

MINUTES

BE IT REMEMBERED, That on this 4TH DAY of MAY, 2021, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

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| 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 Grady Prestage.

Invocation and Pledges of Allegiance by Commissioner Grady Prestage.

3. Approve minutes of regular meeting held on April 27, 2021.

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 April 27, 2021.

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

4. Public Comments regarding the Agenda and Announcements.

Judge George announced National Day of Prayer is on the first Thursday in May. The County Judge's office will be conducting a prayer, in the morning, in front of the courthouse. Judge encourages all to attend.

Dr. Jacquelyn Minter, Director of Health & Human Services gave an update on COVID vaccines. Dr. Minter stated the County continues to have promising news as far as the battle against COVID-19. Last week, the fourth consecutive week was posted where the County's case count average was less than 100 new cases per day. An increase in gatherings do account for some of these cases. The vaccination rates have blunted the effects in hospitalizations and deaths due to COVID. Currently, the County's statistics show 88% of people over 65 have had at least one dose of the vaccine and 77% are fully vaccinated. For all eligible residents in Fort Bend County, those over 16, there are approximately 60% with at least one dose of the vaccine and 46% are fully vaccinated. Dr. Minter highlighted some news about relaxed guidelines for those who are fully vaccinated. The CDC updated recommendations for people who have had their vaccinations. There are specific times when you don't have to wear your mask when indoors and outdoors for fully vaccinated people. Visit the HHS or CDC website to learn more. However, we still need to be cautious around unvaccinated people because they remain at risk for disease. The virus is still out there and is dangerous and can harm people. HHS is committed to finishing the challenging work of vaccinating all of the remaining 20% - 30% of residents who want the vaccine, but have not been able to receive it.

There were two proclamations:

May is Mental Health Awareness month and Fort Bend County is committed to changing attitudes towards mental health by reducing the stigma and supporting recovery and wellness. There were several Fort Bend County staff present in court to receive the proclamation: Dr. Jacquelyn Minter, Director of Health & Human Services, Graig Temple, Chief of EMS, Randi Lintner, Director of Human Resources, Wyatt Scott, Director of Risk Management, Mattie Provost, Chief Deputy, Tiffany Budnik, Lieutenant and Dr. Connie Almeida, Director of Behavioral Health Services.

May is Elder Abuse Prevention Month in Texas. The Department of Family and Protective Services Division and Fort Bend County are raising awareness about abuse, neglect and exploitation of seniors and vulnerable adults. Christina Rector, Amanda Case, Erin Mahaffey and Family Protective Services staff received the proclamation.

There were 5 public participants:

Ruthanne Mefford, Chief Executive Officer, Child Advocates of Fort Bend spoke on Item 21. Ms. Mefford shared what is happening with the agency and asked for the court's consideration to access additional funding for children who have been abused and neglected.

Shannan Stavinoha, Executive Director, Parks Youth Ranch spoke on Item 21. Ms. Stavinoha asked the court for the opportunity to apply for ARPA funding.

Vita Goodell, CEO, Fort Bend Women's Center, spoke on Item 21. Ms. Goodell would like to advocate for a chance to apply for some of the funds coming through Fort Bend County.

Aaron Groff, Executive Director, Abigail's Place spoke on Item 21. Mr. Groff requested funding to help with housing for low income households.

Dr. Ilene Harper, Executive Director, Family Life and Community Resource Center, FLCRC, spoke on Item 21. Dr. Harper would like FLCRC to be considered for the American Rescue Plan Funding.

5. **PUBLIC HEARINGS: 1:29 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:**

Community Development:

Public hearing held. No public comments.

- A. **Conduct 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 FY2021 Consolidated Annual Action Plan.**

Engineering:

Public hearing held. No public comments.

- B. **Acceptance of the traffic control plan for Trammel Fresno Road, Mobility Bond Project No. 746, from Missouri City city limits to FM 521, into the County Road Maintenance System, Precinct 1.**
- C. **Acceptance of the traffic control plan for McCrary Meadows Section 7, Precinct 3.**
- D. **Acceptance of the traffic control plan for West Firethorne Road, Section 1 Street Dedication and Section 2 Street Dedication, Precinct 3.**
- E. **Acceptance of the traffic control plan for Crossover Road and Tamarron Crossing within Cinco Ranch Northwest Section 12, Firethorne Partial Replat No. 19 and 25, Tamarron Section 22, Tamarron Section 9, Tamarron Crossing Street Dedication Section 1, Cinco Ranch Northwest Section 15, Cinco Ranch Northwest Section 17, Tamarron Crossing Street Dedication Section 3, Tamarron Crossing Street Dedication Section 4, Precinct 3.**
- F. **Acceptance of the traffic control plan for Stonecreek Estates Section Five, Precinct 1.**
- G. **Acceptance of the traffic control plan for Still Creek Ranch Section Two, Precinct 1.**
- H. **Acceptance of the traffic control plan for Vacek Road, Precinct 1.**
- I. **Change of street name in the Jordan Ranch Development from Terragon Trace to Tarragon Trace, within the Jordan Ranch Street Dedication No. 3, Fort Bend County Plat Records Instrument No. 2019136239, a continuation street from Jordan Ranch Section 6, Instrument No. 2019032805, Precinct 3.**
- J. **Request to modify the Fort Bend County Major Thoroughfare Plan, specifically Sienna Parkway extension, Southern Colony Avenue, and Caldwell Ranch Boulevard within the extraterritorial jurisdictions of Alvin, Arcola, and Missouri City, Precinct 1.**

Item 5 continued - Public Hearings:

K. Request to modify the Fort Bend County Major Thoroughfare Plan, specifically Big Prayer Road, within the extraterritorial jurisdiction of Fulshear, Precinct 3.

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

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

CONSENT AGENDA ITEMS: 6 - 16

6. AUDITOR:

- A. Approve Amendment to CARES Act Funding Allocation Distribution Agreement between Fort Bend County and City of Rosenberg for CARES Act Funding, approved by Commissioners Court on June 2, 2020 to extend the performance date through December 31, 2021 with no change in funding amount. (Funding from CARES Act- Local Government Assistance Program)**
- B. Approve Amendment to Agreement between Fort Bend County and Katy Christian Ministries approved by Commissioners Court on December 15, 2020 to extend time of performance through December 31, 2021, from CARES funds with no change in funding.**

7. BUDGET TRANSFER(s):

- A. District Clerk: Approve transfer in the amount of \$624 from Information Technology, into Information Technology Department, to allocate funds for the purchase of (8) eight new Adobe Licenses.**
- B. Public Transportation: Approve Transfer in the amount of \$4,600 from Grant Allocations into Fees to allocate funds for payment to the Federal Transit Administration for interest accrued on TX-2018-058-00.**
- C. Human Resources: Approve transfer in the amount of \$500 from Travel into Information Technology to allocate funds for the purchase of new monitors.**

8. ENGINEERING-PAYMENTS:

- A. Approve payment of Invoice No. 2000483951 in the amount of \$13,560.00 to AECOM Technical Services, Inc. for professional construction management services regarding 2013 and 2017 Mobility Projects within all Precincts. (Fund: Mobility Bonds)**
- B. Approve payment of Invoice No. 45230 in the amount of \$77,940.00 to Binkley & Barfield, Inc. for professional engineering services regarding FM 521, Mobility Bond Project No. 17111, Precinct 1. (Fund: Mobility Bonds)**

Item 8 continued - Engineering - Payments:

- C. Approve payment of Invoice No. 45097 in the amount of \$19,531.50 to Binkley & Barfield, Inc. for project management services regarding projects funded by Landfill Tipping Fees, Mobility Bond Project 17005x, Precinct 1. (Fund: Landfill Tipping Fee)**
- D. Approve payment of Invoice No. 10765-18 in the amount of \$83,621.09 to James Construction Group for construction of Old Needville Fairchilds Road, Mobility Bond Projects No. 13109 and No. 17109, Precinct 1. (Fund: Mobility Bonds)**
- E. Approve payment of Invoice No. 45087 in the amount of \$3,320.82 to Binkley & Barfield, Inc. for project management services regarding 2017 Mobility Bond Projects within Precinct 1. (Fund: Mobility Bonds)**
- F. Approve payment of Invoice No. 2 in the amount of \$166,145.80 to Gonzalez Construction Enterprise, Inc. for reconstruction of Bryan Road, Mobility Project No. 17118, Precinct 1. (Fund: Mobility Bonds)**
- G. Approve payment of Invoice No. 321077 in the amount of \$16,137.00 to RPS for professional engineering services regarding Trammel Fresno, Mobility Bond Project No. 746, Precincts 1 and 2. (Fund: Mobility Bonds)**
- H. Approve payment of Invoice No. 3 in the amount of \$9,498.98 to RJ&M Utility Construction, LLC for construction of Precinct 2 Sidewalk Safety Program, Mobility Project No. 17206, Precinct 2. (Fund: Mobility Bonds)**
- I. Approve payment of Invoice No. 321080 in the amount of \$90,361.86 to RPS for project management services regarding 2017 Mobility Bond Projects within Precinct 2. (Fund: Mobility Bonds)**
- J. Approve payment of Invoice No. 11546-18 in the amount of \$11,415.60 to Othon, Inc. for professional construction management services regarding Mobility Projects in Precincts 1, 2, 3 and 4. (Fund: Mobility Bonds)**
- K. Approve payment of Invoice No. 202105046 in the amount of \$81,383.98 to LJA Engineering, Inc. for project management services regarding 2017 Mobility Bond Projects within Precinct 4. (Fund: Mobility Bonds)**
- 9. ENGINEERING-PERMITS:**
 - A. Approve acceptance of perpetual bond from Federal Insurance Company for Weekley Homes, LLC.**
 - B. Approve permit application from Kinder Morgan Tejas Pipeline LLC/Emerald Coast to install pipeline along Lockwood Road, Permit No. 2021-45421, Precinct 1.**
 - C. Approve permit application from Comcast of Houston, LLC to install fiber optic cable along Wilshire Court, Permit No. 2021-45439, Precinct 1.**
 - D. Approve permit application from Jerdon Enterprise, L.P. to install a new outfall channel from Lower Oyster Creek to the Brazos River, Permit No. 2021-44753, Precinct 1.**

Item 9 continued - Engineering - Permits:

- E. Approve permit application from Southern Colony Enterprises LLC/TN Associates, Inc. to install two commercial driveways on Southern Colony Avenue, Permit No. 2021-44025, Precinct 1.**
- F. Approve permit application from Fellers & Clark, LP obo The City of Beasley to install a roadway connection to Avenue E, Permit No. 2021-45368, Precinct 1.**
- G. Approve permit application from Centerpoint Energy to install two concrete poles crossing the Fort Bend Parkway Toll Road, Permit No. 2020-39984, Precinct 2.**
- H. Approve permit application from Triple B Services, LLP to install a waterline crossing under the Fort Bend Parkway Toll Road, Permit No. 2021-45309, Precinct 2.**
- I. Approve permit application from Comcast of Houston, LLC to install fiber optic cable along Clodine-Reddick Court, Permit No. 2021-45514, Precinct 2.**
- J. Approve permit application from Hoggatt, L.P for a construction entrance on Roesner Road for the construction of a masonry wall, Permit No. 2021-45370, Precinct 3.**
- K. Approve permit application from Comcast of Houston, LLC to install fiber optic cable along Rogers Road, Permit No. 2021-45430, Precinct 3.**
- L. Approve permit application from En-Touch Systems, Inc./Byers Engineering to install utility cable crossing under Spring Green Boulevard, Permit No. 2021-43835, Precinct 3.**
- M. Approve permit application from CenterPoint Energy to install a gas line along Clayhead Road, Permit No. 2021-45339, Precinct 3.**
- N. Approve permit application from Fox-CMC Inc. dba Fox Consulting Management Construction & Kingdom Structures to widen a commercial driveway at 24818 Saddlespur Lane, Permit No. 2020-41684, Precinct 3.**
- O. Approve permit application from Comcast of Houston, LLC to install utility cable along Falcon Landing Boulevard, Permit No. 2021-45513, Precinct 3.**
- P. Approve permit application from W.W. Payton Corporation to install a commercial driveway at 3903 Bowser Road, Permit No. 2020-41294, Precinct 3.**
- Q. Approve permit application from Fellers & Clark, LP obo Fort Bend County MUD No. 143 to install a roadway connection to McCrary Road, Permit No. 2020-39122, Precinct 3.**
- R. Approve permit application from MCIMetro Access Transmission Services Corp/KGI Wireless to install a small-cell node along West Bellfort, Permit No. 2021-45536, Precinct 3.**
- S. Approve permit application from PS Light Wave, Inc to install fiber optic cable along West Aliana Trace Drive, Permit No. 2021-45443, Precinct 4.**

10. ENGINEERING-DEVELOPMENT:

- A. Accept the streets in Jordan Ranch Street Dedication No. 4 and Reserves: Jordan Ranch Boulevard 1,420.00 LF, Torrey Pines Drive 542.00 LF, for a total of 1,962.00 LF and release the bond in the amount of \$236,740.00, Precinct 3.**
- B. Approve the plat for the roads within Caldwell Ranch Section 1, Precinct 1.**
- C. Approve the plat for the lots within Caldwell Ranch Section 1, Precinct 1.**
- D. Approve the plat for the roads within Caldwell Ranch Section 2, Precinct 1.**
- E. Approve the plat for the lots within Caldwell Ranch Section 2, Precinct 1.**
- F. Set public hearing for acceptance of traffic control plan from Tamarron Section 28, Precinct 3. (Tuesday, June 1, 2021 at 1:00 p.m.)**

11. FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that are funded by 2015 Facility Bonds and by 2020 Certificates of Obligation:

- A. Pay Application No. 1 in the amount of \$68,230.66 to AJB Construction, for overhead door installation regarding the Animal Services Facility;**
- B. Pay Application No. 8 (Retainage) for a total amount of \$55,450.00 to KONE, for elevator modernization regarding the Jail West Tower Elevator Project;**
- C. Pay Application No.12 in the amount of \$158,218.94, to Crain Group for construction services regarding the South Post Oak Football Complex;**
- D. Invoice No. 6000983682 in the amount of \$9,341.47 to Stanley Security, for video installation regarding the Medic 6 EMS Facility Improvements;**
- E. Invoice No. 95545064 in the amount of \$9,100.00 to CenterPoint Energy, for underground services regarding the Emergency Operations Center;**
- F. Invoice No. 31446 in the amount of \$2,238.15, to Vanguard Environments for FFE regarding the Landmark Community Center;**
- G. Pay Application No. 16 and 17 (Retainage), for a total amount of \$242,283.35 to Teal Construction for construction services regarding the Landmark Community Center;**
- H. Invoice No.'s 3134180102 and 3134180101, for a total amount of \$14,080.00 to Huitt-Zollars for storm water detention services regarding the New North Library.**

12. **GRANTS ADMINISTRATION:** The grant application for the below item(s) has been approved by Commissioners Court; the Grants Coordinator has reviewed the acceptance documents and makes the following recommendation(s) to Commissioners Court:

- A. **Health & Human Services:** Accept and electronically sign Contract No.537-18-0117-00001 Amendment No. 6 between Texas Department of State Health Services and Fort Bend County to accept grant funds in an amount of \$366,365 for the Public Health Emergency Preparedness Program with an in-kind match of \$36,637 for the term of July 1, 2021 through June 30, 2022. (Fund: Health & Human Services)
- B. **Health & Human Services:** Ratify Amendment No. 5 Contract No. 537-18-0187-00001, between Texas Department of State Health Services and Fort Bend County to accept grant funds in an amount of \$147,918 for the Cities Readiness Initiative Program, with a cash match of \$14,792 for the term of July 1, 2021 through June 30, 2022. (Fund: Health & Human Services)

13. **HEALTH & HUMAN SERVICES:**

- A. **Emergency Medical Service:** Approve the reappointment of Graig Temple, Chief of Emergency Medical Service, to the Southeast Texas Regional Advisory Council (SETRAC) Board of Directors for a three year term expiring in July 2024.
- B. **Animal Services:** Ratify Application to the Banfield Foundation for the 2021 Veterinary Medical Equipment Grant, to accept grant funds in an amount of \$5,900 to purchase veterinary medical equipment for Fort Bend County Animal Services, with no cash match required by Fort Bend County.
- C. **Health and Human Services:** Approve Temporary Facility Use Agreement between Fort Bend County and The Bridge SW Community Christian Center to use designated space for a communicable disease testing site, vaccination site, or as otherwise mutually agreed by The Bridge SW Community Christian Center and Fort Bend Health and Human Services Director.
- D. **Health and Human Services:** Approve Temporary Facility Use Agreement between Fort Bend County and BAPS Charities to use designated space as agreed for a communicable disease response testing site, vaccination site, or as otherwise mutually agreed by BAPS Charities and Fort Bend Health and Human Services Director.
- E. **Health and Human Services:** Approve Temporary Facility Use Agreement between Fort Bend County and American Legion 942 Sugar Land to use designated space as agreed for a communicable disease response testing site, vaccination site, or as otherwise mutually agreed by American Legion 942 Sugar Land and Fort Bend Health and Human Services Director.
- F. **Health and Human Services:** Approve Temporary Facility Use Agreement between Fort Bend County and Ismaili Jamathkhana and Center to use designated space, as agreed, for a communicable disease response testing site, vaccination site, or as otherwise mutually agreed by Ismaili Jamathkhana and Center and Fort Bend Health and Human Services Director.

14. **HOMELAND SECURITY & EMERGENCY MANAGEMENT:**

Approve Addendum to Memorandum of Understanding between Fort Bend County and Code 3 Associates, Inc., to establish a working relationship in preparing for and responding to disasters at all levels.

15. PURCHASING:

- A. Authorize advertising for bids for Construction of Left Turn Lane on Mason Road at FM 1093, Mobility Bond Project No. 17321X.**
- B. Approve First Amendment to Subrecipient Agreement between Fort Bend County and the City of Beasley for Public Improvement Project, to extend the contract time until April 29, 2022, with no change in overall contract amount, part of the FY 2019 Consolidated Action Plan approved by Commissioners Court on July 2, 2019. (Fund: Community Development Block Grant)**
- C. Authorize advertising for bids for Construction of Temporary Traffic Signalization on FM 1463 at Pine Mill Ranch Drive, Mobility Bond Project No. TS19301.**

16. TAX ASSESSOR/COLLECTOR:

Record into Minutes the Certificate of Course Completion awarded to Tax Assessor-Collector Carmen P. Turner for training on the Texas Open Meetings Act on March 16, 2021, satisfying the legal requirements of Government Code, Section 551.005.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda Items 6 - 16.

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

17. COUNTY JUDGE:

Take all appropriate action on Fort Bend County Body Camera Use Policy, which will establish a uniformed County-wide policy for body worn cameras purchased with County funds.

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18. COMMISSIONER, PCT. 2:

Take all appropriate action on request by Chamarthi Jayachandra to waive penalty and interest fees totaling \$539.97 on property taxes for tax year 2020, Pct. 2.

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to deny request by Chamarthi Jayachandra to waive penalty and interest fees totaling \$539.97 on property taxes for tax year 2020, Pct. 2 due to no error was found by the Tax Assessor's Office or the CAD.

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

19. COMMISSIONER, PCT. 3:

A. Take all appropriate action on Petition and Consent between Fort Bend County and Fort Bend County Assistance District No. 11, for the annexation of Jones Creek Ranch Park into the boundaries of the District.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Petition and Consent between Fort Bend County and Fort Bend County Assistance District No. 11, for the annexation of Jones Creek Ranch Park into the boundaries of the District.

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

B. Take all appropriate action on request by Paresh C & Neeva Patel to waive penalty and interest totaling \$532.25 on property taxes for tax year 2020, Pct. 3.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve request by Paresh C & Neeva Patel to waive penalty and interest totaling \$532.25 on property taxes for tax year 2020, Pct. 3 due to an error was found by the Tax Assessor's Office or the CAD.

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

Item 19 continued - Commissioner, Pct. 3:**C. Take all appropriate action on request by Paul & Dora Craine to waive penalty and interest totaling \$583.28 on property taxes for tax year 2020, Pct. 3.**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
 Duly put and unanimously carried (5-0), it is ordered to approve request by Paul & Dora Craine to waive penalty and interest totaling \$583.28 on property taxes for tax year 2020, Pct. 3, due to an error was found by the Tax Assessor's Office or the CAD.

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

D. Take all appropriate action on request by Sharath Nair to waive penalty and interest totaling \$615.81 on property taxes for tax year 2020, Pct. 3.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
 Duly put and unanimously carried (5-0), it is ordered to approve request by Sharath Nair to waive penalty and interest totaling \$615.81 on property taxes for tax year 2020, Pct. 3, due to an error was found by the Tax Assessor's Office or the CAD.

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

20. COMMISSIONER, PCT. 4:**Take all appropriate action on request by Yao Yao & Chuan Zhao to waive penalty and interest totaling \$419.16 on property taxes for tax year 2020, Pct. 4.**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
 Duly put and unanimously carried (5-0), it is ordered to deny request by Yao Yao & Chuan Zhao to waive penalty and interest totaling \$419.16 on property taxes for tax year 2020, Pct. 4, due to no error was found by the Tax Assessor's Office or the CAD.

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

21. BUDGET & FINANCE:

Take all appropriate action to record the Preliminary Budget Recommendation for the Fort Bend County allocation of \$157.42 million in American Rescue Plan Act State and Local Coronavirus Relief Funds.

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (4-1), it is ordered to approve the preliminary budget recommendation as presented for the initial priorities for the \$157,421,889 “American Rescue Plan Act”, State and Local Coronavirus Relief Fund allocation, and appoint the Director of Budget and Finance as the budget manager with the County Auditor providing compliance oversight for the fund distribution process. This action also directs the Budget Director and the County Auditor to place all eligible emergency protective measure expenditures, if any, under the FEMA Public Assistance funding when appropriate with the local match to be provided by the County.

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| Judge George | No |
| Commissioner Morales | Yes |
| Commissioner Prestage | Yes |
| Commissioner Meyers | Yes |
| Commissioner DeMerchant | Yes |

Commissioner Meyers noted this is an initial approval until guidance from the Treasury Department is received. This action may change as the situation and circumstances change. If anyone was left out, there is a possibility things may be modified.

Judge George stated, in all fairness, there is no Treasury's complete guidance on how the funds should be spent. Judge does not think the Commissioners Court should decide which nonprofit organization should get funding. Judge does not feel comfortable voting because some of the items listed may not be eligible for the funding and believes this item should be pulled for more research and understanding.

22. COUNTY ATTORNEY:

Take all appropriate action on Payment of Re-Establishment Expenses for Live Mobile Technology Inc., in an amount of \$25,000 regarding Parcel 5 of the OEM Expansion, Project, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Payment of Re-Establishment Expenses for Live Mobile Technology Inc., in an amount of \$25,000 regarding Parcel 5 of the OEM Expansion, Project, Precinct 1.

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

23. ENGINEERING:**A. Take all appropriate action on Relocation Expenses for Parcel 25 in an amount of \$70,100 for moving and storage fees regarding South Post Oak, Mobility Bond Project No. 13112, Precinct 1. (Fund: Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to approve Relocation Expenses for Parcel 25 in an amount of \$70,100 for moving and storage fees regarding South Post Oak, Mobility Bond Project No. 13112, Precinct 1. (Fund: Mobility Bonds)

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

B. Take all appropriate action on request for variance to the lot size requirements and block length as stated in Section 5.4.A.2 and Section 5.14.E.4, of the Fort Bend County Regulations of Subdivisions for Glendale Lakes Section 9 on behalf of R.G. Miller Engineers, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to approve variance to the lot size requirements and block length as stated in Section 5.4.A.2 and Section 5.14.E.4, of the Fort Bend County Regulations of Subdivisions for Glendale Lakes Section 9 on behalf of R.G. Miller Engineers, Precinct 1.

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

C. Take all appropriate action on the plat for the roads within Glendale Lakes Section 9, Precinct 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
 Duly put and unanimously carried (5-0), it is ordered to approve the plat for the roads within Glendale Lakes Section 9, Precinct 1.

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

Item 23 continued - Engineering:**D. Take all appropriate action on the plat for the lots within Glendale Lakes Section 9, Precinct 1.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve the plat for the lots within
Glendale Lakes Section 9, Precinct 1.

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

E. Take all appropriate action on Encroachment Agreement between Fort Bend County, Natural Gas Pipeline Company of America, LLC, and Texas Heritage Parkway Improvement District, for encroachment upon certain easements for construction of the Texas Heritage Parkway, and authorize County Clerk to record in Official Public Records at no cost, Precinct 3.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Encroachment Agreement
between Fort Bend County, Natural Gas Pipeline Company of America, LLC, and Texas
Heritage Parkway Improvement District, for encroachment upon certain easements for
construction of the Texas Heritage Parkway, and authorize County Clerk to record in Official
Public Records at no cost, Precinct 3.

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

F. Take all appropriate action on authorization to purchase Parcel 5 in an amount of \$149,490.66 plus necessary costs regarding Moore Road, Mobility Bond Project No. 17218x Precinct 2, authorize County Judge to sign all closing documents and authorize County Clerk to record in the Official Public Records at no cost. (Fund: Mobility Bonds)

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 5 in an amount of
\$149,490.66 plus necessary costs regarding Moore Road, Mobility Bond Project No. 17218x
Precinct 2, authorize County Judge to sign all closing documents and authorize County Clerk to
record in the Official Public Records at no cost. (Fund: Mobility Bonds)

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

Item 23 continued - Engineering:

- G. Take all appropriate action on request to reclassify Position No. 6221-0008 from Development Services Manager, Grade 13 of the Professional Management Policy Group to Development Services Manager, Grade 16 of the Professional Management Group, effective May 15, 2021. (Fund: Engineering)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 6221-0008 from Development Services Manager, Grade 13 of the Professional Management Policy Group to Development Services Manager, Grade 16 of the Professional Management Group, effective May 15, 2021. (Fund: Engineering)

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

- H. Take all appropriate action on request to reclassify vacant Position No. 6221-0028 from Development Assistant, Grade 10 of the Administrative Clerical Policy Group to Special Projects Coordinator, Grade 12 of the Professional Management Group, effective May 15, 2021. (Fund: Engineering)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position No. 6221-0028 from Development Assistant, Grade 10 of the Administrative Clerical Policy Group to Special Projects Coordinator, Grade 12 of the Professional Management Group, effective May 15, 2021. (Fund: Engineering)

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

Item 23 continued - Engineering:

- I. Take all appropriate action on request to reclassify vacant Position No. 6221-0005 from GIS Administrator, Grade 12 of the Professional Management Policy Group to GIS Administrator, Grade 14 of the Professional Management Group, effective May 15, 2021. (Fund: Engineering)**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position No. 6221-0005 from GIS Administrator, Grade 12 of the Professional Management Policy Group to GIS Administrator, Grade 14 of the Professional Management Group, effective May 15, 2021. (Fund: Engineering)

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

24. PARKS & RECREATION:

Take all appropriate action on request to transfer the amount of \$52,000 from Non-Departmental Contingency into Parks Fees as detailed on Director's form dated April 28, 2021, to allocate funds to cover the budget shortfall in Mission Bend Boys and Girls Club Agreement.

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$52,000 from Non-Departmental Contingency into Parks Fees as detailed on Director's form dated April 28, 2021, to allocate funds to cover the budget shortfall in Mission Bend Boys and Girls Club Agreement.

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

25. PURCHASING:**A. Take all appropriate action on request to purchase Nitrile Gloves from Liberty Office Products, utilizing Choice Partners Contract No. 21/019SG-07 in an amount not to exceed \$110,000. (Fund: FEMA PA)**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to purchase Nitrile Gloves from Liberty Office Products, utilizing Choice Partners Contract No. 21/019SG-07 in an amount not to exceed \$110,000. (Fund: FEMA PA)

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

B. Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and CP&Y, Inc., for a total contract amount not to exceed \$583,731 pursuant to SOQ 14-025 regarding Vacek Road, Mobility Bond Project No. 20111, Precinct 1. (Fund: Mobility Bonds)

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and CP&Y, Inc., for a total contract amount not to exceed \$583,731 pursuant to SOQ 14-025 regarding Vacek Road, Mobility Bond Project No. 20111, Precinct 1. (Fund: Mobility Bonds)

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

C. Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and McDonough Engineering Corporation, for a total contract amount not to exceed \$579,445 pursuant to SOQ 14-025 regarding Stella Road, Mobility Bond Project No. 20116, Precinct 1. (Fund: Mobility Bonds)

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and McDonough Engineering Corporation, for a total contract amount not to exceed \$579,445 pursuant to SOQ 14-025 regarding Stella Road, Mobility Bond Project No. 20116, Precinct 1. (Fund: Mobility Bonds)

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| 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 Agreement for Professional Engineering Services between Fort Bend County and Amani Engineering, Inc., for a total contract amount not to exceed \$771,687 pursuant to SOQ 14-025 regarding Rohan Road, Mobility Bond Project No. 20105, Precinct 1. (Fund: Mobility Bonds)**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Engineering Services between Fort Bend County and Amani Engineering, Inc., for a total contract amount not to exceed \$771,687 pursuant to SOQ 14-025 regarding Rohan Road, Mobility Bond Project No. 20105, Precinct 1. (Fund: Mobility Bonds)

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

- E. Take all appropriate action on Agreement for Construction Materials Testing between Fort Bend County and The Murillo Company for a total contract amount not to exceed \$85,734 pursuant to SOQ 14-025 regarding Brandt Road, Mobility Bond Project No. 17310, Precinct 3. (Fund: Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Construction Materials Testing between Fort Bend County and The Murillo Company for a total contract amount not to exceed \$85,734 pursuant to SOQ 14-025 regarding Brandt Road, Mobility Bond Project No. 17310, Precinct 3. (Fund: Mobility Bonds)

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

Item 25 continued - Purchasing:

- F. Take all appropriate action on Change Order No.1 to increase the contract between Fort Bend County and Gonzalez Construction Enterprise Inc. by \$50,400 for a total contract amount not to exceed \$2,124,993.40 and to extend the contract time until November 9, 2021 pursuant to Bid No. 21-016 regarding Bryan Road, Mobility Bond Project No. 17118, Precinct 1. (Fund: 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.1 to increase the contract between Fort Bend County and Gonzalez Construction Enterprise Inc. by \$50,400 for a total contract amount not to exceed \$2,124,993.40 and to extend the contract time until November 9, 2021 pursuant to Bid No. 21-016 regarding Bryan Road, Mobility Bond Project No. 17118, Precinct 1. (Fund: Mobility Bonds)

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

26. 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 \$10,593,840.24 with total operating payments of \$9,519,758.77.

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

27. WORKSHOP:

Workshop to receive reports from Consultant regarding Fort Bend County's response to and recovery from the Pandemic.

Ed Sturdivant, County Auditor explained this workshop is the beginning of our consultants coming before the court on a periodic basis. The workshop is to update the court on where we have been, where we are and where we are going with the professional consultant teams.

Spurgeon Robinson, MPACT Strategic Consulting gave an overview of what has been accomplished since the initial COVID response. MPACT has helped the County with the CARES Act expenditure funds.

Recess:

Recessed at 2:17 p.m.

- 28. 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. 21-CCV-068971 Fort Bend County, Texas vs. Harry Orville Keir, Individually, Brenda Keir Peters, Individually and as the Personal Representative and/or Independent Executor of the Estate of Howard Wallace Keir, et al; FM 521 North Project No.17113, Parcel 106, Precinct 1.**
- B. EEOC Charge No. 460-2020-046304**

Closed Session:

Convened at 2:29 p.m.
Adjourned at 3:11 p.m.

Reconvene:

Reconvened at 3:13 p.m.

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

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

- A. Cause No. 21-CCV-068971 Fort Bend County, Texas vs. Harry Orville Keir, Individually, Brenda Keir Peters, Individually and as the Personal Representative and/or Independent Executor of the Estate of Howard Wallace Keir, et al; FM 521 North Project No.17113, Parcel 106, Precinct 1.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay the landowners a negotiated settlement in Cause No. 21-CCV-068971 Fort Bend County, Texas vs. Harry Orville Keir, Individually, Brenda Keir Peters, Individually and as the Personal Representative and/or Independent Executor of the Estate of Howard Wallace Keir, et al; FM 521 North Project No.17113, Parcel 106, Precinct 1 and further that the County Judge is hereby authorized to execute and deliver the settlement agreement recommended for the approval by the County Attorney in the above referenced cause and to approve such terms and provisions for the full and final settlement of all matters therein. The settlement amount approved is \$1,000. The funding source is 76262288863000P622-18FM521-223600.

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

Item 29 continued - Reconvene Open Session:

B. EEOC Charge No. 460-2020-046304

Moved by Commissioner Morales, Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate terms of a settlement and agreement to resolve the case EEOC Charge No. 460-2020-046304.

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

30. Adjournment.

Commissioners Court adjourned at 3:16 p.m. on Tuesday, May 4, 2021.

Moved by Commissioner Meyers,
to adjourn.



I attest to the accuracy of the foregoing minutes.

Laura Richard, County Clerk, Fort Bend County, Texas