

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 3rd day of January, 2017.



---

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 10th day of January, 2017.



---

ROBERT E. HEBERT, COUNTY JUDGE

# **MINUTES**

BE IT REMEMBERED, That on this 3RD DAY of JANUARY, 2017, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
VINCENT MORALES	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 1:00 p.m.

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

Invocation and Pledges of Allegiance by Commissioner Andy Meyers.

3. **Approve minutes of regular meeting held on December 20, 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 December 20, 2016.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

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

No public comments.

Judge Hebert welcomed all elected officials sworn in on January 1, 2017.

Commissioner Meyers welcomed Commissioner Morales to court.

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. **Renaming of Riverwood Drive to South Richwood Drive, from Lot 5 through Lot 16 of Block 1 within the subdivision of Riverwood Village Sec. 3, Precinct 1.**
- B. **Acceptance of the traffic control plan for Lakes of Bella Terra, Section 36, 37, 38 Precinct 3.**
- C. **Acceptance of the traffic control plan for Grand Vista, Section 9, Precinct 3.**
- D. **Acceptance of the traffic control plan for Riverstone North, Section 3, and Creekstone Village at Riverstone, Section Seven Phase 2, Precinct 4.**

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

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**CONSENT AGENDA ITEMS 6 - 26**

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 Shawn Binkley to Emmitsburg, Maryland, April 23 through May 5, 2017, to attend Management of Emergency Medical Service course at National Fire Academy. (Fund: Emergency Medical Service)**
  - B. **Sheriff's Office: Ratify change in traveler from D. Tondera to J. Cloud to Kaplan, Louisiana, November 14-16, 2016, for K-9 certification training, originally approved on February 2, 2016. (Fund: Sheriff's Office, Enforcement)**
7. **COUNTY JUDGE:**
- A. **Approve and record public office bonds effective January 1, 2017 through December 31, 2020 for the following newly elected officials: County Court at Law No. 5 Judge Ron Cohen; County Attorney Roy Cordes; Sheriff Troy Nehls; County Tax Assessor/Collector Patsy Schultz; Justice of the Peace, Precinct 1, Place 1 Judge Gary Jansen; Constable, Precinct 1 Mike Beard; Constable, Precinct 3 Wayne Thompson; Constable, Precinct 4 Trever Nehls.**

**Item 7 continued - County Judge:**

- B. **Record into Minutes the approval of public official bonds for County Commissioners Vincent Morales, Precinct 1 and Andy Meyers, Precinct 3, by County Judge Robert Hebert for the term of January 1, 2017 through December 31, 2020.**
- C. **Approve designation of delegates to the Houston Galveston Area Council 2017 General Assembly and Board of Directors effective January 1, 2017: Andy Meyers, Representative, General Assembly, and Delegate to the Board of Directors; Robert Hebert, Representative, General Assembly, and Alternate, Board of Directors; and Grady Prestage, Alternate, General Assembly.**
- D. **Approve the reappointment of primary and designated alternate members of the following Houston-Galveston Area Council committees for the year 2017: Transportation Policy Council - James Patterson, Primary Voting Member; Paulette Shelton, Designated Alternate Member; and Technical Advisory Committee - Richard W. Stolleis, P. E., Primary Voting Member; Charles O. Dean, P.E., Designated Alternate Member.**

**8. COMMISSIONER, PCT. 3:**

- A. **Approve the reappointment of Jon N. Strange to the Board of Directors of Fort Bend Subsidence District to represent industrial interests for a two year term, effective February 1, 2017 through January 31, 2019.**
- B. **Approve the appointment of Kevin West to the Fort Bend County Historical Commission, pursuant to Texas Local Government Code Sections 318.002-003 for a term of office effective January 1, 2017 through December 31, 2018.**

**9. BUDGET & FINANCE:**

**Record into Minutes the Fort Bend County Budget Calendar for Fiscal Year 2018.**

Correction to date on backup for adopting the budget should be September 12, 2017.

**10. BUDGET TRANSFERS:**

- A. **Health & Human Services - Emergency Medical Service: Approve transfer in the amount of \$7,185 from Property and Equipment into Information Technology to allocate funds into correct account for purchase of network copier.**
- B. **Information Technology: Approve transfer in the amount of \$5,810 from Fees into Property and Equipment to allocate funds into correct account for parts to accompany budgeted equipment purchase.**

11. **CONSTABLE, PCT. 1:**

**Record into Minutes the State FY 2016 Chapter 59.06(I) Certification for the Office of Fort Bend County Constable Precinct 1.**

12. **CONSTABLE, PCT. 2:**

**Record into Minutes the State FY 2016 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Fort Bend County Constable Precinct 2.**

13. **CONSTABLE, PCT. 3:**

**Record into Minutes the State FY 2016 Chapter 59.06(I) Certification for the Office of Fort Bend County Constable Precinct 3.**

14. **CONSTABLE, PCT. 4:**

A. **Record into Minutes the State FY 2016 Chapter 59.06(I) Certification for the Office of Fort Bend County Constable Precinct 4.**

B. **Record into the Minutes the Federal FY 2016 Equitable Sharing Agreement and Certification for the Office of the Fort Bend County Constable Precinct 4.**

15. **COUNTY ATTORNEY:**

**Record into Minutes the State FY 2016 Chapter 59.06(I) Certification for the Office of Fort Bend County Attorney.**

16. **DISTRICT ATTORNEY:**

A. **Record into Minutes the State FY 2016 Chapter 59 Asset Forfeiture Report by Attorney Representing the State for the Office of Fort Bend County District Attorney.**

B. **Record into Minutes the Federal FY 2016 Equitable Sharing Agreement and Certification for the Office of Fort Bend County District Attorney.**

17. **ENGINEERING-PAYMENTS:**

A. **Approve payment of Invoice No. 1774 in the amount of \$2,144.40 to Epic Transportation for professional engineering services regarding Sycamore Road, Mobility Bond Project No. 13113, Precinct 1. (Fund: 2013 Mobility Bonds)**

B. **Approve payment of Invoice No. 16-5074 in the amount of \$2,773.75 to Berg-Oliver Assoc. for professional environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**

**Item 17 continued - Engineering - Payments:**

- C. Approve payment of Invoice No. 779-002-09 in the amount of \$25,000.00 to TSC Engineering for professional engineering services regarding Crossover Road, Mobility Bond Project No. 13307, Precinct 3. (Fund: 2013 Mobility Bonds)
- D. Approve payment of Invoice No. 00182817 in the amount of \$1,203.82 to Bio-West, Inc. for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- E. Approve payment of Invoice No. 16-383 in the amount of \$21,355.43 to HVJ Associates for construction materials testing services regarding Bellaire Boulevard, Mobility Bond Project Nos. 13302, 13303 and 13304, Precinct 3. (Fund: 2013 Mobility Bonds)
- F. Approve payment of Invoice No. 723.005-FS-003 in the amount of \$5,337.00 to Johnson Petrov for right of way services regarding Mobility Projects in Precinct 1. (Fund: Right of Way)
- G. Approve payment of Invoice No. 5892 in the amount of \$956.25 to Property Acquisition Services, LLC for right of way services regarding projects within Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- H. Approve payment of Invoice No. U2278-05 in the amount of \$18,050.00 to S&B Infrastructure, Ltd. for professional engineering services regarding Reading Road, Mobility Bond Project No. 13117x, Precinct 1. (Fund: 2013 Mobility Bonds)
- I. Approve payment of Invoice No. 10789R in the amount of \$42,633.38 to IDC, Inc. for professional engineering services regarding Crabb River Road, Mobility Bond Project No. X28, Precincts 1 and 2. (Fund: Road & Bridge)
- J. Approve payment of Invoice No. H219295 in the amount of \$3,825.00 to Halff Associates, Inc. for professional engineering services regarding Beechnut Boulevard, Mobility Bond Project No. 13201, Precinct 2. (Fund: 2013 Mobility Bonds)
- K. Approve payment of Invoice No. 201613239 in the amount of \$21,916.06 to LJA Engineering, Inc. for project management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- L. Approve payment of Invoice No. 1116124 in the amount of \$39,482.45 to Klotz Associates, Inc. for project management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- M. Approve payment of Invoice Nos. 0264772, 0265457, 0266091, and 0266714 in an amount totaling \$8,851.22 to Percheron for right of way services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)
- N. Approve payment of Invoice No. 11-60725 in the amount of \$9,240.50 to QC Laboratories for construction materials testing services regarding Katy Gaston Road, Mobility Bond Project No. 733a, Precinct 3. (Fund: 2007 Mobility Bonds)

**Item 17 continued - Engineering - Payments:**

- O. **Approve payment of Invoice No.10-160335R in the amount of \$5,931.18 to Brown & Gay Engineers for professional engineering services regarding Spring Green, Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)**
- P. **Approve payment of Invoice No. 11732-2 in the amount of \$5,397.00 to McDonough Engineering Corp. for professional engineering services regarding Katy Fulshear Road, Mobility Bond Project No. 13317, Precinct 3. (Fund: 2013 Mobility Bonds)**
- Q. **Approve payment of Invoice No. 6319 in the amount of \$134,886.63 to Aguirre & Fields for professional engineering services regarding Greenbusch Road, Mobility Bond Project No. 13312, Precinct 3. (Fund: 2013 Mobility Bonds)**
- R. **Approve payment of Invoice No. 111621C in the amount of \$7,606.95 to Aviles Engineering for construction materials testing services on FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- S. **Approve payment of Invoice No. 1 in the amount of \$54,189.73 to En-touch Systems for utility relocations regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- T. **Approve payment of Invoice No. CST00000952 in the amount of \$2,892.86 to Texas Department of Transportation for construction materials testing regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- U. **Approve payment of Invoice No. 10 in the amount of \$1,211,088.34 to Webber, LLC for construction of FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- V. **Approve payment of Invoice No. 10 in the amount of \$16,734.25 to HJ Consulting, Inc. for engineering inspection services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- W. **Approve payment of Invoice No. 16-399 in the amount of \$31,441.02 to HVJ Associates, Inc. for construction materials testing services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- X. **Approve payment of Invoice No. 1 in the amount of \$178,520.91 to Fiberlight, LLC for relocation of utilities regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**

18. **ENGINEERING-PERMITTS:**

- A. **Approve application from Comcast to bury cable along Sansbury Boulevard, Permit No. 2016-10875, Precinct 1.**
- B. **Approve application from DL Meacham, LP to construct a driveway tie-in at 5931 Stone Creek Village Drive, Permit No. 2016-10787, Precinct 1.**
- C. **Approve application from Harris Construction Company, LTD to construct a bridge crossing on a drainage easement on Benton Road near Irby Cobb Boulevard, Permit No. 2016-10848, Precinct 1.**
- D. **Approve acceptance of Hanover Insurance Company Perpetual Bond #1012969 for PS Light Wave, Inc.**
- E. **Approve application from Fort Bend Excavation, Inc., to outfall into Katy Flewellen Creek, Permit No. 2016-10850, Precinct 3.**
- F. **Approve application from ISGH Katy Islamic Center Masjid Aqsa/Vatani Consulting Engineers PLLC to construct 2 driveway tie-ins at 24730 Saddlespur Lane, Permit No. 2016-10590, Precinct 3.**
- G. **Approve application from Paradigm Construction, LLC to outfall into Sims Bayou, Permit No. 2016-10782, Precinct 2.**
- H. **Approve application from KHH Interest, Inc. dba Cactus Commercial to construct two driveway tie-ins at 21807 Beechnut Street, Permit No. 2016-10646, Precinct 4.**
- I. **Approve release of Performance Bond # TX823278 in the amount of \$5,000.00 to Axiom DR Construction, LLC for completion of work at 18318 University Boulevard, Permit No. 2015-2953, Precinct 4.**

19. **ENGINEERING-DEVELOPMENT:**

- A. **Accept the streets in Cambridge Falls, Section 8: Seville Manor Drive 521.69 LF, and release bond #TXC607163 in the amount of \$36,518.30, Precinct 2.**
- B. **Set public hearing for acceptance of the traffic control plan for Aliana, Section 43, Precinct 4. (Tuesday, February 7, 2017, at 1:00 p.m.)**

20. **FACILITIES MANAGEMENT & PLANNING:**

**Approve payment of Pay Application No. 1 and No. 2 for an amount totaling \$332,989.61 to Crain Group LLC., for construction services regarding the Fairgrounds Livestock Building. (Fund: 2015 Facilities Bond, Proposition 2)**



21. **FIRE MARSHAL:**

**Record into Minutes the State FY 2016 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Fire Marshal.**

22. **FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of Fort Bend County Toll Road Authority reviewed this item at their regular Board meeting held on December 21, 2016, and makes the following recommendations to Commissioners Court:**

**Approve Petition by Fort Bend County Toll Road Authority for the Addition of Certain Land to Fort Bend County Assistance District No. 1 regarding property located on FM 1093.**

23. **HEALTH & HUMAN SERVICES:**

**Emergency Medical Service: Approve renewal of Affiliation and Program Agreement for Course Experience between Fort Bend County and Wharton County Junior College to allow qualified students to participate in field internship programs under the direction and supervision of Fort Bend County Emergency Medical Service Field Training Officers.**

24. **HUMAN RESOURCES:**

**Approve the rehire of former employee number 1010772, who terminated employment on May 11, 2016 and who will be rehired effective January 9, 2017.**

25. **SHERIFF'S OFFICE:**

- A. **Record into Minutes the State FY 2016 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Fort Bend County Sheriff.**
- B. **Record into Minutes the State FY 2016 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Narcotics Task Force.**
- C. **Record into Minutes the Federal FY 2016 Equitable Sharing Agreement and Certification for the Office of Fort Bend County Sheriff.**
- D. **Record into Minutes the Federal FY 2016 Equitable Sharing Agreement and Certification for the Fort Bend County Narcotics Task Force.**

26. **TAX ASSESSOR/COLLECTOR:**

- A. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on December 27, 2016 for an amount totaling \$31,381.74 for the Office of Patsy Schultz.**

**Item 26 continued - Tax Assessor/Collector:**

- B. **Record into Minutes the disposal of miscellaneous Tax Office documentation dated May 9, 2016 through August 9, 2016 which has been scanned and is described as Box #1771 through 1799 in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- C. **Record into Minutes the Tax Assessor-Collector Continuing Education Transcript which reflects that the Honorable Patsy Schultz, Fort Bend County Tax Assessor/Collector, has met the continuing education requirements for the period of January 1 through December 31, 2016, as required by Section 6.231(d) of the Texas Property Tax Code.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda Items 6 - 26, with noted correction to backup for Item 9. The date to adopt the budget should be September 12, 2017.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

27. **COUNTY JUDGE:**

- A. **Take all appropriate action on amendments to the professional service agreements between Fort Bend County and Darryl Carter, Jim Short and Michelle Wittenburg, to increase the monthly rate for each consultant beginning January 2017. (Fund: Non-Departmental, Fees)**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve amendments to the professional service agreements between Fort Bend County and Darryl Carter, Jim Short and Michelle Wittenburg, to increase the monthly rate for each consultant beginning January 2017, with the agreed amount to be \$2,000 per month. (Fund: Non-Departmental, Fees)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 27 continued - County Judge:**

- B. Take all appropriate action on Amendment to Engagement Agreement with Allen Boone Humphries Robinson, LLP to provide additional bond counsel services for the issuance of Tax Notes by Fort Bend County.**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Engagement Agreement with Allen Boone Humphries Robinson, LLP to provide additional bond counsel services for the issuance of Tax Notes by Fort Bend County.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- C. Take all appropriate action on Order Authorizing the Issuance of \$3,808,978 Fort Bend County, Texas, Tax Note, Series 2017.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Order Authorizing the Issuance of \$3,808,978 Fort Bend County, Texas, Tax Note, Series 2017.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- D. Take all appropriate action on Tax Abatement Agreement between Fort Bend County and TexPharma LLC.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Tax Abatement Agreement between Fort Bend County and TexPharma LLC.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

28. **COMMISSIONER, PCT. 2:**

**Take all appropriate action on letter from The George Foundation regarding the Fort Bend County Aquatic Fitness Center, to extend the timeframe for use of grant funds until June 30, 2017, with no change in funding or other grant terms.**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve letter from The George Foundation regarding the Fort Bend County Aquatic Fitness Center, to extend the timeframe for use of grant funds until June 30, 2017, with no change in funding or other grant terms.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

29. **COMMUNITY DEVELOPMENT: Take all appropriate action on Agreements between Fort Bend County and the following entities, all of which are part of the FY 2016 Consolidated Annual Action Plan approved by Commissioners Court on July 5, 2016, and funded by the Community Development Block Grant Program:**

- A. **City of Arcola in the amount of \$299,900 for water system improvements;**
- B. **City of Kendleton in the amount of \$297,650 for water system improvements;**
- C. **City of Richmond in the amount of \$259,210 for sanitary sewer improvements, Phase VIII.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Items 29A - 29C.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

30. **CONSTABLE, PCT. 2:**

**Take all appropriate action to direct the County Auditor on disposition of County Assets not located during exit inventory of the Office of Constable Precinct 2, as detailed on inventory report dated December 19, 2016.**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to direct the County Auditor on disposition of County Assets not located during exit inventory of the Office of Constable Precinct 2, as detailed on inventory report dated December 19, 2016.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

31. **ENGINEERING:**

- A. **Take all appropriate action on request for temporary road closure of the SH99 access road west of Harlem Road during construction, pursuant to Section 251.011 of the Texas Transportation Code. Closure scheduled to begin January 4, 2017, continuing nights and weekends only until January 31, 2017, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve temporary road closure of the SH99 access road west of Harlem Road during construction, pursuant to Section 251.011 of the Texas Transportation Code. Closure scheduled to begin January 4, 2017, continuing nights and weekends only until January 31, 2017, Precinct 4.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 31 continued - Engineering:**

- B. Take all appropriate action on request for variance to the 10 foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Lomas Hills, on behalf of Jose I. Valdez, Alfonso Valdez and Antonia Garcia Sanchez, Pct 1.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve variance to the 10 foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Lomas Hills, on behalf of Jose I. Valdez, Alfonso Valdez and Antonia Garcia Sanchez, Precinct 1.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- C. Take all appropriate action on the plat for Lomas Hills, Precinct 1.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve plat for Lomas Hills, Pct 1.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- D. Take all appropriate action on request for variance to the 10 foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Public Storage Grand Parkway and Mason, on behalf of PS LPT Properties Investors, Pct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve variance to the 10 foot landscape reserve requirement as stated in Section 7.3 of the Fort Bend County Regulations of Subdivisions, for Public Storage Grand Parkway and Mason, on behalf of PS LPT Properties Investors, Precinct 4.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 31 continued - Engineering:**

**E. Take all appropriate action on the plat for Public Storage Grand Parkway and Mason, Pct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve the plat for Public Storage  
Grand Parkway and Mason, Precinct 4.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**32. HUMAN RESOURCES:**

**A. Take all appropriate action on request to reclassify Position Number 5501-0003 in the Office of Constable, Precinct 1 from Sergeant-Constables, Grade 12 of the Law Enforcement Policy Group to Lieutenant-Constables, Grade 13 of the Law Enforcement Policy Group, effective January 3, 2017.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to reclassify Position Number  
5501-0003 in the Office of Constable, Precinct 1 from Sergeant-Constables, Grade 12 of the  
Law Enforcement Policy Group to Lieutenant-Constables, Grade 13 of the Law Enforcement  
Policy Group, effective January 3, 2017.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 32 continued - Human Resources:**

- B. **Take all appropriate action on request to reclassify vacant Position Number 5503-0015 in the Office of Constable, Precinct 3 from Clerk III, Grade 7 of the Administrative Clerical Policy Group to Deputy Constable, Grade 9 of the Law Enforcement Policy Group, effective January 3, 2017.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position Number 5503-0015 in the Office of Constable, Precinct 3 from Clerk III, Grade 7 of the Administrative Clerical Policy Group to Deputy Constable, Grade 9 of the Law Enforcement Policy Group, effective January 3, 2017.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

Pamela Gubbels, Director of Finance and Investments, stated this increase will be taken care of during the 1st quarter audit.

33. **OFFICE OF EMERGENCY MANAGEMENT:**

**Take all appropriate action on request to ratify amendments to the program budgets for FY 2015 and FY 2016 Homeland Security Grant Projects, as detailed on report dated December 28, 2016, reducing the budgets originally approved by Commissioners Court on October 27, 2015 and October 11, 2016, to support funding the required migration to a new Regional Emergency Public Information System Project.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to ratify amendments to the program budgets for FY 2015 and FY 2016 Homeland Security Grant Projects, as detailed on report dated December 28, 2016, reducing the budgets originally approved by Commissioners Court on October 27, 2015 and October 11, 2016, to support funding the required migration to a new Regional Emergency Public Information System Project.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes



34. **PURCHASING:**

A. **Take all appropriate action on RFP 17-037 for construction of Justice Center expansion.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to negotiate on RFP 17-037 for construction of Justice Center expansion with Brookstone.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

B. **Take all appropriate action on Bid 17-039 for construction of pre-fabricated restroom facilities.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to award Bid 17-039 for construction of pre-fabricated restroom facilities to Wallis Concrete.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

C. **Take all appropriate action on request to purchase one (1) truck, replacement to fleet, from Caldwell Country, pursuant to Bid 17-034, in an amount not to exceed \$25,590. (Fund: Office of Emergency Management Urban Area Security Initiative Grant)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to purchase one (1) truck, replacement to fleet, from Caldwell Country, pursuant to Bid 17-034, in an amount not to exceed \$25,590. (Fund: Office of Emergency Management Urban Area Security Initiative Grant)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 34 continued - Purchasing:**

- D. **Take all appropriate action on Addendum to Services Application Agreement between Fort Bend County and OverDrive, Inc., a sole source provider as authorized by Section 262.024 (a)(7) Texas Local Government Code, for the purchase of OverDrive Digital Library Reserve Access in an amount not to exceed \$12,000 and to purchase of digital content materials available through the Library's website for an amount not to exceed \$125,000. (Fund: Library)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Addendum to Services Application Agreement between Fort Bend County and OverDrive, Inc., a sole source provider as authorized by Section 262.024 (a)(7) Texas Local Government Code, for the purchase of OverDrive Digital Library Reserve Access in an amount not to exceed \$12,000 and to purchase of digital content materials available through the Library's website for an amount not to exceed \$125,000. (Fund: Library)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- E. **Take all appropriate action on Sixth Amendment to Service Level Agreement between Fort Bend County and GHG Corporation, pursuant to RFP 08-051, in an amount not to exceed \$6,691.30 to renew maintenance, support and upgrades of the electronic time sheet management system effective January 1 through December 31, 2017. (Fund: Treasurer)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Sixth Amendment to Service Level Agreement between Fort Bend County and GHG Corporation, pursuant to RFP 08-051, in an amount not to exceed \$6,691.30 to renew maintenance, support and upgrades of the electronic time sheet management system effective January 1 through December 31, 2017. (Fund: Treasurer)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 34 continued - Purchasing:**

- F. **Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and HDR Engineering, Inc., in an amount not to exceed \$47,610 for the Kendleton 2016 Sanitary Sewer Rehabilitation Project, pursuant to SOQ 16-012. (Fund: Community Development Block Grant)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and HDR Engineering, Inc., in an amount not to exceed \$47,610 for the Kendleton 2016 Sanitary Sewer Rehabilitation Project, pursuant to SOQ 16-012; corrected to SOQ 16-102. (Fund: Community Development Block Grant)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- G. **Take all appropriate action on Second Amendment to Professional Engineering Services Agreement between Fort Bend County and Lippke, Cartwright & Roberts, Inc. in an additional amount of \$24,354 and a total contract amount of \$368,859 regarding Front Street, Mobility Bond Project No. X18, Precinct 1. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Professional Engineering Services Agreement between Fort Bend County and Lippke, Cartwright & Roberts, Inc. in an additional amount of \$24,354 and a total contract amount of \$368,859 regarding Front Street, Mobility Bond Project No. X18, Precinct 1. (Fund: 2007 Mobility Bonds)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 34 continued - Purchasing:**

- H. **Take all appropriate action on Change Order 5 to increase the Contract between Fort Bend County and Webber, LLC by \$12,039.16 pursuant to Bid 16-035 for a total contract amount not to exceed \$64,345,923.48 regarding the construction of FM 1093/Westpark Extension, Pct 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 Change Order 5 to increase the Contract between Fort Bend County and Webber, LLC by \$12,039.16 pursuant to Bid 16-035 for a total contract amount not to exceed \$64,345,923.48 regarding the construction of FM 1093/Westpark Extension, Precinct 3.(Fund:Toll Road Revenue Bonds, Series 2016)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- I. **Take all appropriate action on Amendment to Agreement for Professional Engineering Services between Fort Bend County and TSC Engineering in an additional amount of \$17,844; total contract amount not to exceed \$430,070.50 pursuant to SOQ 14-025, regarding Crossover Road, Mobility Bond Project No. 13307, Precinct 3. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Engineering Services between Fort Bend County and TSC Engineering in an additional amount of \$17,844; total contract amount not to exceed \$430,070.50 pursuant to SOQ 14-025, regarding Crossover Road, Mobility Bond Project No. 13307, Precinct 3. (Fund: 2013 Mobility Bonds)

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

35. **Approve Bills.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$7,141,466.05.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

36. **Ratify the release of time-sensitive disbursements by County Auditor on December 29, 2016.**

Moved by Commissioner Morales, 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 December 29, 2016 in the amount of \$387,259.33.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

37. **WORKSHOP:**

A. **Workshop to discuss initiatives for the 85th Legislative Session.**

Initiatives for the 85th Legislative Session were discussed. Three Resolutions were voted on and adopted.

B. **Take all appropriate action on initiatives for the 85th Legislative Session.**

1. **Resolution of Commissioners Court of Fort Bend County Requesting the State Legislature Create an Additional General Jurisdiction District Court.**

Item tabled until next item.

**Item 37 continued - Workshop:**

**2. Resolution of Commissioners Court of Fort Bend County Requesting the State Legislature to Create an Additional County Court at Law.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales  
Duly put and unanimously carried (5-0), it is ordered to approve the Resolution of Commissioners Court of Fort Bend County Requesting the State Legislature Create an Additional General Jurisdiction District Court.

It is ordered to approve the Resolution of Commissioners Court of Fort Bend County Requesting the State Legislature to Create an Additional County Court at Law.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**3. Resolution in support of Modification to Procedure for Levee Improvement Districts to change from Appointed to Elected Board Members.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve resolution in support of Modification to Procedure for Levee Improvement Districts to change from Appointed to Elected Board Members, bracketed to Fort Bend County.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Recess:**

Recessed at 2:17 p.m.

38. **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.

**Cause No. 16-CCV-058321, Fort Bend County, Texas vs Oscar Garza, Jr., et al; Trammel Fresno, Parcel 12.**

- 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, Segment 1, Mobility Bond Project No. 13311, Precinct 3.**
2. **FM 1093/Westpark Extension, Precinct 3.**

**Closed Session:**

Convened at 2:32 p.m.  
Adjourned at 2:42 p.m.

**Reconvene:**

Reconvened at 2:42 p.m.

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

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

**Cause No. 16-CCV-058321, Fort Bend County, Texas vs Oscar Garza, Jr., et al; Trammel Fresno, Parcel 12.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses as set out in Cause #16-CCV-058321 not to exceed \$7,500.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Item 39 continued - Reconvene:**

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

**1. Gaston Road, Segment 1, Mobility Bond Project No. 13311, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to purchase five Parcels:

**Parcel 3** of the Gaston Road Project - Mobility Bond Project No. 13311 in the amount of \$33,265 plus necessary costs and authorize County Judge to sign all necessary closing documents;

**Parcel 9** of the Gaston Road Project - Mobility Bond Project No. 13311 in the amount of \$50,275 plus necessary costs and authorize County Judge to sign all necessary closing documents;

**Parcel 11** of the Gaston Road Project - Mobility Bond Project No. 13311 in the amount of \$28,997 plus necessary costs and authorize County Judge to sign all necessary closing documents;

**Parcel 13** of the Gaston Road Project - Mobility Bond Project No. 13311 in the amount of \$59,267 plus necessary costs and authorize County Judge to sign all necessary closing documents;

**Parcel 21** of the Gaston Road Project - Mobility Bond Project No. 13311 in the amount of \$135,430 plus necessary cost and authorize County Judge to sign all necessary closing documents.

Judge Hebert	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

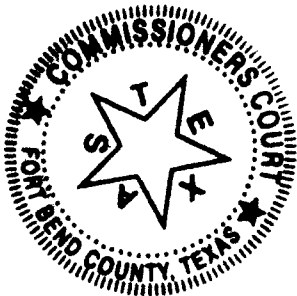
**2. FM 1093/Westpark Extension, Precinct 3.**

No action.

**40. Adjournment.**

Commissioners Court adjourned at 2:45 p.m. on Tuesday, January 3, 2017.

**I attest to the accuracy of the foregoing minutes.**



*Laura Richard*

**Laura Richard, County Clerk, Fort Bend County, Texas**