

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 5TH DAY of JANUARY, 2016, 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 1:04 p.m.

2. **Accept Monthly Report for October and November 2015.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to accept Monthly Report for October and November 2015.

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

3. **Take all appropriate action on acceptance of a Drainage District Right-of-Way Easement and Partial Abandonment for Big Creek within the Barnabas Wickson Survey, Abstract 95 of Fort Bend County, Texas, Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to accept a Drainage District
Right-of-Way Easement and Partial Abandonment for Big Creek within the Barnabas Wickson
Survey, Abstract 95 of Fort Bend County, Texas, Precinct 1.

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

Judge Hebert asked if the House Bill (HB) 1295 language should be added to accept an easement.

Marcus Spencer, First Assistant County Attorney, clarified the County would like to make sure an item does not fall within the purview of HB 1295; therefore, all actions today are to be approved subject to the language in HB 1295. It does not appear the grantors are business entities for easements; but the court does need to confirm there are no businesses involved.

Moved by Commissioner Morrison, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to accept a Drainage District
Right-of-Way Easement and Partial Abandonment for Big Creek within the Barnabas Wickson
Survey, Abstract 95 of Fort Bend County, Texas, Precinct 1 subject to completion of HB 1295
form, as determined by the County Attorney's Office.

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

Item 3 continued:

Commissioner Patterson asked if vendors must complete the House Bill (HB) 1295 form and who would be in violation if the form were not completed.

Marcus Spencer, First Assistant County Attorney, stated the vendor must complete this form and the County would be in violation. The form is issued by the Texas Ethics Commission in order to identify interested parties doing business with the County.

Judge Hebert asked if the term "vendors" was in the law.

Mr. Spencer clarified the term is business entity.

Judge Hebert stated the George Foundation might be considered a business entity for purposes of HB 1295; but the Foundation is not a vendor to Fort Bend County. The Foundation provides the occasional grant to support County projects; but does not sell any goods or services to the County.

Mr. Spencer added the use of the term vendor would be the ideal situation; but the statute states business entity.

Judge Herbert indicated this law is vague and common sense tells us it applies to anyone that sells services or products to the County; but the way this law is written, it might imply business entities like the George Foundation. The County Attorney is asking the Court to act on these items in the broadest interpretation possible to make sure the items do not have to be revisited at a later date. Judge Hebert also stated the HB 1295 requires disclosure of all controllers and all those who have an interest, whether they are involved in the entity or not. Businesses may not want to make this disclosure and may stop doing business with local government and stay with the private sector.

Ed Sturdivant, County Auditor, noted the County can require the business entities to submit the paperwork to the County, if we choose, or to the State and then confirm with the County the form was submitted. There is a movement the County can control if this is how the County would like to do business with the business entities in the future to comply with HB 1295.

4. Take all appropriate action on acceptance of a Drainage District Right-of-Way Easement for Big Creek within the Barnabas Wickson Survey, Abstract 95 of Fort Bend County, Texas, Precinct 1.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage Duly put and unanimously carried (5-0), it is ordered to accept a Drainage District Right-of-Way Easement for Big Creek within the Barnabas Wickson Survey, Abstract 95 of Fort Bend County, Texas, Precinct 1 subject to completion of HB 1295 form, as determined by the County Attorney's Office.

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

5. Adjournment.

The Drainage District Board adjourned at p.m. 1:17 p.m. on Tuesday, January 5, 2016.