

May 12, 2009

MINUTES

BE IT REMEMBERED, That on this 12th DAY of MAY, 2009, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
DIANNE WILSON	COUNTY CLERK

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

1. Call to Order.

Call to order by Judge Hebert at 1:00 p.m.

2. Invocation and Pledge of Allegiance by Commissioner Meyers.

Invocation and Pledge of Allegiance by Commissioner Meyers.

3. Approve minutes of regular meeting held on May 5, 2009 and special meeting held on May 7, 2009.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on May 5, 2009 and special meeting held on May 7, 2009.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

4. Public Comments regarding the Agenda and Announcements.

Vincent Dickson opposes transfer of budget funds by the Sheriff's Office.

5. Public hearings: 1:00 p.m.:

A. Grants Administration: Conduct Public Hearing to receive public comments regarding the proposed application to U. S. Department of Justice for 2009 Justice Assistance Grant (JAG) funds.

Public hearing held. No public comments.

Action taken on agenda item #18.

B. Engineering:

1) Conduct Public Hearings and take all appropriate action on acceptance of the traffic control plans for:

a) Riverside Ranch, Section 2, Pct. 1.

b) Long Meadow Farms, Section 21, Pct. 3.

c) Canyon Village at Westheimer Lakes, Section 2, Pct. 3.

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 5 B 1 a-c.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

2) Conduct Public Hearings and take all appropriate action on changes to road names as shown below:

a) From Ransom Rd. to Williams Way Blvd. from Hillcrest Dr. to existing Ransom Rd./Williams Way Blvd. intersection, Key Map pages 605H, 606E, F, and K, Precinct 1.

b) From School Rd. to South Post Oak Blvd. from Sycamore Rd. to Trammel Fresno Rd., Key Map page 611Y and 651C, Precinct 1.

c) From Colorado St. to South Post Oak Blvd. from Trammel Fresno Rd. to 2,600 feet north of Evergreen Rd., Key Map page 611U and Y, Precincts 1 and 2.

d) From Farmer Rd. to Mason Rd. from FM 359 to Skinner Ln., Key Map page 566E and J, Pcts 1 and 3.

e) From Katy Gaston Rd. to Gaston Rd. from Katy Flewellen Rd. to Falcon Landing Blvd. (future thoroughfare), Key Map page 484K, P, Q and U, Precinct 3.

f) From Morton Rd. to West Bellfort from SH 99 (Grand Parkway) to 2,800 feet west of Harlem Rd., Key Map page 526W and X, Precinct 3.

Item 5B2 continued - Engineering: Conduct Public Hearings and take all appropriate action on changes to road names:

g) From Katy Gaston Rd. to Falcon Landing Blvd. from the proposed Spring Green Blvd. to the northwesterly projection of Gaston Rd. to the existing Katy Gaston Rd. (proposed Gaston Rd.), Key Map page 484U and Y, Precinct 3.

h) From Katy Gaston Rd. to Cinco Ranch Blvd. from Katy Gaston Rd. (south) to Katy Gaston Rd. (north), Key Map page 524C, Precinct 3.

i) From Madden Rd. to West Bellfort from Madden Rd. curve at West Bellfort intersection to Harlem Rd., Key Map page 526Y and Z, Precincts 3 and 4.

j) From Boss Gaston Rd. to West Bellfort from 700 feet south of Blake Rd. to curve 200 feet south of Sam Brookins St., Key Map page 527T and U, Precincts 3 and 4.

Public hearing held. Public comments.

Rodrigo Carreon of Fresno, opposes name change listed in item 5B2b and 5B2c.

Moved by Commissioner Patterson Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve agenda item 5 B 2 a-j.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

CONSENT AGENDA ITEMS 6-13:

6. OUT OF STATE TRAVEL:

A. Enter into record the out-of-state travel of elected official:

Commissioner Pct 2: Commissioner Grady Prestage to Washington, DC, September 23-26, 2009, to attend the Congressional Black Caucus Annual Legislative Conference. (Fund: Commissioner Pct. 2, Travel)

B. Approve out-of-state travel request by County personnel:

AgriLife Extension Office: Sandra Fry to Birmingham, Alabama, September 14-18, 2009, to attend the 75th Annual NEAFCS Conference, Celebrating our Heritage, Embracing our Future. (Fund: Extension Office, Travel)

7. BUDGET TRANSFERS:

A. District Attorney: Rescind Court's approval of Agenda Item 9 E 3) on April 28, 2009, a transfer in the amount of \$37,749, due to duplication.

B. District Clerk: Approve transfer in the amount of \$13,850 as detailed on Clerk's form dated May 7, 2009, to allocate funds for replacement of two copiers.

Item 7 continued - Budget Transfers:

C. Sheriff's Office: Approve transfer in the amount of \$10,000 from Sheriff, Narcotics Task Force, State, Contingency, into Information Technology to allocate funds for purchase of eight laptop computers for the Narcotics Task Force.

8. ENGINEERING:

A. Approve payment of Invoice No. 3192 in the amount of \$28,281.25 to Property Acquisition Services (PAS) for various right-of-way acquisition services, Pcts 1, 2, 3 and 4. (Fund: Right of Way)

B. Approve payment of Invoice No. 12 (Pay Estimate No. 12) in the amount of \$10,088.97 to Cobb-Fendley & Associates, Inc. regarding the expansion of Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: Mobility Bonds)

C. Approve payment of Invoice No. 5663 (Pay Estimate No. 8) in the amount of \$119,210.00 to Othon, Inc. regarding the expansion of Ransom Road (from River Park to Main Street in Fort Bend County and Richmond, Texas), Mobility Bond Project #747, Precinct 1.

D. Approve payment of Invoice No. 06-106926 (Pay Estimate No. 26) in the amount of \$325,131.94 to Triple B Services, L.L.P. regarding Paving and Drainage Improvements for Fifth Street, Mobility Bond Project #17, Precinct 2. (Fund: Mobility Funds)

E. Approve application from Riverway Services, LLC to bore under and bury water line, sanitary sewer and storm sewer along Fulshear Gaston, Precinct 3.

F. Approve application from AT&T Texas to bore under Belle Terra Parkway and bury cable along Canal Road, Precinct 3.

G. Approve application from AT&T Texas to install aerial cable along Canal Road, Precinct 3.

H. Approve application from AT&T Texas to bore under Farmer Road, Precinct 3.

I. Approve application from Woodscore 3, dba American Site Development to construct a driveway tie-in onto Farmer Road, Precinct 3.

J. Approve the plat for Prosperity Estates Subdivision, Pct. 1.

K. Release bond #765572S in the amount of \$394,100.00 for Retreat at Sovereign Shores, Section 1. The streets are PRIVATE and will be maintained by the Homeowners Association, Pct. 1.

L. Set public hearing for acceptance of the traffic control plan to install multi-way stops at Trammel Fresno Road and Winfield Lakes Trail/Liberty Square Trail and Trammel Fresno Road and Chimney Rock Road/Teal Bend Blvd., Precincts 1 and 2. (Tuesday, June 9, 2009, at 1:00 p.m.)

9. FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval of payment for projects that have been budgeted and funded by Facility Bonds and/or Capital Projects:

A. Pay Application No. 2 in the amount of \$279,757.20 to Crain Zamora, LLC, for professional services regarding the Parking Garage;

B. Invoice No. 29649 in the amount of \$779.40 to 2M Business Products for furniture, fixture, and equipment costs regarding the Office of Commissioner, Pct. 1;

Item 9 continued - Facilities Management and Planning:

C. Pay Application No. 08-00900009 in the amount of \$845,778.35 to Bass Construction for construction services regarding the Gus George Academy;

D. Invoice Nos. 44326, 44360, and 44527 for an amount totaling \$7,999.90 to Paradigm Consultants, Inc. for professional services regarding the Jail Expansion Project;

E. Invoice No. 30080498 in the amount of \$1,366.20 to Intensa, Inc. for furniture, fixture, and equipment costs associated with the Jail Expansion Project;

F. Invoice No. 4044 in the amount of \$33,838.58 to Total Technologies for voice/data cabling provided for the Tax Assessor/Collector Facility;

G. Invoice Nos. 10025425B, 10025425A, 10025782, 10025787, 10025784, 10025788, 10025786, and 10025792 for an amount totaling \$363,421.34 to PGAL for architectural services regarding the Justice Center

H. Invoice No. 88809 in the amount of \$29,251.12 to Rosser International, Inc. for professional services regarding the Jail Expansion Project;

I. Invoice No. 4013 in the amount of \$8,870.01 to Total Technologies for voice/data cabling services for the Needville Service Center.

- 10. FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1: The Board of Directors of the Fort Bend County Fresh Water Supply District No. 1 reviewed these items at a regular meeting held on March 19, 2009, and makes the following recommendation to Commissioners Court: Authorize payment of Invoice No. 24 in the amount of \$21,109.00 to Carter Burgess for final design of water and sewer system. (Fund: Fort Bend County Fresh Water Supply District No. 1, Fees)**
- 11. FORT BEND FLOOD CONTROL WATER SUPPLY CORPORATION: The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed this item at their regular meeting on April 29, 2009, and made the following recommendation to Commissioners Court: Authorize payment of invoices for work performed by consultants and/or contractors and listed on Board Report for an amount totaling \$8,511.91 for Big Creek. (Fund: Big Creek, Fees)**
- 12. PARKS DEPARTMENT: Approve payment of Invoice No. 21825 in the amount of \$37,692.00 to Wellington Electric, Inc. for electrical services regarding the Mustang Park Lighting Project.**
- 13. TAX ASSESSOR/COLLECTOR: Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 5, 2009, for an amount totaling \$8,848.83.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 13.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

14. COUNTY JUDGE: Take all appropriate action to appoint Underwriters for the proposed sale of Unlimited Tax Road Bonds Series 2009.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to appoint the following Underwriters for the proposed sale of Unlimited Tax Road Bonds Series 2009. Morgan Keegan & Co. Inc. - Co-Senior Manager (32%), Siebert Brandford Shank & Co. - Co-Senior Manager (32%), Loop Capital Markets LLC - Co-Manager (13%), RBC Capital Markets - Co-Manager (13%) and Kipling Jones & Co. - Co-Manager (10%)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

15. COMMUNITY DEVELOPMENT: Take all appropriate action on Substantial Amendment to the 2008 Consolidated Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) in the amount of \$777,971, and authorize County Judge to sign all documents pertaining to the program.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Substantial Amendment to the 2008 Consolidated Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) in the amount of \$777,971, and authorize County Judge to sign all documents pertaining to the program.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

16. ENGINEERING:

A. Take all appropriate action on Interlocal Agreement between Fort Bend County and the City of Rosenberg for improvements to Bamore Road between FM 1640 and US 59 for an amount not to exceed \$1,300,000; Mobility Bond Project No. 6. (Fund: 2000 Mobility Bonds)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and the City of Rosenberg for improvements to Bamore Road between FM 1640 and US 59 for an amount not to exceed \$1,300,000; Mobility Bond Project No. 6. (Fund: 2000 Mobility Bonds)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Item 16 continued - Engineering:

B. Take all appropriate action on Professional Engineering Services Agreement between Fort Bend County and Lina T. Ramey & Associates, Inc. regarding Signalization for Trammel Fresno at Chimney Rock Road/Teal Bend Blvd., for an amount not to exceed \$34,471.30, Precincts 1 and 2. (Fund: Road and Bridge)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Professional Engineering Services Agreement between Fort Bend County and Lina T. Ramey & Associates, Inc. regarding Signalization for Trammel Fresno at Chimney Rock Road/Teal Bend Blvd., for an amount not to exceed \$34,471.30, Precincts 1 and 2. (Fund: Road and Bridge)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

C. Take all appropriate action on Agreement between Fort Bend County and Amani Engineering, Inc. to provide professional engineering services regarding signalization for Trammel Fresno at Winfield Lakes Trail/Liberty Square Trail, for an amount not to exceed \$33,792, Precincts 1 and 2. (Fund: Road & Bridge)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Amani Engineering, Inc. to provide professional engineering services regarding signalization for Trammel Fresno at Winfield Lakes Trail/Liberty Square Trail, for an amount not to exceed \$33,792, Precincts 1 and 2. (Fund: Road & Bridge)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

17. FACILITIES MANAGEMENT & PLANNING:

A. Take all appropriate action on Utility Commitment Letter between Fort Bend County and Grand Lakes Municipal Utility District No. 4 regarding availability of water and sanitary sewer service for the 6.486-acre tract located at 22333 Grand Corner Drive, Katy, Texas, Precinct 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Utility Commitment Letter between Fort Bend County and Grand Lakes Municipal Utility District No. 4 regarding availability of water and sanitary sewer service for the 6.486-acre tract located at 22333 Grand Corner Drive, Katy, Texas, Precinct 3.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Item 17 continued - Facilities Management and Planning:

B. Take all appropriate action on request for new additional position, Receptionist/Billing Clerk, Grade 6 of the Administrative/Clerical Policy Group, effective May 16, 2009. (Fund: Facilities)

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request for new additional position, Receptionist/Billing Clerk, Grade 6 of the Administrative/Clerical Policy Group, effective May 16, 2009. (Fund: Facilities)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

18. **GRANTS ADMINISTRATION:**

A. Take all appropriate action to authorize application to the U. S. Department of Justice for the 2009 Justice Assistance Grant/Recovery Act Program in the amount of \$349,610 for personnel and contract services, with no match or continued employment required by Fort Bend County.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize application to the U. S. Department of Justice for the 2009 Justice Assistance Grant/Recovery Act Program in the amount of \$349,610 for personnel and contract services, with no match or continued employment required by Fort Bend County.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

B. Take all appropriate action to authorize application to the Office of the Governor, Criminal Justice Division, for Byrne Justice Assistance Grant (JAG) Stimulus competitive grant funds for law enforcement equipment with no cash match required by Fort Bend County, and adopt Resolution for same.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize application to the Office of the Governor, Criminal Justice Division, for Byrne Justice Assistance Grant (JAG) Stimulus competitive grant funds for law enforcement equipment with no cash match required by Fort Bend County, and adopt Resolution for same.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

19. HEALTH & HUMAN SERVICES – SOCIAL SERVICES:

A. Take all appropriate action to ratify acceptance of additional funds in the amount of \$21,859 from the Texas State Set-Aside (SSA) Award under Phase 27 of the Emergency Food and Shelter Grant for use in the following categories: Rent/Mortgage \$13,500; Utilities \$7,200; and Other Food \$1,159, with no match required by Fort Bend County.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to ratify acceptance of additional funds in the amount of \$21,859 from the Texas State Set-Aside (SSA) Award under Phase 27 of the Emergency Food and Shelter Grant for use in the following categories: Rent/Mortgage \$13,500; Utilities \$7,200; and Other Food \$1,159, with no match required by Fort Bend County.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

B. Take all appropriate action to authorize Social Services to apply for a percentage of the American Recovery and Reinvestment Act of 2009 (ARRA) funds of which \$1,120,060 has been designated for Harris and Fort Bend Counties to supplement and extend food and shelter services, not as a substitute for other program funds.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize Social Services to apply for a percentage of the American Recovery and Reinvestment Act of 2009 (ARRA) funds of which \$1,120,060 has been designated for Harris and Fort Bend Counties to supplement and extend food and shelter services, not as a substitute for other program funds.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

20. PARKS DEPARTMENT:

A. Take all appropriate action to accept conveyance of Barbara Jordan Park from Barbara Jordan Youth Center, Inc., a Texas Non-Profit Corporation, to Fort Bend County, said park being an approximate 7.19-acre tract out of Section No. 26, H. & T.C RR Co. Survey in Fort Bend County, Precinct 1, Texas.

Pass.

Item 20 continued - Parks Department:

B. Take all appropriate action to approve an Interlocal Agreement between Fort Bend County and Fort Bend County Drainage District for construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve an Interlocal Agreement between Fort Bend County and Fort Bend County Drainage District for construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

C. Take all appropriate action on Interlocal Agreement between Fort Bend County and Harris County for construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and Harris County for construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

D. Take all appropriate action on Interlocal Agreement(s) between Fort Bend County and Cinco Ranch Municipal Utility District(s) for Provision of Funds for Acquisition and Construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement(s) between Fort Bend County and Cinco Ranch Municipal Utility District(s) 1, 2, 3, 5, 7, 8, 9, 10, 12 and 14 for Provision of Funds for Acquisition and Construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Note: Requires contribution of \$10,000.00 from each MUD.

Item 20 continued - Parks Department:

E. Take all appropriate action on Recreational Easements and Conveyances from Terrabrook/Newland Communities and Cinco Ranch Residential Property Association, Inc. regarding the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Recreational Easements and Conveyances (advance of approximately 19 acres) from Terrabrook/Newland Communities and Cinco Ranch Residential Property Association, Inc. regarding the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to amend previous motion to approve acceptance of Recreational Easement from Cinco Ranch Residential Property Association Inc. and approve acceptance of conveyance of approximately 19 acres from Westbrook Cinco East LP which is developed and operated by Newland / Terrabrook.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

21. PURCHASING Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item available from only one source for Supplemental Agreement between Fort Bend County and Manatron for Phase 1 Remote Vaulting Services in an amount not to exceed \$68,000, pursuant to Master Agreement. (Fund: County Clerk)

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item available from only one source for Supplemental Agreement between Fort Bend County and Manatron for Phase 1 Remote Vaulting Services in an amount not to exceed \$68,000, pursuant to Master Agreement. (Fund: County Clerk Fund 144)

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

22. Approve Bills.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$6,001,732.93.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

23. Authorize County Auditor to pay and release time sensitive bills on May 21, 2009, to be ratified by Commissioners Court on May 26, 2009.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to pay and release time sensitive bills on May 21, 2009, to be ratified by Commissioners Court on May 26, 2009.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

24. COMMISSIONER, PCT. 1: Workshop to receive and approve Annual Report for Fiscal Year ending December 31, 2008, for Tax Increment Reinvestment Zone No. 2, City of Pearland, Texas (Shadow Creek Ranch).

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Annual Report for Fiscal Year ending December 31, 2008, for Tax Increment Reinvestment Zone No. 2, City of Pearland, Texas (Shadow Creek Ranch).

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

Gary Cook with Shadow Creek Ranch Development Co. discussed completion of intersection and signalization at FM 521.

Commissioner Prestage recognized Bill Eisen, City Manager City of Pearland and Ron Castillo, member of TIRZ board.

Recess:

Recessed at 1:35 p.m.

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

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

- 1) Broussard, Jessica, Date of Incident: February 11, 2008.
- 2) Chapter 551, Texas 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.

- 1) Acquisition of property, Ransom Road, Mobility Bond Project No. 747, Pct. 1.
- 2) Acquisition of property, Harlem Road, Mobility Bond Project No. 727, Pct. 3.

Closed Session:

Convened at 1:47 p.m.
Adjourned at 2:19 p.m.

Reconvene:

Reconvened at 2:20 p.m.

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

A. § 551.071. Consultation With Attorney.

- 1) Broussard, Jessica, Date of Incident: February 11, 2008.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to accept the offer of \$6,702.02 made by NationWide on May 4, 2009 on behalf of Jessica Rae Broussard for the settlement of the County's property damage arising from the accident on February 11, 2008 in Rosenberg, Fort Bend County, Texas.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

- 2) Chapter 551, Texas Government Code.

No court action.

Item 26 continued - Reconvene Open Session and consider taking action on the following matters:

B. § 551.072. Deliberation Regarding Real Property.

1) Acquisition of property, Ransom Road, Mobility Bond Project No. 747, Pct. 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to move to refer to the County Attorney as per prior Resolution (dated March 13, 2007) on Right to Take plus litigation expenses not to exceed \$3,000.00 each to acquire by Eminent Domain Parcel 3 and Parcel 2 of the Ransom Road Mobility Project with funds from Right of Way Fund.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

2) Acquisition of property, Harlem Road, Mobility Bond Project No. 727, Pct. 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to move to correct the value of Parcel 11 and Parcel 13 of the Harlem Road Mobility Project in the new amount of \$219,660.00 and authorize County Judge to sign all necessary documents including but not limited to the Right of Entry.

Judge Hebert	yes
Commissioner Morrison	yes
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

27. Adjournment.

Commissioners Court adjourned at 2:24 p.m. on Tuesday, May 12, 2009.