

MINUTES

BE IT REMEMBERED, That on this 14TH DAY of AUGUST, 2018, 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
LINDA WILLIS FOR LAURA RICHARD	COUNTY CLERK

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

1. **Call to Order.**

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

2. **Invocation and Pledges of Allegiance by Commissioner James Patterson.**

Invocation and Pledges of Allegiance by Commissioner James Patterson.

3. **Approve minutes of regular meeting held on August 7, 2018.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve minutes of regular meeting held on August 7, 2018.

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 presented a proclamation to Fort Bend County Animal Services and proclaimed August 18 and 19, 2018 as Clear the Shelter days in Fort Bend County.

5. **PUBLIC HEARINGS: 1:00 p.m.:**

Public hearing held. No public comments.

County Judge: Conduct Public Hearing to receive public comments on the Application to the U.S. Department of Justice for FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) funds in the amount of \$63,629.

CONSENT AGENDA ITEMS 6-15:

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

- A. **District Attorney:** One employee to Hoover, Alabama, September 2-28, 2018 to attend the Mobile Device Examiner training at the National Computer Forensics Institute. (Fund: District Attorney)
- B. **Health & Human Services:** Kaye Reynolds to San Diego, California, November 9-14, 2018, to attend the American Public Health Association annual meeting. (Fund: Health & Human Services)
- C. **Health & Human Services - Emergency Medical Service:** Rebecca Lane, Will Chen, Lauren Smith and April Duran to Nashville, Tennessee, October 30 through November 2, 2018 to attend EMS World Expo. (Fund: Emergency Medical Service)
- D. **Information Technology:** Ray Webb to Nashville, Tennessee, September 8-12, 2018 to attend Hyland CommunityLIVE 2018 Executive Forum. (Fund: Information Technology)

7. **BUDGET TRANSFERS**

- A. **Auditor:** Approve transfer in the amount of \$148,824 from Facilities Utilities into Debt Service Interest to allocate funds for debt service payment regarding the Jail Efficiency Project.
- B. **Commissioner Pct. 2:** Approve transfer in the amount of \$600 from Travel into Information Technology Department, Property and Equipment to allocate funds for replacement cell phone.
- C. **Commissioner Pct. 2:** Approve transfer in the amount of \$350 from Travel into Information Technology to allocate funds for multifunctional printer for the Sienna Office.
- D. **Engineering:** Approve transfer in the amount of \$7,500 from Salaries into Part-Time to allocate funds for the part-time clerk added to department in April 2018.
- E. **Information Technology:** Approve transfer in the amount of \$103,000 as detailed on Auditor's form dated August 7, 2018 to allocate funds into project accounts to cover funding shortfalls.
- F. **Information Technology:** Approve transfer in the amount of \$4,000 from Fees into Property and Equipment to allocate funds for the purchase of furniture and cellular device cases.

Item 7 continued - Budget Transfers:

- G. **Information Technology:** Approve transfer in the amount of \$25,000 from Fees into Information Technology to allocate funds for the purchase of hardware and software.
- H. **Sheriff's Office - Enforcement:** Approve transfer in the amount of \$11,900 from Supplies and Maintenance into Information Technology to allocate funds for the purchase of multiple document scanners and computer peripherals.
- 8. **ELECTIONS ADMINISTRATION:**

Record into Minutes the availability of \$145,704.70 in funds for FY 2018 under Chapter 19 of the Texas Election Code for use by the Fort Bend County Department of Elections Administration exclusively for activities to enhance voter registration and participation as authorized by Texas statute and Administrative rules.
- 9. **ENGINEERING-PAYMENTS:**
 - A. Approve payment of Invoice No. 9 in the amount of \$283,711.50 to Allgood Construction Company, Inc. for construction of Williams Way Boulevard, Mobility Bond Project No. 13114, Precinct 1. (Fund: 2013 Mobility Bonds)
 - B. Approve payment of Invoice No. 5 in the amount of \$81,986.27 to Durwood Greene Construction Co. for construction of Powerline Road, Mobility Bond Project No. 13110, Precinct 1. (Fund: 2013 Mobility Bonds)
 - C. Approve payment of Invoice No. 10 in the amount of \$204,295.06 to Mar-Con Services, LLC for construction of Ladonia Street, Mobility Bond Project No. 13107, Precinct 1. (Fund: 2013 Mobility Bonds)
 - D. Approve payment of Invoice No. 6526 in the amount of \$402.50 to Property Acquisition Services, LLC for the right of way services regarding FM 762/FM 2759 (Crabb River Rd), Mobility Bond Project No. x28 and West Tavener Road, Precinct 1. (Fund: Right of Way)
 - E. Approve payment of Invoice No. 80749 in the amount of \$171.76 to SWCA for professional environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
 - F. Approve payment of Invoice No. 6525 in the amount of \$45,407.50 to Property Acquisition Services, LLC for right of way services regarding projects within Precincts 1 and 4. (Fund: Right of Way)
 - G. Approve payment of Invoice No. 1 in the amount of \$34,070.00 to Huitt-Zollars, Inc. for professional engineering services regarding Old Richmond Road, Mobility Bond Project No. 17208, Precinct 2. (Fund: 2017 Mobility Bonds)

Item 9 continued - Engineering - Payments:

- H. **Approve payment of Invoice No. 1 in the amount of \$6,250.00 to HR Green, Inc. for professional engineering services regarding Burney-Old Richmond Road, Mobility Bond Project No. 17207, Precinct 2. (Fund: 2017 Mobility Bonds)**
- I. **Approve payment of Invoice No. 51406 in the amount of \$100,396.70 to Costello, Inc. for professional engineering services regarding Beechnut Street, Mobility Bond Project No. 17204, Precinct 2. (Fund: 2017 Mobility Bonds)**
- J. **Approve payment of Invoice No. 9794 in the amount of \$27,229.50 to Othon, Inc. for professional construction management services regarding 2013 Mobility Projects in Precincts 2 and 4. (Fund: 2013 Mobility Bonds)**
- K. **Approve payment of Invoice No. 29 in the amount of \$23,052 to Webber, LLC for construction of FM 1093/Westpark, Ph. I, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- L. **Approve payment of Invoice No. 6 in the amount of \$1,342,793.48 to Webber, LLC for construction of FM 1093/Westpark Ph. IIA, Precinct 3. (Fund: 2017A Series Road Bonds)**
- M. **Approve payment of Invoice No. 51329 in the amount of \$9,366.25 to Costello, Inc. for professional engineering services regarding Roesner Road Segment 1, Mobility Bond Project No. 17305, Precinct 3. (Fund: 2017 Mobility Bonds)**
- N. **Approve payment of Invoice No. 6521 in the amount of \$73,537.50 to Property Acquisition Services, LLC for professional consulting and inspecting services regarding FM 1093/Westpark Extension Phase IIA, Precinct 3. (Fund: 2017A Series Road Bonds)**
- O. **Approve payment of Invoice No. 0285093 in the amount of \$16,567.09 to Percheron regarding right of way services for FM 1093/Westpark, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- P. **Approve payment of Invoice No. 201808822 in the amount of \$48,338.38 and Invoice No. 201810825 in the amount of \$36,384.98 to LJA Engineering for professional engineering services regarding FM 1093/Westpark Extension Phase IIA, Precinct 3. (Fund: 2017A Series Road Bonds)**
- Q. **Approve payment of Invoice No. 201808821 in the amount of \$1,657.53 and Invoice No. 201810824 in the amount of \$4,107.06 to LJA Engineering for professional engineering services regarding FM 1093/Westpark Extension Phase I, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- R. **Approve payment of Invoice No. 18-258 in the amount of \$790.75 to HVJ for construction materials testing services regarding FM 1093/Westpark Extension Phase IIA, Precinct 3. (Fund: 2017A Series Road Bonds)**

Item 9 continued - Engineering - Payments:

- S. **Approve payment of Invoice No. 220081 in the amount of \$10,965.00 to Ninyo & Moore Geotechnical and Environmental Sciences Consultants, regarding construction material testing for Cane Island, Mobility Bond Project No. 13306, Precinct 3. (Fund: 2013 Mobility Bonds)**
- T. **Approve payment of Invoice No. 13 in the amount of \$234,160.23 to Earth Builders, LP., for construction of Cane Island, Mobility Bond Project No. 13306, Precinct 3. (Fund: 2013 Mobility Bonds)**
- U. **Approve payment of Invoice No. 7 in the amount of \$155,604.42 to Allgood Construction Company Inc. for construction of Spring Green Boulevard Extension for Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)**
- V. **Approve payment of Invoice No. 0020622 in the amount of \$31,169.50 to Civiltech Engineering, Inc. for professional engineering services regarding Peek Road Segment 1, Mobility Bond Project No. 17307, Precinct 3. (Fund: 2017 Mobility Bonds)**
- W. **Approve payment of Invoice No. 1 in the amount of \$76,995.00 to Zarinkelk Engineering Services, Inc. for professional engineering services regarding Fulshear-Gaston, Mobility Bond Project No. 17312, Precinct 3. (Fund: 2017 Mobility Bonds)**
- 10. **ENGINEERING-PERMITTS:**
 - A. **Approve application from AT&T Texas/Black & Veatch to install fiber optic cable under and along Riverwood Drive, Permit No. 2018-22259, Precinct 1.**
 - B. **Approve acceptance of International Fidelity Insurance Company Perpetual Bond for Sundance Construction.**
 - C. **Approve release of Performance Bond to B. Bell Builders, LP for completion of work at 6527-A Ricefield Road, Permit No. 2017-17520, Precinct 1.**
 - D. **Approve release of Performance Bond to C F McDonald Electric Inc. for completion of work at 4303 Teal Bend Boulevard, Permit No. 2016-10430, Precinct 1.**
 - E. **Approve application from Higbie Ventures of Texas, Inc./Texas State Permits to install a driveway tie-in at 25015 Westheimer Parkway, Permit No. 2018-19132, Precinct 3.**
 - F. **Approve application from Puma Construction Inc. to install a driveway tie-in at 3717 ½ Tamarron Trace, Permit No. 2018-22309, Precinct 3.**
 - G. **Approve application from West Airport Real Estate Holdings LLC/Miguel Erroz to install one driveway tie-in at 18440 West Airport Boulevard and one driveway tie-in onto West Aliana Trace Drive, Permit No. 2018-22109, Precinct 4.**

11. **ENGINEERING-DEVELOPMENT:**

- A. **Approve the plat for Cinco Ranch Gaston Reserves Replat No. 1, Precinct 3.**
- B. **Approve the plat for Kiddos Ranch, Precinct 3.**
- C. **Approve plat for the roads within Avalon at Riverstone, Section Fourteen, Precinct 4.**
- D. **Approve plat for the lots within Avalon at Riverstone, Section Fourteen, Precinct 4.**
- E. **Set public hearing for acceptance of the traffic control plan for Willow Creek Farms II, Section 5, Precinct 3. *(Tuesday, September 11, 2018 at 1:00 p.m.)***
- F. **Set public hearing on the adoption of “An Order of the Commissioners Court of Fort Bend County, Texas Imposing Thru Trucks Restriction on Charles Lane in Precinct 3 and Imposing a Criminal Penalty for Violation of This Order”; and the acceptance of the related traffic control plan for Eldridge Park Village Subdivision for the placement of “No Thru Trucks” signs pursuant to the Order, in accordance with Chapter 251, Subchapter E, Texas Transportation Code Sections 251.151 – 251.161, to be conducted on Tuesday, September 11, 2018, at 1:00 p.m., in the Fort Bend County Commissioners Courtroom, second floor, at 401 Jackson Street In Richmond, Texas, Precinct 3. *(Tuesday, September 11, 2018 at 1:00 p.m.)***

12. **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. **Building Permit Fee and Plan Review Fee for a total amount of \$3,713.87 to City of Rosenberg for expenses regarding the Medical Examiner Office Building;**
- B. **Pay Application No. 9 in the amount of \$434,155.70 to Paradigm Construction for construction services regarding an addition to and expansion of the Missouri City Branch Library;**
- C. **Invoice No. 6 and Invoice No. 7 for an amount totaling \$1,615.00 to Archi*Technics/3, Inc. for architectural services regarding the Pinnacle Aquatic Fitness Center.**

13. **GRANTS ADMINISTRATION:** The grant application for the below item(s) has been approved by Commissioners Court; the Grants Coordinator has reviewed the acceptance documents and makes the following recommendation(s) to Commissioners Court:
- A. **Health & Human Services:** Approve request for an Amendment to Texas Department of State Health Services Contract No. 537-18-0117-00001-01 to reallocate funds within the budget accepted by Commissioners Court on June 5, 2018 with no change to the total amount of \$355,000 and County match of \$36,544 for the Public Health/Hazards Preparedness program for the term of July 1, 2018 through June 30, 2019. (Fund: Health & Human Services, Public Health Emergency Preparedness Grant)
 - B. **Office of Emergency Management:** Accept sub-award grant funds from the Texas Division of Emergency Management in the amount of \$1,566,225 for hazard mitigation, FEMA Project Number DR-4272-0026, for elevation of twelve properties located in the Special Flood Hazard Area, with a local match of \$522,075 for a total project amount of \$2,088,300 for use through June 27, 2020. (Fund: Community Development Block Grant - Disaster Recovery)
 - C. **Public Transportation:** Accept grant award from the Federal Transit Administration on Federal Award Identification Number TX-2018-058-00 for the Fiscal Year 2017 Section 5307 funds totaling \$4,407,280 with \$1,027,523 in local match funding, and \$658,432 in transportation development credits in lieu of local match. (Fund: Public Transportation Grants)
14. **PUBLIC TRANSPORTATION:**
- A. Approve payment of invoice No. 3071210102R in the amount of \$925.00 to Huitt-Zollars for construction management service regarding Bamore Road, Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds)
 - B. Approve submittal of updated Application to Texas Department of Transportation for Fiscal Year 2019 Section 5311 Rural State funds totaling \$305,275 with no local match required to assist with transportation programs. (Fund: Public Transportation Grants)
 - C. Approve Delegation of Signature Authority Form to Texas Department of Transportation effective September 1, 2018.

15. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the Summary Monthly Report of Property Taxes Collected in July 2018 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- B. **Approve refunds over \$500 detailed in Tax Assessor/Collector's report submitted on August 7, 2018 for an amount totaling \$9,200.42 for the Office of Patsy Schultz.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda
Items 6 - 15.

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

16. **COUNTY JUDGE:**

- A. **Take all appropriate action on application to the U.S. Department of Justice for the FY 2018 Edward Byrne Memorial Justice Assistance Grant for funds in the amount of \$63,629 with no additional funding required from Fort Bend County and authorize certification for all documents pertaining to the application.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve application to the U.S.
Department of Justice for the FY 2018 Edward Byrne Memorial Justice Assistance Grant for
funds in the amount of \$63,629 with no additional funding required from Fort Bend County
and authorize certification for all documents pertaining to the application.

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

Item 16 continued - County Judge:

- B. **Take all appropriate action on Agreement between Fort Bend County and Fort Bend Seniors, Meals on Wheels & Much, Much More in an amount not to exceed \$10,000 to provide meals and programs to seniors at the Bud O'Shieles Community Center effective through September 30, 2018. (Fund: Non-Departmental, Fees)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Fort Bend Seniors, Meals on Wheels & Much, Much More in an amount not to exceed \$10,000 to provide meals and programs to seniors at the Bud O'Shieles Community Center effective through September 30, 2018. (Fund: Non-Departmental, Fees)

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

17. **COMMISSIONER, PCT. 1:**

- A. **Take all appropriate action on the Order Calling Election for Creation of the Fort Bend County Assistance District No. 12 and Imposition of a Sales and Use Tax, to be located generally within the extraterritorial jurisdiction of the Village of Pleak.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the Order Calling Election for Creation of the Fort Bend County Assistance District No. 12 and Imposition of a Sales and Use Tax, to be located generally within the extraterritorial jurisdiction of the Village of Pleak.

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

Item 17 continued - Commissioner, Pct. 1:

- B. Take all appropriate action on the Order Calling Election for Creation of the Fort Bend County Assistance District No. 13 and Imposition of a Sales and Use Tax, to be located generally in the extraterritorial jurisdiction of the City of Kendleton.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the Order Calling Election for Creation of the Fort Bend County Assistance District No. 13 and Imposition of a Sales and Use Tax, to be located generally in the extraterritorial jurisdiction of the City of Kendleton.

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

- C. Take all appropriate action on the Order Calling Election for Creation of the Fort Bend County Assistance District No. 14 and Imposition of a Sales and Use Tax, to be located generally along FM 361, including the extraterritorial jurisdiction of Village of Fairchilds.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the Order Calling Election for Creation of the Fort Bend County Assistance District No. 14 and Imposition of a Sales and Use Tax, to be located generally along FM 361, including the extraterritorial jurisdiction of Village of Fairchilds.

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

- D. Take all appropriate action on the Order Calling Election for Creation of the Fort Bend County Assistance District No. 15 and Imposition of a Sales and Use Tax, to be located generally in the extraterritorial jurisdiction of City of Orchard.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the Order Calling Election for Creation of the Fort Bend County Assistance District No. 15 and Imposition of a Sales and Use Tax, to be located generally in the extraterritorial jurisdiction of City of Orchard.

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

18. **COMMISSIONER, PCT. 3:**

Take all appropriate action on Petition and Consent to the Inclusion of Real Estate to Fort Bend County Assistance District No. 1.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Petition and Consent to the Inclusion of Real Estate to Fort Bend County Assistance District No. 1.

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

Recess:

Recessed at 1:10 p.m.

Reconvene:

Reconvene at 1:14 p.m.

19. **AUDITOR:**

Take all appropriate action to direct the County Auditor on disposition of County Assets from various County Department inventory lists that were not located during the 2017-2018 Annual Inventory, as presented to Commissioners Court in report dated August 14, 2018.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to direct the County Auditor on disposition of County Assets from various County Department inventory lists that were not located during the 2017-2018 Annual Inventory, as presented to Commissioners Court in report dated August 14, 2018.

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

20. **COUNTY CLERK:**

Take all appropriate action on request to create one new full-time position in the Office of County Clerk, Legal Process Specialist, Grade 7 of the Administrative Clerical Policy Group, effective August 18, 2018. (Fund: County Clerk, Records Management)

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve request to create one new full-time position in the Office of County Clerk, Legal Process Specialist, Grade 7 of the Administrative Clerical Policy Group, effective August 18, 2018. (Fund: County Clerk, Records Management)

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

21. **ENGINEERING:**

A. **Take all appropriate action on Interlocal Agreement for County-Managed Road Construction Project between Fort Bend County and City of Richmond 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 Interlocal Agreement for County-Managed Road Construction Project between Fort Bend County and City of Richmond 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 21 continued - Engineering:

B. Take all appropriate action on Sanitary Control Easement between Fort Bend County and City of Rosenberg and record in Official Public Records, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Sanitary Control Easement between Fort Bend County and City of Rosenberg and record in Official Public Records, Precinct 1.

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

C. Take all appropriate action on request for variance to the block length requirement as stated in Section 5.5.A.2 of the Fort Bend County Regulations of Subdivisions, for Aliana, Section 63, on behalf of Aliana Development Company, Precinct 4.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve variance to the block length requirement as stated in Section 5.5.A.2 of the Fort Bend County Regulations of Subdivisions, for Aliana, Section 63, on behalf of Aliana Development Company, Precinct 4.

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

D. Take all appropriate action on plat for the roads within Aliana, Section 63, Precinct 4.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve plat for the roads within Aliana, Section 63, Precinct 4.

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

Item 21 continued - Engineering:

E. Take all appropriate action on plat for the lots within Aliana, Section 63, Precinct 4.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve plat for the lots within Aliana, Section 63, Precinct 4.

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

22. FACILITIES MANAGEMENT & PLANNING:

A. Take all appropriate action on request to transfer the amount of \$20,000 from Non-Departmental Contingency into Facilities Custodial, Supplies and Maintenance to allocate additional funds for supplies through September 30, 2018.

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$20,000 from Non-Departmental Contingency into Facilities Custodial, Supplies and Maintenance to allocate additional funds for supplies through September 30, 2018.

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

B. Take all appropriate action on the Blanket Easement between Fort Bend County and CenterPoint Energy regarding 3-Phase Overhead and Underground Electrical Distribution pertaining to the Sheriff Administration Building.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve the Blanket Easement between Fort Bend County and CenterPoint Energy regarding 3-Phase Overhead and Underground Electrical Distribution pertaining to the Sheriff Administration Building.

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

23. **FAIRGROUNDS:**

Take all appropriate action on request to transfer the amount of \$16,560 from Non-Departmental Contingency into Fairgrounds, Capital Acquisitions to allocate funds for replacing the air conditioner at the Bud O'Shieles Community Center.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$16,560 from Non-Departmental Contingency into Fairgrounds, Capital Acquisitions to allocate funds for replacing the air conditioner at the Bud O'Shieles Community Center.

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

24. **HEALTH & HUMAN SERVICES:**

- A. **Social Services: Take all appropriate action on acceptance of funds in the amount of \$7,500 from TXU Energy to provide assistance to qualified County residents under the TXU Energy Aid Program.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to accept funds in the amount of \$7,500 from TXU Energy to provide assistance to qualified County residents under the TXU Energy Aid Program.

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

Item 24 continued - Health & Human Services:

- B. **Social Services: Take all appropriate action on Affiliation Agreement between Fort Bend County and Abilene Christian University to enable enrolled students to perform components of their practicum under the supervision of Fort Bend County Social Services Department.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Affiliation Agreement between Fort Bend County and Abilene Christian University to enable enrolled students to perform components of their practicum under the supervision of Fort Bend County Social Services Department.

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

25. **PUBLIC TRANSPORTATION:**

Take all appropriate action on the proposed Fort Bend County Public Transportation Public Participation Plan.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve the proposed Fort Bend County Public Transportation Public Participation Plan.

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

26. **PURCHASING:**

- A. **Take all appropriate action on Amendment to Agreement for Construction of Mission Bend Branch Library between Fort Bend County and Paradigm Construction, LLC, for additional services in the amount of \$152,150 for a total contract amount not to exceed \$5,962,790, pursuant to RFP 17-067. (Fund: Fort Bend County Assistance District No. 6)**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Construction of Mission Bend Branch Library between Fort Bend County and Paradigm Construction, LLC, for additional services in the amount of \$152,150 for a total contract amount not to exceed \$5,962,790, pursuant to RFP 17-067. (Fund: Fort Bend County Assistance District No. 6)

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

- B. **Take all appropriate action on renewal and request to add additional items to Bid 18-016, term contract for law enforcement uniforms, duty gear and body armor, with Galls LLC.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve renewal and request to add additional items to Bid 18-016, term contract for law enforcement uniforms, duty gear and body armor, with Galls LLC.

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 request to add the Missouri City Annex to Bid 18-018, term contract for pressure washing and Sealing of Various County Buildings, with National Window Cleaning for an additional annual amount not to exceed \$5,600. (Fund: Facilities Management & Planning)**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve request to add the Missouri City Annex to Bid 18-018, term contract for pressure washing and Sealing of Various County Buildings, with National Window Cleaning for an additional annual amount not to exceed \$5,600. (Fund: Facilities Management & Planning)

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

Jaime Kovar, Assistant Purchasing Agent, stated the amount is \$2,800 twice per year, with a total of \$5,600 per year.

- D. **Take all appropriate action on Agreement for Employee Alcohol and Drug Testing Services between Fort Bend County and Houston Medical Testing Services, Inc., pursuant to RFP 19-001, for an amount not to exceed \$72,000 for fiscal year 2019. (Fund: Human Resources and Risk Management)**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Employee Alcohol and Drug Testing Services between Fort Bend County and Houston Medical Testing Services, Inc., pursuant to RFP 19-001, for an amount not to exceed \$72,000 for fiscal year 2019. (Fund: Human Resources and Risk Management)

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 RFP 19-002, term contract for Fire and Security Alarm Services.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to negotiate RFP 19-002, term contract for Fire and Security Alarm Services with Dowley Security Systems, Inc., the highest evaluated respondent.

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

F. Take all appropriate action on request to add additional items for Fire Marshal and Vehicle Maintenance to Bid 15-023, term contract for Vehicle Graphics with Onsite Decals.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to add additional items for Fire Marshal and Vehicle Maintenance to Bid 15-023, term contract for Vehicle Graphics with Onsite Decals.

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

G. Take all appropriate action on request for price increases from Century Asphalt, pursuant to Bid 18-035, term contract for purchase and hauling of earthen type road materials.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve request for price increases from Century Asphalt, pursuant to Bid 18-035, term contract for purchase and hauling of earthen type road materials.

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

Item 26 continued - Purchasing:

- H. **Take all appropriate action on Sixth Amendment to Agreement for Professional Actuarial Services between Fort Bend County and Milliman, Inc. for additional services in an amount not to exceed \$23,900, pursuant to SOQ 07-086. (Fund: Risk Management)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Sixth Amendment to Agreement for Professional Actuarial Services between Fort Bend County and Milliman, Inc. for additional services in an amount not to exceed \$23,900, pursuant to SOQ 07-086. (Fund: Risk Management)

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

- I. **Take all appropriate action on Agreement for Construction Services between Fort Bend County and SpawGlass Construction Corporation in an amount not to exceed \$21,084,067 for construction of the Public Transportation Administrative and Operating Facility, pursuant to RFP 18-055. Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds and Public Transportation Grants)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Construction Services between Fort Bend County and SpawGlass Construction Corporation in an amount not to exceed \$21,084,067 for construction of the Public Transportation Administrative and Operating Facility, pursuant to RFP 18-055. Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds and Public Transportation Grants)

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

Item 26 continued - Purchasing:

- J. **Take all appropriate action on request to add Emergency Medical Services Squad 1 location to Bid 18-014, term contract for Pest Control Services, with Gillen Pest Control, Inc. for an amount not to exceed \$30 for the remainder of the 2018 fiscal year. (Fund: Facilities Management & Planning)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve request to add Emergency Medical Services Squad 1 location to Bid 18-014, term contract for Pest Control Services, with Gillen Pest Control, Inc. for an amount not to exceed \$30 for the remainder of the 2018 fiscal year. (Fund: Facilities Management & Planning)

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

- K. **Take all appropriate action on Amendment to Agreement between Fort Bend County and Atkins North America, Inc. for additional professional engineering services in the amount of \$52,411.92 and a total contract amount not to exceed \$168,043.17, pursuant to SOQ 07-080 regarding FM 762/FM 2759 (Crabb River Road), Mobility Bond Project No. x28, 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 Amendment to Agreement between Fort Bend County and Atkins North America, Inc. for additional professional engineering services in the amount of \$52,411.92 and a total contract amount not to exceed \$168,043.17, pursuant to SOQ 07-080 regarding FM 762/FM 2759 (Crabb River Road), Mobility Bond Project No. x28, Precinct 1. (Fund: 2007 Mobility Bonds)

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

Item 26 continued - Purchasing:

- L. **Take all appropriate action on Tenth Amendment to Agreement for Professional Environmental Services between Fort Bend County and Berg-Oliver Associates, Inc., for an additional amount of \$9,250 and a total contract amount not to exceed \$415,918 regarding Lake Olympia Segment 2, Mobility Bond Project No. 13217x, Precinct 2. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Tenth Amendment to Agreement for Professional Environmental Services between Fort Bend County and Berg-Oliver Associates, Inc., for an additional amount of \$9,250 and a total contract amount not to exceed \$415,918 regarding Lake Olympia Segment 2, Mobility Bond Project No. 13217x, Precinct 2. (Fund: 2013 Mobility Bonds)

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

27. **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 \$10,030,810.79.

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

28. **Authorize County Auditor to pay and release time-sensitive disbursements on August 23, 2018, to be ratified by Commissioners Court on August 28, 2018.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time-sensitive disbursements on August 23, 2018, to be ratified by Commissioners Court on August 28, 2018.

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

Recess:

Recessed at 1:26 p.m.

29. **Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**
- A. **§ 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.**
1. **Case No. 16-20640, In the United States Court of Appeals for the Fifth Circuit; Lois M. Davis, v Fort Bend County; Appeal from the United States District Court for the Southern District of Texas Houston Division (No. 4:12-CV-00131)**
2. **Cause No. 15-DCV-221725: JDC/Firethorne, Ltd., vs. Fort Bend County, et al; In the District Court of Fort Bend County, 268th Judicial District and Cause No. 16-DCV-231552: JDC/Firethorne, Ltd., vs. Fort Bend County, et al; In the District Court of Fort Bend County, 268th Judicial District.**
- B. **§ 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.**

Annual Evaluation, Chief Public Defender.

Closed Session:

Convened at 1:37 p.m.

Adjourned at 2:08 p.m.

Reconvene:

Reconvened at 2:10 p.m.

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

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

1. **Case No. 16-20640, In the United States Court of Appeals for the Fifth Circuit; Lois M. Davis, v Fort Bend County; Appeal from the United States District Court for the Southern District of Texas Houston Division (No. 4:12-CV-00131)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve and accept the letter proposal from Hogan Lovells US LLP, Washington, D.C. and authorize execution by the County Judge of any formal engagement agreement as recommended for approval by the County Attorney for the filing of a Petition for Writ of Certiorari in the United States Supreme Court, with out-of-pocket expenses not to exceed \$10,000.

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

2. **Cause No. 15-DCV-221725: JDC/Firethorne, Ltd., vs. Fort Bend County, et al; In the District Court of Fort Bend County, 268th Judicial District and Cause No. 16-DCV-231552: JDC/Firethorne, Ltd., vs. Fort Bend County, et al; In the District Court of Fort Bend County, 268th Judicial District.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses for Cause No. 15-DCV-221725 and Cause No. 16-DCV-231552 in an amount increasing from \$485,000 to \$530,000. Funding Source 100409100-63000

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

B. **§ 551.074. Personnel Matters.**

Annual Evaluation, Chief Public Defender.

Completed review of the annual evaluation with the Chief Public Defender.

31. **Adjournment.**

Commissioners Court adjourned at 2:13 p.m. on Tuesday, August 14, 2018.

August 14, 2018



I attest to the accuracy of the foregoing minutes.

Laura Richard

Laura Richard, County Clerk, Fort Bend County, Texas