

req 137985 11/3/2016

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
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 County, 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. FM 1463 From 600 Feet North of Westridge Crk Ln to FM 1093, 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:

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

**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

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

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.

County Fort Bend  
 District Houston  
 ROW CSJ # 0188-10-038  
 CCSJ # 0188-10-028  
 Federal Project #: \_\_\_\_\_  
 Federal Highway Administration  
 CFDA # 20.205  
 Not Research and Development

- C. Credit shall be given only for property transferred at no cost to the State after the effective date of this agreement and the issuance of spending authority, and only for property which is necessary to complete this project, has title acceptable to the State, and is not contaminated with hazardous materials. Credit shall be in lieu of monetary contributions required to be paid to the State for the Local Government's funding share of the right of way to be acquired for this project. The total credit cannot exceed the Local Government's matching share of the right of way obligation under this agreement, and credits cannot be reimbursed in cash to the Local Government, applied to project phases other than right of way, nor used for other projects.
- D. In the event the Local Government's monetary contributions to the State for acquisition of right of way, when added to its real property credits, exceed the Local Government's matching share of the right of way obligation, there will be no refund to the Local Government of any portion of its contributed money.

**5. Amendments**

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written supplemental agreement.

**6. Notices**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, to the following addresses:

Local Government:	State:
Fort Bend County	Director of Right of Way Division
401 Jackson St. Richmond, TX 77469	Texas Department of Transportation
<u>Fort Bend County Engineering</u>	125 E. 11 <sup>th</sup> Street
301 Jackson St. , Ste 401	Austin, Texas 78701
Richmond, TX 77469	

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other party.

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

**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 materials available to the State and, if federally funded, the Federal Highway

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

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.

B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

- 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 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

County Fort Bend  
 District Houston  
 ROW CSJ # 0188-10-038  
 CCSJ # 0188-10-028  
 Federal Project #: \_\_\_\_\_  
 Federal Highway Administration  
 CFDA # 20.205  
 Not Research and Development

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.

## 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

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #:  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

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.

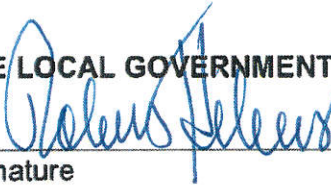
**24. Signatory Warranty**

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

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #:  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

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

**THE LOCAL GOVERNMENT** *Fort Bend County*


  
\_\_\_\_\_  
Signature

*Robert E. Hebert*  
\_\_\_\_\_  
Typed or Printed Name

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

*10-25-14*  
\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

  
\_\_\_\_\_  
970605E4680E4B5...  
Gus E. Cannon, CTCM  
Director, Right of Way Division  
Texas Department of Transportation

*3/7/2017*  
\_\_\_\_\_  
Date

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

**ATTACHMENT A  
RESOLUTION OR ORDINANCE**

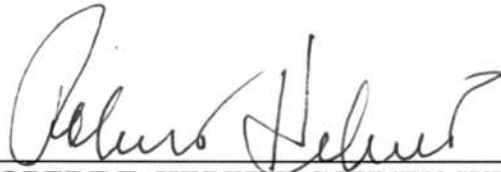
**APPROVAL OF MINUTES  
COMMISSIONERS COURT  
FORT BEND COUNTY**

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 25th day of October, 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 1st day of November, 2016.



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

October 25, 2016

**MINUTES**

BE IT REMEMBERED, That on this 25TH DAY of OCTOBER, 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
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 1:01 p.m.

2. **Invocation and Pledges of Allegiance by Commissioner Richard Morrison.**

Invocation and Pledges of Allegiance by Commissioner Richard Morrison.

3. **Approve minutes of regular meeting held on October 11, 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 October 11, 2016.

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

October 25, 2016

4. **Public Comments regarding the Agenda and Announcements.**

No public comments.

October Service Awards were presented to County employees.

Judge Hebert extended condolences to the family and friends of Constable Ruben Davis. He also asked to keep the family of Cheryl Magee Hebert in thoughts and prayers. She was the wife of Judge Hebert's brother Ken Hebert.

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

Public hearing held. No public comments.

- A. **Changing the street name of Corbitt Road to Roesner Road, from limits of Cinco Trace Drive/FM1463 to Katy Flewellen Road, Precinct 3.**
- B. **Acceptance of the traffic control plan for Del Webb-Richmond, Section Ten, Precinct 1.**
- C. **Acceptance of the traffic control plan for Rivers Mist, Section 3, Precinct 1.**
- D. **Acceptance of the traffic control plan for Fort Bend ISD Elementary School No. 43, Schiff Elementary School, to revise the school zone speed limit times, Precinct 2.**
- E. **Acceptance of the traffic control plan for Harlem Road at West Airport Blvd. / Harvest Garden Blvd. to add interim multi-way stop, Precinct 4.**
- F. **Acceptance of the revised traffic control plan for Beewood Glen Drive within the Village of Oak Lake Subdivision to revise the "No Parking" zone, Precinct 4.**
- G. **Acceptance of the traffic control plan for Avalon at Riverstone, Section 18A, West Avalon Drive only, Precinct 4.**
- H. **Acceptance of the traffic control plan for Prestwick at Riverstone, Precinct 4.**

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

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

October 25, 2016

**CONSENT AGENDA ITEMS 6 - 23:**

- 6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **Health & Human Services - Emergency Medical Service: Approve change in travel dates, for John Denning to Emmitsburg, Maryland, November 6-19, 2016, to attend Management of Emergency Medical Services course at National Fire Academy. (Fund: Emergency Medical Service)**
  - B. **Human Resources: Kent Edwards to San Diego, California, April 30-May 7, 2017, to attend annual National Educational Labor and Employment Law Seminar. (Fund: Human Resources)**
  - C. **Human Resources: Kent Edwards to New Orleans, Louisiana, June 17-24, 2017, to attend the Society for Human Resource Management Annual Conference and Exposition. (Fund: Human Resources)**
  - D. **Information Technology: Allow exception to the 14-day advance airfare purchase due to short notice, and approve travel for Susan Folk to Chicago, Illinois, November 2-4, 2016, to attend Requordit Summit Conference regarding the Enterprise Content Management Project. (Fund: Capital Improvement Project)**
  - E. **Sheriff's Office: D. Haenel to New Orleans, Louisiana, June 18-23, 2017, to attend the Society for Human Resource Management Annual Conference. (Fund: Sheriff's Office, Enforcement)**

7. **COUNTY JUDGE:**

**Approve renewal of Agreement for Development of Public Parks and Recreational Lands between Fort Bend County and Fort Bend Green in the amount of \$75,000 effective through September 30, 2017. (Fund: Non-Departmental, Fees)**

8. **COMMISSIONER, PCT. 2:**

**Take all appropriate to consider action on request to waive requested employee payment of charge resulting from violation of Procurement Card/Travel Policy use for airline ticket exchange purchased within two weeks of travel due to error in embarkation city on the original flight and authorize payment of the charge. (Fund: Health & Human Services, Pinnacle Center)**

Pulled.

October 25, 2016

9. **COMMISSIONER, PCT. 3:**

- A. **Approve renewal of Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal Utility District No. 34, with services to be provided by the Office of Constable, Precinct 3 effective through September 30, 2017.**
- B. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Cinco Residential Property Association, with services to be provided by the Office of Constable, Precinct 3, effective through September 30, 2017.**
- C. **Approve renewal of Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal District No. 124, with services to be provided by the Office of Constable, Precinct 3, effective through September 30, 2017.**

10. **BUDGET TRANSFERS:**

- A. **240th District Court: Approve FY 2017 transfer in the amount of \$4,300 from Fees into Information Technology to allocate funds for replacement of the multifunction desktop printer in courtroom.**
- B. **County Court at Law No. 4: Approve FY 2016 transfer in the amount of \$25 from Information Technology into Supplies and Maintenance to complete payment of invoice for law books ordered in 2016.**
- C. **Facilities Management & Planning - Interdepartmental Construction: Approve FY 2017 transfer in the amount of \$475 from Property and Equipment into Capital Acquisitions to reallocate funds due to increased cost of replacement truck.**
- D. **Information Technology: Approve FY 2017 transfer in the amount of \$14,000 from Information Technology into Capital Acquisitions to allocate funds into correct account for expenditure.**
- E. **Parks - Jones Creek Ranch: Approve FY 2017 transfer in the amount of \$475 from Property and Equipment into Capital Acquisitions to reallocate funds due to increased cost of replacement truck.**
- F. **Public Transportation: Approve FY 2016 transfer in the amount of \$2,235,213 as detailed on Director's form dated October 7, 2016 to allocate the County's FY 2016 match for the Public Transportation MAP-21 mitigation plan.**
- G. **Sheriff's Office - Enforcement: Approve FY 2017 transfer in the amount of \$470,016 as detailed on form by Director of Finance dated October 6, 2016, to allocate funds budgeted for all vehicle equipment into the correct account for the fiscal year.**
- H. **Vehicle Maintenance: Approve 2017 transfer in the amount of \$1,281,047 as detailed on Finance Director's form dated October 19, 2016, to reallocate vehicle equipment budgeted by various county offices for the fiscal year into activity accounts for expenditure.**

October 25, 2016

11. **CONSTABLE, PCT. 2:**

**Approve renewal of Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Big Oaks Municipal Utility District effective through September 30, 2017.**

12. **DISTRICT ATTORNEY:**

**Accept grant funds from Office of the Governor, Criminal Justice Division, in the amount of \$126,625.01 for the FY 2017 Violence Against Women Prosecutor and Investigator Program, Grant Number 1344719, with a cash match by Fort Bend County of \$103,205.99, for a total program budget of \$229,831.00 for the term of October 1, 2016 through September 30, 2017; designate the County Judge as the authorized official to electronically accept the award. (Fund: District Attorney)**

13. **ENGINEERING-PAYMENTS:**

- A. **Approve payment of Invoice No. 26410 in the amount of \$1,077.90 and Invoice No. 26641 in the amount of \$4,311.60 to Terra Associates, Inc. for professional engineering services regarding Lake Olympia Parkway, Mobility Bond Project No. 13207, Precinct 2. (Fund: 2013 Mobility Bonds)**
- B. **Approve payment of Invoice No. 130.01-0916 in the amount of \$10,350.00 to Mike Stone Associates, Inc. for professional construction management services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- C. **Approve payment of Invoice No. 061638C in the amount of \$6,440.25, Invoice No. 071628C in the amount of \$8,846.50, and Invoice No. 081629C in the amount of \$12,853.63 to Aviles Engineering Corporation for construction materials testing services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- D. **Approve payment of Invoice No. 7 in the amount of \$2,835,406.40 to Webber, LLC for construction of FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**

14. **ENGINEERING-PERMITS:**

- A. **Approve application from AT&T to bury cable along Williams Way Boulevard, Permit No. 2016-9911, Precinct 1.**
- B. **Approve application from Greatwood Four, LTD to construct a driveway tie-in at 6540 Greatwood Parkway, Permit No. 2016-9460, Precinct 1.**
- C. **Approve application from Mohle Crawford Design/Build Inc to construct two driveway tie-ins at 1661 Blaisdale Road, Permit No. 2016-9429, Precinct 1.**

October 25, 2016

**Item 14 continued - Engineering - Permits:**

- D. **Approve application from Andrade Concrete and Construction Inc. to construct a driveway tie-in at 4418 Convento Drive, Permit No. 2016-9416, Precinct 3.**
- E. **Approve application from Lischka Utilities, LLC to construct a left turn lane on Katy Gaston Road, Permit No. 2016-9831, Precinct 3.**
- F. **Approve application from Andrade Concrete and Construction Inc. to construct a driveway tie-in at 4402 Los Alamos Court, Permit No. 2016-9415, Precinct 3.**
- G. **Approve application from Comcast of Houston, LLC to bury cable along Reese Lake Drive, Permit No. 2016-9827, Precinct 3.**
- H. **Approve application from AT&T to bury cable along Grand Mission Boulevard, Permit No. 2016-9912, Precinct 3.**
- I. **Approve application from J. Patrick Homes/CTC Concrete, Inc., to construct a driveway tie-in at 8902 Wandering Willow Drive, Permit No. 2016-9234, Precinct 3.**
- J. **Approve application from CenterPoint Energy to bury a 4-inch gas line under and along Lakehead Lane, Permit No. 2016-9830, Precinct 3.**
- K. **Approve application from AT&T to bury cable under Lakehead Lane and along Beechnut Street, Permit No. 2016-9914, Precincts 3 and 4.**
- L. **Approve application from Continental Builders & Developer, Inc. to construct a driveway tie-in at 10305 Clodine Road, Permit No. 2016-9129, Precinct 4.**
- M. **Approve application from Darling homes/CTC Concrete, Inc. to construct a driveway tie-in at 4927 Summer Manor Lane, Permit No. 2016-9913, Precinct 4.**
- N. **Approve application from American Decorative Concrete of Houston LLC to construct a driveway tie-in at 20138 Larkspur Landing, Permit No. 2016-9915, Precinct 4.**
- O. **Approve application from Baxter Construction Company, LLC to construct two driveway tie-ins at 6440 Oilfield Road, Permit No. 2016-9611, Precinct 4.**
- P. **Approve release of cashier's check #9458921086 in the amount of \$5,000.00 to Gottfried M. Tiller for completion of work on Willow Lake Street, Permit No. 2016-8907, Precinct 3.**

October 25, 2016

15. **ENGINEERING-DEVELOPMENT:**
- A. **Accept the streets in Bonbrook Plantation North, Sec. Eleven: Harmony Lake Lane 623.86 LF, Ravenbrook Lane 336.42 LF, and Blossom Terrace Lane 549.12 LF for a total of 1,509.40 LF, and release bond #0184727 in the amount of \$105,658.00, Pct. 1.**
  - B. **Accept the streets in Bonbrook Plantation North, Sec. Twelve: Harmony Lake Lane 473.19 LF, Emerald Briar Lane 327.48 LF, and Angel Hollow Lane 485.91 LF for a total of 1,286.58 LF, and release bond #0184728 in the amount of \$90,060.60, Pct. 1.**
  - C. **Approve the plat for Stonecreek Estates, Section One Amending Plat No. 1, Precinct 1.**
  - D. **Approve the plat for Rosenberg Plumbing Service Inc, Precinct 1.**
  - E. **Approve plat for the roads within Sienna Plantation, Section 20, Precinct 1.**
  - F. **Approve plat for the lots within Sienna Plantation, Section 20, Precinct 1.**
  - G. **Approve the plat for CST Corner Store No. 1464, Precinct 3.**
  - H. **Approve the plat for Lakes of Bella Terra Sec. 37 Replat No. 1, Precinct 3.**
  - I. **Approve plat for the roads within Aliana, Sec. 59, Precinct 4.**
  - J. **Approve plat for the lots within Aliana, Sec. 59, Precinct 4.**
  - K. **Set public hearing for acceptance of the traffic control plans for Bonbrook Plantation North, Sec. Eleven and Bonbrook Plantation North, Sec. Twelve, Precinct 1. (Tuesday, November 22, 2016, at 1:00 p.m.)**
  - L. **Set public hearing for acceptance of the revised traffic control plans for Katy ISD schools to change the school zone speed limit times to accommodate changed bell schedules, Precinct 3. (Tuesday, November 22, 2016, at 1:00 p.m.)**
  - M. **Set public hearing for acceptance of the traffic control plan for Plantation Drive at Windmill Drive, for placement of "right lane must turn right" sign, Precinct 3. (Tuesday, November 22, 2016, at 1:00 p.m.)**
  - N. **Set public hearing for acceptance of the traffic control plan for Harvest Garden Boulevard, for placement of 35 mph speed limit signs between Harlem Road and Harvest Home Drive, Precincts 3 and 4. (Tuesday, November 22, 2016, at 1:00 p.m.)**

October 25, 2016

**Item 15 continued - Engineering - Development:**

- O. Set public hearing for acceptance of the traffic control plans for Aliana, Sec. 41 and Sec. 47, Precinct 4. *(Tuesday, November 22, 2016, at 1:00 p.m.)*
- P. Set public hearing for acceptance of the traffic control plans for Riverstone North, Section 6 and Section 7, Precinct 4. *(Tuesday, November 22, 2016, at 1:00 p.m.)*
- 16. **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 2015 Facility Bonds:
  - A. Invoice No. 1602-06 in the amount of \$44,733.83 to Merriman Holt Powell, for architectural services regarding an addition to and expansion of the Missouri City Branch Library;
  - B. Invoice No. 11-60245 in the amount of \$1,306.85 to QC Laboratories, Inc., for materials testing services regarding the Justice Center Structured Parking;
  - C. Invoice No. 10041555 in the amount of \$181,250.00 to PGAL for architectural services regarding expansion of the Justice Center;
  - D. Invoice No. 1REV1 in the amount of \$71,187.50 to Archi\*Technics/3, Inc. for architectural services regarding expansion of the 5th Street Community Center gymnasium.
- 17. **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 October 19, 2016, and makes the following recommendation to Commissioners Court:  
  
Approve Joint Petition by Fort Bend County Toll Road Authority for Addition of Certain Land into Fort Bend County Assistance District No. 6 regarding property located on FM 1093.
- 18. **HEALTH & HUMAN SERVICES:**
  - A. Social Services: Accept donation as detailed on report for October, 2016: \$500 for the Walk With Pride program, a collaborative event for youth.
  - B. Social Services: Accept payments for an amount totaling \$12,500 from the Fort Bend County Collaborative Information System Partners, as detailed on report submitted, pursuant to year two requirements of the Agency Participation Agreement, effective September 1, 2016 through August 31, 2017.

October 25, 2016

19. **HUMAN RESOURCES:**

- A. **Approve and record into Minutes the Application for Appointment of Deputy Constable Cedric D. White by Constable Precinct 2, in accordance with Constable's form dated October 4, 2016, pursuant to Local Government Code §86.011.**
- B. **Approve the rehire of former employee number 1006253, who terminated employment on January 27, 2015 and will be rehired effective October 31, 2016.**

20. **PARKS & RECREATION:**

- A. **Approve Renewal Agreements for Operation and Programming between Fort Bend County and the Fort Bend YMCA, a division of the YMCA of Greater Houston, to provide outreach services effective through September 30, 2017: Barbara Jordan Community Center in the amount of \$35,000; Mustang Community Center in the amount of \$30,100; and Beasley Elementary School in the amount of \$35,000. (Fund: Parks Department)**
- B. **Approve Renewal Agreement for Operation and Programming between Fort Bend County and the Boys and Girls Clubs of Greater Houston, Inc. to provide outreach services effective through September 30, 2017: Fifth Street Community Center in the amount of \$140,000; Richmond-Rosenberg Community Center in the amount of \$50,000. (Fund: Parks Department)**
- C. **Approve Pay Application No. 2 in the amount of \$32,644.85 to LL&F Construction Management, Inc. for design/build services regarding Mission West Park. (Fund: 2015 Facilities Bond, Proposition 1)**

21. **PURCHASING:**

- A. **Approve the continued purchase of telecommunication service from Department of Information Resources, utilizing State of Texas Department of Information Resources Agreement DIR-TEX-AN-NG-CTSA-005 and DIR-TEX-AN-NG-CTSA-008 for various departments upon request from their Fiscal Year 2017 budgets.**
- B. **Approve purchase of toner and ink cartridges from The Office Pal utilizing The Interlocal Purchasing System (TIPS) Contract 03062515 for Fiscal Year 2017.**
- C. **Authorize advertising for bids for radar speed limit signs.**
- D. **Authorize advertising for proposals for Renovations to the Sienna Annex.**
- E. **Authorize advertising for proposals for construction of Central Appraisal District Phase 2.**
- F. **Authorize advertising for proposals for construction of the Mission Bend Branch Library.**

October 25, 2016

22. **SHERIFF'S OFFICE:**

- A. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Sienna Plantation Residential Association, Inc. effective through September 30, 2017.**
- B. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Cinco Ranch Residential Association II, Inc. effective through September 30, 2017.**
- C. **Approve renewal of Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Grand Mission Municipal Utility District No. 1 effective through September 30, 2017.**

23. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the disposal of miscellaneous Tax Office documentation dated February 22, 2016 through May 9, 2016 which has been scanned and is described as Box #1739 through 1770, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- B. **Record into Minutes the Summary Monthly Report of Property Taxes collected in September 2016 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- C. **Record into Minutes the Summary Yearly Report of Property Taxes Collected from October 2015 through September 2016 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**

---

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda Items 6 - 23, excepting Item 8.

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

Item 8 pulled.

October 25, 2016

24. **COUNTY JUDGE:**

**Take all appropriate action on First Amendment to the Tax Abatement Agreement between Fort Bend County and DSK Holdings, LLC to defer commencement of the abatement period until Tax Year 2018.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to the Tax Abatement Agreement between Fort Bend County and DSK Holdings, LLC to defer commencement of the abatement period until Tax Year 2018.

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

25. **COMMISSIONER, PCT. 2:**

**Take all appropriate action to rescind the Interlocal Agreement for Improvements to Missouri City Middle School Gymnasium between Fort Bend County and Fort Bend Independent School District approved September 6, 2016; accept Special Warranty Deed conveying the Gymnasium and the property housing the Gymnasium from the District to the County; and approve the Interlocal Agreement for Joint Use of the Gymnasium as consideration for such conveyance.**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to rescind the Interlocal Agreement for Improvements to Missouri City Middle School Gymnasium between Fort Bend County and Fort Bend Independent School District approved September 6, 2016; accept Special Warranty Deed conveying the Gymnasium and the property housing the Gymnasium from the District to the County; and approve the Interlocal Agreement for Joint Use of the Gymnasium as consideration for such conveyance.

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

October 25, 2016

26. **COMMISSIONER, PCT. 3:**

- A. **Take all appropriate action on request by R.A. BeMent for David and Adrilene Kahn to waive penalty and interest totaling \$443.75 on property taxes for Tax Year 2015, Precinct 3.**

Pulled.

- B. **Take all appropriate action on request by KPM Management to waive penalty and interest totaling \$19.01 on property taxes for Fulbrook Homeowners Association, Inc., Tax Year 2015, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve request by KPM  
 Management to waive penalty and interest totaling \$19.01 on property taxes for Fulbrook  
 Homeowners Association, Inc., Tax Year 2015, Precinct 3.

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

27. **COMMISSIONER, PCT. 4:**

- Take all appropriate action on request by Chang Liu and Jun Hua to waive penalty, interest and collection fees totaling \$1,729.36 on property taxes for Tax Year 2015, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to approve request by Chang Liu and  
 Jun Hua to waive penalty, interest and collection fees totaling \$1,729.36 on property taxes  
 for Tax Year 2015, Precinct 4.

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

October 25, 2016

28. **DISTRICT CLERK:**

**Take all appropriate action on request to transfer \$5,394 from FY 2017 Non-Departmental Contingency into accounts detailed on District Clerk's form dated October 12, 2016 to purchase furniture and equipment for the new clerical position, necessitated by the increased costs since budget was submitted.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to transfer \$5,394 from FY 2017 Non-Departmental Contingency into accounts detailed on District Clerk's form dated October 12, 2016 to purchase furniture and equipment for the new clerical position, necessitated by the increased costs since budget was submitted.

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

Commissioner Patterson stated this is not an increase in cost. The furniture was not added to the budget.

29. **ENGINEERING:**

**A. Take all appropriate action on Donation Deed, to convey a 4.7463 acre tract of land from Malankara Orthodox Syrian Church, Diocese of Southwest America, to Fort Bend County for right of way regarding Hopkins Road and Walker Road, and; record same in Official Public Records; Precinct 1.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Donation Deed, to convey a 4.7463 acre tract of land from Malankara Orthodox Syrian Church, Diocese of Southwest America, to Fort Bend County for right of way regarding Hopkins Road and Walker Road, and; record same in Official Public Records; Precinct 1.

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

October 25, 2016

**Item 29 continued - Engineering:**

- B. Take all appropriate action on request for variance to the centerline radius requirements for collector streets, as stated in Section 5.12 B of the Fort Bend County Regulations of Subdivisions for Sendero Master Planned Development, (aka Talavera), on behalf of Meritage Homes of Texas, LLC, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve variance to the centerline radius requirements for collector streets, as stated in Section 5.12 B of the Fort Bend County Regulations of Subdivisions for Sendero Master Planned Development, (aka Talavera), on behalf of Meritage Homes of Texas, LLC, Precinct 3.

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

- C. Take all appropriate action on Pipeline Crossing and Encroachment Agreement between Fort Bend County and Hilcorp Energy I, L.P. for a pipeline crossing regarding Cane Island, Mobility Bond Project No. 13306, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Pipeline Crossing and Encroachment Agreement between Fort Bend County and Hilcorp Energy I, L.P. for a pipeline crossing regarding Cane Island, Mobility Bond Project No. 13306, Precinct 3.

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

October 25, 2016

**Item 29 continued - Engineering:**

- D. **Take all appropriate action on Amendment to Standard Utility Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 34 for an additional amount of \$57,612; total contract amount not to exceed \$142,017 for utility relocation 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 Amendment to Standard Utility Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 34 for an additional amount of \$57,612; total contract amount not to exceed \$142,017 for utility relocation 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

- E. **Take all appropriate action on Standard Utility Agreement between Fort Bend County and Transcontinental Gas Pipe Line Company, LLC in an amount not to exceed \$211,967.27 for relocation of a pipeline 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 Transcontinental Gas Pipe Line Company, LLC in an amount not to exceed \$211,967.27 for relocation of a pipeline 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

October 25, 2016

**Item 29 continued - Engineering:**

- F. **Take all appropriate action on request by Texas Department of Transportation for payment of actual project costs in the amount of \$1,438,394.50 regarding Mobility Bond Project X27, U-Turn Lanes for State Highway 99 at Harlem Road, and pursuant to Advance Funding Agreement CSJ 3510-04-053, approved by Commissioners Court on December 17, 2013; the initial amount of \$609,033 (based on estimated costs) to be funded by General Fund Projects, and the additional amount of \$829,361.50 to be funded by Harlem Road Mobility Bond Project No. 726, Precinct 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to approve request by Texas Department of Transportation for payment of actual project costs in the amount of \$1,438,394.50 regarding Mobility Bond Project X27, U-Turn Lanes for State Highway 99 at Harlem Road, and pursuant to Advance Funding Agreement CSJ 3510-04-053, approved by Commissioners Court on December 17, 2013; the initial amount of \$609,033 (based on estimated costs) to be funded by General Fund Projects, and the additional amount of \$829,361.50 to be funded by Harlem Road Mobility Bond Project No. 726, Precinct 4. (Fund: 2007 Mobility Bonds)

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

Commissioner Meyers stated the Grand Parkway Toll Road Authority will reimburse the County a portion of the costs.

Ed Sturdivant, County Auditor, indicated a more appropriate phrase for the General Fund Projects is Right of Way, which is supported at 90% based on the AFA.

Commissioner Patterson stated the project started as a TXDOT project to widen Harlem Road. The Grand Parkway Toll Road will handle the U-Turn projects.

October 25, 2016

**Item 29 continued - Engineering:**

- G. **Take all appropriate action on Agreement between Texas Department of Transportation and Fort Bend County, for the County to contribute up to \$122,642.60 for right of way and related expenses regarding Highway FM 1463 from Interstate 10 to 600 Feet North of Westridge Creek Lane (CCSJ 0188-10-021), Mobility Bond Project No. 13308, 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 Agreement between Texas Department of Transportation and Fort Bend County, for the County to contribute up to \$122,642.60 for right of way and related expenses regarding Highway FM 1463 from Interstate 10 to 600 Feet North of Westridge Creek Lane (CCSJ 0188-10-021), Mobility Bond Project No. 13308, Precinct 3. (Fund: 2013 Mobility Bonds)

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

- H. **Take all appropriate action on Agreement between Texas Department of Transportation and Fort Bend County for the County to contribute up to \$122,642.60 for right of way and related expenses regarding Highway FM 1463 from 600 Feet North of Westridge Creek Lane to FM 1093 (CCSJ 0188-10-028), Mobility Bond Project 13308, 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 Agreement between Texas Department of Transportation and Fort Bend County for the County to contribute up to \$122,642.60 for right of way and related expenses regarding Highway FM 1463 from 600 Feet North of Westridge Creek Lane to FM 1093 (CCSJ 0188-10-028), Mobility Bond Project 13308, Precinct 3. (Fund: 2013 Mobility Bonds)

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

October 25, 2016

30. **FIRE MARSHAL:**

**Take appropriate action on First Amendment to Interlocal Agreement between Fort Bend County and City of Stafford for Fire Protection in Unincorporated Fort Bend County.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to Interlocal Agreement between Fort Bend County and City of Stafford for Fire Protection in Unincorporated Fort Bend County.

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

31. **HEALTH & HUMAN SERVICES:**

A. **Social Services: Take all appropriate action on the Service Provider Agreement between Fort Bend County and United Way of Greater Houston for the County to accept \$25,000 to help meet basic needs and case management of individuals and families as they recover from the impact of the 2016 Floods, for use in collaboration with Fort Bend Recovers agencies from October 1 through December 31, 2016, with no local match required by Fort Bend County.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve the Service Provider Agreement between Fort Bend County and United Way of Greater Houston for the County to accept \$25,000 to help meet basic needs and case management of individuals and families as they recover from the impact of the 2016 Floods, for use in collaboration with Fort Bend Recovers agencies from October 1 through December 31, 2016, with no local match required by Fort Bend County.

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

October 25, 2016

**Item 31 continued - Health & Human Services:**

- B. **Social Services: Take all appropriate action on application to the Texas Veterans Commission for the 2017-18 General Assistance Grant, requesting \$150,000 in grant funds to continue providing financial assistance for Veterans and their families in Fort Bend, with no cash match required by Fort Bend County.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve application to the Texas Veterans Commission for the 2017-18 General Assistance Grant, requesting \$150,000 in grant funds to continue providing financial assistance for Veterans and their families in Fort Bend, with no cash match required by Fort Bend County.

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

32. **HUMAN RESOURCES:**

- A. **Take all appropriate action on request to reclassify vacant Position Number 6501-0081 in the County Library from Library Clerk II, Grade 6 of the Administrative Clerical Policy Group to Library Paraprofessional, Grade 8 of the Administrative Clerical Policy Group, effective October 25, 2016.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position Number 6501-0081 in the County Library from Library Clerk II, Grade 6 of the Administrative Clerical Policy Group to Library Paraprofessional, Grade 8 of the Administrative Clerical Policy Group, effective October 25, 2016.

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

October 25, 2016

**Item 32 continued - Human Resources:**

- B. Take all appropriate action on request to reclassify vacant Position Number 6571-0002, in the Parks Department, for Jones Creek Ranch, from Parks Maintenance Supervisor, Grade 8 of the Operator Skilled Trade Policy Group, to Lead Parks Operator, Grade 6, of the Operator Skilled Trade Policy Group, effective October 25, 2016.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position Number 6571-0002, in the Parks Department, for Jones Creek Ranch, from Parks Maintenance Supervisor, Grade 8 of the Operator Skilled Trade Policy Group, to Lead Parks Operator, Grade 6, of the Operator Skilled Trade Policy Group, effective October 25, 2016.

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

- C. Take all appropriate action on proposed Compensation Program for Court Coordinator positions in the County Courts at Law, District Courts, and Associate Courts, as recommended by the Board of Judges, for implementation with the FY 2017 pay periods.**

Moved by Commissioner Patterson, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve proposed Compensation Program for Court Coordinator positions in the County Courts at Law, District Courts, and Associate Courts, as recommended by the Board of Judges, for implementation with the FY 2017 pay periods.

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

Kent Edwards, Human Resources Director, explained this item is to correct an outdated 1993 program that has been inconsistently applied since the year of 2000. The new compensation plan will go into effect October 22.

Ed Sturdivant, County Auditor stated the new Compensation Program will affect six coordinators and give structure to their career ladder.

October 25, 2016

**Item 32 continued - Human Resources:**

- D. **Take all appropriate action on request to transfer the amount of \$77,256 from FY 2017 Non-Departmental Contingency into accounts detailed on Auditor's form dated October 19, 2016, to implement the Court Coordinator Compensation Program.**

Moved by Commissioner Patterson, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$77,256 from  
 FY 2017 Non-Departmental Contingency into accounts detailed on Auditor's form dated  
 October 19, 2016, to implement the Court Coordinator Compensation Program.

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

33. **OFFICE OF EMERGENCY MANAGEMENT:**

- A. **Take all appropriate action on Addendum to Fort Bend County Disaster Debris Management Plan, to include Fort Bend County Municipal Utility District 121.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
 Duly put and unanimously carried (5-0), it is ordered to approve Addendum to Fort Bend  
 County Disaster Debris Management Plan, to include Fort Bend County Municipal Utility  
 District 121.

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

October 25, 2016

**Item 33 continued - Office of Emergency Management:**

- B. Take all appropriate action on request to apply to the State of Texas and FEMA for the Hazardous Mitigation Grant Program, seeking assistance in the amount of \$19,756,004.45 regarding the acquisition of 51 homes and elevation of 32 homes, based on the number of interested homeowners who meet project design criteria, with a twenty-five percent match to be met by participating homeowners, and authorize County Judge to sign all documents pertaining to the program.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to apply to the State of Texas and FEMA for the Hazardous Mitigation Grant Program, seeking assistance in the amount of \$19,756,004.45 regarding the acquisition of 51 homes and elevation of 32 homes, based on the number of interested homeowners who meet project design criteria, with a twenty-five percent match to be met by participating homeowners, and authorize County Judge to sign all documents pertaining to the program.

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

Doug Barnes, Senior Planning Coordinator for Office of Emergency Management, stated if a homeowner was not able to apply for the program the first time, the next deadline is January 17, 2017. The assistance is 100% voluntary up until the homeowner takes the funding.

October 25, 2016

34. **PUBLIC TRANSPORTATION:**

- A. **Take all appropriate action on Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council, Contract #.16.1113.02 for the County to receive Federal Congestion Air Quality funds in the amount of \$99,044 for expansion of commuter services to the Texas Medical Center, with a local match by Texas Commission on Environmental Quality of \$42,448 and direct cost of \$1,981.88 for the term of November 1, 2016 through October 31, 2017, including revision to the budget and Contract Pricing Summary (Form 60) approved as Agenda Item 17 by Commissioners Court on September 27, 2016.(Fund:Public Transportation)**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council, Contract #.16.1113.02 for the County to receive Federal Congestion Air Quality funds in the amount of \$99,044 for expansion of commuter services to the Texas Medical Center, with a local match by Texas Commission on Environmental Quality of \$42,448 and direct cost of \$1,981.88 for the term of November 1, 2016 through October 31, 2017, including revision to the budget and Contract Pricing Summary (Form 60) approved as Agenda Item 17 by Commissioners Court on September 27, 2016. (Fund: Public Transportation)

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

Commissioner Patterson stated Paulette Shelton, Director of Public Transportation, transported 12,000 rides to the medical center in the month of August.

- B. **Take all appropriate action on Interlocal Agreement between Fort Bend County, Metropolitan Transit Authority (METRO) of Harris County, and Harris County for the transfer of \$723,691 from Harris County's Operating Assistance Special Rule Operator Cap to Fort Bend County's Federal Fiscal Year 2016 Section 5307 Operating Assistance Cap, for urban transportation services.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County, Metropolitan Transit Authority (METRO) of Harris County, and Harris County for the transfer of \$723,691 from Harris County's Operating Assistance Special Rule Operator Cap to Fort Bend County's Federal Fiscal Year 2016 Section 5307 Operating Assistance Cap, for urban transportation services.

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

Judge Hebert complimented METRO for being a good partner with Fort Bend County.

October 25, 2016

35. **PURCHASING:**

A. **Take all appropriate action on Bid 17-021, for vehicles and authorize the purchase of vehicles for various departments.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to award Bid 17-021, for vehicles to the low bidder per vehicle as listed on the tabulation and authorize the purchase of vehicles for various departments, including the 15 vehicles already listed on the tabulation; plus the purchase of additional vehicles which include: 4 Trucks, Vehicle #9, Road and Bridge for replacements @ \$25,195 each; 1 Cargo Van, Vehicle #11, Animal Services for addition to fleet @ \$27, 072.75; 1 Truck, Vehicle #12, Environmental for replacement @ \$26,195; 2 Trucks, Vehicle #4, Engineering, one for replacement and one for addition to fleet @ \$25,099 each.

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

B. **Take all appropriate action on request to purchase trucks, five replacements to fleet and two additions to fleet, from Helfman Ford, for various departments, pursuant to Bid 16-024.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to purchase trucks, five replacements to fleet and two additions to fleet, from Helfman Ford, for various departments, pursuant to Bid 16-024; plus an additional Vehicle # 21 for Environmental replacement @ \$24,100.

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

C. **Take all appropriate action on request to purchase additional Tahoe vehicles from Classic Chevrolet for various departments, pursuant to Bid 16-024.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to purchase additional Tahoe vehicles from Classic Chevrolet for various departments, pursuant to Bid 16-024.

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

October 25, 2016

**Item 35 continued - Purchasing:**

- D. **Take all appropriate action on request to purchase Fusion vehicles, replacements to fleet, from Helfman Ford, for various departments, pursuant to Bid 15-028.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to purchase Fusion vehicles, replacements to fleet, from Helfman Ford, for various departments, pursuant to Bid 15-028; plus an additional Vehicle #23, Explorer, for Environmental replacement @ \$24,650.

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

Gilbert Jalomo, Purchasing Agent stated buying the four Fusions and Explorer is better than leasing the vehicles.

- E. **Take all appropriate action on Maintenance Agreement between Fort Bend County and DataVox, Inc. for Avaya system for various County Departments utilizing Department of Information Resources Contract DIR-TSO-2666, for an amount not to exceed \$171,067.31 annually for a three year term expiring September 30, 2019. (Fund: Information Technology)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Maintenance Agreement between Fort Bend County and DataVox, Inc. for Avaya system for various County Departments utilizing Department of Information Resources Contract DIR-TSO-2666, for an amount not to exceed \$171,067.31 annually for a three year term expiring September 30, 2019. (Fund: Information Technology)

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

October 25, 2016

**Item 35 continued - Purchasing:**

- F. **Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024(a)(7) for the purchase of an item from only one source, for school zone light repair parts, from Trafficware Engineered by Naztec for various departments for FY 2017.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024(a)(7) for the purchase of an item from only one source, for school zone light repair parts, from Trafficware Engineered by Naztec for various departments for FY 2017.

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

- G. **Take all appropriate action on Agreement for Elevator Maintenance Services, pursuant to US Communities Cooperative Contract 201414653 between Fort Bend County and Kone Inc., for an annual amount not to exceed \$233,520. (Fund: Facilities Management and Library)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Elevator Maintenance Services, pursuant to US Communities Cooperative Contract 201414653 between Fort Bend County and Kone Inc., for an annual amount not to exceed \$233,520. (Fund: Facilities Management and Library)

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

- H. **Take all appropriate action on Bid 17-006, term contract for Elevator Maintenance.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to reject all bids for Bid 17-006, term contract for Elevator Maintenance.

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

October 25, 2016

**Item 35 continued - Purchasing:****I. Take all appropriate action on Bid 17-022, Flooring for the Juvenile Probation Facility.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to reject and re-bid for Bid 17-022,  
Flooring for the Juvenile Probation Facility.

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

**J. Take all appropriate action on RFP 17-023 for oil, gas and mineral lease.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to negotiate RFP 17-023 for oil, gas and  
mineral lease with Halex Oil Corporation.

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

**K. Take all appropriate action on Hazardous Mitigation Action Plan Agreement between Fort Bend County and Jeffrey S. Ward and Associates, Inc., pursuant to SOQ 16-109, for an amount not to exceed \$129,920. (Fund: Office of Emergency Management and Pre-Disaster Mitigation Grant)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Hazardous Mitigation Action  
Plan Agreement between Fort Bend County and Jeffrey S. Ward and Associates, Inc., pursuant  
to SOQ 16-109, for an amount not to exceed \$129,920. (Fund: Office of Emergency  
Management and Pre-Disaster Mitigation Grant)

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

October 25, 2016

**Item 35 continued - Purchasing:**

- L. **Take all appropriate action on Extension of Addendum to State of Texas - Council on Competitive Government Computer Assisted Legal Investigative Research Services Contract #CCG-CALIR-2010.001, for Westlaw products for the offices of County Attorney and District Attorney through November 30, 2016.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
 Duly put and unanimously carried (5-0), it is ordered to approve Extension of Addendum to State of Texas - Council on Competitive Government Computer Assisted Legal Investigative Research Services Contract #CCG-CALIR-2010.001, for Westlaw products for the offices of County Attorney and District Attorney through November 30, 2016.

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

36. **RISK MANAGEMENT:**

**Take all appropriate action on First Amendment to Agreement for Employee Health and Clinical Services, pursuant to RFP 16-019, provided by Next Level Urgent Care, LLC.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to Agreement for Employee Health and Clinical Services, pursuant to RFP 16-019, provided by Next Level Urgent Care, LLC.

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

October 25, 2016

37. **SHERIFF'S OFFICE:**

- A. **Take all appropriate action on Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Cinco Southwest Municipal Utility District No. 4, effective through September 30, 2017.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement for  
 Additional Law Enforcement Services between Fort Bend County and Cinco Southwest  
 Municipal Utility District No. 4, effective through September 30, 2017.

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

- B. **Take all appropriate action on two Organized Crime Drug Enforcement Task Force Agreements, to accept additional funds in the amounts of \$16,447.04 and \$11,800, respectively, for use in the Strike Force/Strategic Initiative Programs administered by the Sheriff's Office, with no cash match required by Fort Bend County for the period of October 1, 2016 through September 30, 2017.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
 Duly put and unanimously carried (5-0), it is ordered to approve two Organized Crime Drug  
 Enforcement Task Force Agreements, to accept additional funds in the amounts of  
 \$16,447.04 and \$11,800, respectively, for use in the Strike Force/Strategic Initiative  
 Programs administered by the Sheriff's Office, with no cash match required by Fort Bend  
 County for the period of October 1, 2016 through September 30, 2017.

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

October 25, 2016

**Item 37 continued - Sheriff's Office:**

- C. **Take all appropriate action on Third Amendment to Agreement between Fort Bend County and MVM, Inc. for Language Analyst Services in an amount not to exceed \$138,028.80 for the period of October 1, 2016 through September 30, 2017. (Fund: Organized Crime Drug Enforcement Task Force Grant)**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to approve Third Amendment to Agreement between Fort Bend County and MVM, Inc. for Language Analyst Services in an amount not to exceed \$138,028.80 for the period of October 1, 2016 through September 30, 2017. (Fund: Organized Crime Drug Enforcement Task Force Grant)

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

38. **TAX ASSESSOR/COLLECTOR:**

**Take all appropriate action on request to transfer the amount of \$8,364 from FY 2017 Non-Departmental Contingency into accounts detailed on Tax Assessor/Collector's form dated October 18, 2016, to allocate funds for equipment and professional services to integrate software used by the Tax Office into that used by County Treasurer and County Auditor for enhanced accessibility and audit control.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
 Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$8,364 from FY 2017 Non-Departmental Contingency into accounts detailed on Tax Assessor/Collector's form dated October 18, 2016, to allocate funds for equipment and professional services to integrate software used by the Tax Office into that used by County Treasurer and County Auditor for enhanced accessibility and audit control.

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

October 25, 2016

39. **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 \$11,691,300.13.

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

40. **Ratify the release of time-sensitive disbursements by County Auditor on October 20, 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 County Auditor on October 20, 2016 in the amount of \$1,516,997.14.

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

**Recess:**

Recessed at 2:01 p.m.

41. **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. **Consultation regarding 14-15-00931-CV and 14-15-00929-CV in the Court of Appeals, State of Texas.**
2. **Consultation regarding 15-CCV-055224 - Roman Rauda v Fort Bend County.**

October 25, 2016

**Item 41 continued - §551.071. Consultation With Attorney:**

- 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. **Gaston Road, Mobility Bond Project No. 13311, Precinct 3.**
  2. **15-CCV-005436 - Fort Bend County v Storit @ Seven Meadows, L.P., Et Al; Westpark Tollway Project, Parcel 206.**
- C. **§ 551.074. Personnel Matters.** Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

**Potential appointees, Constable Precinct 2.**

**Closed Session:**

Convened at 2:10 p.m.  
Adjourned at 2:31 p.m.

**Reconvene:**

Reconvened at 2:32 p.m.

October 25, 2016

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

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

1. **Consultation regarding 14-15-00931-CV and 14-15-00929-CV in the Court of Appeals, State of Texas.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate with Hasley Scarano LLP for continuation of legal representation regarding the subject grievances filed with the State Bar of Texas, related proceedings in the District Court, and any appeals to the Court of Appeals and/or the Texas Supreme Court, and to authorize the County Judge to execute any and all necessary documents to memorialize any supplemental or additional agreements for such legal representation upon recommendation of the County Attorney at an amount not to exceed an additional \$5,000 with funds from Non Departmental Fees.

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

2. **Consultation regarding 15-CCV-055224 - Roman Rauda v Fort Bend County.**

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay the negotiated settlement in the previous referenced claim and authorize the County Judge to execute and deliver the settlement agreement recommended for approval by the County Attorney.

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

October 25, 2016

**Item 42 continued - §551.071. Consultation With Attorney:****B. § 551.072. Deliberation Regarding Real Property.****1. Gaston Road, Mobility Bond Project No. 13311, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 4 for \$28,048.00; Parcel 6 for \$39,808.00 and Parcel 10 for \$15,138.00 all of the Gaston Road Mobility Project No. 13311; plus all necessary costs and Funds are from Gaston Road Mobility Project No. 13311.

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

**2. 15-CCV-005436 - Fort Bend County v Storit @ Seven Meadows, L.P., Et Al; Westpark Tollway Project, Parcel 206.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in Case No. 15-CCV-005436 in an amount not to exceed an additional \$30,000, Funds from 2007 Westpark Mobility Project 748.

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

**C. § 551.074. Personnel Matters.****Potential appointees, Constable, Precinct 2.**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to appoint Gary Majors as Constable of Fort Bend County, Precinct 2 effective after receiving the oath of office and securing a bond for the unexpired term ending December 31, 2016.

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

October 25, 2016

43. **Adjournment.**

Commissioners Court adjourned at 2:40 p.m. on Tuesday, October 25, 2016.

I attest to the accuracy of the foregoing minutes.

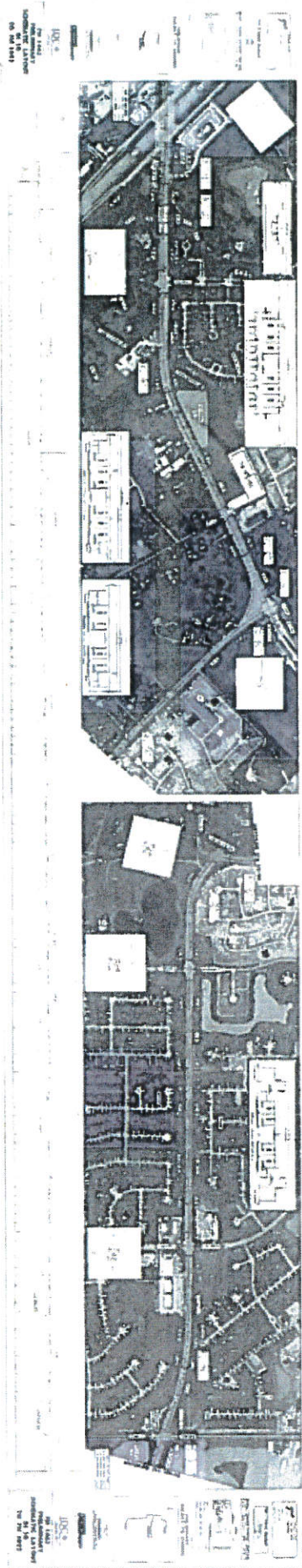


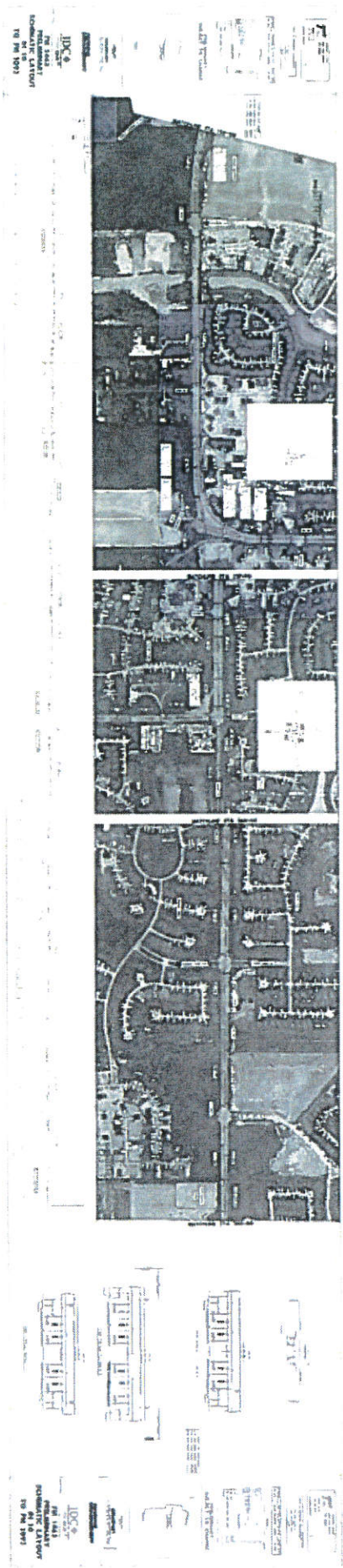
*Laura Richard*

\_\_\_\_\_  
Laura Richard, County Clerk, Fort Bend County, Texas

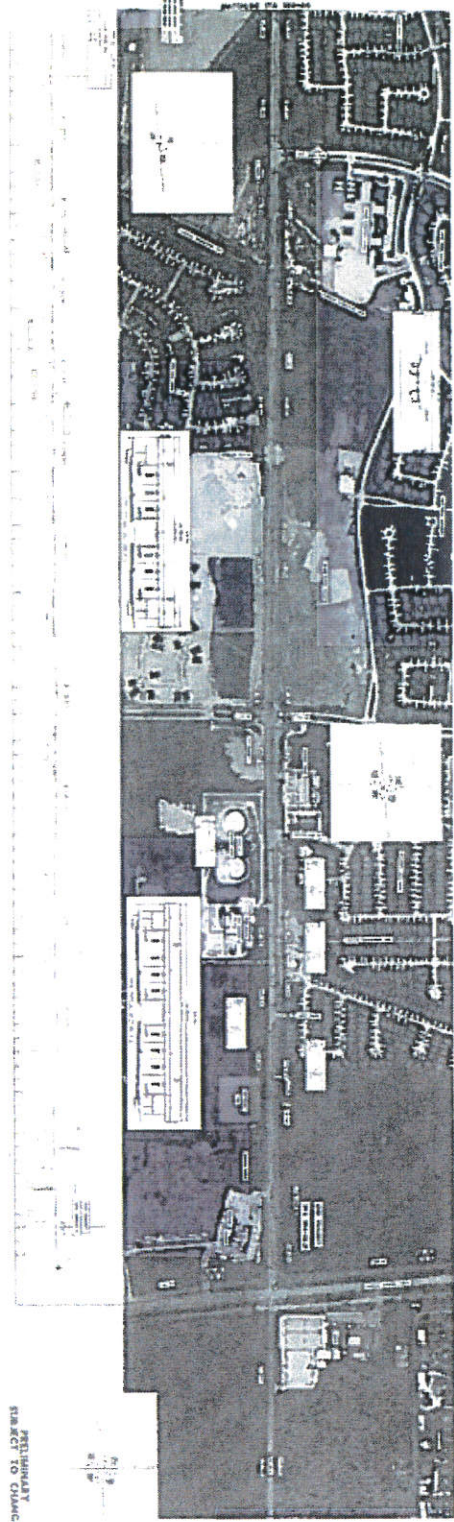
County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #: \_\_\_\_\_  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

**ATTACHMENT B  
LOCATION MAP SHOWING PROJECT**





JDCP
   
 THE FULL
   
 PROPOSED
   
 SCHEMATIC LAYOUT
   
 TO PM 1095



JDCP
   
 THE FULL
   
 PROPOSED
   
 SCHEMATIC LAYOUT
   
 TO PM 1095

PROPOSED STREET TO CLAVANCE

County Fort Bend  
District Houston  
ROW CSJ # 0188-10-038  
CCSJ # 0188-10-028  
Federal Project #:  
Federal Highway Administration  
CFDA # 20.205  
Not Research and Development

**ATTACHMENT C  
PROJECT BUDGET ESTIMATE AND PAYMENT SCHEDULE**

County Fort Bend  
 District Houston  
 ROW CSJ # 0188-10-038  
 CCSJ # 0188-10-028  
 Federal Project #  
 FHWA CFDA # 20.205  
 Not Research and Development

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

Description	Total Estimated Cost	State Participation		Local Participation	
		%	Cost	%	Cost
Right of Way Acquisition	\$1,026,426.00	90%	\$923,783.40	10%	\$102,642.60
Reimbursable Utility Adjustments	\$ 200,000.00	90%	\$180,000.00	10%	\$ 20,000.00
Joint Bid Reimbursable Utility Adjustments	\$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%	\$0
<b>TOTAL</b>	<b>\$1,226,426.00</b>	<b>90%</b>	<b>\$1,103,783.40</b>	<b>10%</b>	<b>\$122,642.60</b>

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