

County Fort Bend  
 District Houston  
 ROW CSJ # 0027-08-175  
 CCSJ # 0027-08-173  
 Federal Project #: \_\_\_\_\_  
 Federal Highway Administration  
 CFDA # 20.205  
 Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

**AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)**

**THIS AGREEMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation, (the "State"), and Fort Bend \_\_\_\_\_, Texas, acting through its duly authorized officials (the "Local Government").

**WITNESSETH**

**WHEREAS**, Texas Transportation Code §§ 201.103 and 222.052 establish that the State shall design, construct, and operate a system of highways in cooperation with local governments; and

**WHEREAS**, Texas Transportation Code, §§ 201.209 authorizes the State and a Local Government to enter into agreements in accordance with Texas Government Code, Chapter 791; and

**WHEREAS**, the State has deemed it necessary to make certain highway improvements on Highway No. US90A \_\_\_\_\_ from SH6 to SH99, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the "Project"); and

**WHEREAS**, the Local Government requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this highway project; and

**WHEREAS**, the Local Government desires to enter into a fixed price joint participation agreement pursuant to 43 TAC §15.52 to contribute to the State funding participation as defined in 43 TAC §15.55 for the cost of acquiring the right of way and relocating or adjusting utilities for the proper improvement of the State Highway System;

**WHEREAS**, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this agreement as Attachment A. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

**NOW THEREFORE**, the State and the Local Government do agree as follows:

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## AGREEMENT

### 1. Agreement Period

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

### 2. Termination

This agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A. The agreement is terminated in writing with the mutual consent of the parties;
- B. The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party; or
- C. The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

### 3. Local Project Sources and Uses of Funds

A. The total estimated cost of the Project is shown in Attachment C, Project Budget Estimate and Payment Schedule, which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Government, or other parties is shown in Attachment C. The Local Government shall pay to the State the amount shown in Attachment C as its required contribution of the total cost of the Project and shall transmit to the State with the return of this agreement, duly executed by the Local Government, a warrant or check for the amount and according to the payment schedule shown in Attachment C.

B. The Local Government's fixed price contribution set forth in Attachment C is not subject to adjustment unless:

1. site conditions change;
2. work requested by the Local Government is ineligible for federal participation; or
3. the adjustment is mutually agreed on by the State and the Local Government.

C. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local

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Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

- D. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a warrant or check made payable to the "Texas Department of Transportation Trust Fund." The warrant or check shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to this highway project.
- E. Notwithstanding that this is a fixed price agreement, the Local Government agrees that in the event any existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive, including, but not limited to, outdoor advertising or storm water drainage facility requirements, is more restrictive than State or federal regulations, or any other locally proposed change, including, but not limited to, plats or re-plats, results in any increased costs to the State, then the Local Government will pay one hundred percent (100%) of all those increased costs, even if the applicable county qualifies as an Economically Disadvantaged County (EDC). The amount of the increased costs associated with the existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive will be determined by the State at its sole discretion.
- F. If the Local Government is an EDC and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- G. If the Project has been approved for an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the incremental payment schedule.

#### **4. Real Property in Lieu of Monetary Payment**

- A. Contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for this project. Credit for all real property, other than property which is already dedicated or in use as a public road, contributed by the Local Government to the State shall be based on the property's fair market value established as of the effective date of this agreement. The fair market value shall not include increases or decreases in value caused by the project and should include the value of the land and improvements being conveyed, excluding any damages to the remainder. The amount of any credit for real property contributed for this project is clearly shown in Attachment C.
- B. The Local Government will provide to the State all documentation to support the determined fair market value of the donated property. This documentation shall include an appraisal of the property by a licensed appraiser approved by the State. The cost of appraisal will be the responsibility of the State. The State will review the submitted documentation and make a final determination of value; provided however, the State may perform any additional investigation deemed necessary, including supplemental appraisal work by State employees or employment of fee appraisers.



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**7. Remedies**

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

**8. Legal Construction**

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

**9. Responsibilities of the Parties**

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

**10. Compliance with Laws**

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

**11. Sole Agreement**

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the subject matter of this agreement.

**12. Ownership of Documents**

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

**13. Inspection of Books and Records**

The Local Government shall maintain all books, papers, accounting records and other documentation relating to costs incurred under this agreement and shall make such

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materials available to the State and, if federally funded, the Federal Highway Administration (FHWA) or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this agreement or until any impending litigation, or claims are resolved. Additionally, the State and FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

**14. State Auditor**

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

**15. Procurement and Property Management Standards**

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

**16. Civil Rights Compliance**

The parties to this agreement shall comply with the regulations of the U.S. Department of Transportation as they relate to nondiscrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

**17. Applicability of Federal Provisions**

Articles 18 through 23 only apply if Federal funding is used in the acquisition of right of way or the adjustment of utilities.

**18. Office of Management and Budget (OMB) Cost Principles**

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

**19. Disadvantaged Business Enterprise (DBE) Program Requirements**

A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.

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- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally -Approved Disadvantaged Business Enterprise by Entity and attachments found at web address [http://txdot.gov/business/business\\_outreach/mou.htm](http://txdot.gov/business/business_outreach/mou.htm).
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

**20. Debarment Certification**

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for

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participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

**21. Lobbying Certification**

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

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**22. Federal Funding Accountability and Transparency Act Requirements**

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.**
- B. The Local Government agrees that it shall:**
- 1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>**
  - 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and**
  - 3. Report the total compensation and names of its top five (5) executives to the State if:**
    - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and**
    - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.**

**23. Single Audit Report**

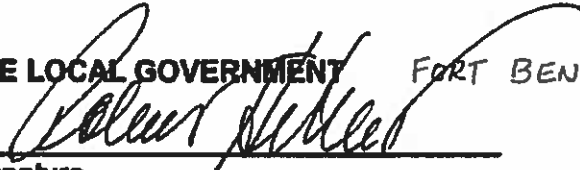
- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.**
- B. If threshold expenditures of \$500,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://txdot.gov/inside-tdot/office/audit/contact.html>**
- C. If expenditures are less than \$500,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$500,000 expenditure threshold and therefore, are not required to have a single audit performed for FY \_\_\_\_\_."**
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.**

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**24. Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

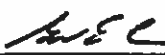
**THE LOCAL GOVERNMENT** FORT BEND COUNTY  
  
\_\_\_\_\_  
Signature

Robert Hebert  
\_\_\_\_\_  
Typed or Printed Name

County Judge  
\_\_\_\_\_  
Title

January 26, 2016  
\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

  
\_\_\_\_\_  
Gus E. Cannon, CTCM  
Interim Director, Right of Way Division  
Texas Department of Transportation

3-4-16  
\_\_\_\_\_  
Date

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**ATTACHMENT A  
RESOLUTION OR ORDINANCE**

**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 26<sup>th</sup> day of January, 2016.



\_\_\_\_\_  
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 2<sup>nd</sup> day of February, 2016.



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

**MINUTES**

**BE IT REMEMBERED, That on this 26TH DAY of JANUARY, 2016, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:**

<b>ROBERT E. HEBERT</b>	<b>COUNTY JUDGE</b>
<b>RICHARD MORRISON</b>	<b>COMMISSIONER PRECINCT 1</b>
<b>GRADY PRESTAGE</b>	<b>COMMISSIONER PRECINCT 2</b>
<b>ANDY MEYERS</b>	<b>COMMISSIONER PRECINCT 3</b>
<b>JAMES PATTERSON</b>	<b>COMMISSIONER PRECINCT 4</b>
<b>LINDA WILLIS FOR LAURA RICHARD</b>	<b>COUNTY CLERK</b>

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

**1. Call to Order.**

Call to Order by Judge Hebert at 1:06 p.m.

**2. Invocation and Pledge of Allegiance by Commissioner Grady Prestage.**

Invocation and Pledge of Allegiance by Commissioner Grady Prestage.

**3. Approve minutes of regular meeting held on January 12, 2016.**

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 January 12, 2016.

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.

**CONSENT AGENDA ITEMS 5 - 22:**

5. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **Auditor's Office: Tiffany Ching to Las Vegas, Nevada, March 19-25, 2016, to attend National Conference on Ambulance Revenue Cycle Management and Compliance. (Fund: Auditor's Office, Travel)**
  - B. **Engineering: Michael Wainright to San Diego, California, June 26-July 1, 2016 to attend the Environmental Systems Research Institute User Conference. (Fund: Engineering)**
  - C. **Facilities Management & Planning: Gilbert Jalomo, Jamie Knight, and Laura Dougherty to Chicago, Illinois, June 12-15, 2016 to attend the NeoCon 2016 design exposition and conference for commercial interiors. (Fund: Facilities Management & Planning)**
  - D. **Health & Human Services - Emergency Medical Service: Graig Temple and Brian Petrilla to Las Vegas, Nevada, March 19-25 2016, to attend National Conference on Ambulance Revenue Cycle Management and Compliance. (Fund: Emergency Medical Service, Travel)**
  - E. **Library: Daniel Sample to Fort Lauderdale, Florida, May 3-8, 2016, to attend the National Genealogical Society 2016 Family History Conference. (Fund: Library, Travel)**
  - F. **Library: Mary Miller to San Francisco, California, March 15-18, 2016, to attend the Innovative User's Group 2016 Conference. (Fund: Library, Travel)**
  - G. **Library: Lelia Warner to Washington, D. C., March 7-10, 2016, to attend Computers in Libraries 2016 Annual Conference. (Fund: Library, Travel)**
  - H. **Office of Emergency Management: Krista Whitehead to Hilton Head Island, South Carolina, March 6-9, 2016, to attend the Regional Organized Crime Information Center Conference. (Fund: Homeland Security Grant)**
  - I. **Office of Emergency Management: Doug Barnes to San Diego, California, June 24-27, 2016, to attend the Environmental Systems Research Institute Homeland Security Conference. (Fund: Homeland Security Grant)**
  - J. **Office of Emergency Management: Jeff Braun and Doug Barnes to Tampa Bay, Florida, June 27-July 1, 2016, to attend the National Homeland Security Conference. (Fund: Homeland Security Grant)**
  - K. **Sheriff's Office: R. Holdsworth to Atlanta, Georgia, April 18-22, 2016, to attend the 2016 National Law Enforcement Training on Child Exploitation. (Fund: Internet Crimes Against Children Grant)**

- L. **Treasurer's Office - Emergency Medical Service Collections: Emily Delgado to Las Vegas, Nevada, March 19-25, 2016, to attend National Conference on Ambulance Revenue Cycle Management and Compliance. (Fund: EMS Collections, Travel)**
6. **COUNTY JUDGE:**
- A. **Record into Minutes the Public Official Bond for John B. Hazel II, as Treasurer for Fort Bend County Emergency Services District No. 2 in the amount of \$100,000 effective April 3, 2015 through April 3, 2016.**
- B. **Record into Minutes the Public Official Bond for Pamela Henry, as Treasurer for Fort Bend County Emergency Services District No. 3 in the amount of \$100,000 effective December 31, 2015 through December 31, 2016.**
7. **COMMISSIONER, PCT. 1:**
- A. **Approve payment of Invoice No. 430-09 in the amount of \$78,006.64 to Transportation Economics & Management System, Inc. for professional services regarding Highway 36 Corridor Rail Study. (Fund: Hwy 36 Corridor Project)**
- B. **Approve Interlocal Project Agreement between Fort Bend County and City of Richmond to provide assistance with road repairs to city owned streets at the OakBend Hospital Campus located at 1600 Main Street, County expenditure not to exceed \$31,125. (Fund: Road & Bridge)**
- C. **Approve the appointment of Kevin Arrington (in place of Altrivice Revis) to the Board of Commissioners for Fort Bend County Emergency Services District No. 7 in the Fresno area, to serve until January 1, 2017.**
8. **COMMISSIONER, PCT. 4:**
- A. **Approve the reappointment of Robert Treacy to the Board of Directors of City of Sugar Land Tax Increment Reinvestment Zone (TIRZ) No. 1, for a term effective January 1, 2016 through December 31, 2017.**
- B. **Record into Minutes the Public Official Bond for John Godbee, as Treasurer for Fort Bend County Emergency Service District No. 5 in the amount of \$100,000, effective December 15, 2015 through December 15, 2016.**
9. **BUDGET TRANSFERS:**
- A. **AgriLife Extension Office: Approve FY 2016 transfer in the amount of \$200 as detailed on Auditor's form dated January 20, 2016 to amend the budget pursuant to Local Government Code Section 111.07075 and allocate funds received from Fort Bend Master Gardner's Inc. designated for improvements to the Greenhouse at the Extension Facility.**
- B. **Facilities Management & Planning: Approve FY 2016 transfer in the amount of \$79,000 to move funds from project account into Commissioners Court project account for the Energy Performance Audit on Sheriff Facilities.**



**Item 9 continued - Budget Transfers:**

- C. **Facilities Management & Planning:** Approve FY 2016 transfer in the amount of \$79,000 as detailed on Auditor's form dated January 20, 2016, to allocate funds for an Energy Performance Audit on Sheriff Facilities.
- D. **Health & Human Services - Clinical Health:** Approve FY 2016 transfer in the amount of \$620 from Operating Supplies into Information Technology to allocate funds for the purchase of computer equipment and software licenses.
- E. **Justice of the Peace, Pct. 1, Place 2:** Approve FY 2016 transfer in the amount of \$5,320 from Information Technology into Capital Acquisitions to allocate funds into correct account for the purchase of copier.
- F. **Library:** Approve FY 2016 transfer in the amount of \$24,000 from Construction in Progress into Fees to allocate additional funds required for fees and services through September 30, 2016.
- G. **Public Transportation:** Approve FY 2016 transfer in the amount of \$28,900 as detailed on Director's form dated January 20, 2016 to allocate funds for property acquisition services regarding the Westpark Park & Ride.

**10. COUNTY ATTORNEY:**

Record into Minutes the approved and executed copy of the Professional Services Agreement between Fort Bend County and Gardere Wynne Sewell LLP resulting from action ordered by Commissioners Court on October 6, 2015, Item 41 (B), on the matter of Fort Bend County and State of Texas v. Volkswagen Group of America, et al.

**11. ENGINEERING - PAYMENTS FOR ONGOING PROJECTS:**

- A. Approve payment of Invoice No. 24652 in the amount of \$18,736.10 to Binkley & Barfield, Inc. for project management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- B. Approve payment of Invoice No. 12124 in the amount of \$29,782.52 to Lippke Cartwright & Roberts for professional engineering services regarding Front Street, Mobility Bond Project No. X18, Precinct 1. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 15-12-023 in the amount of \$8,466.00 to Kelly R. Kaluza & Associates, Inc. for professional engineering services regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)
- D. Approve payment of Invoice No. 4 in the amount of \$131,579.09 to Gunda Corporation for professional engineering services regarding Humphrey Way, Mobility Bond Project No. X9, Precinct 1. (Fund: 2007 Mobility Bonds)

**Item 11 continued - Engineering - Payments For Ongoing Projects:**

- E. Approve payment of Invoice No. 1427 in the amount of \$11,323.63 to Austin-Reed Engineers, LLC for construction materials testing services regarding Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 779-003-03 in the amount of \$3,260.00, Invoice No. 779-003-04 in the amount of \$13,495.00, and Invoice No. 779-003-05 in the amount of \$10,172.50 to TSC Surveying for professional services regarding Trammel Fresno Road, Mobility Bond Project No. 746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 133542 in the amount of \$35,160.20 to IDS Engineering Group for professional engineering services regarding SH 99 at Harlem U-turns, Mobility Bond Project No. X27, Precinct 4. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 1215109 in the amount of \$25,293.81 to Klotz Associates, Inc. for project management services regarding 2007 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**
- I. Approve payment of Invoice No. 1215110 in the amount of \$40,970.11 to Klotz Associates, Inc. for project management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- J. Approve payment of Invoice No. H204026 in the amount of \$10,571.00 to Halff Associates, Inc. for professional engineering services regarding Beechnut Street, Mobility Bond Project No. 13201, Precinct 2. (Fund: 2013 Mobility Bonds)**
- K. Approve payment of Invoice No. 14PV59-04 in the amount of \$130,424.70 to Isani Consultants for professional engineering services regarding Williams Way, Mobility Bond Project No. 13114, Precinct 1. (Fund: 2013 Mobility Bonds)**
- L. Approve payment of Invoice No. 5356 in the amount of \$7,427.50 to Property Acquisition Services for right of way services regarding projects within Precincts 1, 2, 3 and 4. (Fund: Right of Way)**
- M. Approve payment of Invoice No. 47856 in the amount of \$10,361.09 to SWCA Environmental Consultants for professional services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- N. Approve payment of Invoice No. 1631 in the amount of \$27,591.20 to Epic Transportation Group for professional engineering services regarding Sycamore Road, Mobility Bond Project No. 13113, Precinct 1. (Fund: 2013 Mobility Bonds)**

**Item 11 continued - Engineering - Payments For Ongoing Projects:**

- O. Approve payment of Invoice No. 64482 in the amount of \$80,854.25 to EHRA for professional engineering services regarding Cane Island, Mobility Bond Project No. 13306, Precinct 3. (Fund: 2013 Mobility Bonds)**
- P. Approve payment of Invoice No. INV0009968 in the amount of \$1,710.62, Invoice**

No. INV0010175 in the amount of \$3,626.75, Invoice No. INV0010844 in the amount of \$5,276.78, Invoice No. INV0011451 in the amount of \$2,576.30, and Invoice No. INV0011889 in the amount of \$2,552.18 to Percheron Field Services for right of way services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)

- Q. Approve payment of Invoice No. INV0009969 in the amount of \$16,684.03, Invoice No. INV0010176 in the amount of \$15,544.65, Invoice No. INV0011452 in the amount of \$13,533.95, Invoice No. INV0011890 in the amount of \$4,05.05, and Invoice No. INV0010845 in the amount of \$10,609.32 to Percheron Field Services for right of way services regarding FM 1093/ Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)
- R. Approve payment of Invoice No. 130.01-1215 in the amount of \$2,880.00 to Mike Stone Associates, Inc. for professional engineering services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)
- S. Approve payment of Invoice No. INV0011987 in the amount of \$13.50 to Percheron Field Services for reimbursable expenses pertaining to right of way services regarding Congestion Mitigation, Mobility Bond Project No. X23, Pct. 3. (Fund: Right of Way)
- T. Approve payment of Invoice No. 1711105 in the amount of \$1,959.09 and Invoice No. 1711108 in the amount of \$617.85 to Bio-West, Inc. for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)

12. **ENGINEERING - PLATS:**

- A. Approve the plat for Creekstone Assisted Living Center, Precinct 4.
- B. Approve plat for the roads within Stonecreek Estates, Section One, Precinct 1.
- C. Approve plat for the lots within Stonecreek Estates, Section One, Precinct 1.
- D. Approve plat for the roads within Long Meadow Farms, Sec. 41, Precinct 4.
- E. Approve plat for the lots within Long Meadow Farms, Sec. 41, Precinct 4.
- F. Approve plat for the roads within Stonebrook at Riverstone Section Two, Precinct 4.
- G. Approve plat for the lots within Stonebrook at Riverstone Section Two, Precinct 4.

13. **ENGINEERING - PERMITS, DEVELOPMENT RELATED ACTIVITY:**

- A. Approve application from Debo Homes, LLC / J C Hernandez Construction, Inc. to construct a driveway on 11010 Leah Elizabeth, Permit No. 2016-5010, Precinct 1.
- B. Approve application from Debo Homes, LLC / J C Hernandez Construction, Inc. to construct a driveway on 11111 Emily Ruth, Permit No. 2016-5009, Precinct 1.

- C. Approve application from Debo Homes, LLC / J C Hernandez Construction, Inc. to construct a driveway on 11203 Emily Ruth, Permit No. 2016-5008, Precinct 1.**
- D. Approve application from Consolidated Communications to bury cable along 9426 Vincik-Ehlert, Permit No. 2016-5045, Precinct 1.**
- E. Approve application from Centerpoint Energy to do an aerial crossing over Steep Bank Creek, west of Village of Anderson Springs Sec 13A, Permit No. 2016-4968, Precinct 1.**
- F. Approve application from Encore Grand Mission / Shreve Land Constructors, LLC to construct a driveway on 19221 Beechnut Street, Permit No. 2015-2399, Precinct 3.**
- G. Approve application from Millis Equipment Rental, LLC to construct a storm sewer inlet on Harvest Corner Drive and Harvest Garden Boulevard, Permit No. 2016-5000, Precinct 3.**
- H. Approve application from EISG, Inc. to construct a retaining wall in Long Point Slough, Harlem Road and Lakehead Lane, Permit No. 2016-4905, Precinct 3.**
- I. Approve release of perpetual bond #105100321 in the amount of \$50,000.00 to BOPCO, LP for completion of work on Rabbs Bayou, Permit No. 82612, Precinct 1.**
- J. Approve application from CIVE to construct driveways on Williams Way Blvd and Wildwood Park Road, Permit No. 2016-4960, Precinct 1.**
- K. Approve application from Solid Foundations, Ltd. to construct a driveway on 21015 Greyhawk Court, Permit No. 2016-4962, Precinct 3.**
- L. Approve application from Renau Espinosa dba Concrete Deluxe to widen a driveway on 8114 Highland Bluff, Permit No. 2016-4966, Precinct 1.**
- M. Accept Bond Rider #SU1131512 for Riverstone North, Section 5 reducing it from \$141,750.00 to \$70,875.00, Precinct 4.**
- N. Accept the streets in Alden Springs at Riverstone Section 2: Lockridge Sky Lane 198.30 LF, Heather Meadow Lane 1,179.04 LF, and Linden Field Court 203.14 LF, for a total of 1,580.48 LF, and release bond #MNT9152878 in the amount of \$106,680.00, Precinct 4.**
- O. Accept the street in University Boulevard at Riverstone Phase 3 Street Dedication (from HL&P Easement to City of Sugar Land city limits-Eastbound lanes): University Boulevard 6,663.00 LF, and release bond #58S203044 in the amount of \$735,420.00, Precinct 4.**

**Item 13 continued - Engineering - Permits, Development Related Activity:**

- P. Accept the street in Avalon at Riverstone, Section 11-A: Mcalister Falls Drive 374.53 LF, and release bond #MNT9152880 in the amount of \$93,800.00, Precinct 4.**

- Q. Release bond #MNT9118250 in the amount of \$263,340.00 for Avalon at Riverstone, Section 10-A. The streets are private and will be maintained by the Homeowners Association, Pct 4.**
  - R. Release bond #58S207328 in the amount of \$133,980.00 for Lakes of Bella Terra, Section 30. The streets are private and will be maintained by the Homeowners Association, Precinct 3.**
  - S. Release bond #58S205989 in the amount of \$366,000.00 for Marshall Oaks, Section 1. The streets are private and will be maintained by the Homeowners Association, Precinct 3.**
  - T. Set public hearing for acceptance of the traffic control plans for Alden Springs at Riverstone Section 2 and Avalon at Riverstone, Section 11-A, Pct. 4.  
(Tuesday, February 23, 2016, at 1:00 p.m.)**
  - U. Set public hearing for acceptance of the traffic control plans for Aliana Section 38, Aliana Westmoor Drive Section 4 and Aliana West Airport Boulevard SH 99 to FM 1464, Precinct 4. (Tuesday, February 23, 2016, at 1:00 p.m.)**
  - V. Set public hearing for acceptance of the traffic control plan for Cinco Trace Drive Street Dedication Sec. 1., Precinct 3. (Tuesday, February 23, 2016, at 1:00 p.m.)**
  - W. Set public hearing for acceptance of the traffic control plan for Walnut Creek, Section 11, and Irby Cobb Boulevard Street Dedication No. Two, Precinct 1.  
(Tuesday, February 23, 2016,  
at 1:00 p.m.)**
  - X. Set public hearing for acceptance of the traffic control plan for University Boulevard at Riverstone Phase 3 Street Dedication, Precinct 4. (Tuesday, February 23, 2016, at 1:00 p.m.)**
  - Y. Set public hearing for MSSL Sienna Campus Replat No. 1, Precinct 2.  
(Tuesday, March 1, 2016, at 1:00 p.m.)**
- 14. FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by Facility Bond and/or Capital Projects:**
- A. Pay Application No. 14-016 008 in the amount of \$236,425.53 to Bass Construction Co. Inc., for construction services regarding the new office building and addition to the Bud O'Shieles Community Center;**
  - B. Invoice No. 10039891 and 10039892 for an amount totaling \$9,196.44 to PGAL for Architectural Services regarding the build-out of two additional courtrooms in the Justice Center.**
- 15. FIRE MARSHAL:**
- Acknowledge receipt of the Fire Protection Plan submitted to Commissioners Court**

by Fort Bend County Municipal Utility District No. 118, provided to the County in accordance with Texas Commission on Environmental Quality (TCEQ) Rule 293.123, Section 4.

Consent Agenda Item 15 has been moved to discussion agenda for individual motion.

16. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend County Toll Road Authority reviewed this item at their regular Board meeting held on January 20, 2016, and makes the following recommendation to Commissioners Court:

**Approve Environmental Services Agreement between Fort Bend County Toll Road Authority and Bio-West, Inc. regarding the future extension of the Fort Bend Parkway Toll Road from Sienna Parkway to FM 2759.**

17. **HEALTH & HUMAN SERVICES:**

- A. **Animal Services: Accept donations received for Animal Services operations as detailed in reports for the period of May through November, 2015, pursuant to Local Government Code Section 81.032.**
- B. **Animal Services: Approve the designation of Rene Vasquez as the Fort Bend County Rabies Control Authority, pursuant to Texas Health & Safety Code Section 826.017.**

18. **HUMAN RESOURCES:**

- A. **Approve and record into Minutes the application for Appointment of Deputy Constables Kenneth Dodgen, Salvador DelaRiva and Vinh Tran by Constable Precinct 2, in accordance with Constable's form dated January 20, 2016, pursuant to Local Government Code §86.011.**
- B. **Approve and record into Minutes the application for Appointment of Deputy Constable Ronald Gostecnik by Constable Precinct 3, in accordance with Constable's form dated January 20, 2016 pursuant to Local Government Code §86.011.**

19. **PURCHASING:**

- A. **Authorize advertising for requests for proposals for construction of a combined heat and power plant at Jail.**
- B. **Authorize advertising for bids for buses for Public Transportation.**
- C. **Authorize advertising for statement of qualifications for design/build services for parking garage addition at the Justice Center.**

20. **SHERIFF'S OFFICE:**

- A. **Record into Minutes the First Extension to Agreement for HV/AC Heating and Air Conditioning Classes between Wharton County Junior College and Fort Bend**

**County Sheriff. (Fund: Sheriff's Office, Commissary)**

- B. Record into Minutes the Agreement for Computer Skills Instruction between Wharton County Junior College and Fort Bend County Sheriff. (Fund: Sheriff's Office, Commissary)**

**21. TAX ASSESSOR/COLLECTOR:**

- A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 19, 2016 for an amount totaling \$7,225.70 for the Office of Patsy Schultz.**
- B. Record into Minutes the Summary Monthly Report of Property Taxes collected in November 2015 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- C. Record into Minutes the Summary Monthly Report of Property Taxes collected in December 2015 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- D. Record into Minutes the disposal of miscellaneous Tax Office Accounting documentation dated July 2015 through September 2015, as detailed on Fort Bend County Tax Office Records Disposition Log dated January 8, 2016, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- E. Record into Minutes the disposal of miscellaneous Tax Office documentation dated April 13, 2015 through August 6, 2015 which has been scanned and is described as Box #1611 through 1652, in accordance with the State Archive retention Schedule of Destruction for the Office of Patsy Schultz.**

**22. TREASURER:**

- A. Approve Monthly Report submitted by County Treasurer for November 2015, and authorize advertisement of Affidavit of same, in accordance with Local Government Code Section 114.026.**

**Item 22 continued - Treasurer:**

- B. Approve Monthly Report submitted by County Treasurer for December 2015, and authorize advertisement of Affidavit of same, in accordance with Local Government Code Section 114.026.**

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Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda  
Items 5 - 22; excepting Item 15.

Judge Hebert	Yes
Commissioner Morrison	Yes

Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

Consent Agenda Item 15 has been moved to discussion agenda for individual motion.

**15. FIRE MARSHAL:**

**Acknowledge receipt of the Fire Protection Plan submitted to Commissioners Court by Fort Bend County Municipal Utility District No. 118, provided to the County in accordance with Texas Commission on Environmental Quality (TCEQ) Rule 293.123, Section 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers Duly put and unanimously carried (5-0), it is ordered to acknowledge receipt of the Fire Protection Plan submitted to Commissioners Court by Fort Bend County Municipal Utility District No. 118, provided to the County in accordance with Texas Commission on Environmental Quality (TCEQ) Rule 293.123, Section 4.

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

**23. COUNTY JUDGE:**

**Take all appropriate action on Order Authorizing the Issuance of \$2,100,000 Fort Bend County, Texas, Tax Notes, Series 2016; Specifying the Terms and Features of Such Notes; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of Said Notes; Resolving Other Matters Incident to the Issuance, Sale Payment of the Notes; Authorizing a Paying Agent/Registrar Agreement; and Providing for an Effective Date.**

Pulled

**24. COMMISSIONER, PCT. 2:**

**Take all appropriate action on Resolution supporting the proposed Huntington at Sienna Ranch Development located at 6300 block Sienna Ranch Road.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison Duly put and unanimously carried (5-0), it is ordered to approve Resolution supporting the proposed Huntington, a senior housing project, at Sienna Ranch Development located at 6300 block Sienna Ranch Road.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes

Commissioner Meyers	Yes
Commissioner Patterson	Yes

**25. BUDGET & FINANCE:**

**Take appropriate action to appoint members to the Fort Bend County Investment Advisory Committee.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to appoint the following: Stewart Jacobson, Ron Voyles, Curtis Williams, Ken Koepke, William F. (Bill) Schwer, Will Blakemore, Stephen Gill, Roy Cordes, Jeff Council, ex-officio, Ed Sturdivant, ex-officio and Pamela Gubbels, ex-officio as members to the Fort Bend County Investment Advisory Committee.

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

**26. COMMUNITY DEVELOPMENT:**

- A. Take all appropriate action on Agreement between Fort Bend County and Fred & Mabel R. Parks Youth Ranch, Inc. in the amount of \$85,022 to help operate a shelter for homeless and at-risk youth; part of the FY 2014 Consolidated Action Plan approved by Commissioners Court on July 1, 2014, and the FY 2015 Consolidated Action Plan approved by Commissioners Court on July 14, 2015. (Fund: Emergency Solutions Grant Program)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Fred & Mabel R. Parks Youth Ranch, Inc. in the amount of \$85,022 to help operate a shelter for homeless and at-risk youth; part of the FY 2014 Consolidated Action Plan approved by Commissioners Court on July 1, 2014, and the FY 2015 Consolidated Action Plan approved by Commissioners Court on July 14, 2015. (Fund: Emergency Solutions Grant Program)

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

- B. Take all appropriate action on Agreement between Fort Bend County and Fort Bend County Women's Center in the amount of \$85,022 to provide essential services and shelter operations to homeless families and individuals; part of the FY 2015 Consolidated Action Plan approved by Commissioners Court on July 14, 2015. (Fund: Emergency Solutions Grant Program)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Fort Bend County Women's Center in the amount of \$85,022, corrected to \$36,610, to provide essential services and shelter operations to homeless families and individuals; part of the FY 2015 Consolidated Action Plan approved by Commissioners Court on July 14, 2015. (Fund: Emergency Solutions Grant Program)

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

**27. CONSTABLE, PCT. 2:**

**Take all appropriate action on request to refund credit card transaction fees in the amount of \$14.75 to payer who was overcharged when deputy received credit card payment for court costs. (Fund: Constable, Pct. 2, Fees)**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to refund credit card transaction fees in the amount of \$14.75 to payer who was overcharged when deputy received credit card payment for court costs. (Fund: Constable, Pct. 2, Fees)

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

**28. DISTRICT ATTORNEY:**

**Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Houston to participate in the Internet Crimes Against Children Task Force Program in the Houston Metropolitan Area.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and City of Houston to participate in the Internet Crimes Against Children Task Force Program in the Houston Metropolitan Area.

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

**29. ENGINEERING:**

- A. Take all appropriate action on request to transfer the amount of \$3,825 from FY 2016 Non-Departmental Contingency into Engineering, Recycle Center, Operating Supplies, to allocate funds for the purchase of new tires for the Recycle Center box truck.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$3,825 from FY 2016 Non-Departmental Contingency into Engineering, Recycle Center, Operating Supplies, to allocate funds for the purchase of new tires for the Recycle Center box truck.

- |                       |     |
|-----------------------|-----|
| Judge Hebert          | Yes |
| Commissioner Morrison | Yes |

Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- B. Take all appropriate action on request to transfer the amount of \$7,400 from FY 2016 Non-Departmental Contingency into Engineering, Recycle Center, Property and Equipment, to allocate funds for the purchase of two waste oil storage tanks.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$7,400 from FY 2016 Non-Departmental Contingency into Engineering, Recycle Center, Property and Equipment, to allocate funds for the purchase of two waste oil storage tanks.

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

**Item 29 continued - Engineering:**

- C. Take all appropriate action regarding City of Rosenberg Ordinance No. 2015-38 providing for the disannexation of the Spacek Tract, located between FM 2977 and Spacek Road. (a.k.a. Blume Addition). The tract consists of 81.1 acres located in the Robert Handy Survey, Abstract 187; due to disannexation, roads revert back to County for maintenance; accept streets within the Spacek Tract as detailed in letter dated January 8, 2016, for a total of 10,772.84 LF, Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve City of Rosenberg Ordinance No. 2015-38 providing for the disannexation of the Spacek Tract, located between FM 2977 and Spacek Road. (a.k.a. Blume Addition). The tract consists of 81.1 acres located in the Robert Handy Survey, Abstract 187; due to disannexation, roads revert back to County for maintenance; accept streets within the Spacek Tract as detailed in letter dated January 8, 2016, for a total of 10,772.84 LF, Precinct 1.

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

- D. Take all appropriate action to set public hearing for acceptance of the traffic control plan for Spacek Tract (a.k.a. Blume Addition), Precinct 1. (Tuesday, February 23, 2016, at 1:00 p.m.)**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to set public hearing for acceptance of the traffic control plan for Spacek Tract (a.k.a. Blume Addition), Precinct 1. (Tuesday, February 23, 2016, at 1:00 p.m.)

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

**Item 29 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 Aliana Commercial Center, 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 10 foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Aliana Commercial Center, on behalf of Aliana Development Company, Precinct 4.

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

- F. Take all appropriate action on the plat for Aliana Commercial Center, Precinct 4.**

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

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 Kiddie Academy Bellaire at Peek, Sec. 1, on behalf of Ferguson 103, 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 Kiddie Academy Bellaire at Peek, Sec. 1, on behalf of Ferguson 103, Ltd., Precinct 3.

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

**Item 29 continued - Engineering:**

- H. Take all appropriate action on the plat for Kiddie Academy Bellaire at Peek, Sec. 1, Pct. 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve plat for Kiddie Academy Bellaire at Peek, Sec. 1, Pct. 3.

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

- I. Take all appropriate action on acceptance of a 10.5 acre tract of real property by Deed from the State of Texas, Texas Board of Criminal Justice, and record same in Official Public Records, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to accept a 10.5 acre tract of real property by Deed from the State of Texas, Texas Board of Criminal Justice, and record same in Official Public Records, Precinct 4.

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

Commissioner Patterson stated the 10.5 acre tract is the Owens Road Right of Way.

- J. Take appropriate action to accept Owens Road into the County Road Maintenance system: Owens Road 9,180.75 LF, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to accept Owens Road into the County Road Maintenance system: Owens Road 9,180.75 LF, Precinct 4.

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

**Item 29 continued - Engineering:**

- K. Take all appropriate action to set public hearing for acceptance of the traffic control plans for Owens Road, Precinct 4. (Tuesday, February 23, 2016, at 1:00 p.m.)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to set public hearing for acceptance of the traffic control plans for Owens Road, Precinct 4. (Tuesday, February 23, 2016, at 1:00 p.m.)

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

- L. Take all appropriate action on acceptance of temporary right-of-way easement consisting of an area of 1.26 acres by Temporary Easement from Texas Board of Criminal Justice for Owens Road and record same into Official Public Records, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to accept temporary right-of-way easement consisting of an area of 1.26 acres by Temporary Easement from Texas Board of Criminal Justice for Owens Road and record same into Official Public Records, Precinct 4.

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

- M. Take all appropriate action on Development Agreement between Fort Bend County and Fort Bend County Improvement District No. 24 regarding the Crossing at Katy-Fulshear and FM 1093/Westpark Extension Project, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Development Agreement between Fort Bend County and Fort Bend County Improvement District No. 24 regarding the Crossing at Katy-Fulshear and FM 1093/Westpark Extension Project,

**Precinct 3.**

<b>Judge Hebert</b>	<b>Yes</b>
<b>Commissioner Morrison</b>	<b>Yes</b>
<b>Commissioner Prestage</b>	<b>Yes</b>
<b>Commissioner Meyers</b>	<b>Yes</b>
<b>Commissioner Patterson</b>	<b>Yes</b>

**Item 29 continued - Engineering:**

- N. Take all appropriate action on Standard Utility Agreement between Fort Bend County and CenterPoint Energy Houston Electric, LLC in an amount not to exceed \$756,839.27 regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**

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 CenterPoint Energy Houston Electric, LLC in an amount not to exceed \$756,839.27 regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)

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

- O. Take all appropriate action on Agreement to Contribute Right of Way Funds between Texas Department of Transportation and Fort Bend County in an amount not to exceed \$190,000 regarding US 90A, Precinct 4. (Fund: Right of Way)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement to Contribute Right of Way Funds between Texas Department of Transportation and Fort Bend County in an amount not to exceed \$190,000 regarding US 90A, Precinct 4. (Fund: Right of Way)

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

Commissioner Patterson stated this Agreement gives the County the right of way from Hwy 6 to 99 in order to widen the road.

**30. HEALTH & HUMAN SERVICES:**

- A. Animal Services: Take all appropriate action on request to waive the difference in Owner Turn In Fees collected for the period of October 5, 2015 through November 25, 2015, as detailed on report submitted on January 21, 2016.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to waive the difference in Owner Turn In Fees collected for the period of October 5, 2015 through November 25, 2015, as detailed on report submitted on January 21, 2016.

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

- B. Animal Services: Take all appropriate action on request to waive the adoption fee of \$25 to current Fort Bend County Employees.**

Pulled

- C. Animal Services: Take all appropriate action on request to reduce the adoption fee for animals on the PUSH (Pets Urgently Seeking Homes) list from \$100 to \$25 when the veterinarian fee is sponsored, at no cost to the County.**

Pulled

- D. Clinical Health Services: Take all appropriate action on Application to Council of State and Territorial Epidemiologists for grant funding in the amount of \$75,000 to provide an education program for youth with swine exposure at agricultural fairs, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Application to Council of State and Territorial Epidemiologists for grant funding in the amount of \$75,000 to provide an education program for youth with swine exposure at agricultural fairs, with no cash match required by Fort Bend County.

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

**31. HUMAN RESOURCES:**

- A. Take all appropriate action on revisions to the Employee Information Manual, as submitted by Human Resources, specifically Policy 406, Transfers, Separations and Subsequent Rehires, and Policy 510, Retirement.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to approve revisions to the Employee Information Manual, as submitted by Human Resources, specifically Policy 406, Transfers, Separations and Subsequent Rehires, and Policy 510, Retirement.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes

Commissioner Meyers	Yes
Commissioner Patterson	Yes

- B. Take all appropriate action on the request by Security Benefit / Dearborn & Creggs to amend and restate the Fort Bend County, TX 457(b) Plans 612050000 and 612768000 effective January 1, 2016 to comply with IRS regulations, and authorize the County Judge to execute the Adoption Agreement and Resolution documents provided by Security Benefit.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve the request by Security Benefit / Dearborn & Creggs to amend and restate the Fort Bend County, TX 457(b) Plans 612050000 and 612768000 effective January 1, 2016 to comply with IRS regulations, and authorize the County Judge to execute the Adoption Agreement and Resolution documents provided by Security Benefit.

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

**32. OFFICE OF EMERGENCY MANAGEMENT:**

- A. Take all appropriate action on Application to Texas Department of Public Safety, Texas Division of Emergency Management for participation in the FY 2016 Emergency Management Performance Grant (EMPG) program, with a cash match proportionate to the amount of the award received by Fort Bend County. (Fund: Office of Emergency Management)**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Application to Texas Department of Public Safety, Texas Division of Emergency Management for participation in the FY 2016 Emergency Management Performance Grant (EMPG) program, with a cash match proportionate to the amount of the award received by Fort Bend County. (Fund: Office of Emergency Management)

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

- B. Take all appropriate action on request to purchase a Hostage Negotiation Command Vehicle, part of the FY 2015 Homeland Security Grant Project entitled Fort Bend County SWAT Sustainment - Enhancement; authorize County Judge to execute letter indicating support of Commissioners Court for the purchase. (Fund: 2015 Homeland Security Grant)**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to purchase a Hostage  
 Negotiation Command Vehicle, part of the FY 2015 Homeland Security Grant Project  
 entitled Fort Bend County SWAT Sustainment - Enhancement; authorize County  
 Judge to execute letter indicating support of Commissioners Court for the purchase.  
 (Fund: 2015 Homeland Security Grant)

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

Robert Stone, Planning Coordinator for Homeland Security stated this grant project is for the Regional Fort Bend County SWAT team, which is a multi-jurisdictional team made up of cities within Fort Bend County. This team has applied to purchase a command vehicle for the hostage negotiation team to house equipment and to be deployed if there is an emergency event. The State has asked for a form to be filed along with a letter from Commissioners Court supporting the purchase of this vehicle.

**33. PARKS & RECREATION:**

**Take all appropriate action on request to transfer the amount of \$60,000 from FY 2016 Non-Departmental Contingency into Parks & Recreation Projects to allocate funds for replacement of metal light poles located throughout Fairgrounds property.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to transfer the amount of  
 \$60,000 from FY 2016 Non-Departmental Contingency into Parks & Recreation  
 Projects to allocate funds for replacement of metal light poles located throughout  
 Fairgrounds property.

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

**34. PURCHASING:**

- A. Take all appropriate action on Agreement for Energy Performance Contracting Services between Fort Bend County and Schneider Electric, utilizing The Cooperative Purchasing Network (TCPN) solicitation number R5238, in an amount not to exceed \$78,824, unless County executes a Performance Contract within sixty (60) days after receiving the Investment Grade Audit Report. (Fund: Capital Improvement Project)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement for

Energy Performance Contracting Services between Fort Bend County and Schneider Electric, utilizing The Cooperative Purchasing Network (TCPN) solicitation number R5238, in an amount not to exceed \$78,824, unless County executes a Performance Contract within sixty (60) days after receiving the Investment Grade Audit Report. (Fund: Capital Improvement Project)

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

Gilbert Jalomo, Purchasing Agent explained a performance audit will be conducted in the west tower admin portion of the jail. A performance contract will be developed. There is a need to replace HVAC systems, control systems and lighting. The County can pay for the enhancements with the savings on the electric power and the \$78,000 will be rolled into the project.

**Item 34 continued - Purchasing:**

- B. Take all appropriate action on request to purchase one hundred twenty five (125) picnic tables from DunRite Playgrounds, utilizing Buy Board Contract #423-13, for an amount not to exceed \$65,190. (Fund: Jones Creek Ranch, Parks, and Fairgrounds)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to purchase one hundred twenty five (125) picnic tables from DunRite Playgrounds, utilizing Buy Board Contract #423-13, for an amount not to exceed \$65,190. (Fund: Jones Creek Ranch, Parks, and Fairgrounds)

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

- C. Take all appropriate action on Change Order 1 to the Agreement between Fort Bend County and PremierIMS, Inc. for an additional amount of \$1,919.41, total contract amount not to exceed \$107,459.41 for additional voter registration cards and perforation of blank cards, pursuant to Bid 16-031. (Fund: Elections)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Change Order 1 to the Agreement between Fort Bend County and PremierIMS, Inc. for an additional amount of \$1,919.41, total contract amount not to exceed \$107,459.41 for additional voter registration cards and perforation of blank cards, pursuant to Bid 16-031. (Fund: Elections)

Judge Hebert	Yes
--------------	-----

Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 34 continued - Purchasing:**

- D. Take all appropriate action on Fifth Amendment to Service Level Agreement between Fort Bend County and GHG Corporation, pursuant to RFP 08-051, in an amount not to exceed \$6,083 for renewal of maintenance, support and upgrades of the electronic time sheet management solution system for the period of January 1 through December 31, 2016.  
(Fund: Treasurer, Fees)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Fifth Amendment to Service Level Agreement between Fort Bend County and GHG Corporation, pursuant to RFP 08-051, in an amount not to exceed \$6,083 for renewal of maintenance, support and upgrades of the electronic time sheet management solution system for the period of January 1 through December 31, 2016. (Fund: Treasurer, Fees)

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

- E. Take all appropriate action on Fourth Amendment to Agreement between Fort Bend County and ParkWest Staffing, Incorporated, for contract extension of the ambassador and bus stop monitor program through February 29, 2016, pursuant to RFP 10-046, no increase in contract amount.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Fourth Amendment to Agreement between Fort Bend County and ParkWest Staffing, Incorporated, for contract extension of the ambassador and bus stop monitor program through February 29, 2016, pursuant to RFP 10-046, no increase in contract amount.

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

**Item 34 continued - Purchasing:**

- F. Take all appropriate action on request for modifications to Bid 16-001, Term Contract for Purchase and Maintenance of Copy Machines, as detailed on Amended Bid Tabulation submitted by Purchasing Agent.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve modifications to Bid

16-001, Term Contract for Purchase and Maintenance of Copy Machines, as detailed on Amended Bid Tabulation submitted by Purchasing Agent.

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

- G. Take all appropriate action on request to add the Medic 6 location to the Contract for fire alarm inspections and monitoring services with Texas Firecraft Technology, pursuant to Bid 15-024. (Fund: Facilities)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison Duly put and unanimously carried (5-0), it is ordered to add the Medic 6 location to the Contract for fire alarm inspections and monitoring services with Texas Firecraft Technology, pursuant to Bid 15-024. (Fund: Facilities)

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

Gilbert Jalomo, Purchasing Agent stated Medic 6 is located at 204 Main Street in Richmond.

- H. Take all appropriate action on addition to Bid 16-033, term contract for Medical Supplies.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson Duly put and unanimously carried (5-0), it is ordered to approve addition to Bid 16-033, term contract for Medical Supplies.

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

**Item 34 continued - Purchasing:**

- I. Take all appropriate action on Request for Proposals 16-034, Janitorial Services for Park Facilities and Pinnacle Senior Center.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison Duly put and unanimously carried (5-0), it is ordered to enter into contract negotiations for Proposals 16-034, Janitorial Services for Park Facilities and Pinnacle Senior Center

with High Quality Cleaning Services.

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

**J. Take all appropriate action on Agreement for Employee Compensation Consulting Services between Fort Bend County and Evergreen Solutions, LLC, for consulting services pursuant to RFP 16-037, in an amount no to exceed \$38,500. (Fund: Human Resources)**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Employee Compensation Consulting Services between Fort Bend County and Evergreen Solutions, LLC, for consulting services pursuant to RFP 16-037, in an amount no to exceed \$38,500. (Fund: Human Resources)

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

**K. Take all appropriate action on Agreement for Implementation Services and Software License between Fort Bend County and PowerPlan Corporation, pursuant to RFP 16-038, in an amount not to exceed \$141,300 for budget software. (Fund: Capital Improvement Project)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Implementation Services and Software License between Fort Bend County and PowerPlan Corporation, pursuant to RFP 16-038, in an amount not to exceed \$141,300 for budget software. (Fund: Capital Improvement Project)

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

**Item 34 continued - Purchasing:**

**L. Take all appropriate action on renewal of Data Processing Services Agreement between Fort Bend County and Indigent Health Care Solutions, for an annual amount not to exceed \$88,743.48. (Fund: Indigent Health Care)**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve renewal of Data  
 Processing Services Agreement between Fort Bend County and Indigent Health Care  
 Solutions, for an annual amount not to exceed \$88,743.48. (Fund: Indigent Health Care)

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

- M. Take all appropriate action on request to purchase twenty (20) traffic signal controllers from Paradigm Traffic Systems, Inc., utilizing Buy Board Contract #432-13, for an amount not to exceed \$50,000. (Fund: Road & Bridge)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to purchase twenty (20) traffic  
 signal controllers from Paradigm Traffic Systems, Inc., utilizing Buy Board Contract  
 #432-13, for an amount not to exceed \$50,000. (Fund: Road & Bridge)

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

**Item 34 continued - Purchasing:**

- N. Take all appropriate action on Third Amendment to Professional Engineering Services Agreement for Turn Lane Design Improvements between Fort Bend County, Fort Bend County Assistance District No. 1, and Progressive Consulting Engineers, PLLC, in an additional amount of \$10,000 for a total contract amount not to exceed \$215,968 with no change to the Assistance District obligation of \$39,300, Mobility Bond Project No. X23, Precinct 3. (Fund: Harris-Fort Bend County Emergency Services District No. 100)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Third Amendment to  
 Professional Engineering Services Agreement for Turn Lane Design Improvements  
 between Fort Bend County, Fort Bend County Assistance District No. 1, and Progressive  
 Consulting Engineers, PLLC, in an additional amount of \$10,000 for a total contract  
 amount not to exceed \$215,968 with no change to the Assistance District obligation of  
 \$39,300, Mobility Bond Project No. X23, Precinct 3. (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

- O. Take all appropriate action on Amendment to Agreement for Professional Engineering Services between Fort Bend County and Cobb, Fendley & Associates in an additional amount of \$28,596 for a total contract amount not to exceed \$518,474, pursuant to SOQ 14-025, regarding Gaston Road, Segment 1, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Engineering Services between Fort Bend County and Cobb, Fendley & Associates in an additional amount of \$28,596 for a total contract amount not to exceed \$518,474, pursuant to SOQ 14-025, regarding Gaston Road, Segment 1, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)

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

**Item 34 continued - Purchasing:**

- P. Take all appropriate action on Agreement for Professional Property Acquisition Services between Fort Bend County and Percheron Field Services, LLC in an amount not to exceed \$28,900 pursuant to SOQ 14-025 regarding Westpark Park & Ride, Precinct 3. (Fund: Right of Way)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Property Acquisition Services between Fort Bend County and Percheron Field Services, LLC in an amount not to exceed \$28,900 pursuant to SOQ 14-025 regarding Westpark Park & Ride, Precinct 3. (Fund: Right of Way)

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

- Q. Take all appropriate action on Second Amendment to Professional Environmental & Preliminary Engineering Services Agreement between Fort Bend County and IDC, Inc. in an additional amount of \$130,023.17 for a total amount not to exceed \$481,191.17 pursuant to SOQ 14-025 regarding Crabb River Road, Mobility Bond Project No. X28, Precinct 1. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Professional Environmental & Preliminary Engineering Services Agreement between Fort Bend County and IDC, Inc. in an additional amount of \$130,023.17 for a total amount not to exceed \$481,191.17 pursuant to SOQ 14-025 regarding Crabb River Road, Mobility Bond Project No. X28, Precinct 1. (Fund: 2007 Mobility Bonds)

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

**35. 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 \$8,785,479.76.

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

**36. Ratify the release of time sensitive disbursements by Auditor on January 21, 2016.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to ratify the release of time sensitive disbursements by Auditor on January 21, 2016 in the amount of \$189,199.99.

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

**Recess:**

Recessed at 1:40 p.m.

**37. 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. Potential Litigation, possible filing of appeal of Open Records decision #OR 2015-27069.**
- B. 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 Opinions KP-0047, 0049.**
- C. Discuss settlement, Trammel Fresno, Parcel 31.**

**Item 37 continued - Closed Session:**

- D. Roach, et al. v. Ingram, et al., Cause No. 15-DCV-223241 in the 268th District Court, Fort Bend County, Texas, and Roach, et al. v. Ingram, et al., Cause No. 15-DCV-223241A in the 268th District Court, Fort Bend County, Texas.**

**Closed Session:**

Convened at 1:57 p.m.  
Adjourned at 2:32 p.m.

**Reconvene:**

Reconvened at 2:33 p.m.

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

**§ 551.071. Consultation With Attorney.**

- A. Potential Litigation, possible filing of appeal of Open Records decision #OR 2015-27069.**

No action.

- B. 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 Opinions KP-0047, 0049.**

No action.

- C. Discuss settlement, Trammel Fresno, Parcel 31.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 31 of the Trammel Fresno Mobility Project in the amount of \$28,000 plus necessary costs, not to exceed \$5,000.00. Funds from Right-of-Way Fund. Authorize the County Judge to execute all necessary documentation.

Judge Hebert

Yes

<b>Commissioner Morrison</b>	<b>Yes</b>
<b>Commissioner Prestage</b>	<b>Yes</b>
<b>Commissioner Meyers</b>	<b>Yes</b>
<b>Commissioner Patterson</b>	<b>Yes</b>

**Item 38 continued - Reconvene Open Session:**

- D. Roach, et al. v. Ingram, et al., Cause No. 15-DCV-223241 in the 268th District Court, Fort Bend County, Texas, and Roach, et al. v. Ingram, et al., Cause No. 15-DCV-223241A in the 268th District Court, Fort Bend County, Texas.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement to Judge Brady Elliott for legal services as provided by Tate, Moerer & King, LLP, outside counsel in Cause No. 15-DCV-223241A in an amount not to exceed a total of \$10,000.00. Commissioners Court finds that County interests require a vigorous defense and Judge Elliott was acting within the scope of his official duties.

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

**39. Adjournment.**

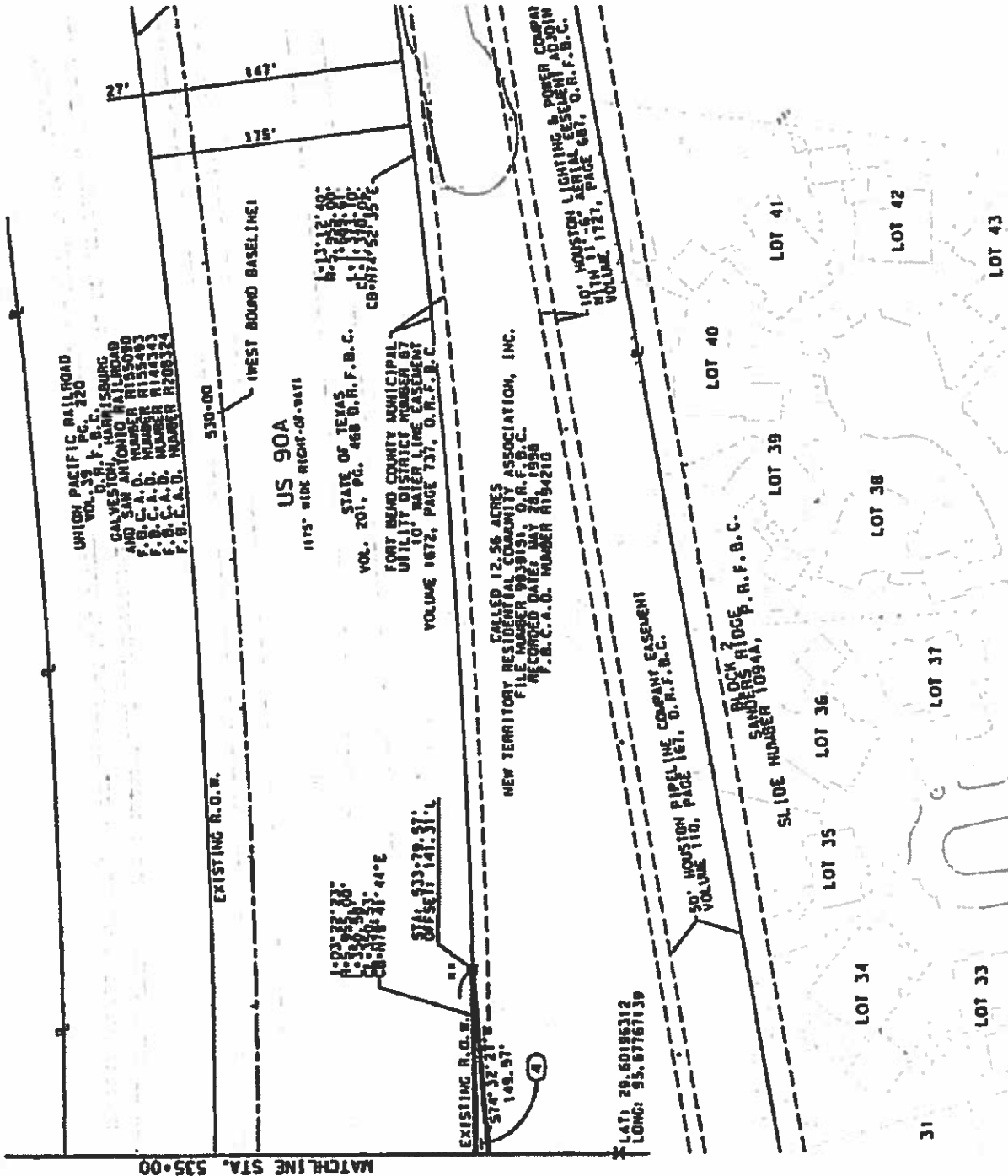
Commissioners Court adjourned at 2:39 p.m. on Tuesday, January 26, 2016.

County Fort Bend  
District Houston  
ROW CSJ # 0027-08-175  
CCSJ # 0027-08-173  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

**ATTACHMENT B  
LOCATION MAP SHOWING PROJECT**

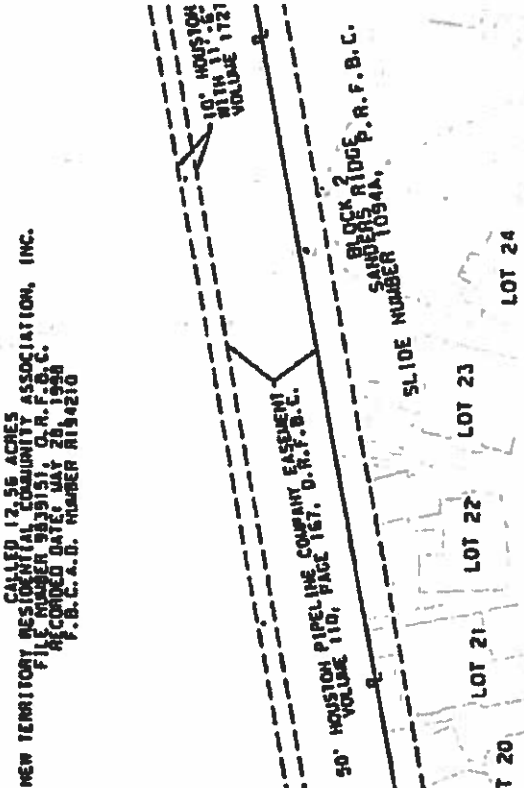
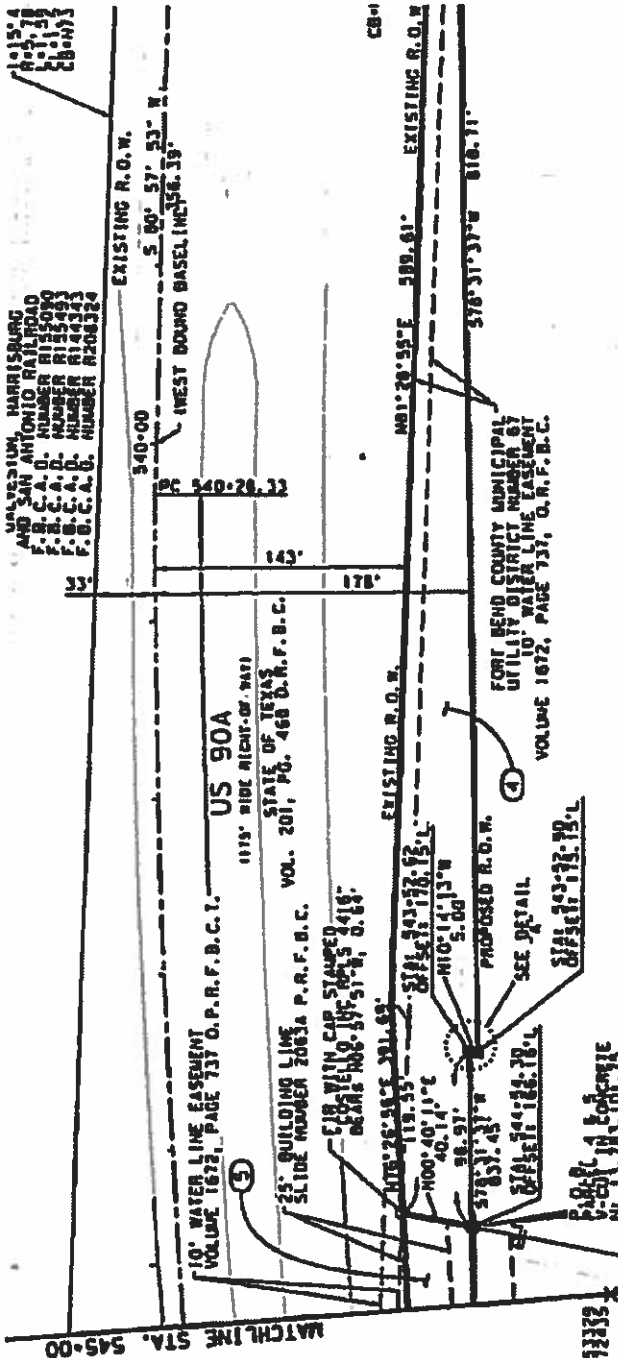


- 5. REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY T-007.
- 6. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
- 7. RIGHT-OF-WAY MAP COMPLETED ON APRIL, 2015.
- 8. ABSTRACTING COMPLETED ON JANUARY, 2015.
- 9. FIELD SURVEYS COMPLETED ON FEBRUARY, 2015.
- 10. ACCESS WILL BE PERMITTED TO THE REMAINING PROPERTY ADJUTING THE HIGHWAY FACILITY.



PARCEL NO.	EXISTING ACRES	LOT OR RESERVE	BLOCK	OWNER	TYPE OF CONVEYANCE COMV.	FILM CODE	TAKING REMAINDER ACRES	
							LEFT	RIGHT
4	12.56			NEW TERRITORY RESIDENTIAL COMMUNITY ASSOCIATION, INC.			0.6553 (20.544)	11.9047

5. PROPOSED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THOBT.
6. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
7. RIGHT-OF-WAY WIP COMPLETED ON APRIL, 2015.
8. ABSTRACTING COMPLETED ON JANUARY, 2015.
9. FIELD SURVEYS COMPLETED ON FEBRUARY, 2015.
10. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ADJOINING THE HIGHWAY FACILITY.



NEW TERRITORY RESIDENTIAL COMMUNITY ASSOCIATION, INC.  
FILE NUMBER 9829151, O.R.F.B.C.  
RECORDED DATE: MAY 28, 1998  
P.B.C.A.D. NUMBER R194210

NEW TERRITORY INVESTORS, LP  
INSTRUMENT NUMBER 200400581, O.R.F.B.C.  
RECORDED DATE: APRIL 7, 2004  
P.B.C.A.D. NUMBER R221336

CALLLED 2.7247 ACRES  
PETERSON NEW TERRITORY INVESTORS, LP  
INSTRUMENT NUMBER 200400581, O.R.F.B.C.  
RECORDED DATE: APRIL 7, 2004  
P.B.C.A.D. NUMBER R221336

CALLLED 12.56 ACRES  
NEW TERRITORY RESIDENTIAL COMMUNITY ASSOCIATION, INC.  
FILE NUMBER 9829151, O.R.F.B.C.  
RECORDED DATE: MAY 28, 1998  
P.B.C.A.D. NUMBER R194210

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 87 TO WATER LINE EASEMENT VOLUME 1672, PAGE 737, O.N.P.B.C.

10' HOUSTON PIPELINE COMPANY EASEMENT VOLUME 110, PAGE 157, D.R.F.B.C.

SLIDE NUMBER 1094A, P.R.F.B.C.

LOT 18 LOT 19 LOT 20 LOT 21 LOT 22 LOT 23 LOT 24 LOT 25

DETAIL "A"  
NOT TO SCALE

PARCEL INCL.	EXISTING ACRES	LOT OR RESERVE	BLOCK	OWNER	TYPE OF CONVEYANCE	CONVEYANCE FILE NUMBER	TAKING REMAINDER ACRES	
							ACRES	RIGHT
4	12.56			NEW TERRITORY RESIDENTIAL COMMUNITY ASSOCIATION, INC.			0.8953 (20,344)	11.9047
5	2.7247	4		PETERSON NEW TERRITORY INVESTORS, LP			0.2937 (12,7951)	2.4310

MILLS M. BATTLE SURVEY, ABSTRACT NO. 9

REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THOBT.

5. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.

6. RIGHT-OF-WAY WIP COMPLETED ON APRIL, 2015.

7. ABSTRACTING COMPLETED ON JANUARY, 2015.

8. FIELD SURVEYS COMPLETED ON FEBRUARY, 2015.

9. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ADJOINING THE HIGHWAY FACILITY.



- 5. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
- 6. RIGHT-OF-WAY MAP COMPLETED ON APRIL, 2015.
- 7. ABSTRACTING COMPLETED ON JANUARY, 2015
- 8. FIELD SURVEYS COMPLETED ON FEBRUARY, 2015
- 9. ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE TO THE HIGHWAY FACILITY FROM THE ADJUTTING REMAINDER PROPERTY.

JESSE H. CARTWRIGHT  
ABSTRACT NUMBER.

UNION PACIFIC RAILROAD  
VOL. 38, P.C. 220  
D.R. F.B.C.  
GALVESTON, HARRISBURG  
AND SAN ANTONIO RAILROAD  
P. B. C. A. D. NUMBER R155080  
P. B. C. A. D. NUMBER R155443  
P. B. C. A. D. NUMBER R144343  
P. B. C. A. D. NUMBER R208324

EXISTING R.O.W.

US 90A

VARIABLE WIDTH RIGHT-OF-WAY

STATE OF TEXAS  
VOL. 201, PG. 468 D.R. F.B.C.

10' WATER LINE EASEMENT  
VOLUME 1873, PAGE 737 D.R. F.B.C. 1.

POI 559.105

END OF  
SECTION  
STA. 596.00

NO. 13, 763, 1  
E1 3, 022.1  
LAT: 28° 36' 06.01  
LONG: 95° 41' 04.11

STATE OF TEXAS  
VOL. 2354, PG. 1721 D.R. F.B.C.

EXISTING R.O.W.

EXISTING R.O.W.



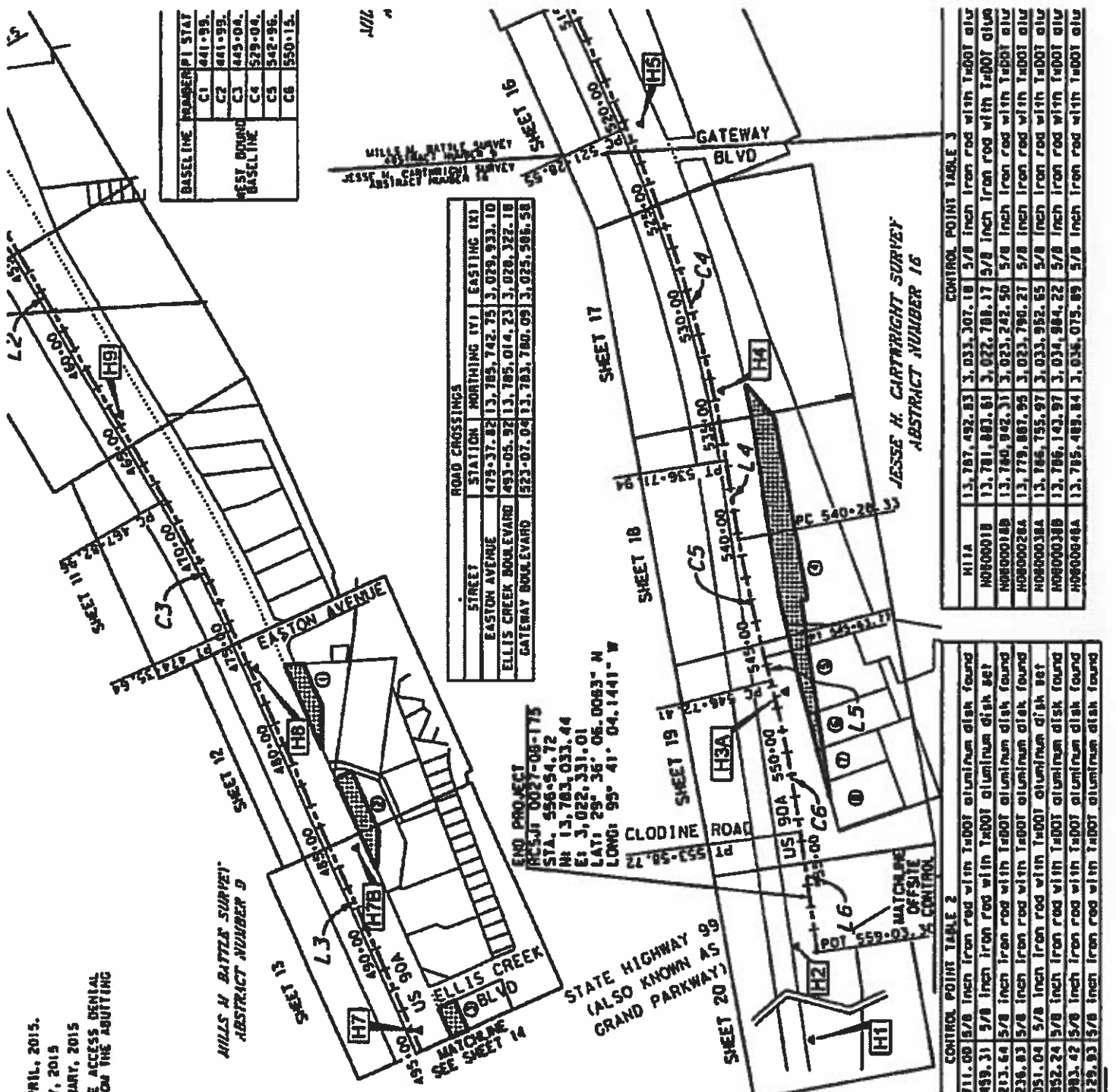
- 6. BASELINE ONE TO DESIGN CHANGES.
- 7. RIGHT-OF-WAY MAP COMPLETED ON APRIL, 2015.
- 8. ABSTRACTING COMPLETED ON JANUARY, 2015
- 9. FIELD SURVEYS COMPLETED ON FEBRUARY, 2015
- 10. ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE TO THE HIGHWAY FACILITY FROM THE ADJUTING REMAINDER PROPERTY.

INDEX OF PARCELS	PARCEL NUMBER	SHEET
1	12	12
2	13	13
3	14	14
4	17	17
5	18	18
6	19	19
7	19	19
8	19	19

BASELINE NUMBER	PI STAY
C1	441-29.
C2	441-99.
C3	445-04.
C4	529-04.
C5	542-96.
C6	550-15.

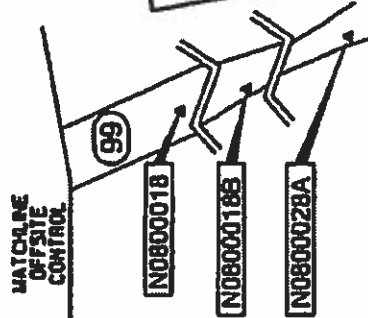
STREET	STATION	NORTHING (1)	EASTING (2)
EASTON AVENUE	479+37.82	13,785,742.75	3,079,933.10
ELLIS CREEK BOULEVARD	493+05.92	13,785,014.23	3,028,322.18
GATEWAY BOULEVARD	523+07.04	13,783,780.09	3,025,986.58

END PROJECT  
 RESUB 0027-08-175  
 STA. 556+54.72  
 HI 13,783,033.44  
 EI 3,022,331.01  
 LONG: 99° 41' 04.141" W



CONTROL POINT	TABLE 3
H11A	13,787,492.83 3,033,307.18 5/8 inch iron rod with 1x200T aluminum disk found
H800001B	13,781,883.81 3,022,788.37 5/8 inch iron rod with 1x200T aluminum disk found
H800002B	13,780,902.31 3,023,242.50 5/8 inch iron rod with 1x200T aluminum disk found
H800003B	13,779,887.95 3,023,788.27 5/8 inch iron rod with 1x200T aluminum disk found
H800004B	13,785,755.97 3,033,952.65 5/8 inch iron rod with 1x200T aluminum disk found
H800005B	13,786,143.97 3,034,984.22 5/8 inch iron rod with 1x200T aluminum disk found
H800006B	13,785,489.84 3,034,075.89 5/8 inch iron rod with 1x200T aluminum disk found

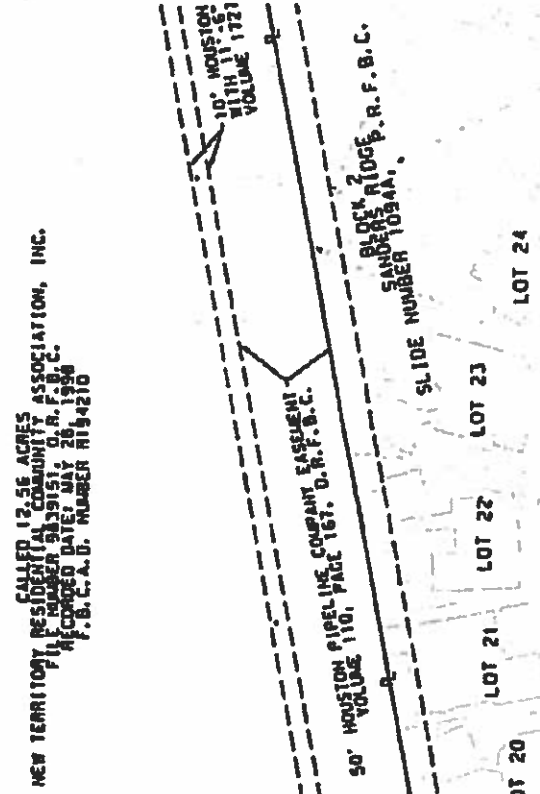
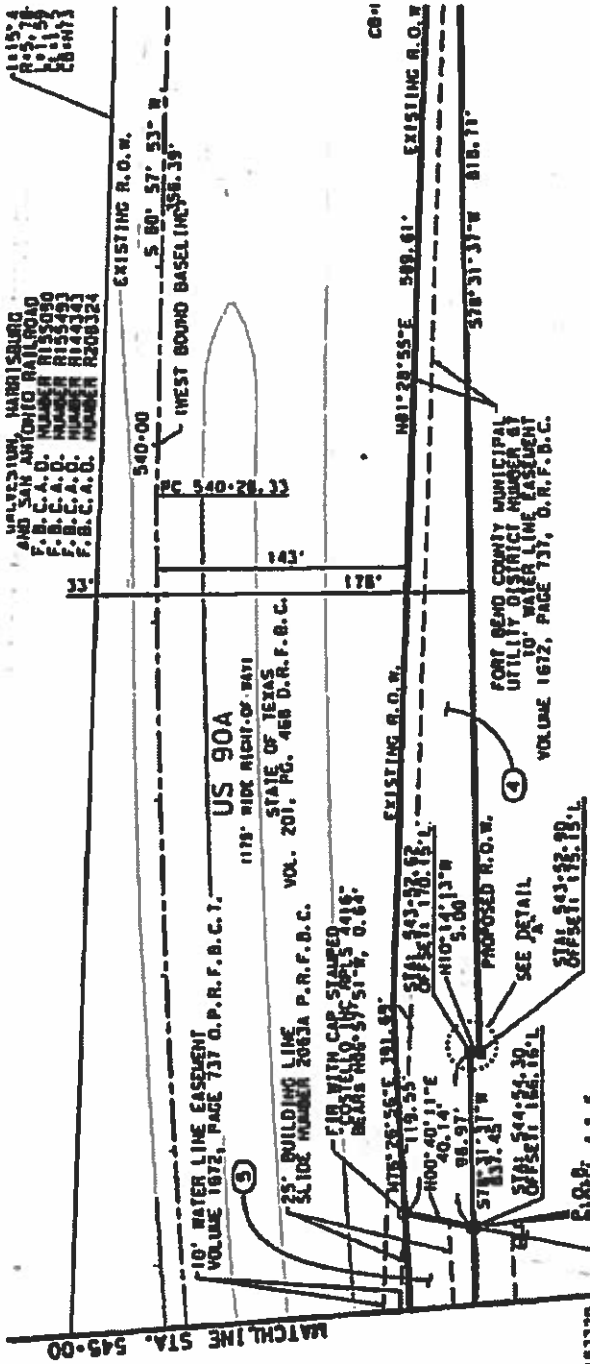
CONTROL POINT	TABLE 2
H5	13,783,776.41 3,025,711.00 5/8 inch iron rod with 1x200T aluminum disk found
H5B	13,784,133.92 3,026,499.31 5/8 inch iron rod with 1x200T aluminum disk found
H6	13,784,478.06 3,027,213.64 5/8 inch iron rod with 1x200T aluminum disk found
H7	13,784,942.96 3,028,236.83 5/8 inch iron rod with 1x200T aluminum disk found
H7B	13,785,276.88 3,029,051.04 5/8 inch iron rod with 1x200T aluminum disk found
H8	13,785,819.72 3,029,832.24 5/8 inch iron rod with 1x200T aluminum disk found
H9	13,786,284.39 3,030,983.42 5/8 inch iron rod with 1x200T aluminum disk found
H10	13,786,557.02 3,032,129.93 5/8 inch iron rod with 1x200T aluminum disk found





REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY FOOT.

- 5. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
- 6. RIGHT-OF-WAY MAP COMPLETED ON APRIL, 2015.
- 7. ABSTRACTING COMPLETED ON JANUARY, 2015.
- 8. FIELD SURVEYS COMPLETED ON FEBRUARY, 2015.
- 9. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ADJUTING THE HIGHWAY FACILITY.



DETAIL "A"  
NOT TO SCALE

NEW TERRITORY RESIDENTIAL COMMUNITY ASSOCIATION, INC.  
CALLED 12.56 ACRES  
INSTRUMENT NUMBER 2004040591, O.R.F.B.C.  
RECORDED DATE: APRIL 7, 2004  
F.B.C.A.D. NUMBER R154210

PETERSON NEW TERRITORY INVESTORS, LP  
INSTRUMENT NUMBER 2004040591, O.R.F.B.C.  
RECORDED DATE: APRIL 7, 2004  
F.B.C.A.D. NUMBER R221335

LAB: 28-28017332

PARCEL NO.	EXISTING ACRES	LOT OR RESERVE	BLOCK	OWNER	TYPE OF CONV.	CONVEYANCE FILM CODE	CONVEYANCE FILE NUMBER	TAKING ACRES (S.O.F.)		REMAINDER ACRES	
								LEFT	RIGHT	LEFT	RIGHT
4	12.56			NEW TERRITORY RESIDENTIAL COMMUNITY ASSOCIATION, INC.				0.6553 (28,544)	11.9047		
5	2.7247	A		PETERSON NEW TERRITORY INVESTORS, LP				0.2937 (12,795)	2.4310		

MILLS W. BATTLE SURVEY, ABSTRACT NO. 9

LOT 18 LOT 19 LOT 20 LOT 21 LOT 22 LOT 23 LOT 24 LOT 25

UNIVERSITY, HARRISBURG AND SAN ANTONIO RAILROAD  
F.B.C.A.D. NUMBER R155090  
F.B.C.A.D. NUMBER R154210  
F.B.C.A.D. NUMBER R144143  
F.B.C.A.D. NUMBER R208324

EXISTING R.O.W. 540'00"  
WEST BOUND BASELINE INC. 58.33'  
580'57' 53" W

US 90A  
1179' BIKK RIGHT-OF-WAY  
STATE OF TEXAS  
VOL. 201, PG. 468 D.R.F.B.C.

EXISTING R.O.W. 589.61'  
578'31' 37" W 818.71'

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT  
VOLUME 1672, PAGE 131, O.R.F.B.C.

50' HOUSTON PIPELINE COMPANY EASEMENT  
SLIDE NUMBER 10944A,  
BLOCK 2 LOGS, R.F.B.C.

10' HOUSTON WITH 11'-6" VOLUME 1721



THESE RECORDS, DRAWINGS, ORIGINAL LAND SURVEY, EITHER EMPLOYED OR RETAINED BY 19001.

5. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT WATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.

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JESSE H. CARTWRIGHT  
ABSTRACT NUMBER

UNION PACIFIC RAILROAD  
VOL. 35 F.B.C. 220  
D. R. F. B. C.  
CALVESTON, HARTISBURG  
AND SAN ANTONIO RAILROAD  
F. B. C. A. D. NUMBER R155090  
F. B. C. A. D. NUMBER R155481  
F. B. C. A. D. NUMBER R144343  
F. B. C. A. D. NUMBER R206374

EXISTING R.O.W.

US 90A

VARIOUS WIDTH RIGHT-OF-WAY

STATE OF TEXAS  
VOL. 201, PG. 488 D. R. F. B. C.

10' WATER LINE EASEMENT  
VOLUME 1872, PAGE 131 O.P.R.F.B.C.T.

POT 559-03-15

STATE OF TEXAS  
VOL. 2354, PG. 1721 O.R.F.B.C.

EXISTING R.O.W.

END PI  
STA. 556  
RECORDED  
NO. 13, 783  
EX. 3, 022  
LATI 29° 36' 06.04  
LONG 95° 41' 04.17

EXISTING R.O.W.

**Standard Agreement to Contribute  
State Performs Work  
Attachment C**

Description	Total Estimated Cost	State Participation		Local Participation	
		%	Cost	%	Cost
Right of Way Acquisition	\$1,700,000.00	90%	\$1,530,000.00	10%	\$170,000.00
Reimbursable Utility Adjustments	\$ 200,000.00	90%	\$ 180,000.00	10%	\$ 20,000.00
	\$0	0%	\$0	0%	\$0
	\$	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
<b>TOTAL</b>	<b>\$1,900,000.00</b>	<b>90%</b>	<b>\$1,710,000.00</b>	<b>10%</b>	<b>\$190,000.00</b>

Except as otherwise provided in the Agreement, the fixed amount of Local Government participation will be that amount provided above.