

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 15th day of December, 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 5th day of January, 2016.



ROBERT E. HEBERT, COUNTY JUDGE

MINUTES

BE IT REMEMBERED, That on this 15TH DAY of DECEMBER, 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 Pledges of Allegiance by Commissioner Andy Meyers.**

Invocation and Pledges of Allegiance by Commissioner Andy Meyers.

3. **Approve minutes of regular meeting held on December 8, 2015.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve minutes of regular meeting held on December 8, 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.

Service Awards were presented to County employees.

Judge Hebert announced the County offices will be closed on Thursday and Friday, December 24th and 25th, as well as, Friday, January 1st, 2016. He wished everyone the Best of Holidays. The next regular meeting for Commissioners Court will be held Tuesday, January 5, 2016.

Commissioner Patterson thanked Mr. Jim Condrey, Chairman of the Toll Road Authority, for his service of 18 years.

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.

Replat: Carriage Landing, Sec. 1, being a replat of a portion of restricted reserve A & B, Blk 1 of Falcon Landing Section 2, Precinct 3.

No action.

CONSENT AGENDA ITEMS 6 - 19

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

Sheriff's Office: Sheriff Troy Nehls to Washington, D.C., February 6-10, 2016, to attend the National Sheriffs' Association Winter Legislative and Technology Conference. (Fund: Sheriff's Office, Enforcement, Travel)

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

A. **Community Development: Carol Borrego to Phoenix, Arizona, April 1-6, 2016 to attend the American Planning Association Conference. (Fund: Community Development Block Grant)**

B. **District Attorney: Two employees to New Orleans, Louisiana, January 11-14, 2016, to attend the National District Attorneys Association Conference on Abusive Head Trauma: Proving It And Overcoming Defenses. (Fund: District Attorney, Travel)**

8. **COUNTY JUDGE:**

Record into the records of Fort Bend County Commissioners Court, the appointments made by Mayor James Thompson, City of Sugar Land and County Judge Robert Hebert to the County Wide Truancy Policy Committee, pursuant to Section 25.0916 of the Education Code consisting of the following: James Baker, Robert Bostic, Ken Cannata, Dawn Carlson, Jennifer Chiang, Alton Frailey, Gary Janssen, Mark LaForge, Tyra McCollum, Cynthia McConathy, Michael McKenzie, Jeff McMeans, Afreen Merchant, Chris Morales, Thomas Randle, Curtis Rhodes, John Robson, and Nina Schaefer.

9. **COMMISSIONER, PCT. 1:**

Approve Right of Entry Agreement with Brazosport Water Authority to allow work on county-owned right of way related to final design of Authority's water line project.

10. **BUDGET TRANSFERS:**

- A. **AgriLife Extension Office: Approve FY 2016 transfer in the amount of \$250 from Fees into Information Technology to allocate funds for replacement of printer.**
- B. **Engineering: Approve FY 2016 transfer in the amount of \$29,000 from Salaries into Temporary/Part-Time to allocate funds to temporarily fill vacant Development Coordinator position.**
- C. **Facilities Management & Planning: Approve FY 2016 transfer in the amount of \$50 from Fees into Information Technology to reallocate funds for the purchase of a wireless mouse.**
- D. **Sheriff's Office: Approve FY 2016 transfer in the amount of \$12,000 from Forfeited Assets, State, Contingency, into Information Technology to allocate funds for the purchase of GPS receivers and other computer-related items as detailed on Sheriff's form dated December 8, 2015.**
- E. **Sheriff's Office - Gus George Law Enforcement Academy: Approve FY 2016 transfer in the amount of \$2,500 as detailed on Director's form to allocate funds into correct line item for the purchase of PoliceOne.Com for Academy use.**

11. **AGRILIFE EXTENSION OFFICE:**

Approve renewal of Memorandum of Agreement between Fort Bend County and Texas A&M AgriLife Extension Service of the Texas A&M University System regarding supplemental pay to the Extension Office Agents for the term of October 1 2015 through September 30 2016.

12. **ENGINEERING:**

- A. **Approve payment of Invoice No. 85 in the amount of \$3,030.00 to Schaumburg & Polk, Inc. for project management services regarding 2007 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**
- B. **Approve payment of Invoice No. 0132832R in the amount of \$30,294.80 to IDS Engineering Group, Inc. for engineering services regarding SH 99 at Harlem U Turns, Mobility Bond Project No. X27, Precinct 4. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 0133200 in the amount of \$33,839.23 to IDS Engineering Group for engineering services regarding SH 99 at Harlem U Turns, Mobility Bond Project No. X27, Precinct 4. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. INV0009967 in the amount of \$225.00 to Percheron Field Services, LLC for right of way services regarding Congestion Mitigation, Mobility Bond Project No. X23, Precinct 3. (Fund: Right of Way)**
- E. **Approve payment of Invoice No. E151012-1 in the amount of \$21,325.25 to Amani Engineering, Inc. for professional engineering services regarding South Post Oak, Mobility Bond Project No. 13112, Precinct 1. (Fund: 2013 Mobility Bonds)**
- F. **Approve payment of Invoice No. 13 in the amount of \$10,402.00 to Schaumburg & Polk, Inc. for project management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- G. **Approve payment of Invoice No. 2 in the amount of \$25,550.00 to HJ Consulting, Inc. for engineering services regarding Willie Melton Boulevard, Mobility Bond Project No. 13115, Precinct 1. (Fund: 2013 Mobility Bonds)**
- H. **Approve payment of Invoice No. 40922 in the amount of \$7,803.74 to Costello, Inc. for engineering services regarding Gaston Road, Segment 2, Mobility Bond Project No. 13310, Precinct 3. (Fund: 2013 Mobility Bonds)**
- I. **Approve payment of Invoice No. INV0010174 in the amount of \$450.00 to Percheron Field Services, LLC for right of way services regarding Congestion Mitigation, Mobility Bond Project No. X23, Precinct 3. (Fund: Right of Way)**
- J. **Approve payment of Invoice No. 1215062 in the amount of \$8,425.00 to Doucet & Associates for professional engineering services regarding Braxton Road, Mobility Bond Project No. 13116, Precinct 1. (Fund: 2013 Mobility Bonds)**
- K. **Approve payment of Invoice No. INV0011450 in the amount of \$410.99 to Percheron Field Services for right of way services regarding Congestion Mitigation, Mobility Bond Project X23, Precinct 3. (Fund: Right of Way)**

Item 12 continued - Engineering:

- L. **Approve payment of Invoice No. 3024400101 in the amount of \$9,488.00 to Huitt-Zollars for professional engineering services regarding Old Needville-Fairchild Road, Mobility Bond Project No. 13109, Precinct 1. (Fund: 2013 Mobility Bonds)**
- M. **Approve payment of Invoice No. 24366 in the amount of \$13,266.00 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. 1015147 in the amount of \$59,567.31 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. 41264 in the amount of \$26,854.60 to Costello, Inc. for engineering services regarding Gaston Road, Seg. 2, Mobility Bond Project No. 13310, Precinct 3. (Fund: 2013 Mobility Bonds)**
- P. **Approve release of cashier's check #9101134280 in the amount of \$7,000.00 to 3 DR Design on behalf of Rothchild Moore Investments III, LLC for completion of work on 9006 S Fry Road, Permit #2015-1964, Precinct 3.**
- Q. **Approve application from Devon Street Homes to construct a driveway on 622 Orlandis Lane, Permit No. 2015-4410, Precinct 1.**
- R. **Approve application from AT & T to bore under and bury fiber optic cable along 4600 block of Bowser Road, Permit No. 2015-4430, Precinct 3.**
- S. **Approve application from Consolidated Communications to bury cable along Needville 4 Corners Road, Permit No. 2015-4432, Precinct 1.**
- T. **Approve application from AT & T to hang cable aerial along 5000 Bowser Road, Permit No. 2015-4436, Precinct 3.**
- U. **Approve release of performance bond # TX 818155 in the amount of \$18,000.00 to McDonald Municipal & Industrial, a Division of C. F. McDonald Electric, Inc. for completion of work on Pecan Grove Drainage Tract, Permit No. 84757, Precinct 3.**
- V. **Approve release of performance bond #W150212086 in the amount of \$5,000.00 to Scott Thomas Homes, LLC for completion of work on River Bend Drive, Permit No. 84738, Precinct 1.**
- W. **Approve release of performance bond #W150212095 in the amount of \$5,000.00 to Scott Thomas Homes, LLC for completion of work on River Ranch South Drive, Permit No. 84739, Precinct 1.**

Item 12 continued - Engineering:

- X. **Approve release of performance bond #W150212084 in the amount of \$5,000.00 to Scott Thomas Homes, LLC for completion of work on River Bend Drive, Permit No. 84740, Precinct 1.**
 - Y. **Approve release of performance bond #5175828 in the amount of \$6,000.00 to Suntech Building Systems, Inc. for completion of work on L. J. Parkway and University Boulevard, Permit No. 84513, Precinct 4.**
 - Z. **Approve release of performance bond #5203348 in the amount of \$5,000.00 to McKenna Contracting, Inc. for completion of work on Beechnut at Lobera, Permit No. 2015-2253, Precinct 2.**
 - AA. **Set public hearing for acceptance of the traffic control plan for Sartartia Road from Pecan Grove Road to Williams Landing Drive to add "No Parking Any Time" signs, Precinct 4. (Tuesday, January 12, 2016, at 1:00 p.m.)**
13. **ENGINEERING - PLATS:**
- A. **Approve the plat for ValPlace Richmond Amending Plat No. 1, Precinct 1.**
 - B. **Approve plat for the roads within Sienna Plantation, Section 12, Precinct 1.**
 - C. **Approve plat for the lots within Sienna Plantation, Section 12, Precinct 1.**
 - D. **Approve plat for the roads within Grand Vista, Sec. 14, Precinct 2.**
 - E. **Approve plat for the lots within Grand Vista, Sec. 14, Precinct 2.**
 - F. **Approve plat for the roads within River's Edge, Section Seventeen, Precinct 1.**
 - G. **Approve plat for the lots within River's Edge, Section Seventeen, Precinct 1.**
 - H. **Approve plat for the roads within River's Edge Section, Fifteen-B, Precinct 1.**
 - I. **Approve plat for the lots within River's Edge Section, Fifteen-B, Precinct 1.**
 - J. **Approve plat for the roads within Walnut Creek, Section Twelve, Precinct 1.**
 - K. **Approve plat for the lots within Walnut Creek, Section Twelve, Precinct 1.**

14. **FACILITIES MANAGEMENT & PLANNING:**

Approve payment of Invoice No. 10039695 for a total amount of \$40,500.00 to PGAL for Architectural Services regarding the build-out of two additional courtrooms in the Justice Center. (Fund: Capital Improvement Project)

15. **HEALTH & HUMAN SERVICES:**

Emergency Medical Service: Approve First Responder Cooperation Agreement between Fort Bend County and City of Rosenberg Fire Department.

16. **PURCHASING:**

Authorize advertising for bids for traffic count services.

17. **ROAD & BRIDGE:**

Approve payment of Invoice No. 15335-2 in the amount of \$65,525.00 to Teamwork Construction Services for crosswalk improvements to Cinco Ranch Boulevard at Cinco Place, Peek Road, and Cinco Lakes Drive. (Fund: Road & Bridge)

18. **SHERIFF'S OFFICE:**

Approve Interlocal Agreement between Fort Bend County and Fort Bend County MUD #46 for Use of the County's Public Radio System.

19. **TAX ASSESSOR/COLLECTOR:**

Record into Minutes the disposal of miscellaneous Tax Office Accounting documentation dated October 2009 through June 2015, as detailed on Fort Bend County Tax Office Records Disposition Log dated December 7, 2015, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda
Items 6 - 19.

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

20. **COUNTY JUDGE:**

- A. **Take all appropriate action to authorize the Facilities Management & Planning Director to post courtesy notification signs for Texas Penal Code Sections 46.03 and 46.035.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (4-0), it is ordered to authorize the Director of Facilities to post signs of content location of which is subject to the final approval of the County Judge and County Attorney.

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

Commissioner Morrison stated the court is reading the Statute, which is poorly written, too narrowly. He believes the County should post signs in as many places as possible, in the County, to protect the employees. Commissioner Morrison disagrees with the conclusion the Court came to in the current discussion.

Note: The action on Item 20A was deferred until after closed session due to this item pertaining to a certain action concerning concealed and open carry weapons in the County. There was a closed session discussion with the County Attorney on the exact options available for the court.

- B. **Take all appropriate action on Interlocal Advance Reimbursement Agreement between Fort Bend County and West Fort Bend Water Authority in the amount of \$340,000 for funding operational expenses.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Advance Reimbursement Agreement between Fort Bend County and West Fort Bend Water Authority in the amount of \$340,000 for funding operational expenses.

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

21. **COMMISSIONER, PCT. 1:**

Take all appropriate action on request by Xiangyong Zheng, on behalf of Sugarland Tubular Inc. to waive penalty, interest and collection fees totaling \$5,880.12 on property taxes for Tax Year 2014, Precinct 1.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to deny request by Xiangyong Zheng, on behalf of Sugarland Tubular Inc. to waive penalty, interest and collection fees totaling \$5,880.12 on property taxes for Tax Year 2014, Precinct 1.

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

Commissioner Morrison stated no mistake was made on behalf of the Tax Office or Central Appraisal District; therefore, the request is denied.

22. **COMMISSIONER, PCT. 2:**

Take all appropriate action on request by Emil Vujic with Ryan, LLC, on behalf of Daimler Trust, to waive penalty and interest totaling \$763.99 on property taxes for Tax Year 2014, Precincts 2, 3 and 4.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve request by Emil Vujic with Ryan, LLC, on behalf of Daimler Trust, to waive penalty and interest totaling \$763.99 on property taxes for Tax Year 2014, Precincts 2, 3 and 4.

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

Commissioner Prestage stated the Tax Assessor does recommend waive penalty and interest fees.

23. **AGRILIFE EXTENSION OFFICE:**

Take all appropriate action on request to transfer the amount of \$11,971 from FY 2016 Non-Departmental Contingency into AgriLife, Capital Acquisitions, to allocate additional funds necessary to replace wrecked department vehicle #N009.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$11,971 from FY 2016 Non-Departmental Contingency into AgriLife, Capital Acquisitions, to allocate additional funds necessary to replace wrecked department vehicle #N009.

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

24. **COMMUNITY DEVELOPMENT:**

Take all appropriate action on Agreements between Fort Bend County and the following entities, all which are part of the FY 2015 Consolidated Plan approved by Commissioners Court on July 14, 2015, and funded by the Community Development Block Grant Program:

- **Literacy Council of Fort Bend County in the amount of \$37,600 to provide administrative and operating expenses and salaries, for the student/tutor program;**
- **Fort Bend County Women's Center, Inc., in the amount of \$30,000 to provide salaries for shelter staff; and**
- **The ARC of Fort Bend County in the amount of \$33,485 to provide social and recreational activities for program participants.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Agreements between Fort Bend County and the following entities, all which are part of the FY 2015 Consolidated Plan approved by Commissioners Court on July 14, 2015, and funded by the Community Development Block Grant Program:

- Literacy Council of Fort Bend County in the amount of \$37,600 to provide administrative and operating expenses and salaries, for the student/tutor program;
- Fort Bend County Women's Center, Inc., in the amount of \$30,000 to provide salaries for shelter staff; and
- The ARC of Fort Bend County in the amount of \$33,485 to provide social and recreational activities for program participants.

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

25. **COUNTY COURT AT LAW NO. 5:**

Take all appropriate action on request to transfer the amount \$41,444 from FY 2016 Non-Departmental Contingency as detailed on the Auditor's form dated December 8, 2015 to allocate funds for furniture and computer equipment for County Court at Law No. 5.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to to transfer the amount \$41,444 from FY 2016 Non-Departmental Contingency as detailed on the Auditor's form dated December 8, 2015 to allocate funds for furniture and computer equipment for County Court at Law No. 5.

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

26. **ENGINEERING:**

A. **Take all appropriate action on Standard Utility Agreement between Fort Bend County and Enterprise Products in an amount not to exceed \$458,000 for utility relocations regarding FM 1093/Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Standard Utility Agreement between Fort Bend County and Enterprise Products in an amount not to exceed \$458,000 for utility relocations regarding FM 1093/Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)

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

Item 26 continued - Engineering:

- B. Take all appropriate action on Standard Utility Agreement between Fort Bend County and Comcast in an amount not to exceed \$47,500 for utility relocations regarding FM 1093/Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Standard Utility Agreement between Fort Bend County and Comcast in an amount not to exceed \$47,500 for utility relocations regarding FM 1093/Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)

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

- C. Take all appropriate action on request for variance to the 10-foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Lamar Consolidated ISD Elementary School No. 24, on behalf of Lamar Consolidated Independent School District, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve variance to the 10-foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Lamar Consolidated ISD Elementary School No. 24, on behalf of Lamar Consolidated Independent School District, Precinct 3.

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

- D. Take all appropriate action on the plat for Lamar Consolidated ISD Elementary School No. 24, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve plat for Lamar Consolidated ISD Elementary School No. 24, Precinct 3,

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

Item 26 continued - Engineering:

- E. Take all appropriate action on request for variance to the 10-foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Fulshear Retail, on behalf of J. Guidry LTD., Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve variance to the 10-foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Fulshear Retail, on behalf of J. Guidry LTD., Precinct 3.

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

- F. Take all appropriate action on the plat for Fulshear Retail, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve plat for Fulshear Retail, Precinct 3.

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

- G. Take all appropriate action on request for variance to the 10-foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Parkway Ventures, on behalf of CNS Venture, LLC, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve variance to the 10-foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Parkway Ventures, on behalf of CNS Venture, LLC, Precinct 3.

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

Item 26 continued - Engineering:

H. Take all appropriate action on the plat for Parkway Ventures, Precinct 3.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve plat for Parkway Ventures,
Precinct 3.

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

I. Take all appropriate action on request for a variance to the block length requirement as stated in Section 5.6D of the Fort Bend County Regulations of Subdivisions, for Aliana, Sec. 35, 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 block length
requirement as stated in Section 5.6D of the Fort Bend County Regulations of Subdivisions, for
Aliana, Sec. 35, on behalf of Aliana Development Company, Precinct 4.

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

J. Take all appropriate action on plat for the roads within Aliana, Sec. 35, 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. 35, Precinct 4.

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

Item 26 continued - Engineering:

K. Take all appropriate action on plat for the lots within Aliana, Sec. 35, 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. 35, Precinct 4.

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

27. FACILITIES MANAGEMENT & PLANNING:

A. Take all appropriate action on request to transfer the amount of \$50,000 from FY 2016 Commissioners Court Projects as detailed on Auditor's form dated December 8, 2015 to allocate a portion of the County's contribution for renovations to the Bud O'Shieles Community Center for the Fort Bend Seniors Program.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$50,000 from
FY 2016 Commissioners Court Projects as detailed on Auditor's form dated December 8, 2015
to allocate a portion of the County's contribution for renovations to the Bud O'Shieles
Community Center for the Fort Bend Seniors Program.

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

Commissioner Morrison stated Fort Bend Seniors Program will reimburse the County.

Item 27 continued - Facilities Management & Planning:

- B. Take all appropriate action on the Amendment to Agreement between Fort Bend County and Bass Construction Co., Inc. for additional construction services in the amount of \$49,025.77 regarding expansion of the Bud O'Shieles Community Center for the Fort Bend Seniors programs, for a total construction cost not to exceed \$1,527,286.77. (Fund: Capital Improvement Project)**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the Amendment to Agreement between Fort Bend County and Bass Construction Co., Inc. for additional construction services in the amount of \$49,025.77 regarding expansion of the Bud O'Shieles Community Center for the Fort Bend Seniors programs, for a total construction cost not to exceed \$1,527,286.77. (Fund: Capital Improvement Project)

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

- C. Take all appropriate action on Interlocal Agreement for Maintenance of and Improvements to County-Owned Facilities between Fort Bend County and Fort Bend County Assistance District No. 6.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement for Maintenance of and Improvements to County-Owned Facilities between Fort Bend County and Fort Bend County Assistance District No. 6.

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

Item 27 continued - Facilities Management & Planning:

- D. Take all appropriate action on Agreement for Professional Architectural & Engineering Services between Fort Bend County and Archi*Technics/3, Inc. in the amount of \$300,700 regarding the proposed Mission Bend Community Center.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve and execute Agreement for Professional Architectural & Engineering Services between Fort Bend County and Archi*Technics/3, Inc., a firm determined to be the most highly qualified provider for such services on the Mission Bend Community Center Project, based on demonstrated competence and qualifications. (A correction was made to add the funding source General Fund Projects.)

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

Commissioner Patterson asked if this project was being paid by CAD #6 funds.

Ed Sturdivant, County Auditor, stated these funds are for Mission Bend and the structure of the agreement for this item was approved in Item 27C.

- E. Take all appropriate action on Agreement for Professional Architectural & Engineering Services between Fort Bend County and AutoArch Architects, LLC in the amount of \$422,300 for the proposed Mission Bend Library.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve and execute Agreement for Professional Architectural & Engineering Services between Fort Bend County and AutoArch Architects, LLC, a firm determined to be the most highly qualified provider for such services on the Mission Bend Library Project, based on demonstrated competence and qualifications. (A correction was made to add the funding source General Fund Projects.)

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

28. **HEALTH & HUMAN SERVICES:**

Animal Services: Take all appropriate action on request to disburse funds contributed during the Annual Mega Adoption Program for use by joint municipalities due to the event no longer being held. The total amount of funds to be disbursed is: \$10,520; proposed distribution includes direct reimbursement of \$1,185.00 to Fort Bend County Animal Services for supplies and t-shirts purchased for staff and volunteers along with: \$300 to Missouri City Animal Control; \$1,500 to Stafford Animal Control; \$1,500 to Rosenberg Animal Control; \$3,017.50 to Sugar Land Animal Services; and \$3,017.50 to Fort Bend County Animal Services.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to disburse funds contributed during the Annual Mega Adoption Program for use by joint municipalities due to the event no longer being held. The total amount of funds to be disbursed is: \$10,520; proposed distribution includes direct reimbursement of \$1,185.00 to Fort Bend County Animal Services for supplies and t-shirts purchased for staff and volunteers along with: \$300 to Missouri City Animal Control; \$1,500 to Stafford Animal Control; \$1,500 to Rosenberg Animal Control; \$3,017.50 to Sugar Land Animal Services; and \$3,017.50 to Fort Bend County Animal Services.

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

29. **HUMAN RESOURCES:**

Take appropriate action regarding the addition of Policy 618 to the Employee Information Manual, Carrying of Handguns and Other Weapons, as submitted by Human Resources.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve addition of Policy 618 to the Employee Information Manual, Carrying of Handguns and Other Weapons, as submitted by Human Resources.

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

Note: The action on Item 29 was deferred until after closed session due to this item pertaining to a certain action concerning concealed and open carry weapons in the County. There was a closed session discussion with the County Attorney on the exact options available for the court.

30. **PARKS & RECREATION:**

Take all appropriate action on request to refund payment of \$175.00 to Jeanette Godley for rental of Mustang Community Center due to error.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to refund payment of \$175.00 to Jeanette Godley for rental of Mustang Community Center due to error.

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

31. **PURCHASING:**

A. **Take all appropriate action on Bid 16-030 for construction of congestion mitigation/turn lane improvements. (Fund: Harris-Fort Bend County Emergency Services District No. 100)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to award Bid 16-030 for construction of congestion mitigation/turn lane improvements to ISI Contracting for \$1,577,170.86.
(Fund: Harris-Fort Bend County Emergency Services District No. 100)

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

B. **Take all appropriate action on Bid 16-033, Term Contract for Airway and EKG Medical Supplies.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to award Bid 16-033, Term Contract for Airway and EKG Medical Supplies to Bound Tree Medical for both Sections 1 and 2.

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

Item 31 continued - Purchasing:

C. Take all appropriate action on Request for Proposal 16-026 for Enterprise Content Management Solution.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to authorize contract negotiations on proposal 16-026 for Enterprise Content Management Solution with Phoenix Business Systems.

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

D. Take all appropriate action on Request for Proposal 16-038 for Budget Software.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to authorize contract negotiations for proposal 16-038 for Budget Software with Power Plan.

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

E. Take all appropriate action on Request for Proposal 16-040 for Construction of Sheriff's Office Vocational Building #2.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to authorize contract negotiations for proposal 16-040 for Construction of Sheriff's Office Vocational Building #2 with Crane Group.

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

Item 31 continued - Purchasing:

- F. **Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024(a)(7) for the purchase of an item available from only one source, for IBISTRAX-HD3D products, from Ultra Electronics Forensic Technology.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024(a)(7) for the purchase of an item available from only one source, for IBISTRAX-HD3D products, from Ultra Electronics Forensic Technology.

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

- G. **Take all appropriate action on Agreement between Fort Bend County and Ultra Electronics Forensic Technology, Inc., to purchase Integrated Ballistics Identification System and Software Licensing equipment for the Sheriff's Office, for a total contract amount of \$268,056 over a four (4) year period. (Fund: Sheriff's Office)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and Ultra Electronics Forensic Technology, Inc., to purchase Integrated Ballistics Identification System and Software Licensing equipment for the Sheriff's Office, for a total contract amount of \$268,056 over a four (4) year period. (Fund: Sheriff's Office)

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

Item 31 continued - Purchasing:

- H. **Take all appropriate action on Fourth Amendment to Agreement for SH 36A Development Corridor Business Plan between Fort Bend County and Texas Economics & Management Systems, Inc., to extend the completion time until March 31, 2016, with no change in funding.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Fourth Amendment to Agreement for SH 36A Development Corridor Business Plan between Fort Bend County and Texas, corrected to Transportation Economics & Management Systems, Inc., to extend the completion time until March 31, 2016, with no change in funding.

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

- I. **Take all appropriate action on request to purchase one (1) Ford Fusion, a replacement to fleet, for AgriLife Extension Service, from Helfman Ford, pursuant to Bid 15-028. (Fund: AgriLife Extension Office and Insurance)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to purchase one (1) Ford Fusion, a replacement to fleet, for AgriLife Extension Service, from Helfman Ford, pursuant to Bid 15-028. (Fund: AgriLife Extension Office and Insurance)

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

- J. **Take all appropriate action on request to purchase radio equipment for various County departments, utilizing Houston-Galveston Area Council (H-GAC) Contract RA05-15, for an amount totaling \$68,980.80. (Fund: Multiple County Departments)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to purchase radio equipment for various County departments, utilizing Houston-Galveston Area Council (H-GAC) Contract RA05-15, for an amount totaling \$68,980.80. (Fund: Multiple County Departments)

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

Item 31 continued - Purchasing:

- K. Take all appropriate action on Amendment to Agreement for Professional Property Acquisition Services between Fort Bend County and Property Acquisition Services, LLC in an additional amount of \$7,550 for a total contract amount not to exceed \$919,550 for right of way services regarding 2013 Mobility Bond Projects within Precincts 1 and 4. (Fund: Right of Way)**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Property Acquisition Services between Fort Bend County and Property Acquisition Services, LLC in an additional amount of \$7,550 for a total contract amount not to exceed \$919,550 for right of way services regarding 2013 Mobility Bond Projects within Precincts 1 and 4. (Fund: Right of Way)

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

32. 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 \$5,876,812.42.

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

33. **Authorize County Auditor to pay and release time sensitive disbursements on December 23 and December 31, 2015, to be ratified by Commissioners Court on January 5, 2016.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive disbursements on December 23 and December 31, 2015, to be ratified by Commissioners Court on January 5, 2016.

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

Recess:

Recessed at 1:25 p.m.

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

§ 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.

- A. **Texas Statutes: Penal Code Chapter 46, Labor Code Chapter 52 and Government Code Chapter 411; Texas House Bill 910, Texas Senate Bill 273 and Texas Attorney General RQ-0040-KP.**
- B. **Discuss Katy Gaston Road Widening Project Resolution and Order.**

Pulled.
- C. **Roach, et al. v. Ingram, et al., Cause No. 15-DVC-223241 in the 268th District Court, Fort Bend County.**
- D. **Discussion regarding the Decision and Award of Special Commissioners on Westpark Tollway Parcel 203, Fort Bend County v. Grover, et al.; request additional funds.**

Closed Session:

Convened at 1:37 p.m.
Adjourned at 2:51 p.m.

Reconvene:

Reconvened at 2:51 p.m.

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

§ 551.071. Consultation With Attorney.

- A. **Texas Statutes: Penal Code Chapter 46, Labor Code Chapter 52 and Government Code Chapter 411; Texas House Bill 910 and Texas Attorney General RQ-0040-KP.**

No action.

- B. **Discuss Katy Gaston Road Widening Project Resolution and Order.**

Pulled.

- C. **Roach, et al. v. Ingram, et al., Cause No. 15-DVC-223241 in the 268th District Court, Fort Bend County.**

No action.

- D. **Discussion regarding the Decision and Award of Special Commissioners on Westpark Tollway Parcel 203, Fort Bend County v. Grover, et al.; request additional funds.**

No action.

36. Adjournment.

Commissioners Court adjourned at 2:55 p.m. on Tuesday, December 15, 2015.