

APPROVAL OF MINUTES  
COMMISSIONERS COURT  
FORT BEND COUNTY

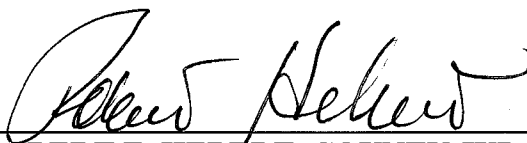
I, Laura Richard, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 2nd day of February, 2016.



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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 9th day of February, 2016.



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ROBERT E. HEBERT, COUNTY JUDGE

**MINUTES**

BE IT REMEMBERED, That on this 2ND DAY of FEBRUARY, 2016, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

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

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

1. **Call to Order.**

Call to Order by Judge Hebert at 1:00 p.m.

2. **Invocation and Pledges of Allegiance by Commissioner Andy Meyers.**

Invocation and Pledges of Allegiance by Commissioner Andy Meyers.

Judge Hebert expressed condolences to the family of Babs Miller, the wife of State Representative Rick Miller.

3. **Approve minutes of regular meeting held on January 26, 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 26, 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.

- 5. **PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:**
  - A. **Acceptance of the traffic control plan for Long Meadow Farms, Section 29, and James Long Parkway Street Dedication, Section 2, Precincts 3 and 4.**
  - B. **Acceptance of the traffic control plans for Lost Creek at Riverstone, Section 1 and Shadow Glen at Riverstone, Section 6, Precinct 4.**

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

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

**CONSENT AGENDA ITEMS 6 - 19:**

- 6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **Behavioral Health Services: Connie Almeida to New Orleans, Louisiana, February 24-28, 2016, to attend Contemporary Issues in Forensic Psychology training. (Fund: Behavioral Health Services, Travel)**
  - B. **Library: Monique Franklin and Elizabeth Bullard to Orlando, Florida, June 22-29, 2016, to attend the American Library Association 2016 Conference. (Fund: Library, Travel)**
  - C. **Library: Janna Raven, Melissa Salnave, and Megan Moore to Denver, Colorado, April 6-11, 2016, to attend the Public Library Association 2016 Conference. (Fund: Library, Travel)**
  - D. **Public Transportation: Tennille Jones and James Hoss to Memphis, Tennessee, March 15-18, 2016, to attend National Transit Database (Urban Reporting) training. (Fund: Public Transportation, Grants)**
  - E. **Sheriff's Office: A. Pascual and P. Yates to Florence, Kentucky, February 20-24, 2016, to attend Maverick Mapping Training. (Fund: Sheriff, Enforcement, Travel)**
  - F. **Sheriff's Office: R. Frazier and A. Pascual, to San Diego, California, February 28 - March 2, 2016, to attend 2016 TriCON mobile device training. (Fund: Sheriff, Enforcement, Travel)**
  - G. **Sheriff's Office: J. Pannell to Kaplan, Louisiana, March 7-9, 2016, June 13-15, 2016, September 19-21, 2016, and December 12-14, 2016 for US K-9 Quarterly Training. (Fund: Sheriff, Forfeited Assets, Federal)**

**Item 6 continued - Out-Of-State Travel:**

- H. **Sheriff's Office: D. Tondera and T. Mangum to Kaplan, Louisiana, March 7-9, 2016, June 13-15, 2016, September 19-21, 2016, and November 14-16, 2016, for US K-9 Quarterly Training. (Fund: Sheriff, Forfeited Assets, Federal)**
- I. **Sheriff's Office: J. Clark to Lake Mary, Florida, April 24-May 7, 2016, to attend forensic examiner training by the International Association of Computer Investigative Specialists. (Fund: Sheriff, Forfeited Assets, Federal, Travel)**

7. **COUNTY JUDGE:**

**Approve the reappointment of Bobby Slavinski to represent Commissioners Court as a member of the Civil Service Commission to administer the Fort Bend County Sheriff's Office Civil Service System, pursuant to Texas Local Government Code Section 158.034, for a two year term commencing February 15, 2016.**

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

**Approve the appointment of Dan Kelleher to the Fort Bend County Historical Commission effective through December 31, 2016.**

9. **COMMISSIONER, PCT. 4:**

**Approve the appointment of Ernie Croucher to the Fort Bend County Historical Commission for a term effective through December 31, 2016.**

10. **BUDGET TRANSFERS:**

- A. **268th District Court: Approve FY 2016 transfer in the amount of \$5,320 from Capital Acquisitions into Property and Equipment to allocate funds for copier into correct account for expenditure.**
- B. **Associate County Court at Law: Approve FY 2016 transfer in the amount of \$1,000 from Salaries into Temporary/Part-Time to allocate funds for temporary assistance until the Court Coordinator position is filled.**
- C. **Auditor: Approve FY 2015 transfer in the amount of \$3,317,870 as detailed on Auditor's form dated January 26, 2016 to allocate fiscal year 2015 surplus funds to cover deficits in department budgets and transfer remaining surplus into Commissioners Court Projects.**
- D. **Auditor: Approve FY 2016 transfer in the amount of \$4,653 as detailed on Auditor's form dated January 22, 2016, to close out completed Jail Repair Project and reallocate remaining funds into Commissioners Court Projects account.**

**Item 10 continued - Budget Transfers:**

- E. **Auditor:** Approve FY 2016 transfer in the amount of \$6,739 as detailed on Auditor's form dated January 22, 2016, to close completed Fairgrounds Renovations projects from 2013 and 2015 and reallocate remaining funds into Commissioners Court Projects account.
- F. **Budget Office:** Approve FY 2016 transfer in the amount of \$590,631 as detailed on Budget Director's form dated January 25, 2016 pursuant to FY 2016 First Quarter Salary Audit.
- G. **Public Transportation:** Approve FY 2015 transfer in the amount of \$94,866 as detailed on Director's form dated January 27, 2016 to allocate the County's match for FY 2015 Section 5311 federal funding of rural transportation, as authorized by Commissioners Court on September 8, 2015.
- H. **Road & Bridge:** Approve FY 2015 transfer in the amount of \$2,300,000 as detailed on Auditor's form dated January 26, 2016 to allocate surplus fiscal year 2015 funds into Road & Bridge Projects.
- I. **Road & Bridge:** Approve FY 2016 transfer in the amount of \$106, 253 as detailed on Budget Director's form dated January 25, 2016, pursuant to FY 2016 First Quarter Salary Audit.
- J. **Sheriff's Office:** Approve FY 2016 transfer in the amount of \$3,900 from Forfeited Assets, Federal, Contingency, into Information Technology, to allocate funds for the purchase of camera and audio equipment for the public information officer.

11. **COMMUNITY DEVELOPMENT:**

Set public hearing to receive comments regarding the housing and community development needs of low- and moderate-income persons in Fort Bend County for the FY 2016 Consolidated Annual Action Plan, to be conducted on Tuesday, March 1, 2016 at 1:00 p.m. in the Fort Bend County Commissioners Courtroom, 2nd Floor, 401 Jackson Street, Richmond, Texas.

12. **CONSTABLE, PCT. 4:**

Record into Minutes the 2015 Racial Profiling Report, Tier 1, for the Office of Constable, Precinct 4, pursuant to the Code of Criminal Procedure, Articles 2.131-2.138.

13. **COUNTY ATTORNEY:**

Record into Minutes the Annual Report of Eminent Domain Authority, dated January 26, 2016, as required under Senate Bill 1812, detailing the authority of Fort Bend County to exercise the power of Eminent Domain in Texas.

14. **DISTRICT ATTORNEY:**

**Record into Minutes the reappointment by John Healey, District Attorney, of Robert Gracia to serve as the District Attorney's appointee to the Fort Bend County Sheriff's Office Civil Service Commission, pursuant to Texas Local Government Code Sec. 158.034, for a two year term commencing February 15, 2016.**

15. **ENGINEERING:**

- A. **Approve payment of Invoice No. 15-10-000194 in the amount of \$6,342.37 to Geotech Engineering & Testing for construction materials testing services regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- B. **Approve payment of Invoice No. 5284 in the amount of \$5,895.00 to Property Acquisition Services for right of way services regarding Mobility Bond Projects within Precincts 1 and 4. (Fund: Right of Way)**
- C. **Approve payment of Invoice No. 3024400103 in the amount of \$44,646.87 to Huitt-Zollars for professional engineering services regarding Old Needville-Fairchild Road, Mobility Bond Project No. 13109, Precinct 1. (Fund: 2013 Mobility Bonds)**
- D. **Approve payment of Invoice No. 459301/46/II in the amount of \$144,472.04 to Dannenbaum Engineering Corp. for professional engineering services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- E. **Approve payment of Invoice No. 2794 in the amount of \$40,450.15 to CivilCorp for professional engineering services regarding Katy Flewellen Road, Mobility Bond Project No. 13316, Precinct 3. (Fund: 2013 Mobility Bonds)**
- F. **Approve payment of Invoice No. 779-002-03 in the amount of \$29,620.20 to TSC Engineering for professional engineering services regarding Crossover Road, Mobility Bond Project No. 13307, Precinct 3. (Fund: 2013 Mobility Bonds)**
- G. **Approve payment of Invoice No. 12913004 in the amount of \$43,400.00 to Gulf South Pipeline for reimbursement of preliminary engineering expenses regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- H. **Approve payment of Invoice No. 251227 in the amount of \$84,119.26 to Cobb Fendley & Associates, Inc. for professional engineering expenses regarding Gaston Road, Segment 1, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)**
- I. **Approve application from Consolidated Communications to place aerial cable along Williams School Road, Permit No. 2016-5054, Precinct 1.**
- J. **Approve application from No Worries Service / Giovanni Coquis to construct a driveway on River Ranch South Drive, Permit No. 2016-5134, Precinct 1.**

**Item 15 continued - Engineering:**

- K. **Approve release of performance bond no. TX822687 in the amount of \$5,000 to Slate Construction for completion of work on 4330 South Drive, Permit No. 2015-2257, Precinct 1.**
- L. **Approve application from Devon Street Homes to construct a driveway at 102 Honeysuckle Vine Drive, Permit No. 2016-5121, Precinct 1.**
- M. **Approve release of performance bond no. LPM9177637 in the amount of \$5,000 to Lischka Utilities, LLC for completion of work on Beechnut Road, Permit No. 84765, Precinct 4.**
- N. **Approve the plat for Via Mazzini Way Reserve Sec. 1, Precinct 3.**
- O. **Approve the plat for Vadtal Dham Shree Swaminarayan Hindu Temple, Precinct 4.**
- P. **Approve the plat for Marshall Oaks Sec. 2 Partial Replat No. 1, Precinct 3.**
- Q. **Approve the plat for LJ Parkway Street Dedication Plat Phase 8, Precinct 4.**
- R. **Approve plat for the roads within Silver Ranch, Sec. 13, Precinct 3.**
- S. **Approve the plat for the lots within Silver Ranch, Sec. 13, Precinct 3.**
- T. **Approve plat for the roads within Avalon at Riverstone, Section Twenty-Four-A, Precinct 1.**
- U. **Approve plat for the lots within Avalon at Riverstone, Section Twenty-Four-A, Precinct 1.**
- V. **Set public hearing for Nijadhar Development being a replat, Precinct 4.  
(Tuesday, March 8, 2016, at 1:00 p.m.)**

16. **FIRE MARSHAL:**

**Approve Memorandum of Understanding between Bureau of Alcohol, Tobacco, Firearms and Explosives and Fort Bend County.**

17. **HUMAN RESOURCES:**

**Approve the rehire of former employee #1006111, who terminated employment on August 9, 2013 and will be rehired effective February 8, 2016.**

18. **SHERIFF'S OFFICE:**

- A. **Approve Amendment to Professional Services Agreement between Fort Bend County and William Stephens dba Osprey Research Corporation to increase the monthly salary of Intelligence/Training Coordinator based on the availability of additional grant funds from the Office of National Drug Control Policy effective January 1, 2016 through the remainder of the Agreement. (Fund: High Intensity Drug Trafficking Area Program Grant)**
- B. **Approve Amendment to Professional Services Agreement between Fort Bend County and Bryan Smith dba BPS Professional Services to increase the monthly salary of Deputy Director based on the availability of additional grant funds from the Office of National Drug Control Policy effective January 1, 2016 through the remainder of the Agreement. (Fund: High Intensity Drug Trafficking Area Program Grant)**
- C. **Record into Minutes the Agreement for Jail Chaplaincy Services between Jail Chaplaincy Ministries, Inc. and the Fort Bend County Sheriff's Office. (Fund: Sheriff's Office, Commissary)**
- D. **Approve renewal of the Agreement for Adult Basic Education Services between Fort Bend County and Wharton County Junior College.**

19. **TAX ASSESSOR/COLLECTOR:**

**Approve refunds over \$500 detailed in Tax Assessor/Collector's report submitted on January 27, 2016, for an amount totaling \$3,378.27 for the Office of Patsy Schultz.**

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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 6 - 19.

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

20. **COMMISSIONER, PCT. 2:**

**Take all appropriate action on Joint Petition for Disannexation to disannex a certain 33.07 acre tract of land owned by Sienna/Johnson North, L.P., so as to be situated outside the boundaries of the City of Missouri City, Texas.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Joint Petition for Disannexation to disannex a certain 33.07 acre tract of land owned by Sienna/Johnson North, L.P., so as to be situated outside the boundaries of the City of Missouri City, Texas.

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

Commissioner Prestage explained this portion of the property is currently owned by the Houston Community College, which is being sold back to Johnson Development Company. The property is currently vacant. Should the property become developed, the County would be responsible for taking the property through the County road system.

21. **ENGINEERING:**

A. **Take all appropriate action on Right of Entry documents permitting contractors working on behalf of Texas Department of Transportation to enter upon county-owned property to conduct a survey along FM 2218 from US 59 to SH 36 in Fort Bend County, Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Right of Entry documents permitting contractors working on behalf of Texas Department of Transportation to enter upon county-owned property to conduct a survey along FM 2218 from US 59 to SH 36 in Fort Bend County, Precinct 1.

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

**Item 21 continued - Engineering:**

- B. Take all appropriate action on Amendment to Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 57 for Pine Mill Ranch Pedestrian Crossings, to include an additional crossing at no cost to the County, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 57 for Pine Mill Ranch Pedestrian Crossings, to include an additional crossing at no cost to the County, Precinct 3.

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

- C. Take all appropriate action to correct the amount previously authorized by Commissioners Court on December 15, 2015 as Agenda Item 26B; for a total not to exceed \$566,423.09, under the Standard Utility Agreement between Fort Bend County and Comcast regarding FM 1093/Westpark Extension, Mobility Bond Project 748, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to correct the amount previously authorized by Commissioners Court on December 15, 2015 as Agenda Item 26B; for a total not to exceed \$566,423.09, under the Standard Utility Agreement between Fort Bend County and Comcast regarding FM 1093/Westpark Extension, Mobility Bond Project 748, Precinct 3. (Fund: 2007 Mobility Bonds)

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

22. **HUMAN RESOURCES:**

**Take all appropriate action on revisions to the Employee Information Manual, as submitted by Human Resources, specifically Policy 507, Holidays.**

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 507, Holidays.

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

23. **PARKS DEPARTMENT:**

**Take all appropriate action on request to transfer \$405 from Commissioners Court Projects as detailed on Auditor's form dated January 22, 2016 to allocate funds to cover the budget shortfall in the 2014 Freedom Park Storage Project account.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to transfer \$405 from Commissioners Court Projects as detailed on Auditor's form dated January 22, 2016 to allocate funds to cover the budget shortfall in the 2014 Freedom Park Storage Project account.

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

24. **PUBLIC TRANSPORTATION:**

- A. **Take all appropriate action on Project Grant Agreement between Texas Department of Transportation and Fort Bend County for FY 2013 Section 5311 Federal Funding of Rural Transportation in the amount of \$177,657 with \$141,567 in local match; and authorize the County Judge to sign all documents pertaining to the Agreement. (Fund: Public Transportation, Grants)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Project Grant Agreement between Texas Department of Transportation and Fort Bend County for FY 2013 Section 5311 Federal Funding of Rural Transportation in the amount of \$177,657 with \$141,567 in local match; and authorize the County Judge to sign all documents pertaining to the Agreement. (Fund: Public Transportation, Grants)

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

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to amend previous motion and correct the amount of local match from \$141,567 to \$141,657.

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 \$141,657 as detailed on Director's form dated January 28, 2016, to allocate funds for the County's match to the Agreement with Texas Department of Public Transportation for FY 2013 Section 5311 Federal Funding of Rural Transportation.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$141,657 as detailed on Director's form dated January 28, 2016, to allocate funds for the County's match to the Agreement with Texas Department of Public Transportation for FY 2013 Section 5311 Federal Funding of Rural Transportation.

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

25. **PURCHASING:**

- A. **Take all appropriate action on Agreement for Construction of Sheriff's Office Vocational Building #2 between Fort Bend County and Crain Group, LLC in an amount not to exceed \$236,000 pursuant to RFP 16-040. (Fund: Capital Improvement Project)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Construction of Sheriff's Office Vocational Building #2 between Fort Bend County and Crain Group, LLC in an amount not to exceed \$236,000 pursuant to RFP 16-040. (Fund: Capital Improvement Project)

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

- B. **Take all appropriate action on request to purchase two (2) Tahoe vehicles, replacements to fleet, for Juvenile, from Classic Chevrolet, pursuant to Bid 16-024. (Fund: Juvenile)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to purchase two (2) Tahoe vehicles, replacements to fleet, for Juvenile, from Classic Chevrolet, pursuant to Bid 16-024. (Fund: Juvenile)

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

- C. **Take all appropriate action on Agreement for Professional Architectural and Engineering Services between Fort Bend County and Merriman Holt Powell Architects, Inc. in an amount not to exceed \$415,460 for an addition to and renovation of the existing Missouri City Branch Library. (Fund: Capital Improvement Project)**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Architectural and Engineering Services between Fort Bend County and Merriman Holt Powell Architects, Inc. in an amount not to exceed \$415,460 for an addition to and renovation of the existing Missouri City Branch Library. (Fund: Capital Improvement Project)

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

26. **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  
\$7,904,348.46.

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

**Recess:**

Recessed at 1:23 p.m.

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

- A. **§ 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.**
1. **Harold Mathis vs. Fort Bend County, Texas; Case No. 14-DCF-213284 in the 400th Judicial District Court of Fort Bend County, Texas.**
  2. **Hartman Newspapers, LP d/b/a Fort Bend Herald and Texas Coaster vs. Troy E. Nehls, Sheriff, and Fort Bend County, Texas, Cause No. 15-DCV-225813 In the District Court of Fort Bend County, Texas, 240th Judicial District.**
  3. **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.**

**Item 27 continued - Closed Session:**

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

1. **Acquisition of Real Property: 0.80 acre tract of land near downtown Richmond, Texas, Precinct 1.**

2. **Acquisition of Real Property - HCCS Missouri City - Sienna Facility, Precinct 2.**

**Closed Session:**

Convened at 1:32 p.m.  
Adjourned at 2:16 p.m.

**Reconvene:**

Reconvened at 2:20 p.m.

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

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

1. **Harold Mathis vs. Fort Bend County, Texas; Case No. 14-DCF-213284 in the 400th Judicial District Court of Fort Bend County, Texas.**

Moved by Commissioner Morrison, Seconded by Commissioner Patterson Duly put and unanimously carried (5-0), it is ordered to authorize the County Judge to execute and deliver the settlement agreement recommended for approval by the County Attorney in the above referenced case (Case No. 14-DCF-213284 corrected to Cause No. 14-DCV-213284), as well as accept Deeds for the Mathis 8.3771 acres, more or less, in exchange for \$2,975,000, which will include the purchase price for the Mathis property in the amount of \$2,905,000 plus Attorneys' fees in the amount of \$70,000 and to approve such terms and provisions for the full and final settlement of all claims set forth therein. Additionally, Fort Bend County will pay reasonable and necessary closing costs associated with the purchase of the property. Settlement funds will be charged to 2015 Facilities Bond.

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

**Item 28 continued - Reconvene Open Session:**

2. **Hartman Newspapers, LP d/b/a Fort Bend Herald and Texas Coaster vs. Troy E. Nehls, Sheriff, and Fort Bend County, Texas, Cause No. 15-DCV-225813 In the District Court of Fort Bend County, Texas, 240th Judicial District.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (4-0-1), it is ordered to authorize the County Attorney to incur an amount not to exceed \$10,000 for further legal expenses.

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

3. **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.

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

1. **Acquisition of Real Property: 0.80 acre tract of land near downtown Richmond, Texas, Pct 1.**

No action.

2. **Acquisition of Real Property - HCCS Missouri City - Sienna Facility, Precinct 2.**

No action.

**29. Adjournment.**

Commissioners Court adjourned at 2:20 p.m. on Tuesday, February 2, 2016.

February 2, 2016

**DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 2ND DAY of FEBRUARY, 2016, The Drainage District Board of Fort Bend County, Texas, met at a scheduled meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
LINDA WILLIS FOR LAURA RICHARD	COUNTY CLERK
MARK VOGLER	DRAINAGE DISTRICT MANAGER

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

1. **Call to Order.**

Call to Order by Judge Hebert at 1:03 p.m.

2. **Record into Minutes the Annual Report of Eminent Domain Authority, dated January 26, 2016, as required under Senate Bill 1812, detailing the authority of Fort Bend County Drainage District to exercise the power of Eminent Domain in Texas.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to record into Minutes the Annual Report of Eminent Domain Authority, dated January 26, 2016, as required under Senate Bill 1812, detailing the authority of Fort Bend County Drainage District to exercise the power of Eminent Domain in Texas.

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

3. **Approve FY 2015 transfer in the amount of \$650,000 as detailed on Auditor's form dated January 26, 2016 to allocate surplus fiscal year 2015 funds into Drainage Projects.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve FY 2015 transfer in the amount of \$650,000 as detailed on Auditor's form dated January 26, 2016 to allocate surplus fiscal year 2015 funds into Drainage Projects.

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

4. **Approve transfer in the amount of \$90,000 as detailed on Director's form dated January 27, 2016, to allocate \$85,000 for mapping revisions and \$5,000 to cover the increased price for two dump trucks.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$90,000 as detailed on Director's form dated January 27, 2016, to allocate \$85,000 for mapping revisions and \$5,000 to cover the increased price for two dump trucks.

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

5. **Approve transfer in the amount of \$44,850 as detailed on Director's form dated January 25, 2016, pursuant to FY 2016 First Quarter Salary Audit.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$44,850 as detailed on Director's form dated January 25, 2016, pursuant to FY 2016 First Quarter Salary Audit.

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

February 2, 2016

6. **Take all appropriate action on Bid 16-046 for the purchase of rotary cutters.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Bid 16-046 for the purchase of  
three rotary cutters, from Shoppa's Farm Supply, Inc.

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

7. **Adjournment.**

The Drainage District Board adjourned at 1:06 p.m. on Tuesday, February 2, 2016.