

MINUTES

BE IT REMEMBERED, That on this 27TH DAY of JULY, 2021, 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
LINDA WILLIS FOR LAURA RICHARD	COUNTY CLERK

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

1. Call to Order.

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

2. Invocation and Pledges of Allegiance by Commissioner Ken DeMerchant.

Invocation and Pledges of Allegiance by Commissioner Ken DeMerchant.

3. Approve minutes of regular meeting held on July 13, 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 July 13, 2021.

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 Intern's Day is July 29, 2021. Judge acknowledged all of the County interns for their contribution to the various County departments and some of the cities.

Dr. Jacquelyn Minter, Director of Health & Human Services, updated the court on COVID-19 in Fort Bend County. There are an average of 85 new cases reported per day during the reporting week, which is an increase of 54 cases per day over the previous month. Hospitalizations in general and ICU beds average 76 patients per day, which is an increase of 34 patients per day compared to the previous month. The percentage of ICU patients being admitted for COVID stands at 14.5% which is an increase of 8.4% over the previous month. Test positivity at Fort Bend County locations and at the hospitals that report to HHS are now in the double digits. Our most current data shows that at least 77% of the virus circulating in our County is of the Delta Variant. We are not seeing a rise in deaths due to COVID, which is a lagging indicator, however 96% of COVID related deaths in Fort Bend County are occurring in those who are unvaccinated. PCR Laboratory confirmed cases in children ages 0 - 11 years of age have been steadily increasing since April. Currently, 16% of our cases are occurring in our children ages 11 and younger. In Fort Bend County, 41% of residents age 12 - 19 are vaccinated. Dr. Minter stated the evidence is fairly clear, last year when we wore face coverings more frequently right before school started, our case counts fell so we could start school and open school more safely. While there are no requirements for vaccinations or face coverings, we can all choose to be educated to talk to those we trust about personal and community benefits of vaccination and face coverings while indoors, and just as we have seen in the past, Fort Bend County residents will make those compassionate choices for themselves and benefit our entire County.

Judge George announced the County has a new web page, FBCtx.gov and has launched a new app, MyFBC App.

There were three public participants:

Robert Beham, 24219 Falcon Point Drive, Katy, spoke in opposition to Item 37A. There is no presentation about the reasons for the initiation of this study, opposes contractor on the scope of work and the study may be prone to manipulation and be redundant and wasteful and is a violation of the courts fiscal responsibility.

Jennifer Haar, 24815 Mt. Auburn Dive spoke in opposition of Item 37A. This is federal money and it is not free. In Ms. Haar's opinion to erase perceived discrimination by implementing actual discrimination defeats the purpose. She believes the County entity should do the job you are supposed to do, which is to enforce laws to keep the citizens safe, build good roads and implement flood control. When it comes to hiring practices, hire the most qualified persons and firms who offer the best value for the taxpayer dollar.

Joan O'Rourke, 30106 Haven Tr Drive, Fulshear spoke in opposition of Item 37A. Ms. O'Rourke stated the court needs to handle our tax money appropriately and not go down the road on disparity, which she believes will lead to affirmative action.

5. PUBLIC HEARINGS: 1:17 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 Sienna Section 29A, Precinct 1.

Item 5 continued - Public Hearings:

- B. Acceptance of the traffic control plan for A. Myers Road in Walnut Creek Section Fifteen, Precinct 1.**
- C. Acceptance of the traffic control plan for Veranda Section Thirty-Three, Precinct 1.**
- D. Acceptance of the traffic control plan for Bellaire Blvd at Horton Vista Drive, Precinct 2.**
- E. Acceptance of the traffic control plan for Tamarron Parkway Section 4 Street Dedication, Precinct 3.**
- F. Acceptance of the traffic control plan for Tamarron Section 27, Precinct 3.**
- G. Acceptance of the traffic control plan for Candela Section 4, Precinct 3.**
- H. Acceptance of the traffic control plan for Grand Mission Estates Section 27, Precinct 4.**

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

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

CONSENT AGENDA ITEMS: 6 - 21

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

Approve out of state travel for Jerome Ellis and Alexander Rey to Phoenix, Arizona, from August 15, 2021 through August 19, 2021 to attend the 2021 CIT International Conference & Coordinator Certification. (Fund: Sheriff Enforcement)

- 7. COUNTY JUDGE:**

- A. Set public hearing to receive comments on the County's Application to the U.S. Department of Justice for FY 2021 Edward Byrne Memorial Justice Assistance Grant, to be conducted on Tuesday, August 3, 2021 at 1:00 p.m. in person in the Commissioners Courtroom on the second floor of the Fort Bend County Courthouse at 401 Jackson Street in Richmond, Texas.**
- B. Record into the Minutes the Comprehensive Annual Financial Report for the year ending December 31, 2020, as prescribed by the Health & Safety Code, Section 775.082 for Fort Bend County Emergency Services District No. 1.**
- C. Record into the Minutes the Comprehensive Annual Financial Report for the year ending December 31, 2020, as prescribed by Health & Safety Code, Section 775.082 for Fort Bend County Emergency Services District No. 2.**

Item 7 continued - County Judge:

- D. Record into Minutes the Official Bond and Oath commencing July 1, 2021 for Mark Gibson to serve as Justice of the Peace, Pct 2.**
- E. Record into Minutes the appointment of Jerry W. Bussell to serve as Temporary Justice of the Peace, Precinct 3, through August 20, 2021, for Judge Kelly Crow; pursuant to Government Code Sec. 27.055(b).**
- 8. BUDGET TRANSFER(s):**
 - A. Commissioner Precinct 2: Approve transfer in the amount of \$5,650 from Travel into Information Technology to allocate funds for ClickShare and phone upgrades.**
 - B. Tax Office: Approve transfer in the amount of \$407 from Operating Supplies to Information Technologies, to allocate funds for computer software.**
 - C. Tax Office: Approve transfer in the amount of \$56,000 from Earnings Credit into Fees as detailed on the Tax Assessor's Form dated July 14, 2021, to amend the budget pursuant to Texas Local Government Code Section 111.07075 and allocate funds received from earnings credits with Cadence Bank.**
 - D. County Treasurer: Approve transfer in the amount of \$399,804 from Earnings Credit into Fees as detailed on Treasurer's form dated July 8, 2021, to amend the budget pursuant to Texas Local Government Code Section 111.07075 and allocate funds received from earnings credits with Cadence Bank.**
 - E. Parks: Approve transfer in the amount of \$1,000 from Property and Equipment into Information Technology to allocate funds to purchase a credit card pin pad for Landmark Community Center.**
 - F. Library: Approve transfer in the amount of \$16,817 from Fees and Information Technology into Information Technology-Fees to allocate funds for Library software expense.**
 - G. Sheriff's Office Commissary: Approve transfer in the amount of \$10,495 as detailed on the Chief's form dated July 14, 2021 to amend the budget pursuant to Local Government Code Section 111.07075 and allocate revenue received from Commissary into accounts for expenditures through July 2021.**
 - H. Human Resources: Approve transfer in the amount of \$20,000 from Human Resources-Fees into Risk Management-Fees, to allocate funds for the Knowledge City Online Training Portal.**
 - I. Constable Precinct 4: Approve transfer in the amount of \$5,000 from Property & Equipment and Supplies into Information Technology to allocate funds to cover expense of technology equipment needed for the wall to display information.**
 - J. Information Technology: Approve transfer in the amount of \$15,000 from Travel and Training into Fees and Services to reallocate funds to the appropriate account.**

9. COUNTY TREASURER:

Approve monthly report submitted by the County Treasurer for June 2021, and authorize advertisement of affidavit of the same, in accordance with Local Government Code 114.026.

10. ENGINEERING-PAYMENTS:

- A. Approve payment of Invoice No. 784127 in the amount of \$2,047.00 to KCI Technologies for professional engineering services regarding Bryan Road, Mobility Bond Project No. 17118, Precinct 1. (Fund: Mobility Bonds)**
- B. Approve payment of Invoice No. 12622-1 in the amount of \$109,796.70 to McDonough Engineering Corporation for professional engineering services regarding Stella Road, Mobility Bond Project No. 20116, Precinct 1. (Fund: Mobility Bonds)**
- C. Approve payment of Invoice No. 2 in the amount of \$37,058.40 to Antwi Industries, LLC for construction regarding Intersection Improvements on Rohan Road, Mobility Bond Project No. 17114, Precinct 1. (Fund: Mobility Bonds)**
- D. Approve payment of Invoice No. 46368 in the amount of \$113,775.00 to Binkley & Barfield, Inc. for professional engineering services regarding FM 521, Mobility Bond Project No. 17111, Precinct 1. (Fund: Mobility Bonds)**
- E. Approve payment of Invoice No. 46358 in the amount of \$17,409.00 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)**
- F. Approve payment of Invoice No. 3 in the amount of \$7,200.00 to DVL Enterprises LLC for construction of Ransom Road, Mobility Bond Projects No. 17103, Precinct 1. (Fund: Mobility Bonds)**
- G. Approve payment of Invoice No. 54721 in the amount of \$1,288.75 and Invoice No. 54838 in the amount of \$5,826.25 to Paradigm Consultants, Inc. for professional construction materials testing services regarding Ransom Road, Mobility Bond Project No. 17103, Precinct 1. (Fund: Mobility Bonds)**
- H. Approve payment of Invoice No. 3 in the amount of \$6,480.00 to Triple B Services, LLP for construction for realignment regarding Sims Road, Mobility Bond Project No. 17119x, Precinct 1. (Fund: Mobility Bonds)**
- I. Approve payment of Invoice No. 5 in the amount of \$183,597.94 to Gonzalez Construction Enterprise, Inc. for reconstruction of Bryan Road, Mobility Project No. 17118, Precinct 1. (Fund: Mobility Bonds)**
- J. Approve payment of Invoice No. E151012-21 in the amount of \$6,760.00 to Amani Engineering, Inc., for professional engineering services regarding South Post Oak, Mobility Bond Project No. 13112, Precinct 1. (Fund: Mobility Bonds)**

Item 10 continued - Engineering - Payments:

- K. Approve payment of Invoice No. 479701/27/II in the amount of \$98,295.69 to Dannenbaum Engineering Corporation for plan, specification, and estimate design services of FM 521 Expansion Project, Mobility Bond Project No. 17113, Precinct 1. (Fund: FM 521 Project Account)**
- L. Approve payment of Invoice No. ES210511-2 in the amount of \$99,387.50 to Amani Engineering, Inc. for professional engineering services regarding Rohan Road, Mobility Bond Project No. 20105, Precinct 1. (Fund: Mobility Bonds)**
- M. Approve payment of Invoice No. ES180724-19 in the amount of \$3,000.00 to Amani Engineering Inc. for professional engineering services regarding Intersection Improvements, Mobility Bond Project No. 17114, Precinct 1. (Fund: Mobility Bonds)**
- N. Approve payment of Invoice No. FTBC1900939.01-01 in the amount of \$91,410.25 to CP&Y, Inc. for professional engineering services regarding Vacek Road, Mobility Bond Project No. 20111, Precinct 1. (Fund: Mobility Bonds)**
- O. Approve payment of Invoice No. 21PV102-01 in the amount of \$85,727.65 to Isani Consultants, LP for professional engineering services regarding Benton Road, Mobility Bond Project No. 20104, Precinct 1. (Fund: Mobility Bonds)**
- P. Approve payment of Invoice No. 2113503-01 in the amount of \$2,972.50 to Earth Engineering, Inc. for construction material testing regarding Rohan Road Intersection Improvements, Mobility Bond Project No. 17114, Precinct 1. (Fund: Mobility Bonds)**
- Q. Approve payment of Invoice No. 202114623 in the amount of \$20,300.37 to Berg-Oliver Associates, Inc. for professional environmental services regarding FM 521 South, Mobility Bond Project No. 17111, Precinct 1. (Fund: Mobility Bonds)**
- R. Approve payment of Invoice No. 3493 in the amount of \$1,286.89 to CivilCorp, LLC. for professional engineering services regarding Williams School Road at FM 360 Intersection, Mobility Bond Project No. 17116, Precinct 1. (Fund: Mobility Bonds)**
- S. Approve payment of Invoice No. H014871 in the amount of \$12,122.02 and Invoice No. H014954 in the amount of \$4,446.26 to Raba Kistner, Inc. for construction materials observation and testing services regarding Bryan Road, Mobility Bond Project No. 17118, Precinct 1. (Fund: Mobility Bonds)**
- T. Approve payment of Invoice No. 20PV100-08 in the amount of \$38,709.06 to Isani Consultants, LP for professional engineering services regarding West Sycamore Road, Segment 3, Mobility Bond Project No. 17123x, Precinct 1. (Fund: Landfill Tipping Fee)**
- U. Approve payment of Invoice No. 5 in the amount of \$27,685.50 to Schaumburg & Polk, Inc. for project management services regarding 2020 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: Mobility Bonds)**

Item 10 continued - Engineering - Payments:

- V. Approve payment of Invoice No. 7891 in the amount of \$95,267.50 and Invoice No. 7914 in the amount of \$29,960.00 to Property Acquisition Services, LLC for right of way services regarding 2017 Mobility Bond Projects within Precincts 1 and 4. (Fund: Right of Way)**
- W. Approve payment of Invoice No. 4 in the amount of \$63,796.53 to RJ&M Utility Construction, LLC for construction of Precinct 2 Sidewalk Safety Program, Mobility Project No. 17206, Precinct 2. (Fund: Mobility Bonds)**
- X. Approve payment of Invoice No. 9 in the amount of \$31,758.92 to Triple B Services, LLP for construction of Lake Olympia Parkway Extension Segment 1, Mobility Project No. 13207, Precinct 2. (Fund: Mobility Bonds)**
- Y. Approve payment of Invoice No. 621011 in the amount of \$32,982.50 to RPS for project management services regarding 2017 Mobility Bond Projects within Precinct 2. (Fund: Mobility Bonds)**
- Z. Approve payment of Invoice No. 621013 in the amount of \$19,167.50 to RPS for project management services regarding 2020 Mobility Bond Projects within Precinct 2. (Fund: Mobility Bonds)**
- AA. Approve payment of Invoice No. 18 in the amount of \$8,250.00, Invoice No. 19 in the amount of \$2,970.00 and Invoice No. 20 in the amount of \$1,422.50 to Huitt-Zollars, Inc. for professional engineering services regarding Old Richmond Road, Mobility Bond Project No. 17208, Precincts 2 and 3. (Fund: Mobility Bonds)**
- BB. Approve payment of Invoice No. P166111-18 in the amount of \$21,794.45 to HR Green, Inc. for professional engineering services regarding Burney-Old Richmond Road, Mobility Bond Project No. 17207, Precincts 2, 3 and 4. (Fund: Mobility Bonds)**
- CC. Approve payment of Invoice No. 10053713 in the amount of \$6,519.00 to Halff Associates, Inc. for professional traffic design services regarding FM 359 at Fulshear-Gaston Road, Precinct 3. (Fund: Certificates of Obligation)**
- DD. Approve payment of Invoice No. 21-6-000062 in the amount of \$11,147.50 to Geotech Engineering and Testing for professional engineering services regarding Katy Flewellen, Mobility Bond Project No. 13316, Precinct 3. (Fund: Mobility Bonds)**
- EE. Approve correction to Agenda Item 9K from Commissioners Court meeting on July 6, 2021; so it reads: Approve payment of Invoice No. 202276 in the amount of \$43,727.95 to TEDSI Infrastructure Group, Inc. for professional engineering services regarding Grand Parkway (SH 99) Segment 1, Mobility Bond Project No. 17303, Precinct 3. (Fund: Mobility Bonds)**
- FF. Approve payment of Invoice 189546 in the amount of \$15,503.47 to Barge Design Solutions, Inc. for wireless communication system for traffic signals, Mobility Bond Project No. 13319, Precinct 3. (Fund: Mobility Bonds)**

Item 10 continued - Engineering - Payments:

- GG.** Approve payment of Invoice No. 0320064, 0320062, 0320063 in the amount of \$5,110.49 to Percheron, LLC for professional acquisition services for 2017 Mobility Projects within Precinct 3. (Fund: Right of Way)
- HH.** Approve payment of Invoice No. ES210617-1 in the amount of \$2,788.00 to Amani Engineering, Inc. for professional engineering services regarding Traffic Signal II, Mobility Bond Project No. 20316x, Precinct 3. (Fund: Mobility Bonds)
- II.** Approve payment of Invoice No. 777182 in the amount of \$10,428.00 to KCI Technologies, Inc. for professional engineering services regarding Fry Road Bridge Slope Paving, Mobility Bond Project No. 17324x, Precinct 3. (Fund: Harris-Fort Bend Emergency Services District No. 100)
- JJ.** Approve payment of Invoice No. 9 in the amount of \$17,360.48 to Zarinkelk Engineering Services, Inc. for professional engineering services regarding Fulshear-Gaston, Mobility Bond Project No. 17312, Precinct 3. (Fund: Mobility Bonds)
- KK.** Approve payment of Invoice No. 39 in the amount of \$16,592.50 to Schaumburg & Polk, Inc. for project management services regarding 2017 Mobility Bond Projects within Precinct 3. (Fund: Mobility Bonds)
- LL.** Approve correction to Agenda Item 11V from Commissioners Court meeting on June 22, 2021; so it reads: Approve payment of Invoice No. 45137 in the amount of \$3,184.98 to Vogler & Spencer Engineering for professional engineering services regarding Pin Oak Right Turn Lane, Mobility Bond Project No. 17322x, Precinct 3. (Fund: Fort Bend County Assistance District No. 10)
- MM.** Approve payment of Invoice No. 1 in the amount of \$5,765.00 to Zarinkelk Engineering Services, Inc. for professional engineering services regarding Fulshear-Gaston Road, Mobility Bond Project No. 20312, Precinct 3. (Fund: Mobility Bonds)
- NN.** Approve payment of Invoice No. 27255 in the amount of \$8,014.01 to Geotest Engineering, Inc. for construction materials testing services for Mason Road, Mobility Bond Project No. 17405, Precinct 4. (Fund: Mobility Bonds)
- OO.** Approve payment of Invoice No. FBC2021 JSHARP-1003 in the amount of \$31,758.32 to SES Horizon Consulting Engineers Inc. for professional engineering services regarding John Sharp Drive, Mobility Bond Project No. 17421x, Precinct 4. (Fund: Mobility Bonds)
- PP.** Approve payment of Invoice No. 5-210507 in the amount of \$5,808.82 to BGE Inc. for professional engineering services regarding Voss Road at Old Richmond Road, Mobility Bond Project No. 17404 and 17413, Precinct 4. (Fund: Mobility Bonds)
- 11.** **ENGINEERING-PERMITS:**
 - A.** Approve permit application from Drymalla Construction Company, Inc. to install three commercial driveways on Great Blue Heron Lane, Permit No. 2021-46702, Precinct 1.

Item 11 continued - Engineering - Permits:

- B. Approve permit application from Mega Builders Inc dba Mega & Associates/Catalyst Technical Group to install storm drain outfall into Seaborne Creek, Permit No. 2020-39524, Precinct 1.**
- C. Approve permit application from Comcast of Houston, LLC to install utility cable along Trammel Fresno Road, Permit No. 2021-47396, Precinct 1.**
- D. Approve permit application from Comcast of Houston, LLC to install fiber optic cable along California Street and Trammel Fresno Road, Permit No. 2021-46863, Precinct 1.**
- E. Approve permit application from RBP Sports LLC to install two outfall structures and a low-water crossing in Cottonwood Creek, Permit No. 2021-46867, Precinct 1.**
- F. Approve permit application from Frontier Southwest Inc. dba/Frontier Communications of Texas/ Squan Engineering to install fiber optic cable along various roads within the Teal Run Section 13 and Section 18 subdivisions, Permit No. 2021-47195, Precinct 1.**
- G. Approve permit application from Frontier Southwest Inc. dba/Frontier Communications of Texas/ Squan Engineering to install fiber optic cable along various roads within the Teal Run Section 15 and Section 16 subdivisions, Permit No. 2021-47194, Precinct 1.**
- H. Approve permit application from Frontier Southwest Inc. dba/Frontier Communications of Texas/ Squan Engineering to install fiber optic cable along various roads within the Teal Run Subdivision of Sections 6, 7 and 8, Permit No. 2021-47196, Precinct 1.**
- I. Approve release of performance bond from MasTec Network Solutions, Inc. for work completed on Squirrel Road, Permit No. 2017-14164, Precinct 1.**
- J. Approve release of performance bond from Monarch Civil Constructors, LLC for work completed on Hampton Breeze Lane, Permit No. 2017-17508, Precinct 1.**
- K. Approve release of performance bond from Millis Equipment, LLC for work completed on Canyon Lake Drive, Permit No. 2018-20515, Precinct 1.**
- L. Approve permit application from Comcast of Houston, LLC to install fiber optic cable along Winkleman Road only within the FBC jurisdictional lines, Permit No. 2021-44039, Pct 2.**
- M. Approve permit application from Crown Castle Fiber LLC to install fiber optic cable along Clodine Road, Permit No. 2021-47058, Precinct 2.**
- N. Approve permit application from Southwestern Bell Telephone Company dba AT&T Texas/ Byers Engineering to install fiber optic cable along Castlemont Drive, Permit No. 2021-47260, Precinct 2.**
- O. Approve permit application from Crown Castle Fiber LLC to install fiber optic cable along South Fry Road, Permit No. 2021-47425, Precinct 3.**

Item 11 continued - Engineering - Permits:

- P. Approve permit application from Comcast of Houston, LLC to install fiber optic cable crossing under Via Mazzini Way and Luna Bella Way, Permit No. 2021-47423, Precinct 3.**
- Q. Approve permit application from Comcast of Houston, LLC to install fiber optic cable crossing under Mable Pond Lane, Permit No. 2021-47342, Precinct 3.**
- R. Approve permit application from CenterPoint Energy to install gas line along North Saddlebrook Lane, Permit No. 2021-47308, Precinct 3.**
- S. Approve permit application from Comcast of Houston, LLC to install utility cable crossing under Addison Forest Trail and Emily Forest Trail, Permit No. 2021-47208, Precinct 3.**
- T. Approve permit application from General Petro Chem Industrial, Inc. to install pedestrian walkway trail along the Willow Fork Buffalo Bayou at Falcon Landing Boulevard and install two construction entrances, Permit No. 2021-47206, Precinct 3.**
- U. Approve permit application from Providence Builders, LLC C/O Ivy Point Richmond/CD Richmond, LLC to install two new commercial driveways and a left turn lane off of Mason Road, Permit No. 2021-47207, Precinct 3.**
- V. Approve release of performance bond from Mickie Services Company, Inc. for work completed on Spring Green Boulevard, Permit No. 2017-16798, Precinct 3.**
- W. Approve release of performance bond from Michael Francis Haney DBA Reasonable Renovation for work completed on Clayhead Road, Permit No. 2018-23064, Precinct 3.**
- X. Approve permit application from Crown Castle Fiber LLC to install utility cable along Parkland Woods Drive, Country Manor Drive, Spanish Grant Drive and West Bellfort, Permit No. 2021-47209, Precinct 3.**
- Y. Approve release of performance bond from MCIMetro Access Transmission Services Corp. for work completed on Kingsland Boulevard, Permit No. 2017-13046, Precinct 3.**
- Z. Approve release of performance bond from Mallard Underground Utilities, LLC for work completed on Westheimer Parkway, Permit No. 2018-19121, Precinct 3.**
- AA. Approve release of performance bond from Mason Fry Property LLC for work completed on Mason Road, Permit No. 2018-21573, Precinct 3.**
- BB. Approve permit application from Texas Alliance Group, Inc./AutoZone Parts, Inc. to install a new commercial driveway on Waterview Meadow Drive, Permit No. 2021-47210, Precinct 4.**
- CC. Approve permit application from Prestige Development Services, LLC/ Font Design Studio LLC to install two driveways and a turn lane on Harlem Road, Permit No. 2021-44214, Precinct 4.**

Item 11 continued - Engineering - Permits:

- DD. Approve permit application from Newquest Asset Funding, L.C./NewQuest Properties to install a new commercial driveway on Clouston Avenue, Permit No. 2021-47056, Precinct 4.**
 - EE. Approve release of performance bond from Millis Equipment, LLC for work completed on Old Richmond Road, Permit No. 2017-14962, Precinct 4.**
 - FF. Approve release of performance bond from Millis Development and Construction, LLC for work completed on Lost Maples, Permit No. 2018-24210, Precinct 4.**
- 12. ENGINEERING-DEVELOPMENT:**
- A. Approve correction to Agenda Item 41S authorized by Commissioners Court on November 26, 2019 so it reads: Take all appropriate action on Change Order No. 4 between Fort Bend County and Hurtado Construction Company, to decrease the contract in the amount of \$191,712.95 for a total contract amount not to exceed \$2,988,169.15, pursuant to Bid No. 18-065 regarding A. Myers, Mobility Bond Project No. 13102, Precinct 1. (Fund: Mobility Bonds)**
 - B. Accept the streets in Sienna Village of Destrehan Section 4: Orchard Way 974.96 LF, Orchard Field 524.68 LF, Lost Orchard 342.02 LF, for a total of 1,841.66 LF and release the bond in the amount of \$123,501.00, Precinct 1.**
 - C. Accept the streets in Southern Colony Section 4C: Southern Colony Avenue 799.68 LF, Petunia Falls Lane 613.46 LF, Philox Park Court 290.00 LF, Sacred Lotus Lane 977.22 LF, Violet Hills Lane 956.49 LF, Clear Mist Court 383.62 LF, Bright Lotus Lane 623.42 LF, Autumn Flats Way 895.71 LF, for a total of 5,539.60 LF and release the bond in the amount of \$388,010.00 Precinct 1.**
 - D. Accept the streets in Willow Fork Groves Sec 1: McCrae Hill Court 600.00 LF, Brea Ridge Trail 815.00 LF, Brooking Hill Court 482.00 LF, Clara Knoll Court 145.00 LF, Mariner Point Lane 25.00 LF, Zoyas Creek Trail 1,475.00 LF, McMurtry Ridge Drive 2,020.00 LF, for a total of 5,562.00 LF and release the bond in the amount of \$389,340.00, Precinct 3.**
 - E. Accept the streets in Harvest Green Sec 19: Hackberry Heights Drive 2,144.00 LF, Bumble Bee Circle 380.00 LF, Lavender Dream Lane 1052.00 LF, Fresh Peppercorn Passage 141.00 LF, Fresh Garden Way 408.00 LF, for a total of 4,125.00 LF and release the bond in the amount of \$288,750.00, Precinct 3.**
 - F. Accept the streets in Creekside Ranch Sec 9: Dancing Grass Drive 1,505.00 LF, Slumbering Willow Lane 948.00 LF, Pond Lily Circle 168.00 LF, Pink Myrtle Circle 114.00 LF, Eaglemont Lane 138.00 LF, for a total of 2,873.00 LF and release the bond in the amount of \$201,110.00, Precinct 3.**

Item 12 continued - Engineering - Development:

- G. Accept the streets in Creekside Ranch Sec 10: Clearstone Circle 661.00 LF, Copper Ranch Trail 1,441.00 LF, Quiet Field Court 445.00 LF, Drover Sky Court 552.00 LF, Rosin Lake Lane 318.00 LF, Lilac Croft Lane 133.00 LF, for a total of 3,550.00 LF and release the bond in the amount of \$248,500.00, Precinct 3.**
- H. Accept the streets in Sienna Village of Destrehan Section 9: Plaza Point 868.07 LF, Pershing Court 349.98 LF, Twin Rose Drive 679.01 LF, Plaza Terrace Drive 1,467.04 LF, Grand Place Drive 645.52 LF, Plaza Park 48.68 LF, Plaza Ridge Drive 889.11 LF, Old Town Drive 1,055.48 LF for a total of 6,002.89 LF and release the bond in the amount of \$401,182.60, Precinct 1.**
- I. Accept the streets in Sienna Scanlan Trace and Sienna Parkway Extension Street Dedication: Scanlan Trace 2,935.40 LF, Sienna Parkway 1,557.95 LF, for a total of 4,493.35 LF and release the bond in the amount of \$701,080.80, Precinct 1.**
- J. Accept the streets in Long Meadow Farms, Sec 43: Bighorn Valley Lane 1,072.57 LF, Chester Mills Crossing 158.00 LF, Painted Rock Trail 894.65 LF, Somerset Valley Drive 516.35 LF, Tarpley Springs Drive 931.91 LF, Crane Harbor Court 262.89 LF, Briar Vista Way 363.34 LF, Shortgrass Path 247.20 LF, for a total of 4,446.91 LF and release the bond in the amount of \$382,130.00, Precinct 4.**
- K. Accept the bond rider for Sienna Section 34B reducing it from \$162,944.00 to \$81,472.00, Precinct 1.**
- L. Approve the plat for Cinco Ranch Station, Precinct 3.**
- M. Approve the plat for Post Road Street Dedication Section 1, Precinct 1.**
- N. Approve the plat for Park at Mission Glen Retail Center, Precinct 2.**
- O. Approve the plat for Kiddie Academy Bellaire at Peek Sec 2, Precinct 3.**
- P. Approve the plat for Jordan Ranch Street Dedication No. 10 and Reserves, Precinct 3.**
- Q. Approve the plat for the roads within Sienna Section 29B, Precinct 1.**
- R. Approve the plat for the lots within Sienna Section 29B, Precinct 1.**
- S. Approve the plat for the roads within Jordan Ranch Sec 26, Precinct 3.**
- T. Approve the plat for the lots within Jordan Ranch Sec 26, Precinct 3.**
- U. Approve the plat for the roads within Jordan Ranch Sec 27, Precinct 3.**
- V. Approve the plat for the lots within Jordan Ranch Sec 27, Precinct 3.**
- W. Approve the plat for the roads within Jordan Ranch Sec 28, Precinct 3.**

Item 12 continued - Engineering - Development:

- X. Approve the plat for the lots within Jordan Ranch Sec 28, Precinct 3.**
- Y. Approve the plat for the roads within Jordan Ranch Sec 29, Precinct 3.**
- Z. Approve the plat for the lots within Jordan Ranch Sec 29, Precinct 3.**
- AA. Approve the plat for the roads within Jordan Ranch Sec 30, Precinct 3.**
- BB. Approve the plat for the lots within Jordan Ranch Sec 30, Precinct 3.**
- CC. Approve the plat for the roads within Jordan Ranch Sec 31, Precinct 3.**
- DD. Approve the plat for the lots within Jordan Ranch Sec 31, Precinct 3.**
- EE. Set public hearing for the proposed street name change from Sansbury Boulevard to Manford Boulevard between Williams Way Boulevard and Grand Estates Drive, and add an address range for existing Manford Boulevard, in coordination with CenterPoint, Precinct 1.
(Tuesday, August 24, 2021 at 1:00 p.m.)**
- 13. 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 Certificates of Obligation:**
 - A. Invoice No. 2021-773 D in the amount of \$14,471.20, to Fort Bend Museum for the exhibit regarding the Landmark Community Center;**
 - B. Pay Application No. 4 (Bob Lutts Library) for full retainage pay-out to Gutier, for roof replacements regarding the 6 Roof Replacements;**
 - C. Invoice No. 6001301729 in the amount of \$2,084.37 to Stanley Security, for security services regarding the expansion of the Missouri City Branch Library;**
 - D. Invoice No. 3309182 in the amount of \$1,468.80 to Zoll, for furniture, fixtures & equipment regarding the Landmark Community Center;**
 - E. Invoice No. T763942 in the amount of \$1,839.00 to Armko Industries, for consulting services regarding the 6 Roof Replacements;**
 - F. Pay Application No.'s 9 and 10 for a total amount of \$1,031,406.64 to Crain Group for construction services regarding the Precinct 3 Public Safety Annex;**
 - G. Invoice No. 2019-001-007 in the amount of \$2,390.00 to STOA Architects for architectural services regarding the 1979 Linear Jail Renovation;**
 - H. Invoice No. SWH 241143 in the amount of \$1,689.98 to Yellowstone Landscape, for irrigation repairs regarding Landmark Community Center;**

Item 13 continued - Facilities Management & Planning:

- I. Invoice No. GC417-2 in the amount of \$7,250.00 to Weisser Engineering Company, Inc., for Professional Engineering Services regarding Harlem Road Park;**
 - J. Pay Application No. 8 in the amount of \$108,406.89 to Nash Industries, for renovations regarding the Jail Shower Renovation;**
 - K. Invoice No. 11-79139 in the amount of \$10,683.88 to QC Laboratories for Geotechnical Engineering services regarding the Emergency Operations Center;**
 - L. Invoice No. 10053562 in the amount of \$18,609.55 to PGAL for design services regarding the Emergency Operations Center.**
- 14. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority reviewed the following items at their regular Board meeting held on July 21, 2021 and makes the following recommendations to Commissioners Court:**
- Approve Supplemental Engagement Letter between Fort Bend Toll Road Authority and Whitley Penn, LLC.**
- 15. FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority reviewed the following items at their regular meeting held on July 21, 2021 and makes the following recommendations to Commissioners Court:**
- A. Approve Supplemental Engagement Letter between Fort Bend Grand Parkway Toll Road Authority and Whitley Penn, LLC.**
 - B. Approve Supplemental Agreement No. 5 between Fort Bend Grand Parkway Toll Road Authority and RS&H, Inc.**
 - C. Approve Supplemental Agreement No. 6 between Fort Bend Grand Parkway Toll Road Authority and SWC Group, LP.**
 - D. Approve Supplemental Agreement No. 3 between Fort Bend Grand Parkway Toll Road Authority and Iteris, Inc.**
 - E. Approve Change Order No. 4 to the Agreement between Fort Bend Grand Parkway Toll Road Authority and Creacom, Inc regarding the construction of dedicated fiber optic line SH99.**
- 16. HOMELAND SECURITY & EMERGENCY MANAGEMENT:**
- Set public hearing regarding the submission of an application to the Texas General Land Office for a Texas Community Development Block Grant for Mitigation, to be conducted on Tuesday, August 3, 2021 at 1:00 p.m. in the Commissioners Courtroom on the second floor of the Fort Bend County Courthouse at 401 Jackson Street in Richmond, Texas.**

17. HUMAN RESOURCES:

- A. Approve the rehire of former employee Francisco Segura, who terminated employment on December 31, 2019, and who was rehired effective July 14, 2021.**
- B. Approve request for withdrawal of 480 hours from the Shared Sick Leave Pool for employee of Facilities Maintenance, Position No. 4181-0067.**
- C. Approve and record into Minutes the application for Appointment of Matthew Cope, Zachary Allard, and Ibrahima Olorogun, by Constable Precinct 4, in accordance with Constable's form dated July 20, 2021 pursuant to Local Government Code §86.011.**
- D. Approve and record into Minutes the application for appointment of Deputy Constable Lissete Navarro, by Constable Precinct 3, in accordance with Constable's form dated July 20th, 2021 pursuant to Local Government Code §86.011.**

18. PUBLIC TRANSPORTATION:

Accept award from the Federal Transit Administration for FAIN #TX-2021-035-00 for Fiscal Year 2020 Section 5307 funds totaling \$4,504,864 with no local match required and \$900,973 in Transportation Development Credits, including grantor's request for submittal of additional information. (Fund: Public Transportation Grants)

19. PURCHASING:

- A. Authorize advertising for bids for barrier netting at Arboretum Park.**
Authorize advertising for bids for barrier netting at Arboretum Park. (corrected to Arboretum Cricket Complex.)
- B. Authorize advertising for bids for Playground Equipment Replacement at Four Corners Park.**

20. ROAD & BRIDGE:

- A. Approve payment of Invoice No.194389FB for an amount totaling \$166,055.00 to Parkway Chevrolet for approved 2021 budget vehicles.**
- B. Approve payment of Invoice No.194391 for an amount totaling \$199,266.00 to Parkway Chevrolet for approved 2021 budget vehicles.**
- C. Approve payment of Invoice No.194387 for an amount totaling \$232,477.00 to Parkway Chevrolet for approved 2021 budget vehicles.**

21. TAX ASSESSOR/COLLECTOR:

- A. Record into Minutes the 10/20 Year Write Off of Property Taxes pursuant to Texas Property Tax Code Section 33.05 for Fort Bend County Lateral Road & Flood Control for the Office of Carmen P. Turner, Tax Assessor-Collector.**

Item 21 continued - Tax Assessor/Collector:

- B. Record into Minutes the 10/20 Year Write Off of Property Taxes pursuant to Texas Property Tax Code Section 33.05 for Fort Bend County General Fund for the Office of Carmen P. Turner, Tax Assessor-Collector.**
- C. Record into Minutes the 10/20 Year Write Off of Property Taxes pursuant to Texas Property Tax Code Section 33.05 for Fort Bend County Parkway Road District for the Office of Carmen P. Turner, Tax Assessor-Collector.**

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Consent Agenda Items 6 - 21, with correction to Item 19A.

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

Item 19A has been corrected to read:

Authorize advertising for bids for barrier netting at Arboretum Cricket Complex.

22. COMMISSIONER, PCT. 1:

- A. Take all appropriate action on request by Alberto and Gema Rey to waive penalty and interest fees totaling \$166.06 on property taxes for tax year 2020, Pct. 1.**

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve request by Alberto and Gema Rey to waive penalty and interest fees totaling \$166.06 on property taxes for tax year 2020, Pct. 1, based on the recommendation of the Tax Office.

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

Item 22 continued - Commissioner, Pct. 1:

B. Take all appropriate action on request by Andy Dungchi & Le Thuy Thi Ly Phan to waive penalty and interest fees totaling \$788.77 on property taxes for tax year 2020, Pct. 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve request by Andy Dungchi & Le Thuy Thi Ly Phan to waive penalty and interest fees totaling \$788.77 on property taxes for tax year 2020, Pct. 1, based on the recommendation of the Tax Office.

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

C. Take all appropriate action on request by Philippe Coupe to waive penalty and interest fees totaling \$682.62 on property taxes for tax year 2020, Pct. 1.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve request by Philippe Coupe to waive penalty and interest fees totaling \$682.62 on property taxes for tax year 2020, Pct. 1, based on the recommendation of the Tax Office.

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

23. COMMISSIONER, PCT. 2:

Take all appropriate action on request by Robert Bryant to waive penalty and interest fees totaling \$962.53 on property taxes for tax year 2020, Pct. 2.

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve request by Robert Bryant to waive penalty and interest fees totaling \$962.53 on property taxes for tax year 2020, Pct. 2, based the Tax Assessor's recommendation.

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

24. COMMISSIONER, PCT. 3:

A. Take all appropriate action on Agreement between Fort Bend County and Seven Meadows Community Association, Inc. for the installation, operation and maintenance of Solar Powered Speed Awareness Signs within the subdivision.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Seven Meadows Community Association, Inc. for the installation, operation and maintenance of Solar Powered Speed Awareness Signs within the subdivision.

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

B. Take all appropriate action on request by Troy and April Huey to waive penalty and interest fees totaling \$346.71 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 Troy and April Huey to waive penalty and interest fees totaling \$346.71 on property taxes for tax year 2020, Pct. 3, due to an error found by the Tax Assessor's Office or the Central Appraisal District.

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

C. Take all appropriate action on request by Adam Shane & Lauryn Semere Herpin to waive penalty and interest fees totaling \$773.63 on property taxes for tax year 2020, Pct. 3.

Pulled

D. Take all appropriate action on request by William J. and Christy A. Gutowski to waive penalty and interest fees totaling \$375.45 on property taxes for tax year 2020, Pct. 3.

Pulled

25. COMMISSIONER, PCT. 4:

A. Take all appropriate action on request by Sushim R Shah to waive penalty and interest fees totaling \$493.91 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 approve request by Sushim R Shah to waive penalty and interest fees totaling \$493.91 on property taxes for tax year 2020, Pct. 4, as recommended by the Tax Office due to an error found.

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

B. Take all appropriate action on request by Henry Hung Le to waive penalty and interest fees totaling \$406.21 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 Henry Hung Le to waive penalty and interest fees totaling \$406.21 on property taxes for tax year 2020, Pct. 4, due to no error was found by the CAD or the Tax Office.

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

C. Take all appropriate action on request by Francis Dolores & Jeffrey Gonzales to waive penalty and interest fees totaling \$453.16 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 approve request by Francis Dolores & Jeffrey Gonzales to waive penalty and interest fees totaling \$453.16 on property taxes for tax year 2020, Pct. 4, as recommended by the Tax Office due to an error found.

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

D. Take all appropriate action on request by Sayed Naveed Ahmed & Adeela Choudry to waive penalty and interest fees totaling \$1,977.07 on property taxes for tax year 2020, Pct. 4.

Pulled

26. BUDGET & FINANCE:

A. Take all appropriate action to establish a Non-Profit Grant Program under the American Rescue Plan Act.

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to establish a Non-Profit Grant Program under the American Rescue Plan Act effective after this vote.

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

Commissioner Prestage stated he placed this item on the Agenda and wanted to make it clear that no one appointed him but took it upon himself to try and move things with respect to the American Rescue Plan Act through the process. Commissioner felt he could do this because of his years with the County and understanding of the departments. There is no disrespect to any of the members of Commissioners Court. These items are under the Budget Office and Finance who does a good job of tracking this budget, which is \$157,000,000 and we don't want to lose track of where things are going. Some of these items he will counsel with the Budget Finance Director and the Auditor who has a compliance role. Commissioner Prestage stated Commissioners Court agreed that we should take advantage of the opportunity to have partnerships with nonprofits in this County. Through our consultant, we devised a plan of action and a set of forms and procedures that best captures the essence of what we are to do. This motion is to establish this program and authorize there to be a request for a proposal issue in the near future that the results will come back to the Community Development Department who has annual experience in receiving these types of proposals to sort them out. The Commissioners Court members, all five, will be making the funding recommendations for action at a later date either together or as we sort them out.

B. Take all appropriate action on amending the Fort Bend County American Rescue Plan Act Budget in the Pandemic Relief Category and authorize funding temporary positions in the Tax Assessor Collectors Office to address the backlog resulting from the negative impact caused by COVID-19.

Commissioner Prestage stated he has been in consultation with the Tax Assessor Collector and wanted to discuss this item openly. This court granted three employees to the District Clerk and to the County Clerk in order to be caught up on a backlog of work caused by the pandemic. The same situation exist in the Tax Assessor's Office with a recommendation of nine positions. Commissioner thought the court could help in determining how many employees will be needed. The cost for one position at Grade 7 is \$56,496.56 and for two positions it is \$112,993.12. Commissioner is opened for discussion and believes we need to offer help either for one year or for two years.

Commissioner Meyers asked if the Tax Assessor could work with the Budget Officer.

Carmen Turner, Tax Assessor stated she can work with the budget officer and would prefer to have people for three years.

Commissioner Prestage stated for the record if this comes up next week, he will be absent.

No Action

Item 26 continued - Budget & Finance:

- C. Take all appropriate action to amend the American Rescue Plan Act Budget to authorize funding and approve (4) four full time temporary positions as requested by the Information Technology Department to address cybersecurity initiatives; amount not to exceed \$709,101.**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to amend the American Rescue Plan Act Budget to authorize funding and approve (4) four full time temporary positions as requested by the Information Technology Department to address cybersecurity initiatives; amount not to exceed \$709,101 **(corrected to \$583,768).**

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

- D. Take all appropriate action to amend the American Rescue Plan Act Budget to authorize the funding and to approve purchase of the cybersecurity software for the Information Technology Department recommended by the County IT Director; in an amount not to exceed \$125,301.05.**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to amend the American Rescue Plan Act Budget to authorize the funding and to approve purchase of the cybersecurity software for the Information Technology Department recommended by the County IT Director; in an amount not to exceed \$125,301.05.

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

27. DISTRICT ATTORNEY:

Take all appropriate action on request for (2) two new grant funded positions in the District Attorney's Office: Expose Excellence Youth Community Outreach Coordinator, Grade 7 of the Civilian Services Policy Group, to staff the Expose Excellence Youth Program, effective August 1, 2021 through September 30, 2024, and budget \$114,048 in FY2021, and \$421,564 collectively for FY2022, FY2023, and FY2024. (Fund: American Rescue Plan Act)

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve request for (2) two new grant funded positions in the District Attorney's Office: Expose Excellence Youth Community Outreach Coordinator, Grade 7 of the Civilian Services Policy Group, to staff the Expose Excellence Youth Program, effective August 1, 2021 through September 30, 2024, and budget \$114,048 in FY2021, and \$421,564 collectively for FY2022, FY2023, and FY2024. (Fund: American Rescue Plan Act)

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

28. ENGINEERING:

- A. Take all appropriate action to accept a 0.3326 acre tracts of land conveyed by donation deed from PR II LaCenterra, LP., to Fort Bend County and authorize payment of title policy fees related to such conveyance, regarding Parcels 208, 209, 210, 211, 212, 213, 214, and Parcel 216 of Grand Parkway (SH 99) Frontage Roads Segment 1, Mobility Bond Project No. 17303, Precinct 3, and authorize County Clerk to record in the Official Public Records at no cost. (Fund: Mobility Bonds)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to accept a 0.3326 acre tracts of land conveyed by donation deed from PR II LaCenterra, LP., to Fort Bend County and authorize payment of title policy fees related to such conveyance, regarding Parcels 208, 209, 210, 211, 212, 213, 214, and Parcel 216 of Grand Parkway (SH 99) Frontage Roads Segment 1, Mobility Bond Project No. 17303, Precinct 3, and authorize County Clerk to record in the Official Public Records at no cost. (Fund: Mobility Bonds)

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

Item 28 continued - Engineering:**B. Take all appropriate action on Agreement for Local On-System Improvement Project between Fort Bend County and Texas Department of Transportation regarding Burney-Old Richmond, Mobility Bond Project No. 17207, Precinct 2.**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Local On-System Improvement Project between Fort Bend County and Texas Department of Transportation regarding Burney-Old Richmond, Mobility Bond Project No. 17207, Precinct 2.

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

C. Take all appropriate action on Agreement between Fort Bend County and Waterview Estates Owners Association Inc., for installation and maintenance of signs within Waterview Estates Subdivision, Precinct 4.

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
 Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Waterview Estates Owners Association Inc., for installation and maintenance of signs within Waterview Estates Subdivision, Precinct 4.

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

D. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Missouri City, in an amount not to exceed \$58,516 regarding Moore Road, Mobility Bond Project No. 17218x, Precinct 2. (Fund: Mobility Bonds)

Moved by Commissioner Prestage, Seconded by Commissioner Morales
 Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and City of Missouri City, in an amount not to exceed \$58,516 regarding Moore Road, Mobility Bond Project No. 17218x, Precinct 2. (Fund: Mobility Bonds)

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

Item 28 continued - Engineering:

E. Take all appropriate action on request for address range change for Woods Road and Fulshear Bend Drive, in coordination with CenterPoint, Precinct 3.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve request for address range change for Woods Road and Fulshear Bend Drive, in coordination with CenterPoint, Precinct 3.

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

F. Take all appropriate action on request for variance to the dead-end street requirements as stated in Section 5.6(A), of the Fort Bend County Regulations of Subdivisions for Stewart Heights Section Nineteen on behalf of LJA Engineering, 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 dead-end street requirements as stated in Section 5.6(A), of the Fort Bend County Regulations of Subdivisions for Stewart Heights Section Nineteen on behalf of LJA Engineering, Precinct 1.

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

G. Take all appropriate action to approve the plat for the roads within Stewart Heights Section Nineteen, 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 Stewart Heights Section Nineteen, Precinct 1.

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

Item 28 continued - Engineering:

H. Take all appropriate action to approve the plat for the lots within Stewart Heights Section Nineteen 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 Stewart Heights Section Nineteen Precinct 1.

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

I. Take all appropriate action on request for variance to the dead-end street requirements as stated in Section 5.6(A), of the Fort Bend County Regulations of Subdivisions for Stewart Heights Section Twenty-One on behalf of LJA Engineering, 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 dead-end street requirements as stated in Section 5.6(A), of the Fort Bend County Regulations of Subdivisions for Stewart Heights Section Twenty-One on behalf of LJA Engineering, Precinct 1.

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

J. Take all appropriate action to approve the plat for the roads within Stewart Heights Section Twenty-One, 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 Stewart Heights Section Twenty-One, Precinct 1.

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

Item 28 continued - Engineering:**K. Take all appropriate action to approve the plat for the lots within Stewart Heights Section Twenty-One, 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 Stewart Heights Section Twenty-One, Precinct 1.

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

29. FACILITIES MANAGEMENT & PLANNING:**A. Take all appropriate action on Agreement between Fort Bend County, Fort Bend County Municipal Utility District No. 169 and Fort Bend County Municipal Utility District No. 173 regarding acquisition of water, sewer, drainage and detention capacity to serve the proposed Fort Bend County Public Safety Annex; and authorize payment of \$50,741.75. (Fund: General Fund Advance Funding Resolution)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County, Fort Bend County Municipal Utility District No. 169 and Fort Bend County Municipal Utility District No. 173 regarding acquisition of water, sewer, drainage and detention capacity to serve the proposed Fort Bend County Public Safety Annex; and authorize payment of \$50,741.75. (Fund: General Fund Advance Funding Resolution)

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

B. Take all appropriate action on request to transfer an amount of \$100,000 from Non-Departmental Contingency into Fees and Supplies & Maintenance to allocate funds needed for jail parts, repairs and preventative maintenance for the remainder of FY21.

Moved by Commissioner Morales, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve request to transfer an amount of \$100,000 from Non-Departmental Contingency into Fees and Supplies & Maintenance to allocate funds needed for jail parts, repairs and preventative maintenance for the remainder of FY21.

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

30. HEALTH & HUMAN SERVICES:

A. Social Services: Take all appropriate action on Letter of Agreement from Reliant Energy contributing funds in an amount of \$25,000 to provide assistance to qualified County residents under the Reliant CARE Program.

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Letter of Agreement from Reliant Energy contributing funds in an amount of \$25,000 to provide assistance to qualified County residents under the Reliant CARE Program.

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

B. Social Services: Take all appropriate action on acceptance of funds in an amount of \$25,000 from NRG (Reliant) Energy to provide assistance to qualified County residents under the NRG (Reliant) Energy CARE Program.

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to accept funds in an amount of \$25,000 from NRG (Reliant) Energy to provide assistance to qualified County residents under the NRG (Reliant) Energy CARE Program.

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

C. Animal Services: Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Stafford for the Trap and Neuter Return Program, effective through September 30, 2022.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and City of Stafford for the Trap and Neuter Return Program, effective through September 30, 2022.

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

31. HOMELAND SECURITY & EMERGENCY MANAGEMENT:

Take all appropriate action to erect an Emergency Communications Tower on Fort Bend County property located at 9110 Long St. in Needville.

Moved by Commissioner Morales, Seconded by Commissioner Prestage
Duly put and unanimously carried (5-0), it is ordered to erect an Emergency Communications Tower on Fort Bend County property located at 9110 Long St. in Needville.

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

32. HUMAN RESOURCES:

Take all appropriate action on the 2022 Holiday Schedule as submitted by Human Resources.

Moved by Commissioner DeMerchant, Seconded by Commissioner Prestage
Duly put and carried (4-1), it is ordered to approve the 2022 Holiday Schedule as submitted by Human Resources.

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

Commissioner Meyers asked if an additional Holiday is being recommended.

Pamela Gubbels, Director of Finance and Investments stated the cost of adding a Holiday is approximately \$600,000.

33. INFORMATION TECHNOLOGY:

- A. Take all appropriate action to create four (4) new temporary full time positions in Information Technology, two (2) Security Analysts II, Grade 13 of the Professional Management Policy Group, one (1) Security Analyst II, Grade 14 of the Professional Management Policy Group, and one (1) IT Security Supervisor, Grade 14 of the Professional Management Policy Group, effective July 27, 2021 through September 30, 2022. (Fund: American Rescue Plan Act)**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to create four (4) new temporary full time positions in Information Technology, two (2) Security Analysts II, Grade 13 of the Professional Management Policy Group, one (1) Security Analyst II, Grade 14 of the Professional Management Policy Group, and one (1) IT Security Supervisor, Grade 14 of the Professional Management Policy Group, effective July 27, 2021 through September 30, 2022. (Fund: American Rescue Plan Act)

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

- B. Take all appropriate action to purchase cybersecurity software as recommended by the Fort Bend County Information Technology Director, in an amount not to exceed \$125,301.05. (Fund: American Rescue Plan Act)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to purchase cybersecurity software as recommended by the Fort Bend County Information Technology Director, in an amount not to exceed \$125,301.05. (Fund: American Rescue Plan Act)

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

34. JUSTICE OF THE PEACE, PCT. 3 :

Take all necessary action to approve a one time \$1,000 supplement for each of the (7) seven Justice of the Peace Precinct No. 3, clerk staff payable upon completion of Court Technology training in response to court needs emerging due to requirements and accommodations imposed on Justice Courts due to COVID-19.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve a one time \$1,000 supplement for each of the (7) seven Justice of the Peace Precinct No. 3, clerk staff payable upon completion of Court Technology training in response to court needs emerging due to requirements and accommodations imposed on Justice Courts due to COVID-19. **(The Fund has been added to: Fund: JP 3 Technology Fund)**

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

35. LIBRARY:

Take all appropriate action to ratify Grant Application to the Texas State Library and Archives Commission for Fort Bend County Libraries to help assure that Texans will have access to shared library resources to meet learning and information needs.

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to ratify Grant Application to the Texas State Library and Archives Commission for Fort Bend County Libraries to help assure that Texans will have access to shared library resources to meet learning and information needs.

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

36. PARKS & RECREATION:

A. Take all appropriate action on request to establish Reservation Fee Schedule for Fort Bend County Parks & Recreation Facilities, effective October 1, 2021.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to establish Reservation Fee Schedule for Fort Bend County Parks & Recreation Facilities, effective October 1, 2021.

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

Item 36 continued - Parks & Recreation:

- B. Take all appropriate action on request from Sylvester Jones with Van Hoozer Basketball Academy for a waiver of the three (3) hour minimum to rent Four Corners Gymnasium for youth basketball practice beginning August 1, 2021 through October 1, 2021.**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve request from Sylvester Jones with Van Hoozer Basketball Academy for a waiver of the three (3) hour minimum to rent Four Corners Gymnasium for youth basketball practice beginning August 1, 2021 through October 1, 2021.

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

37. PURCHASING:

- A. Take all appropriate action on Agreement between Fort Bend County and Mason Tillman Associates, Ltd., for Disparity Study in an amount not to exceed \$300,000. (Fund: American Rescue Plan Act - Economic Recovery Category)**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and carried (3-2), it is ordered to grant exemption permitted under Local Government Code §262.024(a)(4) for personal or professional services based on the intellectual labor and skill necessary to provide to propose services as demonstrated competence with the vendor and approve the Agreement between Fort Bend County and Mason Tillman Associates, Ltd. to perform a Disparity Study in an amount not to exceed \$300,000. (Fund: American Rescue Plan Act - Economic Recovery Category)

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

Item 37 continued - Purchasing:

Commissioner Meyers read a statement in court:

Fort Bend County does not discriminate against minority or women owned businesses. We specifically solicit business with minority and women-owned firms that goes above and beyond what statute requires. There are ways to make certain we are as inclusive as possible in awarding county business without a race- and gender-based program that the findings of a Disparity Study will lead to.

I've reviewed several Disparity Studies by Mason Tillman, including the 2021 Study for METRO. I've spoken, at length, with Dr. Ramsey with Mason Tillman and Colette Holt, who conducted the Harris County Disparity Study. Both are smart, knowledgeable professionals. I spoke with Ms. Holt because I thought her firm would be one of the firms solicited via an RFQ from the county. I was not aware the firm selection and agreement were already a done deal. These studies use data and a methodology, which will be used in the FBC Study, that I believe do not comply with the US Supreme Court Decision *City of Richmond v. J.A. Croson* and other case law that apply to Texas. The methodology compares African American, Women, Asian and Hispanic owned firms, while excluding white male owned firms, with large firms like IBM, Microsoft, Dell Computer, AECOM, Williams Brothers Construction to determine that the minority/women owned firms are underutilized. White male owned firms are lumped in with the major corporations as Non-M/WBEs and the Study concludes that this group of white males and major corporations receive more than 90% of the government entity's business on a dollar basis. Which is not surprising given the amount of business governmental entities do with major corporations. In addition, the studies make comparisons via NAICS codes where the companies self-report their qualifications and capabilities. That does not clearly demonstrate the "qualification" and "capability" of the firms for comparison purposes called for in the Croson Decision in my opinion. I believe these are flawed comparisons that call into question the Study's findings. Since the US Fifth Circuit Court has struck down race based selection for college admission as unconstitutional, the likelihood that a legal challenge to a county race-based program for awarding county business would survive a Fifth Circuit Decision is rather slim.

Since we are in the same market as METRO and Harris County and the data and methodology used for METRO's study as well as the Harris County Disparity Study will be used for FBC's, the findings of the Disparity Study will be essentially the same, which is that there is an underutilization of minorities, specifically African American firms by the county. This will lead to a race-based program to address this supposed discrimination, either voluntarily by the majority of this Court or in response to actual or threatened litigation to compel this Court to do so. Such a program will discriminate in favor of one minority group at the expense of other minorities. I don't believe we should discriminate in favor or against anyone.

Creating a race-conscious program will necessitate creating a new department and expanding the Purchasing Department, which will cost somewhere around \$800,000 to \$1,000,000 per year. Also, since in many instances the selection of subcontractors will be based on nationality instead of lowest cost bids, as we have now, our construction contract costs will go up, possibly \$1 million per year.

Our goals should be economic development. The creation of jobs. The increased education of our workforce. The protection of the taxpayers' money through competitive pricing. Treating everyone equally and fairly.

Item 37 continued - Purchasing:

If our goal is to truly increase the number of minority and women-owned firms who are available and interested in doing business with Fort Bend County, we should be moving towards my program of an equity loan program, funded with the ARPA Funds and administered through H-GAC. Colette Holt explained to me that the county doesn't need a Disparity Study to achieve a goal of increasing participation by minority and women owned firms doing business with the county, that there are a number of race-neutral methods to achieve that goal. We should be pursuing those.

This action today is the first step in the county creating a race-based program for awarding county business.

I will not be supporting a study that sets out to prove how the county is a "participant" in regional discrimination that will lead to a race-based program for county business, which will increase taxpayers costs, and which will make discrimination against certain minorities official county policy and be very divisive. Again, we should not be discriminating against anyone.

Commissioner Morales read a statement in court:

I support this Court's action in remedying any possible racial discrimination.

My understanding of the law however requires that we must establish a compelling interest to support the creation of contracting programs that specifically target minority and/or women owned businesses. I further understand that conducting a disparity study helps ensure that any race or gender - based on remedial programs will withstand scrutiny in a court of law. However, I am concerned that we do not have enough information on the methodology of the proposed disparity study to ensure that it will provide the basis for a court to uphold any action we may take as a result of the conclusions reached by the study.

Many of the disparity studies in recent years have concluded that a great many minority businesses are "qualified" to do the work. But I am concerned that many of the "qualified" businesses are small businesses that may lack the manpower or equipment capacity necessary to successfully and timely complete large projects.

I understand our proposed vendor is a leading firm across the nation in conducting disparity studies but I am concerned that in 2008 a federal appellate court criticized studies conducted by this firm because the studies failed to account sufficiently for potential differences in size, or *relative capacity*, of the businesses included in those studies. In other words "qualified" firms may have substantially different capacities that affect their ability to handle substantially different amounts of business even in the absence of discrimination.

I am Pro Small Business. In fact I own a small business. But I recognize the difference between a business that has the expertise and ability to do a particular task as being qualified to do the job from a business that not only has the expertise and ability but also possesses the equipment and manpower capacity to successfully and timely complete large substantial projects.

So I have questions.

1. Does the proposed methodology of our vendor account for the manpower and equipment capacity when determining the definition of a "qualified" minority business?
2. If so has the methodology been referred to and vetted by our County Attorney's Office to ensure that it will withstand the scrutiny in the event our resulting policy is challenged?

If either answer is no I would respectfully suggest that this vote be tabled until we have these important answers.

Finally, I would like to say that I appreciate and respect all of my colleague's positions-which are very passionate. I can respect that. I just ask that my position be given the same respect.

Item 37 continued - Purchasing:

Commissioner Meyers stated this Commissioners Court, individual Commissioners do play a key role in selecting firms. Those firms selected in the last two years have equal 50% going to minority firms. This is a demonstration that this County is not discriminating against minority to women. The Purchasing Department goes above and beyond required by statute to solicit minority and women own firms. There are other methods or means we can assure ourselves we are being as fair to all parties with establishing a race based program. Commissioner's concern is this will cause some conflict and division within the community.

B. Take all appropriate action on Second Amendment to Agreement between Fort Bend County and Crain Group, LLC, pursuant to RFP 20-060 for additional services for the construction of South Post Oak Park Expansion in an additional amount of \$348,769.91 for a total contract amount not to exceed \$5,812,475.26. (Fund: Advance Funding/Certificates of Obligation)

Moved by Commissioner Prestage, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Agreement between Fort Bend County and Crain Group, LLC, pursuant to RFP 20-060 for additional services for the construction of South Post Oak Park Expansion in an additional amount of \$348,769.91 for a total contract amount not to exceed \$5,812,475.26. (Fund: Advance Funding/Certificates of Obligation)

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

C. Take all appropriate action on RFP 21-089 Compensation Study for Fort Bend County.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to negotiate RFP 21-089 Compensation Study for Fort Bend County with the most highly qualified respondent, The Segal Company (Western States) Inc. dba Segal.

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

Item 37 continued - Purchasing:

- D. Take all appropriate action on Agreement between Fort Bend County and Designs That Compute, Inc. dba Visionality, utilizing DIR-TSO-3889 and TIPS 200904 for Commissioners Court AV Upgrade Project in an amount not to exceed \$76,272.56. (Fund: Information Technology)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Designs That Compute, Inc. dba Visionality, utilizing DIR-TSO-3889 and TIPS 200904 for Commissioners Court AV Upgrade Project in an amount not to exceed \$76,272.56. (Fund: Information Technology)

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

- E. Take all appropriate action on Amendment of the Agreement between Fort Bend County and PS Lightwave, utilizing Choice Partners Purchasing Contract No. 18-056KD-52, for additional purchase of internet, ethernet and telephone services for a total contract amount not to exceed \$1,840,585.40 effective through September 30, 2023. (Fund: Information Technology)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Amendment of the Agreement between Fort Bend County and PS Lightwave, utilizing Choice Partners Purchasing Contract No. 18-056KD-52, for additional purchase of internet, ethernet and telephone services for a total contract amount not to exceed \$1,840,585.40 effective through September 30, 2023. (Fund: Information Technology)

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

Item 37 continued - Purchasing:

- F. Take all appropriate action on Agreement between Fort Bend County and Swagit Productions LLC, utilizing TIPS contract No. 190703 for the purchase of video streaming services in the amount not to exceed \$84,519 through July 26, 2022. (Fund: Information Technology)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Swagit Productions LLC, utilizing TIPS contract No. 190703 for the purchase of video streaming services in the amount not to exceed \$84,519 through July 26, 2022. (Fund: Information Technology)

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

- G. Take all appropriate action on Third Amendment to Comcast Enterprise Services Master Agreement No. TX-154063-BSher, pursuant to RFP 20-069 Redundant Ethernet Services, for additional services in an amount of \$33,500 for a total contract amount not to exceed \$320,100. (Fund: Information Technology)**

Moved by Commissioner DeMerchant, Seconded by Commissioner Meyers
Duly put and unanimously carried (5-0), it is ordered to approve Third Amendment to Comcast Enterprise Services Master Agreement No. TX-154063-BSher, pursuant to RFP 20-069 Redundant Ethernet Services, for additional services in an amount of \$33,500 for a total contract amount not to exceed \$320,100. (Fund: Information Technology)

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

- H. Take all appropriate action on Agreement between Fort Bend County and Conference Technologies, Inc., utilizing TIPS Contract No. 200904 for the Landmark Community Center AV Project in an amount not to exceed \$98,609.35. (Fund: Information Technology).**

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Conference Technologies, Inc., utilizing TIPS Contract No. 200904 for the Landmark Community Center AV Project in an amount not to exceed \$98,609.35. (Fund: Information Technology).

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

Item 37 continued - Purchasing:

I. Take all appropriate action on RFP 22-002, term contract for Online Homework Tutor.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to negotiate RFP 22-002, term contract for Online Homework Tutor with the most highly evaluated respondent, Brainfuse, Inc.

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

J. Take all appropriate action on Bid 21-072, term contract for medical supplies for Animal Services Department.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to award Bid 21-072, term contract for medical supplies for Animal Services Department to low bidder per item.

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

K. Take all appropriate action on RFP 22-003, term contract for Employee Alcohol and Drug Testing Services.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to negotiate RFP 22-003, term contract for Employee Alcohol and Drug Testing Services with the most highly evaluated respondent, DSI Medical Services, Inc.

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

Item 37 continued - Purchasing:

- L. Take all appropriate action on Agreement between Fort Bend County and Teal Construction Company for construction of linear jail renovation, pursuant to RFP 21-078, in an amount not to exceed \$3,424,603. (Fund: Advance Funding/Certificates of Obligation)**

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Teal Construction Company for construction of linear jail renovation, pursuant to RFP 21-078, in an amount not to exceed \$3,424,603. (Fund: Advance Funding/Certificates of Obligation)

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

- M. Take all appropriate action on Amendment to Agreement for Plan, Specification, and Estimate Design Services between Fort Bend County and Dannenbaum Engineering Corporation to increase the contract in an amount of \$491,503 for a total contract amount not to exceed \$5,360,391 regarding FM 521 (North), Mobility Bond Project No. 17113, 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 Amendment to Agreement for Plan, Specification, and Estimate Design Services between Fort Bend County and Dannenbaum Engineering Corporation to increase the contract in an amount of \$491,503 for a total contract amount not to exceed \$5,360,391 regarding FM 521 (North), Mobility Bond Project No. 17113, Precinct 1. (Fund: Mobility Bonds)

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

Item 37 continued - Purchasing:

- N. Take all appropriate action on Agreement for Construction Materials Testing Services between Fort Bend County and Geotest Engineering, Inc., for a total contract amount not to exceed \$320,972 pursuant to SOQ 14-025, regarding Chimney Rock, Mobility Bond Project No. 17202 and 20202, Precinct 2. (Fund: Mobility Bonds)**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Construction Materials Testing Services between Fort Bend County and Geotest Engineering, Inc., for a total contract amount not to exceed \$320,972 pursuant to SOQ 14-025, regarding Chimney Rock, Mobility Bond Project No. 17202 and 20202, Precinct 2. (Fund: Mobility Bonds)

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

- O. Take all appropriate action on Agreement for Construction Materials Testing Services between Fort Bend County and QC Laboratories, Inc., for a total contract amount not to exceed \$35,700 pursuant to SOQ 14-025, regarding Sims Road, Mobility Bond Project No. 17119x, 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 Construction Materials Testing Services between Fort Bend County and QC Laboratories, Inc., for a total contract amount not to exceed \$35,700 pursuant to SOQ 14-025, regarding Sims Road, Mobility Bond Project No. 17119x, Precinct 1. (Fund: Mobility Bonds)

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

Item 37 continued - Purchasing:

- P. Take all appropriate action on Change Order No. 1 between Fort Bend County and Allgood Construction Company, Inc., to increase the contract in an amount of \$101,071.66 for a total amount not to exceed \$3,379,658.57 pursuant to Bid No. 20-100 regarding; Old Richmond Road, Mobility Bond Project No. 17208, Precinct 2. (Fund: Mobility Bonds)**

Moved by Commissioner Prestage, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 1 between Fort Bend County and Allgood Construction Company, Inc., to increase the contract in an amount of \$101,071.66 for a total amount not to exceed \$3,379,658.57 pursuant to Bid No. 20-100 regarding; Old Richmond Road, Mobility Bond Project No. 17208, Precinct 2. (Fund: Mobility Bonds)

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

- Q. Take all appropriate action on Change Order No.5 (Final) to the Agreement between Fort Bend County and Hurtado Construction Company, to increase the contract in an amount of \$11,129.82 for a total amount not to exceed \$2,999,298.97 pursuant to Bid No. 18-065 regarding A. Myers, Mobility Bond Project No. 13102, 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.5 (Final) to the Agreement between Fort Bend County and Hurtado Construction Company, to increase the contract in an amount of \$11,129.82 for a total amount not to exceed \$2,999,298.97 pursuant to Bid No. 18-065 regarding A. Myers, Mobility Bond Project No. 13102, Precinct 1. (Fund: Mobility Bonds)

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

38. ROAD & BRIDGE:

Take all necessary action to approve the use of Certificates of Obligation to fund Road Construction within the County by Road and Bridge for an amount not to exceed \$4,068,871.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve the use of Certificates of Obligation to fund Road Construction within the County by Road and Bridge for an amount not to exceed \$4,068,871.

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

Commissioner Prestage commented this is borrowing road materials. A workshop will be needed to discuss this more.

Commissioner Meyers stated he will work with Commissioner Prestage on his idea of an entity that could address those issues. Not only are our roads deteriorating a lot of our infrastructure such as our storm sewer systems are also deteriorating and they will not be able to fund this on their own.

39. SHERIFF'S OFFICE:

A. Take all appropriate action to approve transfer in an amount of \$63,553 from Non-Departmental Contingency into Capital Acquisitions to allocate funds to appropriate line for upfitting of new K-9 Unit No. A093.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to approve transfer in an amount of \$63,553 from Non-Departmental Contingency (**corrected to read Forfeited Assets - Task (State) Contingency**) into Capital Acquisitions to allocate funds to appropriate line for upfitting of new K-9 Unit No. A093.

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

Item 39 continued - Sheriff's Office:

B. Take all appropriate action on Agreement between Fort Bend County and Benjamin J. Pirsch for the transfer of a Law Enforcement Animal to the care of its handler or other persons familiar to the animal.

Moved by Commissioner Meyers, Seconded by Commissioner Morales
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Benjamin J. Pirsch for the transfer of a Law Enforcement Animal to the care of its handler or other persons familiar to the animal.

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

40. 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 \$21,113,603.55 including routine disbursements of \$18,943,797.19.

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

41. Ratify the release of time sensitive disbursements on July 22, 2021.

Moved by Commissioner Meyers, Seconded by Commissioner DeMerchant
Duly put and unanimously carried (5-0), it is ordered to ratify the release of time sensitive disbursements on July 22, 2021 in the amount of \$3,824,773.09.

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

42. WORKSHOP:

Workshop to receive an update by Fort Bend Green.

Katie Golzarri, Vice President of Fort Bend Green gave an update on what is being worked on to date and shared ideas for the next couple of years. Also, present in court were Angie Wierzbicki and Cee Cee Parker of Fort Bend Green.

Recess:

Recessed at 2:23 p.m.

43. 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.**

Cause No. 20-CCV-067563 - Fort Bend County, Texas vs. FBRE I, LP, et al; Bamore Road Seg. 2 Project No.17105 - Parcel 1, Precinct 1.

The Court Will Also Discuss Item Added In The [Addendum](#) To Our July 27, 2021 Meeting As:

§551.071. Consultation With Attorney

Chapter 260, Health and Safety Code, Chapter 352, Local Government Code

- B. § 551.072. Deliberation Regarding Real Property. Commissioners Court will meet in Closed Session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

Multiple tracts of land out of the Thomas Barnett Survey, Abstract 7, Fort Bend County, Texas.

Closed Session:

Convened at 2:33 p.m.
Adjourned at 3:13 p.m.

Reconvene:

Reconvened at 3:17 p.m.

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

A. § 551.071. Consultation With Attorney.

Cause No. 20-CCV-067563 - Fort Bend County, Texas vs. FBRE I, LP, et al; Bamore Road Seg. 2 Project No.17105 - Parcel 1, 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 accept the landowner's offer to jointly move for an Agreed Judgment on the Award pertaining to the following cause number: Cause #20-CCV-067563-Fort Bend County, Texas vs. FBRE I, LP, et al; Bamore Road Project #17105, Parcel #1, Precinct 1. The cash component of the Agreed Judgment on the Award will be \$83,000 with credit for the principal amount of \$73,200 already on deposit with the Clerk of the Court in said cause for the benefit of the defendants. I further move that Order #36A, signed on July 7, 2020, authorizing litigation expenses in the amount of \$10,000 be increased to permit the expenditure of up to but not exceeding the total sum of \$10,750, of which \$750 is new money for additional litigation expenses. And that account #762622888 63000 P622-18BAMORE2 be designated as the funding source.

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

The Court Will Also Reconvene On An Item Added In The Agenda [Addendum](#) For Commissioners Court July 27, 2021 Meeting:

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

§551.071. Consultation With Attorney.

Chapter 260, Health and Safety Code, Chapter 352, Local Government Code.

No Action

B. § 551.072. Deliberation Regarding Real Property.

Multiple tracts of land out of the Thomas Barnett Survey, Abstract 7, Fort Bend County, Texas.

No Action

45. Adjournment.

Commissioners Court adjourned at 3:20 p.m. on Tuesday, July 27, 2021.

Moved by Commissioner Meyers,
to adjourn.



I attest to the accuracy of the foregoing minutes.

Laura Richard, County Clerk, Fort Bend County, Texas