

MINUTES

BE IT REMEMBERED, That on this 13TH DAY of NOVEMBER, 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
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 November 6, 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 November 6, 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.

Commissioner Meyers thanked Judge Hebert and Commissioner Patterson for their service to this Community. The last 16 and 20 years it is recognized that the County and the people are better because of their service, which is very much appreciated.

CONSENT AGENDA ITEMS 5 - 23:

5. COUNTY JUDGE:

- A. Approve renewal of 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, 2019. (Fund: Non-Departmental, Fees)**
- B. Approve Agreement between Fort Bend County and Fort Bend History Association (formerly Fort Bend Museum Association) for professional services in historic preservation activities in the amount of \$100,000 for Fiscal Year 2019. (Fund: Non-Departmental, Fees)**
- C. Approve Addendum to the Agreement between Fort Bend County and Fort Bend History Association for professional services in historic preservation for the DeWalt Heritage Center in the amount of \$25,000 for Fiscal Year 2019. (Fund: Non-Departmental, Fees)**

6. BUDGET TRANSFERS:

- A. Auditor: Approve FY 2018 transfer in the amount of \$323,692 as detailed on Auditor's form dated November 5, 2018 to allocate funds from mileage accrual regarding agreements for additional law enforcement services into account for the future purchase of new and replacement vehicles for said agreements.**
- B. Auditor: Approve FY 2018 transfer in the amount of \$1,130,674 as detailed on the Auditor's form dated November 5, 2018 to allocate funds from mileage accrual regarding agreements for additional law enforcement services into account for the purchase of new and replacement vehicles for said agreements.**
- C. Facilities Management & Planning: Approve FY 2018 transfer in the amount of \$134,991 as detailed on the Auditor's form dated November 2, 2018 to allocate funds into project account for completion of the Chiller Project at First Colony Branch Library.**
- D. Sheriff's Office - Commissary: Approve FY 2019 transfer in the amount of \$38,506 as detailed on Auditor's form dated November 5, 2018 to amend the budget pursuant to Local Government Code Section 111.07075 and allocate funds received from Commissary for fencing.**
- E. Vehicle Equipment: Approve FY 2019 transfer in the amount of \$3,918 as detailed on Director of Finance's form dated November 7, 2018 to allocate additional funds necessary for the purchase of budgeted vehicles.**

7. CONSTABLE, PCT. 1:

Record into Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 1.

8. CONSTABLE, PCT. 2:

Record into Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 2.

9. CONSTABLE, PCT. 3:

Record into Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 3.

10. CONSTABLE, PCT. 4:

- A. Record into Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 4.**
- B. Record into Minutes the Federal FY 2018 Equitable Sharing Agreement and Certification Report for the Office of Constable, Precinct 4.**

11. COUNTY ATTORNEY:

Record into the Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of County Attorney.

12. DISTRICT ATTORNEY:

- A. Record into Minutes the District Attorney State FY 2018 Chapter 59 Asset Forfeiture Report by Attorney Representing the State.**
- B. Record into Minutes the Federal FY 2018 Equitable Sharing Agreement and Certification Report for the Office of District Attorney.**

13. ENGINEERING-PAYMENTS:

- A. Approve payment of Invoice No. ES180724-3R in the amount of \$62,652.62 to Amani Engineering Inc. for professional engineering services regarding Intersection Improvements, Mobility Bond Project No. 17114, Precinct 1. (Fund: 2017 Mobility Bonds)**
- B. Approve payment of Invoice No. 1 in the amount of \$534,850.45 to Hurtado Construction Company for construction of A. Myers, Mobility Bond Project No. 13102, Precinct 1. (Fund: 2013 Mobility Bonds)**
- C. Approve payment of Invoice No. 12 in the amount of \$389,402.61 to Allgood Construction Company, Inc. for construction of Williams Way Boulevard, Mobility Bond Project No. 13114, Precinct 1. (Fund: 2013 Mobility Bonds)**
- D. Approve payment of Invoice No. 6631 in the amount of \$172.50 to Property Acquisition Services, LLC for right of way services regarding FM 762/FM 2759 (Crabb River Road), Mobility Bond Project No. x28 and West Tavener Road, Precinct 1. (Fund: Right of Way)**
- E. Approve payment of Invoice No. 595183 in the amount of \$6,240.90 to Professional Service Industries, Inc. regarding construction material testing for Williams Way, Mobility Bond Project No. 13114, Precinct 1. (Fund: 2013 Mobility Bonds)**
- F. Approve payment of Invoice No. 201815256 in the amount of \$10,012.50 to Berg-Oliver Associates, Inc. for professional environmental services regarding Lake Olympia, Segment 2, Mobility Bond Project No. 13217x, Precincts 1 and 2. (Fund: 2013 Mobility Bonds)**

Item 13 continued - Engineering - Payments:

- G. Approve payment of Invoice No. 6632 in the amount of \$44,596.25 to Property Acquisition Services, LLC for right of way services regarding projects within Precincts 1 and 4. (Fund: Right of Way)**
- H. Approve payment of Invoice No. 2000129793 in the amount of \$19,383.00 to AECOM Technical Services, Inc. for professional construction management services regarding 2013 Mobility Projects within Precinct 3. (Fund: 2013 Mobility Bonds)**
- I. Approve payment of Invoice No. 32 in the amount of \$51,470.23 to Webber, LLC for construction of FM 1093/Westpark Extension Phase I, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)**
- J. Approve payment of Invoice No. 9 in the amount of \$1,430,014.88 to Webber, LLC for construction of FM 1093/Westpark Extension Phase IIA, Precinct 3. (Fund: 2017A Series Road Bonds)**
- K. Approve payment of Invoice No. 52431 in the amount of \$1,873.25 to Costello, Inc. for professional engineering services regarding Roesner Road Segment 1, Mobility Bond Project No. 17305, Precinct 3. (Fund: 2017 Mobility Bonds)**
- L. Approve payment of Invoice No. 52432 in the amount of \$1,873.25 to Costello, Inc. for professional engineering services regarding Roesner Road Segment 2, Mobility Bond Project No. 17306, Precinct 3. (Fund: 2017 Mobility Bonds)**
- M. Approve payment of Invoice No. 6629 in the amount of \$73,024.38 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)**
- N. Approve payment of Invoice No. 75314 in the amount of \$14,621.00 to Edminster Hinshaw Russ & Associates, Inc. dba EHRA for professional engineering services regarding Cane Island, Mobility Bond Project No. 17308, Precinct 3. (Fund: 2017 Mobility Bonds)**
- O. Approve payment of Invoice No. 052294 in the amount of \$15,890.00 and Invoice No. 052381 in the amount of \$16,975.00 to Paradigm Consultants Inc. regarding construction material testing for Gaston Road Segment 1, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)**
- P. Approve payment of Invoice No. 3 in the amount of \$308,552.63 to Allgood Construction Company Inc. for construction of Gaston Road, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)**
- Q. Approve payment of Invoice No. 3 in the amount of \$316,365.39 to Allgood Construction Company Inc. for construction of Crossover Road, Mobility Bond Project No. 13307, Precinct 3. (Fund: 2013 Mobility Bonds)**

14. ENGINEERING-PERMITTS:

- A. Approve application from CenterPoint Energy to install 6-inch gas line along Benton Road, Permit No. 2018-23869, Precinct 1.**
- B. Approve application from CenterPoint Energy to tie into an existing gas line on Wildwood Park Road at the intersection of Tamarisk Hills Lane, Permit No. 2018-23903, Precinct 1.**
- C. Approve application from MCI MetroAccess Transmission Services, Corp/Golden Field Services to bury fiber optic cable crossing under the Fort Bend Toll Road and buried along Trammel Fresno Road, and hang aerial cable along Kitty Hollow Park Road, Permit No. 2018-23448, Precinct 2.**
- D. Approve application from Gonzalez Construction Enterprise, Inc. to install a 12-inch waterline under Rancho Bella Parkway and install a new roadway connection onto Rancho Bella Parkway including a left turn lane at the intersection of Mirandola Lane, Permit No. 2018-24131, Precinct 3.**
- E. Approve application from CenterPoint Energy to bury a 4-inch gas line along Bissonnet Street at the intersection of Clodine Road, Permit No. 2018-24132, Pct. 3.**
- F. Approve application from Crown Castle NG Central LLC/CobbFendley to install new telecommunication equipment on existing cell tower nodes along Peek Road, Cinco Ranch Boulevard, Bridgehaven Drive, Spring Walk Drive, Evening Canyon Drive, Briarlilly Lane, Blackwood Bridge Lane, Enchanted Meadow Lane, Boxfield Lane, Gaston Road, Fry Road and Dillon Creek Lane, Permit No. 2018-24237, Precinct 3.**
- G. Approve application from Windstream Communications, LLC to bury fiber optic cable under and along Madden Road and Clodine Road, Permit No. 2018-23633, Precincts 3 and 4.**
- H. Approve application from Windstream Communications, LLC to bury fiber optic cable under and along Westmoor Drive at the intersection of West Airport Boulevard, Permit No. 2018-22399, Precinct 4.**
- I. Approve application from Clearwater Utilities, Inc. to make storm sewer and water line connections along West Airport Boulevard near the intersection of FM 1464, Permit No. 2018-24130, Precinct 4.**
- J. Approve application form Millis Development and Construction, LLC/Knudson LP to install a driveway tie-in at 15601 Lost Maples Drive, Permit No. 2018-24210, Precinct 4.**
- K. Approve application from United Constructors of Texas, Inc/RSG Engineering to install a driveway tie-in and left turn lane at 11135 Harlem Road, Permit No. 2018-24190, Precinct 4.**
- L. Approve application from VMB Equity Properties LLC to install one driveway tie-in at 10007 Clodine Road, including two additional driveway tie-ins on Boss Gaston Road, Permit No. 2018-22608, Precinct 4.**

15. ENGINEERING-DEVELOPMENT:

- A. Approve plat for the roads within Veranda, Section Twenty-Two, Precinct 1.**
- B. Approve plat for the lots within Veranda, Section Twenty-Two, Precinct 1.**
- C. Approve plat for the roads within Creekside Ranch, Section 8, Precinct 3.**
- D. Approve plat for the lots within Creekside Ranch, Section 8, Precinct 3.**
- E. Approve plat for the roads within Lakes of Bella Terra West, Section 3, Precinct 3.**
- F. Approve plat for the lots within Lakes of Bella Terra West, Section 3, Precinct 3.**
- G. Approve the plat for Tamarron, Section 29 Partial Replat No. 1, Precinct 3.**
- H. Accept the streets in Veranda Section Four: Mills Battle Road 408.09 LF, Clyde Falls Drive 1,369.26 LF, Buster Jackson Court 409.48 LF, Duncan Brush Trace 28.44 LF, Bassett Hollow Lane 27.07 LF, Oswen Trail Road 120.35 LF, for a total of 2,362.69 LF, and release the bond in the amount of \$173,250.00, Precinct 1.**
- I. Set public hearing on request to re-name Owens Road to John Sharp Drive, from the limits of Harlem Road to FM 1464, Precinct 4. *(Tuesday, December 11, 2018, at 1:00 p.m.)***

16. FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by 2015 Facility Bonds:

- A. Invoice No. 1694 in the amount of \$596.50 to Austin-Reed Engineers for engineering services regarding the Pinnacle Aquatic Fitness Center;**
- B. Invoice No. TA75335 in the amount of \$8,579.25 to Terracon for geotechnical services regarding the Sheriff Administration Building;**
- C. Pay Application No. 5 in the amount of \$50,548.84 to Crain Group for construction services regarding the Sienna Annex Emergency Medical Service Facility Improvements;**
- D. Invoice No. 1581922 in the amount of \$80.00 to Gulf Coast Paper Company for janitorial equipment regarding the Sienna Annex Emergency Medical Service Facility Improvements.**

17. FIRE MARSHAL:

Record into Minutes State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fire Marshal.

18. **GRANTS ADMINISTRATION:** The grant application for these items has been approved by Commissioners Court: the Grants Coordinator has reviewed the acceptance documents and makes the following recommendations to Commissioners Court:
- A. **Behavioral Health Services:** Accept grant funds from the Office of the Governor, Criminal Justice Division for grant funds in the amount of \$100,334.36 for Victims of Crime, Grant Number 3334302 for the Infant Toddler Court Program, with a twenty percent cash match of \$24,750 and an in-kind match of \$13,681.60 by Fort Bend County for the period of September 1, 2018 through August 31, 2020 (Corrected to Add: "subject to confirmation with Auditor for compliance with grant agreement requirements and conditions before action."). (Fund: Behavioral Health Services)
 - B. **Parks Department:** Accept grant award in the amount of \$62,000 from The Henderson-Wessendorff Foundation in support of park infrastructure improvements for King-Kennedy Memorial Park, Precinct 1.
19. **HEALTH & HUMAN SERVICES:**
- Environmental Health:** Approve replacement of counterfeit twenty dollar bill received by Environmental Health support staff during October 2018.
20. **PURCHASING:**
- A. Authorize the purchase of used electronics collection, transportation, and recycling services from CompuCycle, Inc., utilizing Houston-Galveston Area Council Contract No. CE15-043 through March 31, 2019.
 - B. Approve the continued purchase of technology equipment, software, and related services from SHI Government Solutions, utilizing State of Texas Department of Information Resources Agreement DIR-TSO-4092 for various departments upon request from their Fiscal Year 2019 budgets.
21. **SHERIFF'S OFFICE:**
- A. Record into Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Sheriff's Office.
 - B. Record into Minutes the State FY 2018 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for Fort Bend County Narcotics Task Force.
 - C. Record into Minutes the Federal FY 2018 Equitable Sharing Agreement and Certification Report for the Sheriff's Office.
 - D. Record into Minutes the Federal FY 2018 Equitable Sharing Agreement and Certification Report for Fort Bend County Narcotics Task Force.
22. **TAX ASSESSOR/COLLECTOR:**
- Approve refunds over \$500 detailed in Tax Assessor/Collector's report submitted on November 6, 2018 for an amount totaling \$4,125.85 for the Office of Patsy Schultz.

23. TREASURER:

Approve Monthly Report submitted by the County Treasurer for October 2018, and authorize advertisement of affidavit of the same, in accordance with Local Government Code Section 114.026.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda Items 5 - 23, with noted correction to Item 18A.

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

Item 18A Correction:

Behavioral Health Services: Accept grant funds from the Office of the Governor, Criminal Justice Division for grant funds in the amount of \$100,334.36 for Victims of Crime, Grant Number 3334302 for the Infant Toddler Court Program, with a twenty percent cash match of \$24,750 and an in-kind match of \$13,681.60 by Fort Bend County for the period of September 1, 2018 through August 31, 2020, subject to confirmation with Auditor for compliance with grant agreement requirements and conditions before action. (Fund: Behavioral Health Services)

24. COUNTY JUDGE:

- A. Take all appropriate action to set bond amounts for the following elected officials for the term beginning January 1, 2019: County Judge \$10,000 (Government Code Section 26.001); County Treasurer \$500,000 (Local Government Code Section 83.002); Constable, Pct. 2 for unexpired term, \$1,500 (Local Government Code Section 86.002); and County Court-at-Law Judges \$10,000 (Government Code Section 25.0006).**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to set bond amounts for the following elected officials for the term beginning January 1, 2019: County Judge \$10,000 (Government Code Section 26.001); County Treasurer \$500,000 (Local Government Code Section 83.002); Constable, Pct. 2 for unexpired term, \$1,500 (Local Government Code Section 86.002); and County Court-at-Law Judges \$10,000 (Government Code Section 25.0006).

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

The bonds for these positions are set by the Court. Other bonds for different positions are set by statute.

Item 24 continued - County Judge:

B. Take all appropriate action on Order regarding Expenditures by Exiting Elected Officials pursuant to Texas Local Government Code Section 130.908.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Order regarding
Expenditures by Exiting Elected Officials pursuant to Texas Local Government Code
Section 130.908.

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

C. Mail Center: Take all appropriate action on update to the Fort Bend County Mail Center Policy & Procedures.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve update to the Fort Bend
County Mail Center Policy & Procedures.

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

25. COMMISSIONER, PCT. 2:

Take all appropriate action on request by Loi Huynh on behalf of Dana-Y Investment, Ltd., to waive penalty and interest totaling \$1,145.53 on property taxes for tax year 2017, Precinct 2.

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve request by Loi Huynh on
behalf of Dana-Y Investment, Ltd., to waive penalty and interest totaling \$1,145.53 on
property taxes for tax year 2017, Precinct 2, due to correspondence and recommendation
received by the Tax Assessor.

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

26. COMMISSIONER, PCT. 4:

A. Take all appropriate action on request by Jacob Thomas to waive penalty and interest totaling \$48.21 on property taxes for tax year 2017, Precinct 4.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by Jacob Thomas to waive penalty and interest totaling \$48.21 on property taxes for tax year 2017, Precinct 4, due to an error found by the Tax Assessors Office or the CAD.

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

B. Take all appropriate action to set a Public Hearing on the adoption of the proposed Amended Order Prohibiting Solid Waste Disposal in Fort Bend County, Texas, to be conducted on Tuesday, December 11, 2018, at 1:00 p.m. in the Commissioners Courtroom on the Second Floor at 401 Jackson Street, Richmond, Texas, in accordance with Section 364.12(c) of the Texas Health and Safety Code.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to set a Public Hearing on the adoption of the proposed Amended Order Prohibiting Solid Waste Disposal in Fort Bend County, Texas, to be conducted on Tuesday, December 11, 2018, at 1:00 p.m. in the Commissioners Courtroom on the Second Floor at 401 Jackson Street, Richmond, Texas, in accordance with Section 364.12(c) of the Texas Health and Safety Code.

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

27. COUNTY ATTORNEY:

Take all appropriate action on Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and Authorizing the Acquisition and Payment of Compensation by Record Vote regarding South Post Oak, from Trammel Fresno Road to Hunter Green Lane, Mobility Bond Project No. 13112, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered, by record vote, to authorize the use of the power of Eminent Domain to acquire all needed Right of Way for public project known as South Post Oak Mobility Project located beginning at Trammel Fresno Road and ending at Hunter Green Lane, in Fort Bend County, Texas by adoption of the Resolution and Order decreeing the acquisition of property to be a public necessity and authorizing acquisition and payment of compensation for the public purpose of widening, aligning, construction, operation and maintenance of South Post Oak, Mobility Project located beginning at Trammel Fresno Road and ending at Hunter Green Lane in Fort Bend County, Texas including appurtenant drainage and detention required for the said project. The motion applies to all and all parcels of land that must be condemned along the public project known as South Post Oak mobility project located beginning at Trammel Fresno and ending at Hunter Green Lane in Fort Bend County.

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

MOTION PASSES

28. ENGINEERING:

A. Take all appropriate action on Antiquities Permit Application to the Texas Historical Commission regarding Chimney Rock Road, Mobility Bond Project No. 17202, Precincts 1 and 2.

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Antiquities Permit Application to the Texas Historical Commission regarding Chimney Rock Road, Mobility Bond Project No. 17202, Precincts 1 and 2.

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

Item 28 continued - Engineering:

- B. 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 Camellia, Section 4, 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 block length requirement as stated in Section 5.5.A.2 of the Fort Bend County Regulations of Subdivisions, for Camellia, Section 4, on behalf of Victorian Gardens, Ltd., Precinct 3.

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

- C. Take all appropriate action on plat for the roads within Camellia, Section 4, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve plat for the roads within Camellia, Section 4, Precinct 3.

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

- D. Take all appropriate action on plat for the lots within Camellia, Section 4, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson
Duly put and unanimously carried (5-0), it is ordered to approve plat for the lots within Camellia, Section 4, Precinct 3.

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

Item 28 continued - Engineering:

- E. 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 51, on behalf of Aliana Development Company and Fort Bend County Municipal Utility District No. 134A, 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 51, on behalf of Aliana Development Company and Fort Bend County Municipal Utility District No. 134A, Precinct 4.

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

- F. Take all appropriate action on plat for the roads within Aliana, Section 51, 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 51, Precinct 4.

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

- G. Take all appropriate action on plat for the lots within Aliana, Section 51, 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 51, Precinct 4.

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

Item 28 continued - Engineering:

- H. Take all appropriate action on request for a variance to the block length requirement as stated in Section 5.5.A.2, and a variance to the 25-foot front building line requirement as stated in Section 5.12.C.1.a. of the Fort Bend County Regulations of Subdivisions for Aliana, Section 53, on behalf of Aliana Development Company, John Ryan Cochran, Sara Ahlschlager, Larry W. Muller, H.F. Schneider, III and George Blitch, Precinct 4.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve a variance to the block length requirement as stated in Section 5.5.A.2, and a variance to the 25-foot front building line requirement as stated in Section 5.12.C.1.a. of the Fort Bend County Regulations of Subdivisions for Aliana, Section 53, on behalf of Aliana Development Company, John Ryan Cochran, Sara Ahlschlager, Larry W. Muller, H.F. Schneider, III and George Blitch, Precinct 4.

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

- I. Take all appropriate action on plat for the roads within Aliana, Section 53, 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 53, Precinct 4.

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

- J. Take all appropriate action on plat for the lots within Aliana, Section 53, 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 53, Precinct 4.

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

29. HEALTH & HUMAN SERVICES:

Social Services: Take all appropriate action on electronic application to the Texas Veterans Commission for the 2019-2020 General Assistance Grant, requesting \$200,000 in grant funds to continue providing financial assistance for Veterans and their families in Fort Bend County, with no cash match required by Fort Bend County.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve electronic application to the Texas Veterans Commission for the 2019-2020 General Assistance Grant, requesting \$200,000 in grant funds to continue providing financial assistance for Veterans and their families in Fort Bend County, with no cash match required by Fort Bend County.

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

30. JUSTICE OF THE PEACE, PCT. 1, PL. 2:

Take all appropriate action on request to transfer the amount of \$10,125 as detailed on Judge's form dated November 7, 2018, including \$6,635 from FY 2019 Non-Departmental Contingency into Property and Equipment to allocate funds for office modifications to accommodate new position approved in FY 2019 budget.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$10,125 as detailed on Judge's form dated November 7, 2018, including \$6,635 from FY 2019 Non-Departmental Contingency into Property and Equipment to allocate funds for office modifications to accommodate new position approved in FY 2019 budget.

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

31. PUBLIC TRANSPORTATION:

Take all appropriate action on Amendment No. 6 to Agreement for Transportation Services between Fort Bend County and Fort Bend Seniors Meals on Wheels & Much, Much More, extending the Agreement for an additional sixty days beginning December 1, 2018 and ending on January 31, 2019. (Fund: Public Transportation Grants)

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 6 to Agreement for Transportation Services between Fort Bend County and Fort Bend Seniors Meals on Wheels & Much, Much More, extending the Agreement for an additional sixty days beginning December 1, 2018 and ending on January 31, 2019. (Fund: Public Transportation Grants)

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

32. PURCHASING:

A. Take all appropriate action on Fourth Amendment to Agreement for Janitorial Services between Fort Bend County and High Quality Cleaning Services, pursuant to RFP 16-034, for additional services in the amount of \$1,635 per month and to renew through March 31, 2020 for an annual amount not to exceed \$107,340. (Fund: Various County Departments)

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Fourth Amendment to Agreement for Janitorial Services between Fort Bend County and High Quality Cleaning Services, pursuant to RFP 16-034, for additional services in the amount of \$1,635 per month and to renew through March 31, 2020 for an annual amount not to exceed \$107,340.
(Fund: Various County Departments)

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

Item 32 continued - Purchasing:

- B. Take all appropriate action on request to appropriate funds with Phonoscope/PS Lightwave Networking, pursuant to RFP 10-086 for point-to-point and internet ethernet circuit services in an amount not to exceed \$800,000 through September 30, 2020. (Fund: Information Technology)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to appropriate funds with
Phonoscope/PS Lightwave Networking, pursuant to RFP 10-086 for point-to-point and internet
ethernet circuit services in an amount not to exceed \$800,000 through September 30, 2020.
(Fund: Information Technology)

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

Jaime Kovar, Assistant Purchasing Agent explained this item is to approve the funding for FY 2019 and FY 2020. There is no additional agreement.

- C. Take all appropriate action on First Amendment to Agreement for Fire & Security Alarm Services between Fort Bend County and Dowley Security Systems, Inc. pursuant to RFP 19-002, for additional services in the amount of \$42.50 per month, increasing the annual amount not to exceed \$285,679.12. (Fund: Facilities)**

Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to
Agreement for Fire & Security Alarm Services between Fort Bend County and Dowley Security
Systems, Inc. pursuant to RFP 19-002, for additional services in the amount of \$42.50 per
month, increasing the annual amount not to exceed \$285,679.12. (Fund: Facilities)

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

Item 32 continued - Purchasing:**D. Take all appropriate action on Agreement for Consulting Services between Fort Bend County and Armko Industries, Inc. in an amount not to exceed \$90,000 for multiple building roof replacements. (Fund: Capital Improvement Project)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Consulting Services between Fort Bend County and Armko Industries, Inc. in an amount not to exceed \$90,000 for multiple building roof replacements. (Fund: Capital Improvement Project)

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

E. Take all appropriate action on request to purchase four (4) Kenworth Dump Trucks from Performance Truck - Houston, utilizing Buy Board Contract Number 521-16, for an amount not to exceed \$528,000. (Fund: Road & Bridge)

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to purchase four (4) Kenworth Dump Trucks from Performance Truck - Houston, utilizing Buy Board Contract Number 521-16, for an amount not to exceed \$528,000. (Fund: Road & Bridge)

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

F. Take all appropriate action on request to purchase one (1) Gradall excavator from Associated Supply Company (DBA, ASCO), utilizing Houston-Galveston Area Council Contract EM06-17, for an amount not to exceed \$419,742.42. (Fund: Road & Bridge)

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to purchase one (1) Gradall excavator from Associated Supply Company (DBA, ASCO), utilizing Houston-Galveston Area Council Contract EM06-17, for an amount not to exceed \$419,742.42. (Fund: Road & Bridge)

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

Item 32 continued - Purchasing:**G. Take all appropriate action on RFP 18-099, credit card processing services for Fort Bend County Tax Assessor-Collector.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to reject and re-advertise on RFP 18-099, credit card processing services for Fort Bend County Tax Assessor-Collector.

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

H. Take all appropriate action on request to purchase archival indexing and conversion services from Kofile Technologies for the District Clerk, utilizing Texas Multiple Award Schedule #TXMAS-18-3602, for an amount not to exceed \$183,600. (Fund: District Court Record Preservation and District Court Archive Fees)

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to purchase archival indexing and conversion services from Kofile Technologies for the District Clerk, utilizing Texas Multiple Award Schedule #TXMAS-18-3602, for an amount not to exceed \$183,600. (Fund: District Court Record Preservation and District Court Archive Fees)

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

I. Take all appropriate action on Change Order No. 3 to increase by \$27,053.53 the contract between Fort Bend County and Allgood Construction Co. Inc. for a total contract amount not to exceed \$2,830,164.96, pursuant to Bid No. 18-029 regarding Spring Green Boulevard, Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 3 to increase by \$27,053.53 the contract between Fort Bend County and Allgood Construction Co. Inc. for a total contract amount not to exceed \$2,830,164.96, pursuant to Bid No. 18-029 regarding Spring Green Boulevard, Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)

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

Item 32 continued - Purchasing:

- J. Take all appropriate action on Change Order No. 7 to increase by \$34,343.60 the contract between Fort Bend County and Allgood Construction Co. Inc. for a total contract amount not to exceed \$5,161,701.03, pursuant to Bid No. 17-038 regarding Williams Way Boulevard, Mobility Bond Project No. 13114, Precinct 1. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 7 to increase by \$34,343.60 the contract between Fort Bend County and Allgood Construction Co. Inc. for a total contract amount not to exceed \$5,161,701.03, pursuant to Bid No. 17-038 regarding Williams Way Boulevard, Mobility Bond Project No. 13114, Precinct 1. (Fund: 2013 Mobility Bonds)

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

33. RISK MANAGEMENT:

- A. Take all appropriate action on renewal of supplement medical coverage for retirees aged 65 years and over by TransAmerica Premier Life Insurance Company through the Texas Association of Counties Health and Employee Benefits Pool, and accept premium rates for the 2019 plan year to be effective January 1, 2019; authorize County Judge to execute member contract designations.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve renewal of supplement medical coverage for retirees aged 65 years and over by TransAmerica Premier Life Insurance Company through the Texas Association of Counties Health and Employee Benefits Pool, and accept premium rates for the 2019 plan year to be effective January 1, 2019; authorize County Judge to execute member contract designations.

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

Item 33 continued - Risk Management:

B. Take all appropriate action on TransAmerica County Choice Silver retiree rates to be effective January 1, 2019, as submitted by Director of Risk Management.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve TransAmerica County Choice Silver retiree rates to be effective January 1, 2019, as submitted by Director of Risk Management.

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

34. 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 \$6,411,840.97.

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

35. Authorize County Auditor to pay and release time-sensitive disbursements on November 21, 2018, to be ratified by Commissioners Court on November 27, 2018.

Moved by Commissioner Meyers, 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 November 21, 2018, to be ratified by Commissioners Court on November 27, 2018.

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

Recess:

Recessed at 1:26 p.m.

36. 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-DCV-221725: JDC/Firethone, 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. State Office of Administrative Hearings Docket No. 304-18-1762.14; Texas Comptroller of Public Accounts Case No. 103,241.**
- C. Fort Bend County, Texas and The State of Texas, acting on behalf of The Texas Commission on Environmental Quality, a Necessary and Indispensable Party vs. Volkswagen Group of America, Inc. and Audi of America, LLC, et al.; Cause No. 15-DCV-226954 in the 268th Judicial District Court of Fort Bend County, Texas, transferred to the In Re: Volkswagen Clean Diesel Texas MDL, Cause No. D-1-GN-16-000370 in the 353rd Judicial District Court of Travis County, Texas.**

Closed Session:

Convened at 1:41 p.m.
Adjourned at 2:02 p.m.

Reconvene:

Reconvened at 2:04 p.m.

37. Reconvene Open Session and consider taking action on the following matters:**§ 551.071. Consultation With Attorney.****A. Cause No. 15-DCV-221725: JDC/Firethone, 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 Patterson
 Duly put and unanimously carried (5-0), it is ordered to authorize County Attorney to incur additional litigation expenses as set forth in Cause No. 15-DCV-221725 and Cause No. 16-DCV-231552 in an amount increasing from \$685,000 to \$985,000. The designated funding source shall be Fund Account 100409100-63000 for an amount of \$100,000 and the designated funding source shall be Fund Account 100409100-66500 for an amount of \$200,000. It is further ordered that the above specified total sum of \$300,000 shall be transferred from the above referenced funding sources into Fund Account 100475100-63000. (County Attorney Fees and Services)

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

B. State Office of Administrative Hearings Docket No. 304-18-1762.14; Texas Comptroller of Public Accounts Case No. 103,241.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers
 Duly put and unanimously carried (5-0), it is ordered to authorize County Attorney to negotiate with Husch Blackwell LP to enter agreement for legal representation regarding State Office of Administrative Hearings Docket No. 304-18-1762.14; Texas Comptroller of Public Accounts Case No. 103,241 and ; authorize the County Judge to execute any and all necessary documents to memorialize an agreement for such legal representation upon recommendation of the County Attorney at an amount to exceed \$3,500. Contingency 100409100-66500 - Designated Funding Source and transferred to County Attorney Fees and Services Fund Account 100475100-63000.

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

C. Fort Bend County, Texas and The State of Texas, acting on behalf of The Texas Commission on Environmental Quality, a Necessary and Indispensable Party vs. Volkswagen Group of America, Inc. and Audi of America, LLC, et al.; Cause No. 15-DCV-226954 in the 268th Judicial District Court of Fort Bend County, Texas, transferred to the In Re: Volkswagen Clean Diesel Texas MDL, Cause No. D-1-GN-16-000370 in the 353rd Judicial District Court of Travis County, Texas.

No action.

38. Adjournment.

Commissioners Court adjourned at 2:07 p.m. on Tuesday, November 13, 2018.



I attest to the accuracy of the foregoing minutes.

Laura Richard

Laura Richard, County Clerk, Fort Bend County, Texas