



BRAZORIA COUNTY COMMISSIONERS' COURT

SPECIAL MEETING

BE IT REMEMBERED THAT ON AUGUST 27, 2019, THERE WAS BEGUN AND HOLDEN A SPECIAL SESSION OF COMMISSIONERS' COURT.

1. CALL TO ORDER

This meeting was called to order at 9:00 AM.

2. ROLL CALL

THE FOLLOWING MEMBERS WERE PRESENT:

L.M. "Matt" Sebesta Jr. County Judge
Donald "Dude" Payne Commissioner, Precinct #1
Ryan Cade Commissioner, Precinct #2
Stacy L. Adams Commissioner, Precinct #3
David Linder Commissioner, Precinct #4
Joyce Hudman County Clerk

3. INVOCATION & PLEDGE OF ALLEGIANCE BY COMMISSIONER CADE

4. APPROVAL OF MINUTES

4.A. Commissioners' Court - Regular Session - Aug 13, 2019 9:00 AM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David R. Linder, Commissioner
SECONDER:	Donald "Dude" Payne, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

5. PUBLIC APPEARANCES

Members of the public may request permission to address the Court. Specific factual information or a recitation of existing policy may be furnished in response to an inquiry made by a member of the general public but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded that there is a five (5) minute time limit as outlined in Commissioners Court Order #6, dated August 31, 1987.

6. NEW BUSINESS

CONSENT

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ryan Cade, Commissioner
SECONDER:	Stacy L. Adams, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.A. District Attorney

6.A.1. Notice Setting Public Hearing to Adopt and Amend Beach Regulations

6.A.2. Order Setting Hearing Date – Creation of Reinvestment Zone and Designation as Pattern Energy Group LP Reinvestment Zone No. 1

6.B. Sheriff's Office

6.B.1. Adoption of Payment Schedule for Detention Center Mental Health Services

6.C. Airport

6.C.1. Amendments to Memorandum of Agreement with Federal Aviation Administration

6.C.2. Out of State Travel

6.D. Auditor

6.D.1. Payment of Bills

6.D.2. Line Item Transfers: FY19

6.E. Engineer

6.E.1. Close, Vacate, and Abandon County Road 193A (Precinct 2)

6.E.2. Interlocal Agreement with the City of Brazoria (No. IS19-0023)

6.E.3. Interlocal Agreement with the Brazoria County Conservation and Reclamation District No. 3 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-CRD3)

6.E.4. Interlocal Agreement with the Angleton Drainage District No. 1 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-DD1)

6.E.5. Interlocal Agreement with the Velasco Drainage District No. 2 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-DD2)

- 6.E.6. Interlocal Agreement with the Brazoria County Drainage District No. 4 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-DD4)
- 6.E.7. Interlocal Agreement with the Brazoria County Drainage District No. 5 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-DD5)
- 6.E.8. Interlocal Agreement with the Brazoria County Drainage District No. 8 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-DD8)
- 6.E.9. Interlocal Agreement with the West Brazoria County Drainage District No. 11 and Brazoria County to Provide Annual Agreement of Assistance (No. IB20-DD11)
- 6.E.10. Projects Under Blanket Interlocal Agreements for Direct Assistance to Cities and Towns
- 6.E.11. Subdivision Regulations Plat Exception for Pamela Brooks and Darren Brooks (Precinct 4)
- 6.E.12. Subdivision Regulations Plat Exception for Daniel Edge and Wanda Edge (Precinct 4)
- 6.E.13. Subdivision Regulations Plat Exception for Hogan Hobbs and Audrey Hobbs (Precinct 4)
- 6.E.14. Subdivision Regulations Plat Exception for Thomas Sanders and Valerie Sanders (Precinct 4)
- 6.E.15. Subdivision Regulations Plat Exception for Valdemar Silva (Precinct 4)

6.F. Health

- 6.F.1. Interlocal Agreement between Brazoria County Health Department and City of Freeport
- 6.F.2. Interlocal Agreement between Brazoria County Health Department and City of West Columbia
- 6.F.3. Re-Appointment of Local Health Authority

6.G. Human Resource

- 6.G.1. Cell Phone Stipend
- 6.G.2. Cell Phone Stipend

6.H. Information Systems

- 6.H.1. Out of State Travel
- 6.H.2. Request for Cell Phone
- 6.H.3. Request for Cell Phone

6.I. Parks

- 6.I.1. Approve Temporary Closure of Resoft Park
- 6.I.2. Final Acceptance of Donation from FLIQ Common Facilities, LLC

6.J. Purchasing Department

- 6.J.1. Advertise for Bids for Janitorial and Food Service Products
- 6.J.2. Change Order No. 4 for Camp Mohawk Dorm Renovations
- 6.J.3. Change Order No. 5 for ITB #18-70 CR 288 Improvements
- 6.J.4. Engineering and Related Services for the CR 59 Phase III Improvements
- 6.J.5. Renew ITB #18-82 Battery Consignment
- 6.J.6. Renew C #13-54 Lease Agreement for the Brazoria County Health Clinic
- 6.J.7. Renew C #10-51 WIC - Brazoria Lease
- 6.J.8. Renew ITB #15-64 Fleet Mowing Services
- 6.J.9. Renew RFP #16-65 E-Resources for Library
- 6.J.10. Renew RFP #06-41 Agreement with TDECU for ATM Service
- 6.J.11. Revise Court Order 6.M.4 Dated August 14, 2018 - Disaster Recovery Hosting and Planning
- 6.J.12. Sale and Disposition of Surplus Vehicle and Miscellaneous Items

DISCUSSION

6.K. County Judge

- 6.K.1. Appoint County Court at Law No. 1 Judge

RESULT: PASSED [UNANIMOUS]
MOVER: Donald "Dude" Payne, Commissioner
SECONDER: Stacy L. Adams, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.K.2. Imposition and Collection of Bingo Prize Fee in Compliance with Amendments to Occupations Code Section 2001

RESULT: PASSED [UNANIMOUS]
MOVER: Donald "Dude" Payne, Commissioner
SECONDER: David R. Linder, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.L. Commissioner Precinct 4

6.L.1. Appointments to Brazoria Fort Bend Rail District Community Advisory Panel

RESULT: PASSED [UNANIMOUS]
MOVER: David R. Linder, Commissioner
SECONDER: Donald "Dude" Payne, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.M. County Clerk

6.M.1. Election Judges and Alternate Judges

RESULT: PASSED [UNANIMOUS]
MOVER: Stacy L. Adams, Commissioner
SECONDER: Ryan Cade, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.M.2. Countywide Polling Places and Early Voting Locations

RESULT: PASSED [UNANIMOUS]
MOVER: Donald "Dude" Payne, Commissioner
SECONDER: Ryan Cade, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.M.3. Policy for Establishing a Records Management Program

RESULT:	PASSED [UNANIMOUS]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.N. District Attorney

6.N.1. Agreement with Orrick Herrington & Sutcliffe LLP for Legal Services

RESULT:	PASSED [UNANIMOUS]
MOVER:	Stacy L. Adams, Commissioner
SECONDER:	Donald "Dude" Payne, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.N.2. Close, Vacate, and Abandon Part of a Public Road Right-of-Way of Record in Abstract 40 (Precinct 4)

RESULT:	PASSED [4 TO 0]
MOVER:	Stacy L. Adams, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams
ABSTAIN:	Commissioner Linder

6.N.3. Accept Offer on the Sale of Property Located on County Road 300E (Precinct 4)

Court order amended to change 0.038 acre tract to 0.38 acre tract.

RESULT:	PASSED [4 TO 0]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams
ABSTAIN:	Commissioner Linder

6.O. Auditor

6.O.1. Additional Funds: FY19

RESULT:	PASSED [UNANIMOUS]
MOVER:	David R. Linder, Commissioner
SECONDER:	Donald "Dude" Payne, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.O.2. Proposed Property Tax Rate

RESULT:	PASSED [UNANIMOUS]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Stacy L. Adams, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.P. Emergency Management

6.P.1. Regulation of Outdoor Burning During Period of Drought Conditions
Item pulled from agenda.

6.Q. Engineer

6.Q.1. Engineering Services to Develop Plans, Specifications and Estimates for CR 723 Reconstruction – RG Miller (Precinct 1)
Item pulled from agenda.

6.Q.2. Engineering Services to Develop Plans, Specifications and Estimates for CR 723 Reconstruction – Terracon (Precinct 1)

RESULT:	PASSED [UNANIMOUS]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Stacy L. Adams, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.Q.3. CR 90 at Mustang Bayou and CR 123 at Corner Bayou Construction Materials Testing – Tolunay-Wong (Precinct 2 & Precinct 1)

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ryan Cade, Commissioner
SECONDER:	Donald "Dude" Payne, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.Q.4. CR 48 S – Payment of Final Invoice (Precinct 4)

RESULT: PASSED [UNANIMOUS]
MOVER: David R. Linder, Commissioner
SECONDER: Ryan Cade, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.R. Parks

6.R.1. Order Regulating Brazoria County Beaches

RESULT: PASSED [UNANIMOUS]
MOVER: Donald "Dude" Payne, Commissioner
SECONDER: Ryan Cade, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.S. Purchasing Department

6.S.1. Award ITB #19-79 Abatement at Texas A&M AgriLife Extension,
Brazoria County Offices

RESULT: PASSED [UNANIMOUS]
MOVER: Ryan Cade, Commissioner
SECONDER: Donald "Dude" Payne, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.S.2. Award ITB #19-28 CR 101 Widening from CR 90 to FM 1128

RESULT: PASSED [UNANIMOUS]
MOVER: Ryan Cade, Commissioner
SECONDER: L.M. "Matt" Sebesta, Judge
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.S.3. Amend Court Order 7.Z.4 Dated August 13, 2019 - Sole Source
Justification for Naviant for Hyland OnBase

RESULT: PASSED [UNANIMOUS]
MOVER: Donald "Dude" Payne, Commissioner
SECONDER: Ryan Cade, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

6.T. Toll Road Authority

6.T.1. Terminate procurement of Transportation Infrastructure Finance and Innovation Act (TIFIA) Financing

RESULT:	PASSED [UNANIMOUS]
MOVER:	Stacy L. Adams, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.U. Department Heads

Bryan Frazier - Parks Director

Joe Ripple - Floodplain Administrator

7. CLOSED MEETING

The Commissioners' Court will conduct a closed meeting under the following section or sections of V.T.C.A. government Code, Chapter 551, subchapter D.; (After which the Court will reconvene in open session and may take any action deemed necessary based on discussion in closed meeting).

At 9:53 a.m. Commissioners' Court entered into Closed Session.

At 9:56 a.m. Commissioners' Court was again in open session with all members present and the following order was had:

7.A. Texas Govt Code 551.071

Consultation with attorney in respect to pending or contemplated litigation, settlement offers, and matters where duty of public body's counsel to client, pursuant to code of professional responsibility of the State Bar of Texas, clearly conflicts with this chapter.

7.A.1. Authorization to File Suit

RESULT:	PASSED [UNANIMOUS]
MOVER:	David R. Linder, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

7.A.2. Discuss Potential Litigation

No action taken at this time.

7.A.3. Discuss Potential Litigation

No action taken at this time.

7.A.4. Discuss Potential Litigation

No action taken at this time.

7.A.5. Discuss Potential Litigation

No action taken at this time.

7.A.6. Discuss Potential Litigation

No action taken at this time.

7.A.7. Discuss Potential Litigation

No action taken at this time.

7.A.8. Discuss Potential Litigation

No action taken at this time.

8. ANNOUNCEMENTS

9. ADJOURN

As no further matters were to be had, Commissioners' Court adjourned this Special Meeting at 9:58 AM.

JOYCE HUDMAN, COUNTY CLERK
BRAZORIA COUNTY
EX-OFFICIO MEMBER COMMISSIONERS' COURT

Joyce Hudman