

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 22ND DAY of MAY, 2018, The Drainage District Board of Fort Bend County, Texas, met at a scheduled 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
MARK VOGLER	DRAINAGE DISTRICT MANAGER

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

1. **Call to Order.**

Call to Order by Judge Hebert at 1:09 p.m.

2. **Approve minutes of meeting held on May 8, 2018.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve minutes of meeting held on May 8, 2018.

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

3. **Take all appropriate action on Tax Abatement Agreement between Fort Bend County Drainage District and AX Park 8Ninety Castcom L.P. and Comcast of Houston, LLC.**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Tax Abatement Agreement between Fort Bend County Drainage District and AX Park 8Ninety Castcom L.P. and Comcast of Houston, LLC.

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

4. **Take all appropriate action on Tax Abatement Agreement between Fort Bend County Drainage District, 827 Wanamaker Limited Partnership and Warren Valve Company, LLC.**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Tax Abatement Agreement between Fort Bend County Drainage District, 827 Wanamaker Limited Partnership and Warren Valve Company, LLC.

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

5. **Take all appropriate action on acceptance of maintenance of a portion of Fulbrook Section 5D, Reserve "A" within Fort Bend County, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to accept maintenance of a portion of Fulbrook Section 5D, Reserve "A" within Fort Bend County, Precinct 3.

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

6. **Take all appropriate action on RFQ 18-071 for county-wide watershed study.**

Pulled.

Recess:

Recessed at 1:12 p.m.

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

§ 551.071. Consultation With Attorney. Fort Bend County Drainage District Board of Directors 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.

Contemplated litigation related to damages sustained during Hurricane Harvey.

Closed Session:

Convened at 2:16 p.m.
Adjourned at 2:43 p.m.

Reconvene:

Reconvened at 2:50 p.m.

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

§ 551.071. Consultation With Attorney.

Contemplated litigation related to damages sustained during Hurricane Harvey.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate necessary terms to select counsel to serve as Special Counsel. Commissioners Court grants an exemption from competitive bidding and proposal procedures in accordance with Texas Local Government Code Section 262.024(a)(4). And authorize the County Judge to execute on behalf of the Fort Bend County Drainage District an agreement with Special Counsel recommended for approval by the County Attorney. And authorize the County Attorney's Office and Special Counsel to file a lawsuit for and on behalf of the Fort Bend County Drainage against the United States Army Corps of Engineers and all other necessary or proper parties for any and all injunctive, declaratory, or other equitable relief as allowed by law, by reason of the United States Army Corps of Engineers' actions relating to flooding from the Barker Reservoir during or as a result of Hurricane Harvey. Commissioners Court, acting for and on behalf of the Fort Bend County Drainage District approves the exemption from any bonds to take out any and all extraordinary writs in relation to the subject lawsuit.

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

May 22, 2018

9. **Adjournment.**

The Drainage District Board adjourned at 2:52 p.m. on Tuesday, May 22, 2018.

I attest to the accuracy of the foregoing minutes.



Laura Richard

Laura Richard, County Clerk, Fort Bend County, Texas