

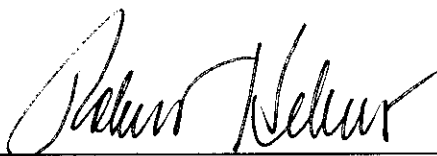
APPROVAL OF MINUTES
COMMISSIONERS COURT
FORT BEND COUNTY

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 11th day of April, 2017.



LAURA RICHARD, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Morales, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 25th day of April, 2017.



ROBERT E. HEBERT, COUNTY JUDGE

MINUTES

BE IT REMEMBERED, That on this 11TH DAY of APRIL, 2017, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

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|------------------|-------------------------|
| 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 Vincent Morales.**

Invocation and Pledges of Allegiance by Commissioner Vincent Morales.

3. **Approve minutes of regular meeting held on April 4, 2017.**

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 April 4, 2017.

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

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

Judge Hebert announced all County Tax Offices will be closed on Wednesday, April 12, 2017 for Staff Development Training and will reopen at the usual times on Thursday, April 13.

All County Offices will be closed on Friday, April 14 in observance of Good Friday.

There was one public comment. Tamelea Bench spoke on Item 18A, the appointment of County Court at Law No. 4 Judge. Ms. Bench requested consideration from this point forward on an open process, similar to one taken by the state, when filling a court vacancy. The process is to establish a time frame to receive applications from qualified and interested person of the same political party of the previous office holder. When filling the position the person should be asked to not seek office, which should be established from the beginning of the process and should also hold the office with the same political party the voters elected.

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

Public Hearings held. No public comments.

- A. **Replat: Tamarron Trace Section 1 Street Dedication, being a replat of Tamarron Lift Station Site No. 1, Precinct 3.**
- B. **Replat: Tamarron Trace Section 2 Street Dedication, being a replat of Tamarron Lift Station Site No. 1, Precinct 3.**
- C. **Replat: Tamarron Section 11, Partial Replat No. 1, Precinct 3.**

CONSENT AGENDA ITEMS 6 - 17:

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

- A. **AgriLife Extension Office: John Gordy to Salt Lake City, Utah, July 6-16, 2017, to attend the National Association of County Agricultural Agents Annual Conference. (Fund: AgriLife Extension Office and Texas Pest Management Association)**
- B. **Health & Human Services - Emergency Medical Service: Graig Temple, Brian Petrilla and Kathleen Hartley to Boca Raton, Florida, August 5-11, 2017, to attend Emergency Medical Service Leadership Conference. (Fund: Emergency Medical Service)**
- C. **Sheriff's Office: G. Wells to St. Louis, Missouri, August 17-22, 2017, to attend the American Correctional Association 2017 Conference. (Fund: Sheriff's Office, Commissary)**

7. **COUNTY JUDGE:**

Approve request for Historic Site Property Tax Exemption for the Teague-Waddell House, located at 1810 Avenue M in Rosenberg, Texas for Tax Year 2017.

8. **AUDITOR:**

- A. **Accept Monthly Financial Report prepared by County Auditor for the twelve months ended September 30, 2016, pursuant to Local Government Code Section 114.023.**
- B. **Accept Monthly Financial Report prepared by County Auditor for the one month ended October 31, 2016, pursuant to Local Government Code Section 114.023.**

9. **BUDGET TRANSFERS:**

- A. **Associate Judge District Courts: Approve transfer in the amount of \$42 from Property and Equipment into Information Technology to allocate additional funds for the purchase of an office printer.**
- B. **Auditor: Approve transfer in the amount of \$428,902 as detailed on Auditor's form dated April 4, 2017 to reallocate funds for Emergency Medical Service Collections into the correct account pursuant to the reassignment authorized by Commissioners Court on January 24, 2017.**
- C. **Constable, Pct. 4: Approve transfer in the amount of \$600 from Supplies and Maintenance into Information Technology to allocate funds for data lines.**
- D. **Fire Marshal: Approve transfer in the amount of \$15,000 from Information Technology into Capital Acquisitions to reallocate funds into correct account for the purchase of interview equipment.**
- E. **Health & Human Services - Veteran Services: Approve transfer in the amount of \$700 from Supplies and Maintenance into Information Technology to allocate funds for repairs and parts for the printer.**
- F. **Information Technology: Approve transfer in the amount of \$1,500 from Construction into Information Technology to allocate additional funds for purchase of printer for the Infrastructure area.**
- G. **Office of Emergency Management: Approve transfer in the amount of \$680 from Fees into Information Technology to allocate funds for the cost of data lines.**
- H. **Sheriff's Office - Enforcement: Approve transfer in the amount of \$42,287 as detailed on Sheriff's form dated April 5, 2017, to reallocate funds into correct accounts for expenditures in Supplies & Maintenance, Property and Equipment, and Information Technology.**

10. **CONSTABLE, PCT. 2:**

Record into Minutes the 2016 Racial Profiling Report, Tier 2 for the Office of Constable, Precinct 2, pursuant to the Code of Criminal Procedure Articles 2.131-2.138.

11. ENGINEERING-PAYMENTS:

- A. Approve payment of Invoice No. 5995 in the amount of \$54,634.38 to PAS Property Acquisition Services, LLC for professional consulting and inspection services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- B. Approve payment of Invoice No. 15 in the amount of \$5,387.64 to FCM Engineers for professional engineering services regarding Bellaire Boulevard, Mobility Bond Project No. 13202, Precinct 2. (Fund: 2013 Mobility Bonds)**
- C. Approve payment of Invoice No. 0269926 in the amount of \$11,332.73 to Percheron for right of way services regarding FM 1093/Westpark, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- D. Approve payment of Invoice No. 13 in the amount of \$3,213,048.24 to Webber, LLC for construction of FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- E. Approve payment of Invoice No. 17-058 in the amount of \$33,236.81 to HVJ Associates, Inc. for construction materials testing services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- F. Approve payment of Invoice No. 11-61488 in the amount of \$5,904.05 to QC Laboratories for construction materials testing services regarding Katy Gaston Road, Mobility Bond Project No. 733a, Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 5997 in the amount of \$1,706.25 to PAS 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. 0269754 in the amount of \$5,865.00 to Percheron for right of way services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)**
- I. Approve payment of Invoice No. 0269985 in the amount of \$26,567.38 to Percheron for right of way services regarding Mobility Projects within Precinct 3. (Fund: Right of Way)**
- J. Approve payment of Invoice No. 0269092 in the amount of \$17,515.88 to Percheron for right of way services regarding Mobility Projects within Precinct 3. (Fund: Right of Way)**
- K. Approve payment of Invoice No. 5996 in the amount of \$97,320.00 to PAS Property Acquisition Services, LLC for right of way services regarding Mobility Bond Projects within Precincts 1 and 4. (Fund: Right of Way)**

Item 11 continued - Engineering - Payments:

- L. **Approve payment of Invoice No. 5998 in the amount of \$262.50 to PAS Property Acquisition Services, LLC for right of way services regarding Four Corners, Precinct 4. (Fund: Right of Way)**
- M. **Approve payment of Invoice 18 in the amount of \$2,449.50 to RG Miller Engineers for professional engineering services regarding Bellaire Boulevard, Mobility Bond Project Nos. 13302, 13303 and 13304, Precinct 3. (Fund: 2013 Mobility Bonds)**

12. ENGINEERING-PERMITS:

- A. **Approve release of Performance Bond No. 46BSBGJ8119 in the amount of \$5,000.00 to W.W. Payton Corporation, for completion of work at 1557 Rabb Road, Permit No. 2015-3623, Precinct 1.**
- B. **Approve release of Performance Bond No. 32S418351 in the amount of \$5,000.00 to Aztec Decorative Concrete, for completion of work at 7003 Tara Blue Ridge Drive, Permit No. 84461, Precinct 1.**
- C. **Approve application from En-Touch Systems, Inc./Byers Engineering Company to bury fiber optic cable under and along all streets in Sienna Point Subdivision, Permit No. 2017-12266, Precinct 1.**
- D. **Approve application from Comcast of Houston, LLC/Jier LLC to install aerial cable on existing utility poles along Brand Lane, north of Avenue E, Permit No. 2017-12370, Precinct 2.**
- E. **Approve release of Cashier's Check No. 9151517197 in the amount of \$7,000.00 to Nasir Z Shenwari, for completion of work at 17401 Beechnut Street, Permit No. 2017-11868, Pct 2.**
- F. **Approve release of Performance Bond No. 95010111 in the amount of \$162,833.00 to Meiners Construction, Inc., for completion of work at 3114 5th Street, Permit No. 2016-6321, Pct 2.**
- G. **Approve application from DVL Enterprises, LLC to construct a left turn lane on Cinco Trace Drive, at Cinco Trace Drive and FM 1463, Permit No. 2017-12746, Precinct 3.**
- H. **Approve release of Performance Bond No. 5212686 in the amount of \$279,580.00 to R&T Ellis Excavating, Inc., for completion of work at Willow Fork Buffalo Bayou, Permit No. 2016-5971, Precinct 3.**
- I. **Approve release of Performance Bond No. 46BSBEA2784 in the amount of \$37,957.50 to Holloman Corporation, for completion of work at Cinco Terrace Drive and South Fry Road, Permit No. 84046, Precinct 3.**

Item 12 continued - Engineering - Permits:

- J. Approve release of Performance Bond No. LPM9114246 in the amount of \$5,000.00 to EBCO General Contractors, LTD, for completion of work at 22610 Bellaire Boulevard, Permit No. 2016-6466, Precinct 3.
 - K. Approve release of Performance Bond No. LPM9210942 in the amount of \$5,000.00 to Lischka Utilities, LP, for completion of work at 18400 West Bellfort Boulevard, Permit No. 2016-7395, Precincts 3 and 4.
 - L. Approve application from NextEra Fibernet, LLC to bury cable along the east right-of-way of Canal Road, from FM 1093 to south right-of-way of Bellaire Boulevard and continue east on the south right-of-way of Bellaire Boulevard, Permit No. 2017-11981, Precinct 3.
 - M. Approve application from Comcast of Houston, LLC to bury fiber optic cable along the southwest corner of West Bellfort and W. Grand Parkway, Permit No. 2017-12192, Precinct 4.
13. **ENGINEERING-DEVELOPMENT:**
- A. Approve the plat for Fairchild Building, Precinct 1.
 - B. Approve the plat for Crossing at Katy Fulshear, Precinct 3.
 - C. Approve the plat for Aliana Trace Water Treatment Plant, Precinct 4.
 - D. Accept the streets in Lost Creek at Riverstone, Section 2: Fairwood Creek Lane 523.77 LF, Quiet Dawn Lane 894.33 LF, Nicholas Trail 1,087.31 LF, Abigail Way 92.43 LF, Juliette Springs Lane 29.00 LF, for a total of 2,626.84 LF, and release bond #MNT9182054 in the amount of \$180,320.00, Precinct 2.
 - E. Accept the streets in Lost Creek at Riverstone, Section 3: Abigail Way 847.00 LF, Coleman Court 409.93 LF, Juliette Springs Lane 291.47 LF, for a total of 1,548.40 LF, and release bond #MNT9182082 in the amount of \$112,630.00, Precinct 2.
 - F. Accept the streets in Aliana, Section 38: Benderloch Avenue 416.01 LF, Sandhaven Drive 1,953.40 LF, Breamish Place 25.00 LF, Aberdour Drive 25.00 LF, Memsie Court 621.25 LF, for a total of 3,040.66 LF, and release bond #58S207193 in the amount of \$225,809.50, Precinct 4.
 - G. Set public hearing for acceptance of the traffic control plan for Lost Creek at Riverstone, Section 2, and Section 3, Precinct 2. *(Tuesday, May 9, 2017, at 1:00 p.m.)*
 - H. Set public hearing for acceptance of the traffic control plan for Sansbury Boulevard at Grand Estates Drive to change the stop conditions at this intersection, Precinct 1. *(Tuesday, May 9, 2017, at 1:00 p.m.)*

14. **FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by 2015 Facility Bonds:**
- A. **Invoice No. 3041520106 in the amount of \$89,200.00, to Huitt-Zollars for Architectural Services regarding the Sheriff Administration Building;**
 - B. **Invoice No. 1539 in the amount of \$2,284.25 to Austin Reed Engineers, LLC for geotechnical services regarding the 5th Street Community Center Expansion; and**
 - C. **Pay Application No. 2R in the amount of \$108,116.19 to Frost Construction Company, Inc., for construction services regarding the 5th Street Community Center Expansion.**
15. **HEALTH & HUMAN SERVICES:**
- A. **Authorize request for exception to the Fort Bend County Travel policy to waive requirement for 14-day advance purchase of airfare, and approve travel for Mary DesVignes Kendrick to Atlanta, Georgia, April 24-28, 2017, to attend the National Association of County and City Health Officials Annual Preparedness Summit. (Fund: Public Health Preparedness Grant)**
 - B. **Social Services: Accept donations for the Unmet Emergency Needs for Veterans Program in an amount totaling \$616 as detailed on Director's Report for March 2017.**
16. **PURCHASING:**
- A. **Approve the continued purchase of in-car video equipment from L-3 Communications, utilizing Houston Galveston Area Council Agreement EF04-17 for various departments from their 2017 budgets.**
 - B. **Approve renewal of Bid 15-063, term contract for Printing and Mailing of Tax Statements with HOV Services, Inc. for FY 2017.**
17. **TAX ASSESSOR/COLLECTOR:**
- Approve request for increase to the Tax Office Change Fund by from the General Fund to accommodate cash drawers and change fund at the Sienna Annex Tax Office.**
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Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda Items 6 - 17.

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

18. **COUNTY JUDGE:**

- A. **Take all appropriate action on the appointment of Court at Law No. 4 Judge for Fort Bend County, to fill the vacancy created by the passing of Honorable R. H. "Sandy" Bielstein.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to appoint Jerry W. Bussell to Court at Law No. 4 Judge for Fort Bend County, to fill the vacancy created by the passing of Honorable R. H. "Sandy" Bielstein.

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

Mr. Bussell will not seek election to this office and is pleased to serve in the interim.

- B. **Take all appropriate action on Facility Use Agreement between Fort Bend County and Garden Club of Richmond for use of the Janey Wessendorff Community Room for storage of books, documents and other related items with historical value.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Facility Use Agreement between Fort Bend County and Garden Club of Richmond for use of the Janey Wessendorff Community Room for storage of books, documents and other related items with historical value.

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

Item 18 continued - County Judge:

- C. **Take all appropriate action on Modification of Contract M-002 to the Agreement between Fort Bend County and Texas Department of Criminal Justice to hold mental health hearings for inmates at the Jester 4 Unit due to statutory and administrative changes.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Modification of Contract M-002 to the Agreement between Fort Bend County and Texas Department of Criminal Justice to hold mental health hearings for inmates at the Jester 4 Unit due to statutory and administrative changes.

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

- D. **Take all appropriate action on Modification of Contract M-003 to the Agreement between Fort Bend County and Texas Department of Criminal Justice to hold mental health hearings for inmates at the Jester 4 Unit for a new contract term of September 1, 2017 through August 31, 2019.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Modification of Contract M-003 to the Agreement between Fort Bend County and Texas Department of Criminal Justice to hold mental health hearings for inmates at the Jester 4 Unit for a new contract term of September 1, 2017 through August 31, 2019.

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

19. **COMMUNITY DEVELOPMENT:**

- A. **Take all appropriate action on the FY 2016 Continuum of Care Program Grant Agreement between Fort Bend County and the U.S. Department of Housing and Urban Development (HUD) in the amount of \$253,837 to provide rental assistance for which Fort Bend County Women's Center will provide an in-kind match of twenty-five percent.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve the FY 2016 Continuum of Care Program Grant Agreement between Fort Bend County and the U.S. Department of Housing and Urban Development (HUD) in the amount of \$253,837 to provide rental assistance for which Fort Bend County Women's Center will provide an in-kind match of twenty-five percent.

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

- B. **Take all appropriate action on Memorandum of Understanding between the Texas General Land Office and Fort Bend County for State of Texas CDBG Disaster Recovery Program regarding recovery efforts related to the 2016 Brazos River flooding.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Memorandum of Understanding between the Texas General Land Office and Fort Bend County for State of Texas CDBG Disaster Recovery Program regarding recovery efforts related to the 2016 Brazos River flooding.

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

20. **ELECTIONS ADMINISTRATION:**

Take all appropriate action on contracts and Joint Election Agreements between Fort Bend County and the following political subdivisions: City of Fulshear, City of Arcola, City of Stafford, City of Rosenberg, City of Richmond, City of Needville, Village of Fairchilds, Village of Pleak, Fort Bend Independent School District, Lamar Consolidated Independent School District, Fort Bend County Municipal Utility District No. 19, Fort Bend County Municipal Utility District No.134D, Blue Ridge West Municipal Utility District, Fort Bend County Fresh Water Supply District No. 1, Fort Bend County Emergency Services District No. 4, and Fort Bend County Emergency Services District No. 7.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve contracts and Joint Election Agreements between Fort Bend County and the following political subdivisions: City of Fulshear, City of Arcola, City of Stafford, City of Rosenberg, City of Richmond, City of Needville, Village of Fairchilds, Village of Pleak, Fort Bend Independent School District, Lamar Consolidated Independent School District, Fort Bend County Municipal Utility District No. 19, Fort Bend County Municipal Utility District No.134D, Blue Ridge West Municipal Utility District, Fort Bend County Fresh Water Supply District No. 1, Fort Bend County Emergency Services District No. 4, and Fort Bend County Emergency Services District No. 7.

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

21. **ENGINEERING:**

- A. **Take all appropriate action on request to transfer the amount of \$609,033 from FY 2015 and FY 2016 Commissioner's Court Project Accounts, as detailed on Auditor's form dated March 29, 2017, to allocate funds into the SH 99 at Harlem U-Turns project account, Mobility Bond Project X27, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$609,033 from FY 2015 and FY 2016 Commissioner's Court Project Accounts, as detailed on Auditor's form dated March 29, 2017, to allocate funds into the SH 99 at Harlem U-Turns project account, Mobility Bond Project X27, Precinct 4.

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

Item 21 continued - Engineering:

- B. **Take all appropriate action on request for variance to the 25-foot building line to allow a 15-foot front building line requirement as stated in Section 5.12.C.1, of the Fort Bend County Regulations of Subdivisions, for Camellia Amenities Reserve, on behalf of Victorian Gardens, Ltd., Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve variance to the 25-foot building line to allow a 15-foot front building line requirement as stated in Section 5.12.C.1, of the Fort Bend County Regulations of Subdivisions, for Camellia Amenities Reserve, on behalf of Victorian Gardens, Ltd., Precinct 3.

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

- C. **Take all appropriate action on the plat for Camellia Amenities Reserve, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve the plat for Camellia Amenities Reserve, Precinct 3.

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

22. **FACILITIES MANAGEMENT & PLANNING:**

Take all appropriate action on update to the Facility Use Requirements for selected County Facilities.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve update to the Facility Use Requirements for selected County Facilities.

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

23. **INFORMATION TECHNOLOGY:**

Take all appropriate action on request to transfer the amount of \$20,664 from Non-Departmental Contingency into Information Technology to allocate funds for the purchase of seventy adobe acrobat licenses for the Office of District Clerk.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$20,664 from Non-Departmental Contingency into Information Technology to allocate funds for the purchase of seventy adobe acrobat licenses for the Office of District Clerk.

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

24. **LIBRARY:**

Take all appropriate action on request for summer hours of operation for the Fort Bend County Libraries, effective June 5 through August 25, 2017.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve summer hours of operation for the Fort Bend County Libraries, effective June 5 through August 25, 2017.

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

If the Senate Bill passes, this will become permanent for summer hours.

25. **PARKS & RECREATION:**

Take all appropriate action on Application to the Texas Department of Agriculture for Fort Bend County Parks Department to participate in the 2017 Summer Food Service Program.

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Application to the Texas Department of Agriculture for Fort Bend County Parks Department to participate in the 2017 Summer Food Service Program.

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

26. **PURCHASING:**

A. **Take all appropriate action on Interlocal Purchasing Cooperative Agreement between City of Austin and Fort Bend County for purchase of goods and services.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Purchasing Cooperative Agreement between City of Austin and Fort Bend County for purchase of goods and services.

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

B. **Take all appropriate action on Agreement for Radio Frequency Identification Systems and Parts between Fort Bend County and Amigos Library Services pursuant to City of Austin Contract No. GA160000010 for an amount not to exceed \$116,885.36. (Fund: Library)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve the Agreement subject to return of the fully executed interlocal agreement with the City of Austin.

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

Item 26 continued - Purchasing:

- C. **Take all appropriate action on Bid 17-060 for Construction of Chimney Rock Road Extension, Mobility Bond Project No. X20, Precinct 2.**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to award Bid 17-060 for Construction of Chimney Rock Road Extension, Mobility Bond Project No. X20, Precinct 2 to Allgood Construction in the amount of \$1,123,489.26.

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

- D. **Take all appropriate action on request to donate one (1) surplus property vehicle to the Beasley Volunteer Fire Department, as requested in their letter and permitted by Texas Local Government Code Section § 352.002(b).**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to donate one (1) surplus property vehicle to the Beasley Volunteer Fire Department, as requested in their letter and permitted by Texas Local Government Code Section § 352.002(b).

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

Item 26 continued - Purchasing:

- E. **Take all appropriate action on request to purchase two (2) police package Tahoe vehicles from Classic Chevrolet, replacements to fleet, for the Constable Pct 3, pursuant to Bid 16-024, in an amount not to exceed \$30,650 each, funded by the Agreements for Additional Law Enforcement Services with Westpark Toll Road and Municipal Utility District No. 124.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to purchase two (2) police package Tahoe vehicles from Classic Chevrolet, replacements to fleet, for the Constable Pct 3, pursuant to Bid 16-024, in an amount not to exceed \$30,650 each, funded by the Agreements for Additional Law Enforcement Services with Westpark Toll Road and Municipal Utility District No. 124.

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

Two more 2016 Tahoes were found.

Commissioner Patterson complimented Purchasing and Classic Chevrolet for staying under the 2017 price.

- F. **Take all appropriate action on Addendum to Public Health Volunteer Coordination Contract pursuant to RFP 07-038 between Fort Bend County and Homeland Preparedness Project for a total contract amount not to exceed \$50,000 through December 31, 2017. (Fund: Office of Emergency Management Homeland Security Grant)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Addendum to Public Health Volunteer Coordination Contract pursuant to RFP 07-038 between Fort Bend County and Homeland Preparedness Project for a total contract amount not to exceed \$50,000 through December 31, 2017. (Fund: Office of Emergency Management Homeland Security Grant)

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

Item 26 continued - Purchasing:

- G. **Take all appropriate action on renewal of Bid 15-059, Term Contract for the Summer Food Program, with Educational Catering, Inc. with price increase requested by vendor.**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve renewal of Bid 15-059, Term Contract for the Summer Food Program, with Educational Catering, Inc. with price increase requested by vendor.

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

Gilbert Jalomo, Purchasing Agent, stated the pricing is less than 1% increase. This year's pricing is about 1% more than last year.

- H. **Take all appropriate action on Amendment to Agreement between Fort Bend County and Property Acquisition Services in an additional amount of \$650,000 for total contract amount not to exceed \$1,782,010 to provide consulting, local government project procedures and inspection related services regarding FM 1093/Westpark Toll Road Extension Project, pursuant to SOQ 14-025, 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 Agreement between Fort Bend County and Property Acquisition Services in an additional amount of \$650,000 for total contract amount not to exceed \$1,782,010 to provide consulting, local government project procedures and inspection related services regarding FM 1093/Westpark Toll Road Extension Project, pursuant to SOQ 14-025, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)

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

Item 26 continued - Purchasing:

- I. **Take all appropriate action on Change Order 6 to increase the contract between Fort Bend County and Webber, LLC in the amount of \$136,616.80 for a total contract amount not to exceed \$64,482,540.28 pursuant to Bid No. 16-035 regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Change Order 6 to increase the contract between Fort Bend County and Webber, LLC in the amount of \$136,616.80 for a total contract amount not to exceed \$64,482,540.28 pursuant to Bid No. 16-035 regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)

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

- J. **Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and Cobb, Fendley & Associates, Inc., in an amount not to exceed \$162,587.00 pursuant to SOQ 14-025, regarding professional surveying and engineering services regarding Sansbury Boulevard, Mobility Bond Project No. 13111, Precinct 1. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and Cobb, Fendley & Associates, Inc., in an amount not to exceed \$162,587.00 pursuant to SOQ 14-025, regarding professional surveying and engineering services regarding Sansbury Boulevard, Mobility Bond Project No. 13111, Precinct 1. (Fund: 2013 Mobility Bonds)

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

Item 26 continued - Purchasing:

- K. **Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and LJA Engineering, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (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 for Professional Engineering Services between Fort Bend County and LJA Engineering, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)

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

- L. **Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and Costello, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and Costello, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)

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

Item 26 continued - Purchasing:

- M. **Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and Klotz Associates, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and Klotz Associates, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)

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

- N. **Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and Binkley & Barfield, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and Binkley & Barfield, Inc. in an amount not to exceed \$50,000 pursuant to SOQ 14-025, regarding Mobility Program Planning and Development, Mobility Bond Project No. 17000X, Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)

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

27. **SHERIFF'S OFFICE:**

Take all appropriate action on Application and Resolution to the Office of Attorney General, Crime Victims Services Division for grant funding in the amount of \$42,000 for the Victim Coordinator Liaison Grant for the term of September 1, 2017 through August 21, 2019 with a FY 2017 budgeted contribution of \$17,436 provided by the Sheriff's Office.

Moved by Commissioner Patterson, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Application and Resolution to the Office of Attorney General, Crime Victims Services Division for grant funding in the amount of \$42,000 for the Victim Coordinator Liaison Grant for the term of September 1, 2017 through August 21, 2019 with a FY 2017 budgeted contribution of \$17,436 provided by the Sheriff's Office.

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

28. **TAX ASSESSOR/COLLECTOR:**

Take all appropriate action on bid by Juan Zavala to acquire a tax resale property described as: All that certain tract or parcel of land lying and being situated in Fort Bend County, Texas, known and designated as Lot 6, Block 12 according to the map of the plan of the Town of Rosenberg, Texas, according to a map recorded in the deed Records of said Fort Bend County, Texas.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve bid by Juan Zavala to acquire a tax resale property described as: All that certain tract or parcel of land lying and being situated in Fort Bend County, Texas, known and designated as Lot 6, Block 12 according to the map of the plan of the Town of Rosenberg, Texas, according to a map recorded in the deed Records of said Fort Bend County, Texas.

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

Commissioner Patterson stated the agreement is to sell the property for less than what is owed in taxes.

29. **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
\$8,721,285.59.

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

30. **Authorize County Auditor to pay and release time-sensitive disbursements on April 21, 2017, to be ratified by Commissioners Court on April 25, 2017.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and
release time-sensitive disbursements on April 21, 2017, to be ratified by Commissioners Court on
April 25, 2017.

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

31. **WORKSHOP:**

Discuss Mobility Projects.

Richard Stolleis, County Engineer, presented an update on the Mobility Projects. He discussed where the County stands relative to the 2013 program. This program will be about 50% obligated by the end of September 2017. Mr. Stolleis stated 80 projects were received from Commissioners and some directly from the city.

One project, Texas Heritage Parkway, is still a work in progress. The structure of funding needs to be determined, if it should be a TIRZ with cities or treated as a regular project. This project is located at 1093 to I10 and is East of Fulshear and West of Cross Creek Ranch. The property owners have agreed to pay 50% of the total cost of the project.

Commissioner Meyers stated he would like to map out a strategy on how to speed up the process in acquiring right of ways.

Judge Hebert stated any project which generates a non property tax revenue stream and services the debt and pays back the County's investment, anything in the County Assistance District, isn't a County project. It is a self funding project and should be described that way. For the record, Judge Hebert stated again, anything that does generate a non property tax revenue stream should be looked at as a project separately. If the County has an interlocal agreement with a County Assistance District and they service the debt from their receipts, then there is no impact on taxpayers. The County should not take a self funded project and apply to a Commissioners allocation. The County Assistance Districts should be used when possible. For the Record, the court manages the size of the County's funds to the advantage of the taxpayer. The County borrows from itself, which drives such things as right of way acquisition and design and when it is time for construction, which is the largest component of the project, the debt is issued and the County pays itself back for the money that was advanced. By doing this, the interest clock is not started on the debt until the concrete is ready to be put down. The debt has to be sold when ready for construction because it is 85% or more of the total cost of the project. In the coming months, there will be a lot more debt issued to burn down the authorization. Judge Hebert asked Mr. Stolleis to report back on pricing for the wish list, determine what the burn rate will be on authorization, how are the construction contracts going to come out, what is the total dollar amount, what will be taken down in the next 36 months and what needs to be done to help accelerate the projects. Judge Hebert would like the Commissioners to prioritize their projects and rank the projects for their precincts.

Ed Sturdivant, County Auditor, gave the theoretical size of a Bond issue that the County could put before the voters without the risk of increasing the tax rate. The County is on pace to issue approximately, \$60 million every 18 months. The debt capacity each year with what the County has afforded, with some uptick, could be \$70 million a year.

Recess:

Recessed at 2:08 p.m.

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

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

- A. **Cause No. 15-CCV-056361 - Fort Bend County, Texas v Westheimer Holdings, LLC, et al.**
- B. **Cause No. 15-CCV-055596, Fort Bend County, Texas v Amegy Bank, N.A, et al; Westpark Tollway Parcel 106.**
- C. **Cause No. 4:14-CV-01719: Maurice Hood vs Lt. David McKinnon, et al.; In the United States District Court for the Southern District of Texas, Houston Division.**

Closed Session:

Convened at 2:18 p.m.
Adjourned at 2:27 p.m.

Reconvene:

Reconvened at 2:28 p.m.

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

§ 551.071. Consultation With Attorney.

- A. **Cause No. 15-CCV-056361 - Fort Bend County, Texas v Westheimer Holdings, LLC, et al.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to authorize County Attorney to incur litigation expenses as set out for Cause No. 15-CCV-056361 in an amount not to exceed \$20,000.

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

Item 33 continued - Reconvene:

- B. Cause No. 15-CCV-055596, Fort Bend County, Texas v Amegy Bank, N.A, et al; Westpark Tollway Parcel 106.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize County Attorney to pay a negotiated settlement in the matter of Case No. 15-CCV-055596 and authorize the County Judge to execute and deliver the settlement agreement recommended for approval by the County Attorney on 802409888 64500.

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

- C. Cause No. 4:14-CV-01719: Maurice Hood vs Lt. David McKinnon, et al.; In the United States District Court for the Southern District of Texas, Houston Division.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize County Attorney to incur litigation expenses in an amount not to exceed \$15,000 for Cause No. 4:14-CV-01719.

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

34. Adjournment.

Commissioners Court adjourned at 2:31 p.m. on Tuesday, April 11, 2017.

I attest to the accuracy of the foregoing minutes.





Laura Richard, County Clerk, Fort Bend County, Texas