

MINUTES

BE IT REMEMBERED, That on this 10TH DAY of SEPTEMBER, 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 by Pastor Michael V. Ellison of Zion Hill Missionary Baptist Church.

Invocation by Pastor Michael V. Ellison of Zion Hill Missionary Baptist Church.

3. Pledges of Allegiance by County Judge KP George.

Pledges of Allegiance by County Judge KP George.

4. Approve minutes of regular meeting held on September 3, 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 September 3, 2019.

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

5. Public Comments regarding the Agenda and Announcements.

There was one public comment:

Andre McDonald, 4010 Lyndhurst Place, Sugar Land, spoke on Agenda Items 20E & F and Drainage Agenda Items 7 & 8. Mr. McDonald stated it is not known if the Flood Mitigation Bond Referendum will have any impact on the upcoming or future budgets. Many residents pay a tax for flood mitigation to special districts or to a city in addition to what is paid to the County and Drainage District. Currently, a significant portion of the County's proposed flood mitigation funding is for areas that are not in a flood mitigation district or a city. Mr. McDonald stated it is unfair to ask the taxpayers who already pay an additional flood mitigation tax, to pay for flood mitigation for property owners who refuse to pay for their own. He intends to vote for the County's Bond Referendum if Commissioners Court fairly and equably protects the majority of taxpayers by sharing the bond proceeds and saves the taxpayers from potential abuse.

Commissioner Meyers reminded everyone of the anniversary of 9/11. He asked everyone to remember families of those affected by this tragic event in our nation's history.

Commissioner Morales introduced Stephanie Ginestra, Veterinarian for Fort Bend County Animal Services. She has been working with the County since June on her days off. Commissioner has seen many positive comments about Dr. Ginestra and feels she will be a real asset for Fort Bend County Animal Services.

Judge George thanked the Elections Office, IT Department and Facilities Staff for the tremendous support provided for the Elections workshop on August 13. Commissioners Court was able to test the equipment and speak with the vendors, which was an integral part of the decision making process.

6. PUBLIC HEARING: 1:10 p.m.

A. Conduct Public Hearing on the Proposed 2020 budget for Fort Bend County, pursuant to Texas Local Government Code § 111.067.

Public hearing held. No public comments.

PUBLIC HEARING: 1:11 p.m.

B. Community Development: Conduct a Public Hearing to receive comments from the public regarding the Housing and Community Development needs of low-and moderate-income persons in Fort Bend County for the FY 2020 Consolidated Plan.

Public hearing held. No public comments.

Item 6 continued - Public Hearings:

PUBLIC HEARINGS: 1:11 p.m.

C. Engineering: Conduct public hearings and take all appropriate action on the following matters:

Public hearing held. No public comments.

- 1. Acceptance of the traffic control plan for Grand Vista Springs Boulevard at Beechnut Street, Precincts 2 and 3.**
- 2. Acceptance of the traffic control plans for Learning Tree Lane Extension Street Dedication, and Briarwood Crossing Drive and Learning Tree Lane Extension Street Dedication, Pct 1.**
- 3. Acceptance of the traffic control plan for Creekside Ranch, Section 8, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Agenda Items 6C1, 6C2 and 6C3.

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

CONSENT AGENDA ITEMS 7 - 17

7. COMMISSIONER, PCT. 4:

Appoint Sam Gaylon and Rashid Khokhar to the Board of Directors of Fort Bend County Levee Improvement District No. 2 for a four-year term effective September 10, 2019 through September 10, 2023.

8. BUDGET TRANSFERS:

- A. Constable, Pct. 1: Approve transfer in the amount of \$124 from Salaries into Overtime to allocate funds for deputies' overtime.**
- B. Constable, Pct. 4: Approve transfer in the amount of \$143 from Salaries into Overtime to allocate funds into correct account for expenditures.**
- C. Juvenile Detention: Approve transfer in the amount of \$34,149 as detailed on Auditor's form dated September 4, 2019 to allocate the County's matching funds to the FY 2019 School Breakfast and Lunch Program and close out the FY 2019 grant.**
- D. Purchasing: Approve transfer in the amount of \$220 from Supplies and Maintenance into Information Technology to allocate funds for the purchase of a color printer.**

Item 8 continued - Budget Transfers:

- E. **Road & Bridge:** Approve transfer in the amount of \$63,686 from Supplies and Maintenance into Capital Acquisitions and Information Technology to allocate funds for the purchase of a generator and computer related equipment.
 - F. **Sheriff's Office - Commissary:** Approve transfer in the amount of \$3,582 as detailed on Chief's form dated August 28, 2019 to amend the budget pursuant to Local Government Code Section 111.07075 and allocate revenue received from Commissary into accounts for expenditures through September 1, 2019.
 - G. **Sheriff's Office - Enforcement:** Approve transfer in the amount of \$24,990 as detailed on Auditor's form dated September 4, 2019 to allocate the County's matching funds to the FY 2019 Victim Coordinator Liaison Grant, (G560-19VCLG) and close out State FY 2019 Grant.
9. **ENGINEERING-PAYMENTS:**
- A. Approve payment of Invoice No. 12256-5 in the amount of \$34,347.50 to McDonough Engineering Corporation for professional engineering services regarding Benton Road Segment 1, Mobility Bond Project No. 17110, Precinct 1. (Fund: 2017 Mobility Bonds)
 - B. Approve payment of Invoice No. 7 in the amount of \$21,791.55 to HJ Consulting, Inc. for professional engineering services regarding various roads in Arcola, Mobility Bond Project No. 17120x, Precinct 1. (Fund: 2017 Mobility Bonds)
 - C. Approve payment of Invoice No. 18066-11 in the amount of \$5,463.75 to Earth Engineering, Inc. for construction materials testing services regarding Sansbury Boulevard Segment 2, Mobility Bond Project No. 13111b, Precinct 1. (Fund: 2013 Mobility Bonds)
 - D. Approve payment of Invoice No. 79218 in the amount of \$112,500.10 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)
 - E. Approve payment of Invoice No. 13 in the amount of \$1,105,334.90 to Allgood Construction Company Inc. for construction of Gaston Road, Segment 1, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)
 - F. Approve payment of Invoice No. 3024400132 in the amount of \$6,477.50 to Huitt-Zollars for professional engineering services regarding Old Needville-Fairchilds Road, Mobility Bond Project No. 13109, Precinct 1. (Fund: 2013 Mobility Bonds)
 - G. Approve payment of Invoice No. 11543 in the amount of \$31,909.00 to IDCUS for professional engineering services regarding FM 2759/FM 762 (Crabb River Road), Mobility Bond Project No. x28, Precinct 1. (Fund: 2007 Mobility Bonds)
 - H. Approve payment of Invoice No. 052806 & Final in the amount of \$1,632.50 to Paradigm Consultants, Inc. regarding construction material testing for Sugarland-Howell, Mobility Bond Project No. 13211, Precincts 2 and 3. (Fund: 2013 Mobility Bonds)
 - I. Approve payment of Invoice No. 6 in the amount of \$30,176.30 to PGAL for professional engineering services regarding Owens Road, Segment 2 (John Sharp Drive), Mobility Bond Project No. 17407, Precinct 4. (Fund: 2017 Mobility Bonds)

10. ENGINEERING-PERMITS:

- A. Approve application from Comcast of Houston, LLC /Jier LLC to install conduit along Richmond Foster Road, Permit No. 2019-30048, Precinct 1.**
- B. Approve application from Comcast of Houston, LLC to install conduit along Cinco Village Center Boulevard, Permit No. 2019-30058, Precinct 3.**
- C. Approve application from MCIMetro Access Transmission Services Corp/Eagle Eye Permitting & Design, LLC to install fiber optic cable along Northmoor Drive, Mason Road, Woodcreek Bend Lane, Katy Flewellen Road, Pin Oak Road, Cinco Ranch Boulevard, Highland Knolls Boulevard, Lakeview Drive, and Westheimer Parkway, Permit No. 2019-30060, Precinct 3.**
- D. Approve application from Comcast of Houston, LLC to install conduit along West Bellfort, Permit No. 2019-29986, Precinct 4.**
- E. Approve application from Windstream Sugar Land, LLC to install fiber optic cable along Boss Gaston Road, Permit No. 2109-29980, Precinct 4.**

11. ENGINEERING-DEVELOPMENT:

- A. Approve the plat for Tamarron Section 13 Amending Plat No. 1, Precinct 3.**
- B. Approve the plat Lakes of Bella Terra Reserve Sec 6, Precinct 3.**
- C. Approve the plat Brandt Road Street Dedication Section 1, Precinct 3.**
- D. Approve plat for the roads within Creekside Ranch, Section 12, Precinct 3.**
- E. Approve plat for the lots within Creekside Ranch, Section 12, Precinct 3.**
- F. Approve the plat for the Reserve at Aliana, Precinct 4.**

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. Invoice No. 208123729682 in the amount of \$328.92 to School Specialty for library equipment regarding the expansion of the Missouri City Branch Library; and**
- B. Invoice No. WT090319 in the amount of \$3,935 to the City of Rosenberg for irrigation and fire line fees regarding the Medical Examiner Office Building.**

13. GRANTS ADMINISTRATION: The grant application for this item has been approved by Commissioners Court; the Grants Coordinator has reviewed the acceptance documents and makes the following recommendation to Commissioners Court:

Community Supervision & Corrections Department: Accept grant funds from the Office of the Governor, Criminal Justice Division for the Felony Drug Court (CARD) Program in the amount of \$130,000 for the period of September 1, 2019 through August 31, 2020 with no cash match required by Fort Bend County.

14. HUMAN RESOURCES:

- A. Approve and record into Minutes the application for Appointment of Deputy Constables Shanell Francis and Christopher Ross by Constable Precinct 2 in accordance with Constable's form dated August 28, 2019 pursuant to Local Government Code §86.011.**
- B. Approve the rehire of former employee Patricia Ortega, who terminated employment on December 14, 2017, and will be rehired effective September 11, 2019.**

15. PUBLIC TRANSPORTATION:

- A. Approve payment of Invoice No. 230312 in the amount of \$6,915.00 to Ninyo & Moore, Inc. regarding the Transit Facility, Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds and Public Transportation Grants)**
- B. Approve payment of Invoice No. 3071210112 in the amount of \$22,867.50 to Huitt-Zollars for construction management services regarding the Transit Facility - Bamore Road, Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds)**
- C. Approve payment of Invoice No. 3081690120 in the amount of \$45,393.32 to Huitt-Zollars for construction management services regarding the Transit Facility, Mobility Bond Project No. 13406. (Fund: 2013 Mobility Bonds and Public Transportation Grants)**

16. PURCHASING:

- A. Authorize renewal of Bid 17-019, term contract for Newspaper Publications of Legal Notices, for daily newspapers with Fort Bend Herald and weekly newspapers with Fort Bend Independent.**
- B. Authorize advertising for qualifications for design/build of pavilion at Daily Park.**

17. TAX ASSESSOR/COLLECTOR:

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report dated August 27, 2019 for an amount totaling \$2,756.92 for the Office of Carrie Surratt.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda
Items 7 - 17.

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

18. COUNTY JUDGE:

Take all appropriate action on the current Burn Ban according to Local Government Code §352.081.

Mark Flathouse, Emergency Manager/Fire Marshal, recommends maintaining the burn ban already in place.

19. AUDITOR:

Take all appropriate action on Resolution Declaring Intention to Advance Funding and Reimburse Expenditures for the Data Recovery Solution Information Technology Project.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Resolution Declaring Intention to Advance Funding and Reimburse Expenditures for the Data Recovery Solution Information Technology Project.

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

20. BUDGET & FINANCE:

A. Take all appropriate action on FY 2020 Proposed Positions for Fort Bend County.

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve FY 2020 Proposed Positions for Fort Bend County, as presented.

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

Pamela Gubbels, Director of Finance & Investments, presented a proposed positions list dated September 10, 2019.

Commissioner Meyers stated based on the evidence he received for the positions of the Associate District Judge and Coordinator, he feels these positions are not justified.

Item 20 continued - Budget & Finance:

B. Take all appropriate action to set the FY 2020 Salaries for Elected Officials of Fort Bend County, pursuant to Texas Local Government Code §152.011.

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to set the FY 2020 Salaries for Elected Officials of Fort Bend County, pursuant to Texas Local Government Code §152.011, as proposed on August 6, 2019.

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

Pamela Gubbels, Director of Finance & Investments stated the FY2020 Salaries were proposed on August 6.

C. Take all appropriate action on Fiscal Year 2020 Fleet Management for Fort Bend County.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Fiscal Year 2020 Fleet Management for Fort Bend County.

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

D. Take all appropriate action on list of Take Home Vehicles for FY 2020, pursuant to County Employee Information Manual, Policy 612.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve list of Take Home Vehicles for FY 2020, pursuant to County Employee Information Manual, Policy 612.

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

Item 20 continued - Budget & Finance:

E. Take all appropriate action to adopt the 2019 Tax Rate for Fort Bend County, and take a record vote, pursuant to Property Tax Code 26.05, as follows:

Proposed General Fund Tax Rate	\$0.34350
Proposed Road & Bridge Fund Tax Rate	\$0.01600
OPEB Trust	\$0.01000
Proposed Interest & Sinking Fund Tax Rate	\$0.07520
Total Proposed Tax Rate	\$0.44470

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant Duly put and unanimously carried (5-0), it is ordered by record vote, the property tax rate be increased by the adoption of a tax rate of \$0.34350 for the General Fund, \$0.01600 for the Road & Bridge Fund, \$0.0100 for the new OPEB Trust Fund, and \$0.07520 for the Interest & Sinking Fund for a total Fort Bend County Tax Rate of \$0.44470, which is effectively a 3.75 percent increase in the tax rate.

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

Commissioner Meyers noted the language is as required by state law. However the two combined tax rates are being decreased by 4/10 of a cent and the County is giving taxpayers some tax relief.

MOTION PASSES

Item 20 continued - Budget & Finance:

F. Take all appropriate action to adopt the FY 2020 Budget for Fort Bend County, and take a record vote, pursuant to Texas Local government Code §111.068.

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered, by record vote, to adopt the FY 2020 Budget for Fort Bend County, as presented, pursuant to TX LGC §111.068.

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

Pamela Gubbels, Director of Finance & Investments, presented the budget totaling \$382,691,970, which includes the changes presented before the court members. The changes include removing two positions from IDC, adding three stretchers to EMS, adjusting salaries for Executive Managers and reducing Nondepartmental Contingency by \$32,263 to account for the changes made in order for the changes to be a net zero to the budget that was filed. Census Outreach Services has been added to Nondepartmental budget for a total of \$49,500.

Commissioner Morales thanked the Budget Office, the Auditors Office and the Directors for their hard work on the budget. There is one item in the budget Commissioner is not in favor of, based on the information received from Court Administration, which is the Associate District Judge. He hopes the Court looks at this next year and makes sure the taxpayer's money is being used in a proper way.

Commissioner Meyers echoed Commissioner Morales' gratitude for all of the hard work the department heads have put in, particular the Budget Office and the effort the Court has made to come up with a budget that has resulted in a tax rate decrease for the taxpayers.

MOTION PASSES

21. CONSTABLE, PCT. 4:

A. Take all appropriate action on application to the Texas Department of Transportation for participation in the Selective Traffic Enforcement Program – Comprehensive for grant funds in the amount of \$19,705 with a local match of \$5,043.24 for the period October 1, 2019 through September 30, 2020. (Fund: Constable, Precinct 4)

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve application to the Texas Department of Transportation for participation in the Selective Traffic Enforcement Program – Comprehensive for grant funds in the amount of \$19,705 with a local match of \$5,043.24 for the period October 1, 2019 through September 30, 2020. (Fund: Constable, Precinct 4)

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

Item 21 continued - Constable, Pct. 4:

- B. Take all appropriate action on application to the Texas Department of Transportation for participation in the Selective Traffic Enforcement Program for Commercial Vehicles for grant funds in the amount of \$11,993.30 with a local match of \$ 3,350.53 for the period October 1, 2019 through September 30, 2020. (Fund: Constable, Precinct 4)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve application to the Texas Department of Transportation for participation in the Selective Traffic Enforcement Program for Commercial Vehicles for grant funds in the amount of \$11,993.30 with a local match of \$3,350.53 for the period October 1, 2019 through September 30, 2020. (Fund: Constable, Precinct 4)

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

22. ENGINEERING:

- A. Take all appropriate action on request for payment in the amount of \$43,282.80 to Texas Department of Transportation pursuant to Agreement approved in Commissioners Court on July 10, 2012 regarding FM 2234, 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 request for payment in the amount of \$43,282.80 to Texas Department of Transportation pursuant to Agreement approved in Commissioners Court on July 10, 2012 regarding FM 2234, Precinct 2. (Fund: Right of Way)

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

Item 22 continued - Engineering:

- B. Take all appropriate action on payment in the amount of \$5,242.80 to Texas Department of Transportation pursuant to Advance Funding Agreement approved in Commissioners Court on March 25, 2014 regarding right of way for US 90A/FM 1640, Mobility Bond Project No. 717, Precinct 1. (Fund: Right of Way)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve payment in the amount of \$5,242.80 to Texas Department of Transportation pursuant to Advance Funding Agreement approved in Commissioners Court on March 25, 2014 regarding right of way for US 90A/FM 1640, Mobility Bond Project No. 717, Precinct 1. (Fund: Right of Way)

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

- C. Take all appropriate action on Interlocal Agreement for City – Managed Mobility Project between Fort Bend County and City of Stafford in an amount not to exceed \$475,000 regarding Trinity Drive Extension, Mobility Bond Project No. 17216, Precinct 2. (Fund: 2017 Mobility Bonds)**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement for City – Managed Mobility Project between Fort Bend County and City of Stafford in an amount not to exceed \$475,000 regarding Trinity Drive Extension, Mobility Bond Project No. 17216, Precinct 2. (Fund: 2017 Mobility Bonds)

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

Item 22 continued - Engineering:

- D. Take all appropriate action on request to purchase Parcel 4 of Mason Road and Grand Parkway (SH 99) in the amount of \$50,990.72 plus necessary costs, and authorize County Judge to sign all closing documents pertaining to said parcel, Mobility Bond Project No. 17401-03, Precinct 4. (Fund: 2017 Mobility Bonds)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 4 of Mason Road and Grand Parkway (SH 99) in the amount of \$50,990.72 plus necessary costs, and authorize County Judge to sign all closing documents pertaining to said parcel, Mobility Bond Project No. 17401-03, Precinct 4. (Fund: 2017 Mobility Bonds)

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

23. HUMAN RESOURCES:

Take all appropriate action on proposed revisions to the Fort Bend County Employee Information Manual, specifically Policy 103, Equal Employment Opportunity, as submitted by Human Resources.

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve proposed revisions to the Fort Bend County Employee Information Manual, specifically Policy 103, Equal Employment Opportunity, as submitted by Human Resources.

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

Judge George announced the expansion of the Equal Employment Opportunity Policy. The County is attracting the best talent from every walk of life to join the County in the mission of going above and beyond to make the County's services more efficient, engaging and effective for all residents of our diverse and growing community.

24. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Budget Amendment No. 1 between Fort Bend County and the Federal Transit Administration for FAIN # TX-2018-058, Fiscal Year 2017 Section 5307, to revise the budget and deobligate \$1,431,012 in federal funds for future amendment.**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
 Duly put and unanimously carried (5-0), it is ordered to approve Budget Amendment No. 1 between Fort Bend County and the Federal Transit Administration for FAIN # TX-2018-058, Fiscal Year 2017 Section 5307, to revise the budget and deobligate \$1,431,012 in federal funds for future amendment.

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

- B. Take all appropriate action on application to the Federal Transit Administration, FAIN # TX-2019-102-00 for Fiscal Year 2018 Section 5339 funds totaling \$892,470 with \$178,495 in Transportation Development credits, including grantor’s request for submittal of additional information. (Fund: Public Transportation Grants)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
 Duly put and unanimously carried (5-0), it is ordered to approve application to the Federal Transit Administration, FAIN # TX-2019-102-00 for Fiscal Year 2018 Section 5339 funds totaling \$892,470 with \$178,495 in Transportation Development credits, including grantor’s request for submittal of additional information. (Fund: Public Transportation Grants)

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

25. PURCHASING:

- A. Take all appropriate action on RFQ 19-080 Engineering Services for City of Kendleton Water Line Improvement Project.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to negotiate RFQ 19-080 Engineering Services for City of Kendleton Water Line Improvement Project with Kaluza Inc., the most highly qualified respondent.

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

Item 25 continued - Purchasing:

- B. Take all appropriate action on Third Renewal to Agreement for Bulk Fuel between Fort Bend County and Sunoco, L.L.C., pursuant to RFP 17-001, effective October 1, 2019 through September 30, 2020. (Funds: Road & Bridge, Drainage District, Public Transportation)**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Third Renewal to Agreement for Bulk Fuel between Fort Bend County and Sunoco, L.L.C., pursuant to RFP 17-001, effective October 1, 2019 through September 30, 2020. (Funds: Road & Bridge, Drainage District, Public Transportation)

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

- C. Take all appropriate action on Ninth Amendment to Agreement for Vending Machine Services between Fort Bend County and Five Star Food Services, Inc. pursuant to RFP 11-068, effective October 1, 2019 through September 30, 2020.**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Ninth Amendment to Agreement for Vending Machine Services between Fort Bend County and Five Star Food Services, Inc. pursuant to RFP 11-068, effective October 1, 2019 through September 30, 2020.

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

Item 25 continued - Purchasing:

- D. Take all appropriate action on Third Amendment to Agreement for Janitorial Services between Fort Bend County and McLemore Building Maintenance, Inc. utilizing The Interlocal Purchasing System cooperative contract 170104, in the amount not to exceed \$65,177.72 per month or an annual amount not to exceed \$782,132.64, effective October 1, 2019 through September 30, 2020. (Facilities Management & Planning and Library)**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Third Amendment to Agreement for Janitorial Services between Fort Bend County and McLemore Building Maintenance, Inc. utilizing The Interlocal Purchasing System cooperative contract 170104, in the amount not to exceed \$65,177.72 per month or an annual amount not to exceed \$782,132.64, effective October 1, 2019 through September 30, 2020. (Facilities Management & Planning and Library)

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

- E. Take all appropriate action on RFP 19-085 for Auctioneer Services for County and Public Transportation Assets.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to reject all responses and re-advertise on RFP 19-085 for Auctioneer Services for County and Public Transportation Assets.

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

- F. Take all appropriate action on Bid 19-082 Furniture for Fort Bend County Public Transportation Administrative and Operating Facility.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to reject all bids and re-advertise on Bid 19-082 Furniture for Fort Bend County Public Transportation Administrative and Operating Facility.

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

Item 25 continued - Purchasing;

- G. Take all appropriate action on Amendment to Agreement for Professional Engineering Services between Fort Bend County and PGAL in the additional amount of \$8,831 for a total contract amount not to exceed \$343,747 pursuant to SOQ 14-025 regarding Owens Road (John Sharp Drive) Segment 2, Project No. 17407, Precinct 4. (2017 Mobility Bonds)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreement for Professional Engineering Services between Fort Bend County and PGAL in the additional amount of \$8,831 for a total contract amount not to exceed \$343,747 pursuant to SOQ 14-025 regarding Owens Road (John Sharp Drive) Segment 2, Project No. 17407, Precinct 4. (2017 Mobility Bonds)

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

- H. Take all appropriate action on Change Order No. 2 to decrease the contract between Fort Bend County and Allgood Construction Company, Inc. by \$109,087.97 for a total contract amount not to exceed \$2,390,099.32 and to extend the contract time until June 29, 2019, pursuant to Bid 18-063 regarding Beechnut Street, Mobility Bond Project No. 13201, 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 Change Order No. 2 to decrease the contract between Fort Bend County and Allgood Construction Company, Inc. by \$109,087.97 for a total contract amount not to exceed \$2,390,099.32 and to extend the contract time until June 29, 2019, pursuant to Bid 18-063 regarding Beechnut Street, Mobility Bond Project No. 13201, Precinct 2. (Fund: 2013 Mobility Bonds)

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

26. RISK MANAGEMENT:

Take all appropriate action on Resolution and Order granting settlement authority to the County Attorney and Director of Risk Management for the purpose of settling claims up to the amount of twenty-five thousand dollars both for and against the County, including authority to sign any necessary documents, forms, or release of liability by the County, and authorize payment. (Fund: Property & Casualty)

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Order granting settlement authority to the County Attorney and Director of Risk Management for the purpose of settling claims up to the amount of twenty-five thousand dollars both for and against the County, including authority to sign any necessary documents, forms, or release of liability by the County, and authorize payment. (Fund: Property & Casualty)

Judge George	Yes
Commissioner Morales	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner DeMerchant	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 \$6,337,468.06.

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

28. Authorize County Auditor to pay and release time-sensitive disbursements on September 19, 2019, to be ratified by Commissioners Court on September 24, 2019.

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time-sensitive disbursements on September 19, 2019, to be ratified by Commissioners Court on September 24, 2019.

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

Recess:

Recessed at 1:38 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. Texas Local Government Code Chapter 262 County Purchasing Act; Texas Government Code Chapter 791 Interlocal Cooperation Act; Texas Health & Safety Code: Chapter 711. General Provisions Relating to Cemeteries and Chapter 713: Local Regulation of Cemeteries.**
 - 2. Cause No. 03-17-00811-CV in the Third Court of Appeals; Public Utility Commission, Appellant/Cross Appellee v. Harris County Hospital District, Appellee/Cross-Appellant.**
 - 3. Cause No. 17-CCV-060125; Fort Bend County, Texas vs. Hana Enterprise, LLC, et al; FM 1093/Westpark Extension, Phase II Project, Parcel 411, Precinct 3.**
 - 4. Cause No. 16-CCV-058303 – FBC v James Allen Williams, et al; Cane Island Boulevard Project, Parcel 6, Precinct 3.**
 - 5. Acquisition of Real Property with Title Concerns.**
- 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.**
- 1. Annual Evaluation, Director of Human Resources.**
 - 2. Annual Evaluation, Emergency Manager/Fire Marshal.**
- Closed Session:**
- Convened at 1:50 p.m.
Adjourned at 2:50 p.m.
- Reconvene:**
- Reconvened at 3:02 p.m.
- 30. Reconvene Open Session and consider taking action on the following matters:**
- A. § 551.071. Consultation With Attorney.**
- 1. Texas Local Government Code Chapter 262 County Purchasing Act; Texas Government Code Chapter 791 Interlocal Cooperation Act; Texas Health & Safety Code: Chapter 711. General Provisions Relating to Cemeteries and Chapter 713: Local Regulation of Cemeteries.**
- No action.

Item 30 continued - Reconvene Open Session:

2. **Cause No. 03-17-00811-CV in the Third Court of Appeals; Public Utility Commission, Appellant/Cross Appellee v. Harris County Hospital District, Appellee/Cross-Appellant.**

No action.

3. **Cause No. 17-CCV-060125; Fort Bend County, Texas vs. Hana Enterprise, LLC, et al; FM 1093/Westpark Extension, Phase II Project, Parcel 411, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay to the Landowners a negotiated settlement in Cause No. 17-CCV-060125 - Fort Bend County, Texas v. Hana Enterprise, LLC, et al in the total amount of \$1,185,000 with credit for the amount previously paid to the Landowners of \$684,803 leaving a balance of \$500,197. The County Judge and/or the County Attorney be authorized to execute and deliver any and all associated settlement documents, pleadings, and related instruments to effectuate such settlement. Account # 130104888-64500 P104-17WESTPRKB 23600 be designated as the funding source.

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

4. **Cause No. 16-CCV-058303 – FBC v James Allen Williams, et al; Cane Island Boulevard Project, Parcel 6, Precinct 3.**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered, in Cause #16-CCV-058303 - Fort Bend County, Texas v James Allen Williams, et al Cane Island Boulevard Project, Parcel 6, Precinct 3, to authorize the County Attorney to incur litigation expenses, for any and all costs of pre-trial, trial, appeal and incidental costs in an amount not to exceed \$7,500. The Fund Account 758622888 63000 P622-18caneisl 23600 is designated as the funding source. The County Attorney is authorized to appeal said case should it become necessary to do so.

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

Item 30 continued - Reconvene Open Session:

5. Acquisition of Real Property with Title Concerns.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered and declared to be the policy of Fort Bend County, Texas to grant preliminary authority to the Fort Bend County Attorney, and/or the Fort Bend County Engineer, and/or their duly authorized employees and/or property acquisition agents to recommend acquisition of certain real property despite title concerns and/or clouds, without arranging for the purchase or acquisition of title insurance on the interest or partial interests to be acquired; provided that final authority to acquire such clouded interests, with or without title insurance, must be granted on a case-by-case basis, upon the specific recommendation of the Fort Bend County attorney at a regular meeting of the Commissioners Court of Fort Bend County, Texas.

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

B. § 551.074. Personnel Matters.

1. Annual Evaluation, Director of Human Resources.

Completed review of the annual evaluation with the Director of Human Resources.

2. Annual Evaluation, Emergency Manager/Fire Marshal.

Completed the review of the annual evaluation with the Emergency Manager/Fire Marshal.

31. Adjournment.

Commissioners Court adjourned at 3:10 p.m. on Tuesday, September 10, 2019.

Moved by Commissioner Meyers,
to adjourn.



I attest to the accuracy of the foregoing minutes.

Laura Richard, County Clerk, Fort Bend County, Texas