.91 for the Office of Patsy Schultz.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve consent items 6 - 17 with noted correction to dollar amount on 10B to \$24,052.

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

18. COUNTY JUDGE:

A. Take all appropriate action on Engagement Letter from Allen Boone Humphries Robinson LLP regarding Bond Counsel Services for Fort Bend County Unlimited Tax Road and Refunding Bonds, Series 2015A and Fort Bend County Limited Tax Refunding Bonds, Series 2015B.

Moved by Commissioner Patterson, Seconded by Commissioner Prestage
Duly put and carried (3-1), it is ordered to approve Engagement Letter from Allen Boone Humphries Robinson LLP regarding Bond Counsel Services for Fort Bend County Unlimited Tax Road and Refunding Bonds, Series 2015A and Fort Bend County Limited Tax Refunding Bonds, Series 2015B.

Judge Hebert	Yes
Commissioner Morrison	No
Commissioner Prestage	Yes
Commissioner Meyers	Absent
Commissioner Patterson	Yes

Item 18 continued - County Judge:

Commissioner Morrison stated that there is a conflict of interest in hiring the noted law firm as they represent a MUD client who is currently suing Fort Bend County. He feels that the conflict is too important to waive on this case and another law firm should represent the County on this bond issue.

Commissioner Prestage asked about the time frame required to put this matter on hold for further review.

Judge Hebert noted that it would take about two months to go through the process of changing attorneys. He commented that the law firm is a specialist in municipal finance and they are not litigation attorneys. Judge Hebert does not feel there is a conflict of interest. He stated that the court must do what is best for the people of Fort Bend County and a two month delay is not reasonable.

Commissioner Morrison pointed out that if the law firm is the corporate lawyer for the MUD that employs the same Engineer who is involved in a lawsuit against Fort Bend County, it could cost the taxpayers of this County hundreds of millions of dollars. This law firm would be required to turn over the documents to the litigation firm and are required to provide witnesses that the litigation firm may need. As our lawyer, they should be required to let the County know what the litigation firm is requesting of them; but they cannot do that if they are representing both Fort Bend County and the MUD Engineer. Commissioner Morrison would like to put on record that this is a clear conflict of interest, which will harm the taxpayers of this County.

Judge Hebert asked Commissioner Morrison if he holds this law firm to the standard, that if the law firm has a conflict and is engaged in litigation in which the law firm has no interest, would the law firm have a duty to bring that client's records to this court because they might be the bond counsel on the issuance of bonds.

Commissioner Morrison stated that if a firm has an agreement with a litigation attorney or the law firm is the corporate counsel for the MUD, they have the duty to provide all the documents and anything that the litigation attorneys ask from them. The attorney cannot fully represent the best interest of both parties. Texas law no longer allows the concept of a Chinese wall.

Commissioner Patterson addressed the issue of the motion. He is concerned that by not hiring the noted law firm, because they are involved with another client, this could adversely affect the County with their lawsuit. He believes it is in the best interest of the County to move forward with the County Attorney's recommendation to use the subject law firm.

Commissioner Prestage stated that the court tries to make the best decision for the County and wants to continue down this track. This law firm has done all bond counsel work for this County, since we have been issuing bonds. If the same decision will be made, it does not make sense to wait two months to reevaluate. Commissioner Prestage would like to leave his second motion in place to move forward. He noted that we need to make sure we protect the taxpayer's interest from any conflicts.

Item 18 continued - County Judge:

B. Take all appropriate action on Resolution Declaring Intention to Reimburse Project Expenditures from Fort Bend County Unlimited Tax Road and Refunding Bonds, Series 2015A and Fort Bend County Limited Tax Refunding Bonds, Series 2015B.

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve Resolution Declaring Intention to Reimburse Project Expenditures from Fort Bend County Unlimited Tax Road and Refunding Bonds, Series 2015A and Fort Bend County Limited Tax Refunding Bonds, Series 2015B.

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

Commissioner Patterson moved to approve the Resolution to cover \$41,000,000.

Ed Sturdivant, County Auditor, concurred.

C. Take all appropriate action on request to pay by Invoice Transmittal the amount of \$3,895.00 to Fort Bend County Historical Commission, as authorized by Commissioners Court on May 6, 2014, for FY 2014 committee operations, without a purchase order. (Fund: Non-Departmental, Fees)

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to pay by Invoice Transmittal the amount of \$3,895.00 to Fort Bend County Historical Commission, as authorized by Commissioners Court on May 6, 2014, for FY 2014 committee operations, without a purchase order. (Fund: Non-Departmental, Fees)

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

Item 18 continued - County Judge:

D. Take all appropriate action on Letter of Intent to the Texas Indigent Defense Commission for a multi-year discretionary grant to establish a Public Defender's Office in Fort Bend County.

Moved by Commissioner Prestage, Seconded by Commissioner Patterson
Duly put and unanimously carried (4-0), it is ordered to approve Letter of Intent to the Texas Indigent Defense Commission for a multi-year discretionary grant to establish a Public Defender's Office in Fort Bend County.

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

Commissioner Prestage indicated that he reviewed the letter from Judge James Shoemake and Judge Susan Lowery and supports the request and the opportunity to expand the county's current juvenile public defenders office to cover more cases.

19. COMMISSIONER, PCT. 1:

Take all appropriate action on request for Historic Site Property Tax Exemption for The Green House located at 13103 Old Highway 59 in Kendleton, Texas for tax year 2015.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to approve Historic Site Property Tax Exemption for The Green House located at 13103 Old Highway 59 in Kendleton, Texas for tax year 2015.

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

20. CONSTABLE, PCT. 2:

Take all appropriate action on First Amendment to Agreement for Additional Law Enforcement Services between Fort Bend County and Briargate Community Improvement Association to add an additional part-time deputy effective through September 30, 2015.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve First Amendment to Agreement for Additional Law Enforcement Services between Fort Bend County and Briargate Community Improvement Association to add an additional part-time deputy effective through September 30, 2015.

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

21. COUNTY ATTORNEY:

- 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 Trammel Fresno Road Widening Project, Precincts 1 and 2.**

Pulled

- B. Take all appropriate action on Engagement Letter from Andrews Kurth LLP regarding Special Disclosure Counsel Services for Fort Bend County, Texas Unlimited Tax Road and Refunding Bonds, Series 2015 and Fort Bend County, Texas Limited Tax Refunding Bonds, Series 2015.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve Engagement Letter from Andrews Kurth LLP regarding Special Disclosure Counsel Services for Fort Bend County, Texas Unlimited Tax Road and Refunding Bonds, Series 2015 and Fort Bend County, Texas Limited Tax Refunding Bonds, Series 2015.

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

22. ELECTIONS ADMINISTRATION:

- A. Take all appropriate action on request to transfer the amount of \$7,345 from Non-Departmental Contingency into Elections Administration, Fees, to reimburse expenses incurred for polling place rental, publications, and delivery truck rental to conduct the Emergency Special Election held in Senate District 18 on December 6, 2014.**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson
Duly put and unanimously carried (4-0), it is ordered to transfer the amount of \$7,345 from Non-Departmental Contingency into Elections Administration, Fees, to reimburse expenses incurred for polling place rental, publications, and delivery truck rental to conduct the Emergency Special Election held in Senate District 18 on December 6, 2014.

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

Item 22 continued - Elections Administration:

- B. Take all appropriate action on Joint Election Agreements between Fort Bend County and the following political subdivisions to conduct elections on May 9, 2015: Fort Bend Independent School District; Lamar Consolidated Independent School District; Stafford Municipal School District; City of Arcola; City of Beasley; City of Fulshear; City of Missouri City; City of Needville; City of Richmond; City of Rosenberg; City of Simonton; City of Stafford; Village of Fairchilds; Village of Pleak; and Fort Bend County Municipal Utility District No. 19.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison Duly put and unanimously carried (4-0), it is ordered to approve Joint Election Agreements between Fort Bend County and the following political subdivisions to conduct elections on May 9, 2015: Fort Bend Independent School District; Lamar Consolidated Independent School District; Stafford Municipal School District; City of Arcola; City of Beasley; City of Fulshear; City of Missouri City; City of Needville; City of Richmond; City of Rosenberg; City of Simonton; City of Stafford; Village of Fairchilds; Village of Pleak; and Fort Bend County Municipal Utility District No. 19.

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

23. ENGINEERING:

- A. Take all appropriate action on request for temporary closure of the bridges on Meyer Road at Snake Creek Tributary, Meyer Road at Snake Creek, and Hurta Road at Buffalo Creek, pursuant to Section 251.011 of the Texas Transportation Code, with specific dates to be approved by Commissioners Court after June 2015, when Texas Department of Transportation begins construction on Projects CSJs 0912-34-176, 0912-34-177 and 0912-34-180 to replace these bridges in Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage Duly put and unanimously carried (4-0), it is ordered to approve temporary closure of the bridges on Meyer Road at Snake Creek Tributary, Meyer Road at Snake Creek, and Hurta Road at Buffalo Creek, pursuant to Section 251.011 of the Texas Transportation Code, with specific dates to be approved by Commissioners Court after June 2015, when Texas Department of Transportation begins construction on Projects CSJs 0912-34-176, 0912-34-177 and 0912-34-180 to replace these bridges in Precinct 1.

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

Item 23 continued - Engineering:

- B. Take all appropriate action on Agreement for Right of Way Procurement between Texas Department of Transportation and Fort Bend County regarding the acquisition of right of way for certain highway improvements to FM 359 from US 90A to the Union Pacific Railroad, Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Right of Way Procurement between Texas Department of Transportation and Fort Bend County regarding the acquisition of right of way for certain highway improvements to FM 359 from US 90A to the Union Pacific Railroad, Precinct 1.

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

Item 23 continued - Engineering:

Commissioner Patterson questioned the wording of the motion regarding the location of the property from US 90A to the railroad. He questioned whether the property crossed the railroad tracks.

Richard Stolleis, County Engineer, confirmed that this Right of Way is for the bridge that will pass over the railroad and the wording came directly from the AFA.

Commissioner Patterson requested that the exact location be checked to make sure that it is not so many feet up 359.

Marcus Spencer, First Assistant County Attorney, clarified that the wording should be Hwy 359 from US 90A and Union Pacific Railroad.

Judge Hebert asked for further clarification.

Marcus Spencer clarified that the wording should say "there are highway improvements on Hwy FM 359 from US 90A and Union Pacific Railroad" and then to a point unspecified. It is the corridor that extends further.

Judge Hebert stated that it is in the vicinity of Union Pacific Railroad.

Commissioner Morrison asked if the correct agreement was attached.

Richard Stolleis stated that the misnomer is the way the form is set up which says "from" a location "to" a location. This is the one location and as Marcus said, the "to" location is blank.

Judge Hebert stated that if we approve the motion as made, there is no substantive effect and it will accomplish our purpose.

Commissioner Patterson suggested that the motion needs to be made to approve to a point of 359 that will be filled in on this form.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0) it is ordered to amend previous motion and add the wording "through the northern limit of the project or however the project would be described in the attached documents from TxDot."

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

Item 23 continued - Engineering:

- C. Take all appropriate action on request for variance to the Fort Bend County Regulations of Subdivisions, specifically the minimum lot size requirement stated in Section 5.14E4, shared common wall along the property line between two adjacent lots stated in Section 5.12C5, and the use of parallel parking spaces for guest parking, for Lakes of Bella Terra, Section 29, on behalf of L.O.B. Limited Partnership, Precinct 3.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve variance to the Fort Bend County Regulations of Subdivisions, specifically the minimum lot size requirement stated in Section 5.14E4, shared common wall along the property line between two adjacent lots stated in Section 5.12C5, and the use of parallel parking spaces for guest parking, for Lakes of Bella Terra, Section 29, on behalf of L.O.B. Limited Partnership, Precinct 3.

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

- D. Take all appropriate action on plat for the roads within Lakes of Bella Terra, Section 29, Precinct 3.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve plat for the roads within Lakes of Bella Terra, Section 29, Precinct 3.

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

- E. Take all appropriate action on plat for the lots within Lakes of Bella Terra, Section 29, Pct 3.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve plat for the lots within Lakes of Bella Terra, Section 29, Precinct 3.

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

- F. Take all appropriate action on request for variance to the minimum lot size requirement stated in Section 5.14 E.4, and the building setback line requirement stated in Section 5.12 C.1 of the Fort Bend County Regulations of Subdivisions, for Del Webb-Richmond, Section Thirteen-B, on behalf of C W Richmond, L.P., Precinct 1.**

Pulled

Item 23 continued - Engineering:

- G. Take all appropriate action on plat for the roads within Del Webb-Richmond, Section Thirteen-B, Precinct 1.**

Pulled

- H. Take all appropriate action on plat for the lots within Del Webb-Richmond, Section Thirteen-B, Precinct 1.**

Pulled

24. HEALTH & HUMAN SERVICES:

- A. Animal Services: Take all appropriate action on Application to Petco Foundation for Fort Bend County Animal Services to participate as an Adoption Partner Representative at Petco store locations in the community.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to approve Application to Petco Foundation for Fort Bend County Animal Services to participate as an Adoption Partner Representative at Petco store locations in the community.

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

- B. Animal Services: Take all appropriate action on Application to PetSmart Charities for Fort Bend County Animal Services to participate in the PetSmart in-store Adoption Partner Program.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to approve Application to PetSmart Charities for Fort Bend County Animal Services to participate in the PetSmart in-store Adoption Partner Program.

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

Item 24 continued - Health & Human services:

- C. Clinical Health : Take all appropriate action on Application to Texas Department of State Health Services for grant funding in the amount of \$78,050 for FY 2016 Infectious Disease Control / Foodborne Associated Infection activities, with no cash match required by Fort Bend County for the period of September 1, 2015 through August 31, 2016.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
 Duly put and unanimously carried (4-0), it is ordered to approve Application to Texas Department of State Health Services for grant funding in the amount of \$78,050 for FY 2016 Infectious Disease Control / Foodborne Associated Infection activities, with no cash match required by Fort Bend County for the period of September 1, 2015 through August 31, 2016.

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

- D. Veterans Services: Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$97.50 to Skelton Business Equipment for repair service provided without a purchase order.(Fund: Veterans Service, Operating Supplies)**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
 Duly put and unanimously carried (4-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$97.50 to Skelton Business Equipment for repair service provided without a purchase order.(Fund: Veterans Service, Operating Supplies)

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

25. OFFICE OF EMERGENCY MANAGEMENT:

Take all appropriate action on the 2015 Homeland Security Grant Eligibility Certification Form, for electronic submission to the State of Texas Department of Public Safety State Administrative Agency to certify Fort Bend County's eligibility to participate in the FY 2015 Homeland Security Grant Program.

Moved by Commissioner Morrison, Seconded by Commissioner Patterson
 Duly put and unanimously carried (4-0), it is ordered to approve the 2015 Homeland Security Grant Eligibility Certification Form, for electronic submission to the State of Texas Department of Public Safety State Administrative Agency to certify Fort Bend County's eligibility to participate in the FY 2015 Homeland Security Grant Program.

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

26. PUBLIC TRANSPORTATION:

Take all appropriate action on Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council, Contract #TDOT.10.1112-02, regarding expansion of commuter services to the Texas Medical Center, to receive Federal Congestion Mitigation Air Quality (CMAQ) funds in the amount of \$108,222; with a local match by Fort Bend County of \$27,055 and direct costs of \$2,164 for the period of May 1, 2015 through April 30, 2016. (Fund: Public Transportation, Grants)

Moved by Commissioner Patterson, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to approve Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council, Contract #TDOT.10.1112-02, regarding expansion of commuter services to the Texas Medical Center, to receive Federal Congestion Mitigation Air Quality (CMAQ) funds in the amount of \$108,222; with a local match by Fort Bend County of \$27,055 and direct costs of \$2,164 for the period of May 1, 2015 through April 30, 2016. (Fund: Public Transportation, Grants)

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

27. PURCHASING:

A. Take all appropriate action on Bid 15-059, Term Contract for Summer Food Program.

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve Bid 15-059, Term Contract for Summer Food Program.

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

Commissioner Patterson asked if the recommendation was for Education Catering Inc.

Gilbert Jalomo, Purchasing Agent, confirmed it was Education Catering Inc.

Item 27 continued - Purchasing:

- B. Take all appropriate action on request to increase the purchase order for Trustwave Holdings, Inc. by \$105.00 to cover freight expenses for sole source Security Web Filtering and Reporting software upgrade. (Fund: County Clerk, Fees)**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to increase the purchase order for Trustwave Holdings, Inc. by \$105.00 to cover freight expenses for sole source Security Web Filtering and Reporting software upgrade. (Fund: County Clerk, Fees)

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

- C. Take all appropriate action on Public Health Volunteer Coordination Contract between Fort Bend County and Homeland Preparedness Project in an amount not to exceed \$50,000 effective through December 31, 2015. (Fund: Office of Emergency Management Grant)**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson
Duly put and unanimously carried (4-0), it is ordered to approve Public Health Volunteer Coordination Contract between Fort Bend County and Homeland Preparedness Project in an amount not to exceed \$50,000 effective through December 31, 2015. (Fund: Office of Emergency Management Grant)

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

- D. Take all appropriate action on renewal of Lawson maintenance with Infor, Inc., pursuant to RFP 05-059 and RFP 06-02, for an amount not to exceed \$197,838.10, effective July 1, 2015 through June 30, 2016. (Fund: Information Technology)**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve renewal of Lawson maintenance with Infor, Inc., pursuant to RFP 05-059 and RFP 06-02, for an amount not to exceed \$197,838.10, effective July 1, 2015 through June 30, 2016. (Fund: Information Technology) with the amendment to reflect only RFP-059.

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

Gilbert Jalomo, Purchasing Agent, noted a correction to remove the wording "and RFP 06-02", leaving only RFP 05-059.

Item 27 continued - Purchasing:

E. Take all appropriate action on RFP 15-058 for Inmate Food Service.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve RFP 15-058 for Inmate Food Service.

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

Gilbert Jalomo, Purchasing Agent, requests to authorize contract negotiations with Aramark Correctional Services.

F. Take all appropriate action on renewal of fare collection software support with Trapeze for Public Transportation, pursuant to RFP 13-045, for an amount not to exceed \$15,004. (Fund: Public Transportation)

Pulled

G. Take all appropriate action on Fourth Amendment to Professional Engineering Services Agreement between Fort Bend County and SES Horizon Consulting Engineers, Inc., for additional services in the amount of \$182,142; total contract amount not to exceed \$972,579 regarding Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to approve Fourth Amendment to Professional Engineering Services Agreement between Fort Bend County and SES Horizon Consulting Engineers, Inc., for additional services in the amount of \$182,142; total contract amount not to exceed \$972,579 regarding Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)

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

28. SHERIFF'S OFFICE:

- A. Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$1,552.20 to Child Advocates of Fort Bend for reimbursement of carpet replaced without a purchase order. (Fund: Sheriff; Enforcement, Repairs and Maintenance)**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson
Duly put and unanimously carried (4-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$1,552.20 to Child Advocates of Fort Bend for reimbursement of carpet replaced without a purchase order. (Fund: Sheriff; Enforcement, Repairs and Maintenance)

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

Commissioner Patterson seconded with a note that this item did have a purchase order back in 2014 when it was approved but the work did not get done until 2015 so it becomes an invoice transmittal.

- B. Take all appropriate action on request to update the standard Fort Bend County Radio Use Agreements and increase monthly radio use fees, to be effective upon 90 days notice to participating agencies.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0), it is ordered to update the standard Fort Bend County Radio Use Agreements and increase monthly radio use fees, to be effective upon 90 days notice to participating agencies.

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

29. Approve Bills.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to approve bills in the amount of \$14,555,365.91.

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

30. Ratify the release of time sensitive bills by Auditor on April 2, 2015.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (4-0), it is ordered to ratify the release of time sensitive bills
by Auditor on April 2, 2015 in the amount of \$325,138.48.

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

Recess:

Recessed at 1:40 p.m.

31. 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.

- 1. Firethorne vs. Fort Bend County, et al; Case No. 15-DCV-221725 In the 268th Judicial District Court of Fort Bend County, Texas.**
- 2. SOAH Docket No. 582-14-3090; TCEQ Docket No. 2014-0477-MWD; Application of Sage Fulshear East, LLC for Proposed Texas Pollutant Elimination System Discharge Permit No. WQ0015091001.**

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 1:54 p.m.
Adjourned at 1:59 p.m.

Reconvene:

Reconvened at 2:02 p.m.

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

A. § 551.071. Consultation With Attorney.

- 1. Firethorne vs. Fort Bend County, et al; Case No. 15-DCV-221725 In the 268th Judicial District Court of Fort Bend County, Texas.**

No action.

- 2. SOAH Docket No. 582-14-3090; TCEQ Docket No. 2014-0477-MWD; Application of Sage Fulshear East, LLC for Proposed Texas Pollutant Elimination System Discharge Permit No. WQ0015091001.**

No action.

B. § 551.072. Deliberation Regarding Real Property.

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

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (4-0) it is ordered to purchase Parcel 6 of the Congestion Mitigation Project - Mobility Bond Project X23 in the amount of \$35,828.00 plus necessary costs, not to exceed \$5,000.00; and authorize County Judge to sign all necessary closing documents. Right-of-Way Fund.

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

33. Adjournment.

Commissioners Court adjourned at 2:04 p.m. on Tuesday, April 7, 2015.