

MINUTES

BE IT REMEMBERED, That on this 5TH DAY of FEBRUARY, 2019, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

KP GEORGE	COUNTY JUDGE
VINCENT MORALES	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
KEN R. DEMERCHANT	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 KP George 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 January 29, 2019.

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 January 29, 2019.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

4. Public Comments regarding the Agenda and Announcements.

No public comments.

Judge George presented a proclamation of appreciation to Honorable James Patterson for his exceptional service to Fort Bend County. Mr. Patterson thanked the court for this recognition.

Commissioner Meyers noted former County Judge Robert Hebert and his wife Pat's, grandson departed for Afghanistan this week. Commissioner offered prayers and wishes for his safety and for his family.

Commissioner Meyers complimented the OEM Department. Last week he spoke with criticism on how some important projects for his Precinct had been held. Commissioner offered praised to the same OEM staff who worked diligently to help his office get the applications in by the deadline. OEM helped to accomplish a complicated application process and worked with the staff from Engineering, Drainage, a professional engineer, Sujeeth Draksharam, and the staff of Precinct 3.

Judge George echoed Commissioner Meyers praises. Judge indicated in moving forward, OEM will respond to the needs of the citizens of the County. Judge announced last Thursday he held a listening tour where more than 170 people attended. This tour was live on Facebook. Judge congratulated Commissioner Ken DeMerchant, Precinct 4 and his staff, Constable 4 Trever Nehls and his staff for helping to make this a successful event. In moving forward, the listening tour will travel to all of the Precincts. The next listening tour will take place in Precinct 3 on February 28 and Judge will be working with Commissioner Meyers' office and Constable Wayne Thompson, Precinct 3.

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

Public hearing held. No public comments.

- A. Acceptance of the traffic control plan for Blase Road, Precinct 1.**
- B. Acceptance of the traffic control plan for Veranda, Section 16, Precinct 1.**
- C. Acceptance of the traffic control plan for Cinco Village Center Section 3 Partial Replat No. 1 (Cinco Village Center Boulevard), Precinct 3.**
- D. Acceptance of the traffic control plan for the Spring Green Blvd. roundabout, Precinct 3.**
- E. Acceptance of the traffic control plan for Creekstone Village at Riverstone, Section 9, Precincts 2 and 4.**

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

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

CONSENT AGENDA ITEMS 6 - 17:

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

- A. Health & Human Services: Anthony Ryder to San Diego, California, July 8-12, 2019 to attend the Environmental Systems Research Institute User Conference. (Fund: Public Health Emergency Preparedness Grant)**
- B. Sheriff's Office - Enforcement: S. Onda to Linthicum, Maryland, March 6-15, 2019 to attend FBI Taskforce training, with all travel related expenses sponsored by the Federal Bureau of Investigation.**

7. CONSTABLE, PCT. 1:

Record into Minutes the 2018 Racial Profiling Full Report for the Office of Constable Pct 1, pursuant to the Code of Criminal Procedure Articles 2.121-2.138.

8. CONSTABLE, PCT. 3:

Record into Minutes the 2018 Racial Profiling Full Report for the Office of Constable Pct 3, pursuant to the Code of Criminal Procedure Articles 2.121-2.138.

9. COUNTY ATTORNEY:

Record into Minutes the Annual Report of Eminent Domain Authority dated January 29, 2019, as required under Senate Bill 1812, detailing the authority of Fort Bend County to exercise the power of Eminent Domain in Texas.

10. ENGINEERING-PAYMENTS:

- A. Approve payment of Invoice No. FTBC1400082.02-03 in the amount of \$3,420.00 to CP&Y for professional engineering services regarding Avenue J Extension, Mobility Bond Project No. 17115, Precinct 1. (Fund: 2017 Mobility Bonds)**
- B. Approve payment of Invoice No. 7-Final in the amount of \$85,711.34 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. 00019794 in the amount of \$28,254.85 to Halff Associates, Inc. for professional engineering services regarding Bamore Road Segment 2, Mobility Bond Project No. 17105, Precinct 1. (Fund: 2017 Mobility Bonds)**
- D. Approve payment of Invoice No. 201821194 in the amount of \$4,973.27 to LJA Engineering Inc. for project management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- E. Approve payment of Invoice No. 605497 in the amount of \$6,489.50 to Professional Service Industries, Inc. for professional engineering services regarding Ludwig Lane, Mobility Bond Project No. 13208, Precinct 2. (Fund: 2013 Mobility Bonds)**

Item 10 continued - Engineering-Payments:

- F. Approve payment of Invoice No. 53605 in the amount of \$64,016.00 to Costello, Inc. for professional engineering services regarding Beechnut Street, Mobility Bond Project No. 17204, Precincts 2 and 3. (Fund: 2017 Mobility Bonds)**
 - G. Approve payment of Invoice No. 7996 in the amount of \$5,195.00 to Aguirre & Fields for professional engineering services regarding Greenbusch Road, Mobility Bond Project No. 13312, Precinct 3. (Fund: 2013 Mobility Bonds)**
 - H. Approve payment of Invoice No. 29787 in the amount of \$33,991.45 to Terra Associates, Inc. for professional engineering services regarding Brandt Road, Mobility Bond Project No. 17310, Precinct 3. (Fund: 2017 Mobility Bonds)**
 - I. Approve payment of Invoice No. 201822380 in the amount of \$48,028.06 to LJA Engineering for professional construction management services regarding FM 1093/Westpark Extension Phase IIA, Precinct 3. (Fund: 2017A Series Road Bonds)**
 - J. Approve payment of Invoice No. 10-Final in the amount of \$307,369.88 to Allgood Construction Company Inc. for construction of Spring Green Boulevard, Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)**
 - K. Approve payment of Invoice No. 268545 in the amount of \$42,092.00 and Invoice No. 269073 in the amount of \$41,842.50 to Cobb, Fendley & Associates, Inc. for professional engineering services regarding Clodine Road, Mobility Bond Project No. 17417, Precinct 4. (Fund: 2017 Mobility Bonds)**
 - L. Approve payment of Invoice No. 201821368 in the amount of \$18,436.51 to LJA Engineering, Inc. for project management services regarding 2017 Mobility Bond Projects within Precinct 4. (Fund: 2017 Mobility Bonds)**
- 11. ENGINEERING-PERMITS:**
- A. Approve application from PS Lightwave, Inc., to bury fiber optic cable along Old Richmond Road at the intersection of Sugarland-Howell Road, Permit No. 2019-25836, Precincts 2 and 3.**
 - B. Approve application from Diffeo, LLC to install two driveway tie-ins on Greenbusch Road at 9930 Gaston Road, Permit No. 2018-25194, Precinct 3.**
- 12. ENGINEERING-DEVELOPMENT:**
- A. Approve the plat for the roads within Harvest Green, Sec. 27, Precinct 3.**
 - B. Approve the plat for the lots within Harvest Green, Sec. 27, Precinct 3.**
 - C. Approve the plat for Vanbrooke Recreation Center, Precinct 3.**
 - D. Accept the streets in Fieldstone, Section 14: Summer Holly Lane 548.00 LF, Sienna Ivy Crossing 140.00 LF, Andorra Pointe Trace 654.42 LF, Woodland Violet Lane 145.14 LF, and Skyler Meadows Court 547.76 LF, for a total of 2,035.32 LF, and release the bond in the amount of \$72,275.00, Precinct 4.**

- 13. 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. 403082 in the amount of \$8,291.22 to Workplace Solutions for workstation components regarding the Sienna Annex Emergency Medical Service Facility Improvements;**
 - B. Pay Application for the final payout of retainage in the amount of \$32,309.61 to Crain Group for construction services regarding the Sienna Annex Emergency Medical Service Facility Improvements;**
 - C. Invoice No. 257959714 in the amount of \$12,086.54 to Office Depot for furniture regarding the buildout of the first floor of the Justice Center;**
 - D. Invoice No. 10293093611 in the amount of \$1,359.08 to Dell Marketing, for computer equipment regarding the expansion of the Justice Center;**
 - E. Invoice No. 26469 in the amount of \$409.00 to Elite Window Coverings for blinds in the chambers regarding the buildout of the first floor of the Justice Center;**
 - F. Invoice No. 6478 in the amount of \$9,088.00 to AGCM Inc. for construction management services regarding the Sheriff Administration Building;**
 - G. Invoice No. IN-00424053 in the amount of \$23,046.86 to Priefert Manufacturing for equipment regarding the Fairgrounds Livestock Building;**
 - H. Invoice No. 104872 and Invoice No. 105717 for an amount totaling \$2,214.00 to Alpha Testing for materials testing services regarding the Orchard Emergency Medical Service Facility Improvements;**
 - I. Invoice No. 1074044 in the amount of \$781.46 to DataVox for voice/data equipment regarding the expansion of the Missouri City Branch Library;**
 - J. Invoice No. INV329837FOR249 in the amount of \$764.49 to Worthington Direct for equipment regarding an addition to and expansion of the Missouri City Branch Library;**
 - K. Pay Application No. 14 in the amount of \$258,953.56 to Paradigm Construction for construction services regarding an addition to and expansion of the Missouri City Branch Library.**

14. HUMAN RESOURCES:

Approve and record into Minutes the application for Appointment of Deputy Constables Pennie Jackson, Roderick Garner, Evett Kelly, Raymond Stewart, Geneane Hughes, Marion Glenn Jr., George Pearson, Christopher Redmond, Lisa Stepney and Derrick Day by Constable Precinct 2, in accordance with Constable's form dated January 23, 2019 pursuant to Local Government Code §86.011.

15. PUBLIC TRANSPORTATION:

- A. Approve request to increase the existing change fund for Fort Bend County Public Transportation Department to accommodate customers purchasing Fort Bend County Public Transportation ticket books. (Fund: General Fund)**
- B. Approve payment of Invoice No. 05 in the amount of \$1,321,795.20 to SpawGlass Construction Corp for construction regarding Transit Facility, Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds)**

16. SHERIFF'S OFFICE:

Record into the Minutes the Commissary Management Services Agreement between Fort Bend County Sheriff and Aramark Correctional Services, LLC, pursuant to RFP 18-094. (Fund: Sheriff's Office, Commissary)

17. TAX ASSESSOR/COLLECTOR:

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 30, 2019, for an amount totaling \$2,568.58 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 - 17.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

18. COUNTY JUDGE:

Take all appropriate action on letter to Texas Division of Emergency Management in support of an application by Fort Bend County Municipal Utility District No. 140 for hazard mitigation funding of a levee protection project, with no financial obligation by Fort Bend County.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve letter to Texas Division of Emergency Management in support of an application by Fort Bend County Municipal Utility District No. 140 for hazard mitigation funding of a levee protection project, with no financial obligation by Fort Bend County.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Before a motion was made on Item 19, Judge George requested legal consult on the process of a motion, second and discussion due to Item 19 requiring additional information before a motion is made.

Marcus Spencer, First Assistant County Attorney, stated the motion is initiated, the second is entertained and then it is open for discussion. However, Marcus indicated there are times when an explanation is necessary for a motion to entertain a second.

Michelle Turner, Chief - General Counsel, stated according to Robert's Rule of Order, first you would have the motion, a second to the motion and open for discussion.

Judge George stated the voting process should be reviewed and a conclusion should be made in moving forward.

19. COMMISSIONER, PCT. 1:

Take all appropriate action on request by Drew Darsey on behalf of Pegmo LLC to waive penalty, interest and collection fees totaling \$1,903.85 on property taxes for tax year 2017, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve request by Drew Darsey on behalf of Pegmo LLC to waive penalty, interest and collection fees totaling \$1,903.85 on property taxes for tax year 2017, Precinct 1, due to an error by the Tax Office or the CAD.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

20. COMMISSIONER, PCT. 2:

Take all appropriate action on Agreement for the Duration, Rate and Allocation of Sales and Use Tax between the City of Stafford, Fort Bend County, and proposed Fort Bend County Assistance District.

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for the Duration, Rate and Allocation of Sales and Use Tax between the City of Stafford, Fort Bend County, and proposed Fort Bend County Assistance District.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

21. COMMISSIONER, PCT. 4:

Take all appropriate action on request to ratify application to the Texas Department of Emergency Management for funding of Flood Mitigation in flood prone areas of Fort Bend County for the Flat Bank Creek Diversion Channel Structure Project at an estimated project cost of \$45,000,000, with a twenty-five percent local match.

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to ratify application to the Texas Department of Emergency Management for funding of Flood Mitigation in flood prone areas of Fort Bend County for the Flat Bank Creek Diversion Channel Structure Project at an estimated project cost of \$45,000,000, with a twenty-five percent local match.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Commissioner DeMerchant thanked Mark Flathouse, OEM Coordinator, Mark Vogler, Chief Engineer, Drainage, Richard Stolleis, County Engineer and their team for quickly completing the application in a timely manner. He also thanked Commissioner Meyers for the invitation to join in the application process. This is the first step in trying to help residents of the area where several hundred homes will be protected from flooding, if the project goes through. Commissioner DeMerchant stated he is working on the funding for the local match.

Commissioner Meyers indicated the local match funding is a complicated issue and he is working with Representative Zerwas, Chair of the House Committee on Appropriations and Senator Kolkhorst to get the local match funded by the state.

22. AUDITOR:

Take all appropriate action on Resolution Declaring Intention to Advance Fund and Reimburse a maximum amount of \$2,600,000 for the Hazard Mitigation Grant Program Buyout Project - DR 4269 expenditures regarding the 2016 Tax Day Flood.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Resolution Declaring Intention to Advance Fund and Reimburse a maximum amount of \$2,600,000 for the Hazard Mitigation Grant Program Buyout Project - DR 4269 expenditures regarding the 2016 Tax Day Flood.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

23. DISTRICT ATTORNEY:

A. Take all appropriate action on request for two part-time Attorney I positions to fulfill the need for the Pre-Trial Bond Program for the Magistrate dockets.

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve request for two part-time Attorney I positions to fulfill the need for the Pre-Trial Bond Program for the Magistrate dockets.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Wes Wittig, Executive Assistant District Attorney explained this request was in last year's budget and was put on hold, as per former County Judge Hebert, to see how things were going to develop with the magistration process. The process has begun and the Public Defender's office had two part-time attorneys granted and are having hearings. This has become an adversarial process, which has to be staffed and is a precursor to bail reform that may or may not be legislatively addressed this session.

Pamela Gubbels, Director of Finance & Investments, stated there is a Funding Source with a transfer on the next item for \$87,096.

Item 23 continued - District Attorney:

- B. Take all appropriate action on request to transfer the amount of \$87,096 from Non-Departmental Contingency as detailed on District Attorney's form dated January 31, 2019 to allocate funds for two part-time Attorney I positions for the purpose of Pre-Trial Bond Magistrate Hearings.**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$87,096 from Non-Departmental Contingency as detailed on District Attorney's form dated January 31, 2019 to allocate funds for two part-time Attorney I positions for the purpose of Pre-Trial Bond Magistrate Hearings.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

24. ENGINEERING:

- A. Take appropriate action on request for temporary road closure, pursuant to Section 251.011 of the Texas Transportation Code, for Wildwood Park Road north of the roundabout within Veranda, Section 1, to be closed during construction: closure for seven days between February 6, 2019 and March 1, 2019, Precinct 1.**

Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve request for temporary road closure, pursuant to Section 251.011 of the Texas Transportation Code, for Wildwood Park Road north of the roundabout within Veranda, Section 1, to be closed during construction: closure for seven days between February 6, 2019 and March 1, 2019, Precinct 1.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Item 24 continued - Engineering:

- B. Take all appropriate action on request for temporary road closure, pursuant to Section 251.011 of the Texas Transportation Code, for Rawson Road between South Richwood Drive and Old Richmond Road, to be closed during reconstruction of Union Pacific Railroad crossing; closure will be for 48 hours between February 18, 2019 and March 16, 2019, Precinct 1.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve request for temporary road closure, pursuant to Section 251.011 of the Texas Transportation Code, for Rawson Road between South Richwood Drive and Old Richmond Road, to be closed during reconstruction of Union Pacific Railroad crossing; closure will be for 48 hours between February 18, 2019 and March 16, 2019, Precinct 1.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

- C. Take all appropriate action on Utility Construction Services Agreement between Fort Bend County and CenterPoint Energy Houston Electric, LLC in an amount not to exceed \$177,000 for utility relocations regarding Old Needville Fairchilds Road, Mobility Bond Project No. 17109, Precinct 1. (Fund: 2017 Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Utility Construction Services Agreement between Fort Bend County and CenterPoint Energy Houston Electric, LLC in an amount not to exceed \$177,000 for utility relocations regarding Old Needville Fairchilds Road, Mobility Bond Project No. 17109, Precinct 1. (Fund: 2017 Mobility Bonds)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Item 24 continued - Engineering:

D. 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 Still Creek Ranch, Section One, on behalf of Arenosa Development Powerline, Ltd., Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve 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 Still Creek Ranch, Section One, on behalf of Arenosa Development Powerline, Ltd., Precinct 1.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

E. Take all appropriate action on plat for the roads within Still Creek Ranch, Section One, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve plat for the roads within Still Creek Ranch, Section One, Precinct 1.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

F. Take all appropriate action on plat for the lots within Still Creek Ranch, Section One, Pct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve plat for the lots within Still Creek Ranch, Section One, Precinct 1.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

25. FACILITIES MANAGEMENT & PLANNING:

- A. Take all appropriate action on the Facilities Extension Agreement between CenterPoint Energy and Fort Bend County in the amount of \$1,894 regarding property located at 3840 Bamore Road, Rosenberg, Texas, the Medical Examiner Office Building. (Fund: 2015 Facilities Bond, Proposition 4)**

Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve the Facilities Extension Agreement between CenterPoint Energy and Fort Bend County in the amount of \$1,894 regarding property located at 3840 Bamore Road, Rosenberg, Texas, the Medical Examiner Office Building. (Fund: 2015 Facilities Bond, Proposition 4)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

- B. Take all appropriate action on request to transfer the amount of \$45,000 from Non-Departmental Contingency as detailed on Director's form dated January 30, 2019, to allocate funds for the purchase of furniture for the Justice Center.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$45,000 from Non-Departmental Contingency as detailed on Director's form dated January 30, 2019, to allocate funds for the purchase of furniture for the Justice Center.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

26. GRANTS ADMINISTRATION:

- Take all appropriate action on the CEO/Law Enforcement Certifications and Assurances Form required by the Office of the Governor's Public Safety Office for updated terms and conditions to participate in Criminal Justice grants.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the CEO/Law Enforcement Certifications and Assurances Form required by the Office of the Governor's Public Safety Office for updated terms and conditions to participate in Criminal Justice grants.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

27. INFORMATION TECHNOLOGY:

Take all appropriate action on request to transfer the amount of \$39,834 from Non-Departmental Contingency into Information Technology, Fees, to allocate funds for the purchase of Odyssey end user training.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$39,834 from Non-Departmental Contingency into Information Technology, Fees, to allocate funds for the purchase of Odyssey end user training.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

28. PUBLIC TRANSPORTATION:

Take all appropriate action on application to METRO for the Fiscal Year 2018 Section 5310 funds for an amount up to \$307,770 in federal and \$153,885 in cash local match or \$153,885 in transportation development credits, for the Ambassador Program, including grantor's requests for submittal of additional information. (Fund: Public Transportation Grants)

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve application to METRO for the Fiscal Year 2018 Section 5310 funds for an amount up to \$307,770 in federal and \$153,885 in cash local match or \$153,885 in transportation development credits, for the Ambassador Program, including grantor's requests for submittal of additional information. (Fund: Public Transportation Grants)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

29. PURCHASING:

A. Take all appropriate action on request for price increase by Reflection Printing pursuant to Bid 18-036, term contract for stationery, and exercise 30-day cancellation. (Fund: Non-Departmental)

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve request for price increase by Reflection Printing pursuant to Bid 18-036, term contract for stationery, and exercise 30-day cancellation. (Fund: Non-Departmental)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Jaime Kovar, Assistant Purchasing Agent stated the printing company has asked for a 9% increase, which would be effective today. A new solicitation has gone out with bids due today. A 30 day out clause will be provided to the current vendor, Reflection Printing, and the new solicitation will come to court to be awarded.

B. Take all appropriate action on Sixth Addendum to Software Maintenance Agreement between Fort Bend County and Zoll Data Systems, Inc., a sole source provider as authorized by Section 262.024 (a)(7) Texas Local Government Code, for annual maintenance of Rescuenet Software and hosted Billing Pro in an amount not to exceed \$74,494 effective through September 30, 2019. (Fund: Information Technology)

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Sixth Addendum to Software Maintenance Agreement between Fort Bend County and Zoll Data Systems, Inc., a sole source provider as authorized by Section 262.024 (a)(7) Texas Local Government Code, for annual maintenance of Rescuenet Software and hosted Billing Pro in an amount not to exceed \$74,494 effective through September 30, 2019. (Fund: Information Technology)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Item 29 continued - Purchasing:

- C. Take all appropriate action on Amendment to Agreement for Professional Property Acquisition Services between Fort Bend County and The Guess Group, Inc. in an additional amount of \$17,000 for a total contract amount not to exceed \$159,400 regarding projects in Precinct 2. (Fund: Right of Way)**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Property Acquisition Services between Fort Bend County and The Guess Group, Inc. in an additional amount of \$17,000 for a total contract amount not to exceed \$159,400 regarding projects in Precinct 2. (Fund: Right of Way)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

- D. Take all appropriate action on Amendment to Agreement for Professional Engineering Services between Fort Bend County and Terra Associates, Inc., in an additional amount of \$19,700 for a total contract amount not to exceed \$323,100, pursuant to SOQ 14-025 regarding Lake Olympia Segment 1, Mobility Bond Project No. 13207, Precinct 2. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Engineering Services between Fort Bend County and Terra Associates, Inc., in an additional amount of \$19,700 for a total contract amount not to exceed \$323,100, pursuant to SOQ 14-025 regarding Lake Olympia Segment 1, Mobility Bond Project No. 13207, Precinct 2. (Fund: 2013 Mobility Bonds)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Item 29 continued - Purchasing:

- E. Take all appropriate action on Amendment to Agreement for Professional Engineering Services between Fort Bend County and Terra Associates, Inc., in an additional amount of \$132,000 for a total contract amount not to exceed \$1,177,280 pursuant to SOQ 14-025 regarding Brandt Road, Mobility Bond Project No. 17310, Precinct 3. (Fund: 2017 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Engineering Services between Fort Bend County and Terra Associates, Inc., in an additional amount of \$132,000 for a total contract amount not to exceed \$1,177,280 pursuant to SOQ 14-025 regarding Brandt Road, Mobility Bond Project No. 17310, Precinct 3. (Fund: 2017 Mobility Bonds)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

- F. Take all appropriate action on Amendment to Agreement for Professional Property Acquisition Services between Fort Bend County and Percheron Field Services, LLC, in an additional amount of \$33,200 for a total contract amount not to exceed \$62,100 pursuant to SOQ 14-025 regarding Westpark Park & Ride, Precinct 3. (Fund: Right of Way)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Property Acquisition Services between Fort Bend County and Percheron Field Services, LLC, in an additional amount of \$33,200 for a total contract amount not to exceed \$62,100 pursuant to SOQ 14-025 regarding Westpark Park & Ride, Precinct 3. (Fund: Right of Way)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Item 29 continued - Purchasing:

- G. Take all appropriate action on Change Order 05 to increase the contract between Fort Bend County and Earth Builders in an amount of \$125,636.25 for a total contract amount not to exceed \$5,353,197.62 and to extend the contract time until March 1, 2019, pursuant to Bid No. 17-073 regarding Cane Island Parkway, Mobility Bond Project No. 13306, Precinct 3. (Fund: 2013 Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
 Duly put and unanimously carried (5-0), it is ordered to approve Change Order 05 to increase the contract between Fort Bend County and Earth Builders in an amount of \$125,636.25 for a total contract amount not to exceed \$5,353,197.62 and to extend the contract time until March 1, 2019, pursuant to Bid No. 17-073 regarding Cane Island Parkway, Mobility Bond Project No. 13306, Precinct 3. (Fund: 2013 Mobility Bonds)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

30. ROAD & BRIDGE:

Take all appropriate action on abandonment of Temporary Drainage Easement between Fort Bend County and Old South Plantation located on McCrary Road, Precinct 3.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
 Duly put and unanimously carried (5-0), it is ordered to approve abandonment of Temporary Drainage Easement between Fort Bend County and Old South Plantation located on McCrary Road, Precinct 3.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

31. 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 \$10,272,832.07.

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	Yes

Recess:

Recessed at 1:37 p.m.

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

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

- A. Texas Government Code Chapter 551, Open Meetings Act.
- B. Cause No. 16-CCV-056539 - State of Texas, Fort Bend County, Texas v James C. Smith, et al; FM 359 Road Widening Project, Parcel 15, Precinct 1.

Pulled.

Closed Session:

Convened at 2:00 p.m.
Adjourned at 2:54 p.m.

Reconvene:

Reconvened at 2:54 p.m.

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

§ 551.071. Consultation With Attorney.

- A. Texas Government Code Chapter 551, Open Meetings Act.
No action.
- B. Cause No. 16-CCV-056539 - State of Texas, Fort Bend County, Texas v James C. Smith, et al; FM 359 Road Widening Project, Parcel 15, Precinct 1.

Pulled.

34. Adjournment.

Commissioners Court adjourned at 2:54 p.m. on Tuesday, February 5, 2019.

I attest to the accuracy of the foregoing minutes.

Laura Richard, County Clerk, Fort Bend County, Texas

