

May 26, 2009

**MINUTES**

BE IT REMEMBERED, That on this 26th 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 1:01 p.m.

**2. Invocation and Pledge of Allegiance by Commissioner Patterson.**

Invocation and Pledge of Allegiance by Commissioner Patterson.

**3. Approve minutes of regular meeting held on May 12, 2009, and Budget Workshops held on May 11 and May 14, 2009.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve minutes of regular meeting held on May 12, 2009, and Budget Workshops held on May 11 and May 14, 2009.

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

4. **Public Comments regarding the Agenda and Announcements.**

May Service Awards were presented to county employees.

Judge Hebert presented a Proclamation to Janette Walker with the Office of Emergency Management that May 25-31 is Hurricane Awareness Week. June 1 thru November 30 is hurricane season.

**CONSENT AGENDA ITEMS 5 - 18:**

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

A. **Information Technology:** Wildens Leveque to Miami, Florida, July 5-10, 2009, to attend Avaya training. (Fund: Information Technology, Travel)

B. **Sheriff's Office:**

1) Ratify travel by Chris Carlson and Tully Mangum to Roswell, Georgia, May 18-19, 2009, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

2) Ratify travel by Jay Simmons to Chicago, Illinois, May 25-29, 2009, for cell phone forensics training. (Fund: Sheriff, Enforcement, Travel)

3) Wayne Stark to Quantico, Virginia, September 24, 2009 through December 13, 2009 to attend training at FBI National Academy. (Fund: Sheriff, Enforcement, Travel)

6. **COMMISSIONER, PCT. 1:** Approve Project Agreement between Fort Bend County and City of Needville to provide assistance by overlaying asphalt to improve Ashe Street, a city-owned street, County Expense not to exceed \$1,800. (Fund: Road & Bridge, Multi)

7. **BUDGET TRANSFERS:**

A. **Auditor's Office:** Approve transfer in the amount of \$442 from Information Technology into Office Supplies to allocate funds for purchase of supplies needed.

B. **Commissioner, Pct. 3:** Approve transfer in the amount of \$5,400 from Information Technology into Capital Acquisitions to allocate funds into correct line item for purchase of new server.

C. **Commissioner, Pct. 4:** Approve transfer in the amount of \$1,650 from Rental into Information Technology to allocate funds into correct account for replacement of computer along with new software.

D. **County Clerk:** Approve transfer in the amount of \$5,550 from Capital Acquisitions into Fees to allocate additional funds to cover repairs and bond.

E. **Engineering – Recycle Center:** Approve transfer in the amount of \$24,000 as detailed on Auditor's form dated May 19, 2009, to amend the budget pursuant to Local Government Code §111.0706 and allocate additional revenue received from Waste Management Recycle America.

F. **Fire Marshal:** Approve transfer in the amount of \$130 from Operating Supplies into Information Technology to allocate funds for purchase of external drive for back up purposes.

G. **Library:** Approve transfer in the amount of \$60,355 as detailed on Librarian's form dated May 20, 2009 to allocate funds into correct line item for switches to complete upgrade of computer server room network.

H. **Public Transportation:** Approve transfer in the amount of \$123,750 as detailed on Director's form dated May 20, 2009, to allocate funds into correct account for cash match of FTA Section 5309 Grant.

**Item 7 continued - Budget Transfers:**

**I. Sheriff's Office:**

1) Approve transfer in the amount of \$86,000 as detailed on Sheriff's form dated May 14, 2009, to amend the budget pursuant to Local Government Code §111.0706 and allocate funds received from forfeiture disbursement.

2) Approve transfer in the amount of \$3,330 as detailed on Sheriff's form dated May 15, 2009, to amend the budget pursuant to Local Government Code §111.0706 and allocate funds received from abandoned vehicle escrow.

8. **DISTRICT ATTORNEY:** Accept grant award in the amount of \$6,999.80 from the Office of the Governor, Criminal Justice Division, for two-months supplemental funding of the Victim Witness Staff Expansion (VOCA) program, with a County match of \$10,824.77. (Fund: District Attorney, VOCA Grant)
9. **ENGINEERING:**
- A. Approve payment of Invoice No. 5720 (Pay Estimate No. 9) in the amount of \$126,594.11 to Othon, Inc. regarding the expansion of Williams Way (formerly Ransom Road), from River Park to Main Street in Fort Bend County, and Richmond, Mobility Bond Project #747, Precinct 1.
- B. Approve payment of Invoice No. 13 (Pay Estimate No. 13) in the amount of \$35,965.43 to Cobb-Fendley & Associates, Inc. regarding the expansion of Greenbusch Road/Westheimer Parkway (from IH 10 to SH 99), Mobility Bond Project #732, Precinct 3.
- C. Approve payment of Invoice No. 0108794 (Pay Estimate No. 10) in the amount of \$42,560.00 to Pate Engineers, Inc. regarding Old Richmond Road (from West Airport Boulevard to Boss Gaston Road), Mobility Bond Project #729, Precinct 4.
- D. Approve payment of Invoice No. 447501/01/11 (Pay Estimate No. 1, Final) in the amount of \$30,000.00 to Dannenbaum Engineering Corporation regarding Pass-Through Financing Project with the Texas Department of Transportation to develop FM 1093 frontage roads and main toll lanes (Westpark Extension) in Fort Bend County between Grand Parkway (SH 99) and the intersection of FM 1463 and FM 359, Precinct 3. (Fund: Engineering, Fees)
- E. Approve payment of Invoice No. CB030539-07 in the amount of \$739.68 to Carter & Burgess for actual labor rates regarding Fort Bend County Mobility Bond Projects, Precincts 1, 2, 3 and 4. (Fund: Mobility Bonds)
- F. Approve application from Devon Street Homes to construct two driveway tie-ins onto Millwood Pass Circle, Precinct 3.
- G. Approve application from Framalva American Concrete Concepts to construct a driveway tie-in onto Celtic Terrace Drive, Precinct 3.
- H. Approve application from Devon Street Homes to construct two driveway tie-ins onto Gable Crossing Drive, Precinct 3.

**Item 9 continued - Engineering:**

**I. Accept the streets in Creekstone Village at Riverstone, Section 1 and release bond #MNT 8781221 in the amount of \$451,010.00, Pct. 4.**

Creekstone Village Drive	1,395.86 LF
Turtle Springs Lane	232.37 LF
Pebble Bluff Lane	886.31 LF
Fallbrook Court	314.89 LF
Jade Cove Lane	817.89 LF
Jade Cove Court	63.12 LF
Autumn Rose Lane	858.59 LF
Weatherfield Court	216.12 LF
Wolf Springs Court	84.81 LF
Nightbrook Lane	<u>58.63 LF</u>
<b>TOTAL:</b>	<b>4,928.59 LF</b>

**J. Accept the streets in Creekstone Village at Riverstone, Section 2 and release bond #MNT 8781222 in the amount of \$218,960.00, Pct. 4.**

Nightbrook Lane	146.50 LF
Heath River Lane	1,197.64 LF
Sweetglen Court	214.95 LF
Broken Pine Court	115.60 LF
Bluffstone Court	273.67 LF
Field Briar Lane	658.10 LF
Walden Park Lane	<u>255.00 LF</u>
<b>TOTAL:</b>	<b>2,861.46 LF</b>

**K. Accept the streets in Creekstone Village at Riverstone, Section 3 and release bond #MNT 8871421 in the amount of \$454,160.00, Pct. 4.**

Creekstone Village Drive	1,266.14 LF
Peach Creek Lane	202.65 LF
Linden Rose Lane	1,244.16 LF
Regal Stone Lane	1,135.41 LF
Candle Cove Court	684.11 LF
Honey Brook Court	223.21 LF
Kendall Hill Lane	<u>145.80 LF</u>
<b>TOTAL:</b>	<b>4,901.48 LF</b>

**L. Accept the streets in Creekstone Village at Riverstone, Section 4 and release bond #MNT 8871422 in the amount of \$416,080.00, Pct. 4.**

Creekstone Village Drive	564.42 LF
Summit Springs Lane	256.94 LF
Twin Rivers Lane	1,228.11 LF
Sawyer Bend Lane	776.74 LF
Beacon Springs Lane	738.20 LF
Heath River Lane	595.52 LF
Brant Arbor Lane	310.00 LF
Dover Bluff Lane	299.50 LF
Field Briar Lane	<u>109.01 LF</u>
<b>TOTAL:</b>	<b>4,878.44 LF</b>

**Item 9 continued - Engineering:**

**M. Accept the streets in The Crossing at Riverstone, Section 2 and release bond #SX0112 in the amount of \$624,800.00, Pct. 4.**

University Boulevard	1,451.85 LF
Oilfield Road	1,096.38 LF
Kirkpatrick Way	258.49 LF
Riverstone Crossing Drive	2,145.64 LF
Lake Haven Court	253.14 LF
Zachary Stuart Circle	508.93 LF
Eden Cove Court	214.83 LF
Mistyleaf Lane	220.68 LF
Dusty Rose Circle	<u>412.60 LF</u>
<b>TOTAL:</b>	<b>6,562.54 LF</b>

**N. Accept the streets in The Crossing at Riverstone, Section 3 and release bond #08822053 in the amount of \$185,430.00, Pct. 4.**

Mistyleaf Lane	1,666.49 LF
Lake Knoll Court	465.82 LF
Riverglade Court	159.53 LF
Mistyleaf Court	114.37 LF
Stonepass Court	<u>125.70 LF</u>
<b>TOTAL:</b>	<b>2,531.91 LF</b>

**O. Accept the streets in Crossing Cove at Riverstone and release bond #SZ7591 in the amount of \$350,280.00, Pct. 4.**

Riverstone Crossing Drive	2,570.98 LF
Willow Cliff Lane	906.28 LF
Hearthglen Lane	338.24 LF
Fountainbrook Lane	916.32 LF
Parkfield Lane	<u>300.00 LF</u>
<b>TOTAL:</b>	<b>5,031.82 LF</b>

**P. Accept the streets in Crossing Cove at Riverstone, Section 2 and release bond #CSB08781173 in the amount of \$231,210.00, Pct. 4.**

Riverstone Crossing Drive	1,054.46 LF
Emerald Trace Court	445.37 LF
Willow Cliff Lane	130.10 LF
Gable Wing Lane	1,237.54 LF
Briarcross Court	<u>253.45 LF</u>
<b>TOTAL:</b>	<b>3,120.92 LF</b>

**Q. Accept the streets in Brookside at Riverstone and release bond #CSB8871327 in the amount of \$216,930.00, Pct. 4.**

Stonebank Drive	178.85 LF
Village Forest Drive	940.88 LF
Sagewalk Lane	433.86 LF
Dusty Meadow Lane	<u>1,234.83 LF</u>
<b>TOTAL:</b>	<b>2,788.42 LF</b>

**R. Set public hearing for acceptance of the traffic control plan for Creekstone Village at Riverstone, Section 1, Creekstone Village at Riverstone, Section 2, Creekstone Village at Riverstone, Section 3, Creekstone Village at Riverstone, Section 4, The Crossing at Riverstone, Section 2, The Crossing at Riverstone, Section 3, Crossing Cove at Riverstone, and Brookside at Riverstone, Pct. 4. (Tuesday, June 23, 2009, at 1:00 p.m.)**

10. **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. Invoice No. 09-30539 in the amount of \$3,250.00 to QC Laboratories for services provided regarding the Justice Center;**
  - B. Pay Application No. 4 (Final) in the amount of \$6,491.40 to Evans Construction for services provided regarding renovation of the Dew House;**
  - C. Invoice No. 29-122 in the amount of \$3,863.00 to Access Distributors, Inc. for furniture, fixture, and equipment costs associated with the Jail Expansion;**
  - D. Invoice No. NEW-008976 in the amount of \$7,650.00 to DataVox for voice and data cabling services provided for the Tax Assessor/Collector Facility;**
  - E. Invoice No. 09-30554 in the amount of \$2,683.00 to QC Laboratories, Inc. for materials testing regarding the Precinct Two Missouri City Annex;**
  - F. Invoice No. 088826 in the amount of \$30,071.25 to Rosser International, Inc. for professional services regarding the Jail Expansion;**
  - G. Invoice No. 20091765 in the amount of \$6,250.00 to LJA Engineering & Surveying, Inc. for professional services regarding the renovations for George Memorial Library;**
  - H. Invoice No. 12539 in the amount of \$3,000.00 to Matrix Structural Engineers for professional services regarding the renovations to George Memorial Library;**
  - I. Invoice No. 1687 in the amount of \$57,000.00 to Carter Goble Lee, LLC for professional services regarding the Jail Expansion;**
  - J. Invoice No. 44439 and 09-4-000020 in the amount of \$7,142.75 to Paradigm Consultants, Inc. for materials testing regarding the Sienna Library;**
  - K. Invoice Nos. T029779, T034926, and T040836 for an amount totaling \$7,208.70 to Terracon for professional services regarding the Gus George Academy;**
  - L. Invoice No. 09-1907 in the amount of \$500.00 to Stewart Title of Houston for professional services regarding the Precinct Three Annex;**
  - M. Invoice No. 004386 in the amount of \$9,595.00 to Raba Kistner Consultants, Inc. for professional services regarding the Precinct Three Annex;**
  - N. Invoice Nos. 941147653, 940945230, and 940982823 for an amount totaling \$1,682.16 to Graybar for furniture, fixture, and equipment costs regarding the build-out for Facilities Management & Planning Department;**
  - O. Invoice No. 27359417 in the amount of \$1,605.00 to Uline Shipping Supply Specialists, Inc. for furniture, fixture, and equipment costs regarding the build-out for Facilities Management & Planning Department;**
  - P. Invoice No. 0006530 in the amount of \$9,114.18 to Rosenberg Carpet Center, Inc. for carpet/flooring for the build-out for Facilities Management & Planning Department;**

**Item 10 continued - Facilities Management & Planning:**

**Q. Invoice No. 1113959 in the amount of \$232.33 to WalkerCom Inc. for telecommunications equipment for the build-out for Facilities Management & Planning Department;**

**R. Invoice for Job No. 42470247 in the amount of \$14,000.00 to CenterPoint Energy for professional services performed regarding the Sienna Library;**

**S. Periodical Estimate No. 20 in the amount of \$2,389,466.61 to Turner Construction for construction services regarding the Jail Expansion Project;**

**T. Pay Application No. 20810-7 and 20810-8 for an amount totaling \$1,446,148.03 to Brookstone, LP, for construction services regarding the Sienna Library.**

11. **FIRE MARSHAL: Approve and record Texas Official Bond and Oath in the amount of \$2,000 for new Investigator James Alan Williams effective March 23, 2009.**
12. **FORT BEND FRESH WATER SUPPLY DISTRICT NO. 1: The Board of Directors of Fort Bend County Fresh Water Supply District No. 1 reviewed this item at their regular meeting held on April 16, 2009, and make the following recommendation to Commissioners Court: Authorize payment of Invoice Number 25 (Final) in the amount of \$13,782.30 to Carter Burgess for professional services regarding the final design of water and sewer system. (Fund: Fort Bend County Fresh Water Supply District No. 1, Fees)**
13. **FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed these items at their regular meeting held on May 20, 2009, and makes the following recommendation to Commissioners Court:**
  - A. Administration:**
    - 1) Approve renewal of the Authority's insurance policies with the Texas Municipal League Intergovernmental Risk Pool for property, loss of revenue, general, law enforcement, pollution, and auto liability insurance coverage in the amount of \$88,409.00 for the term July 21, 2009 through July 21, 2010.
    - 2) Approve Engagement Letter from Vinson & Elkins LLP to Fort Bend County Toll Road Authority for trademark registration services.
  - B. Treasurer:**
    - 1) Authorize payment of construction invoices for work performed by consultants and/or contractors as listed on Board Report dated May 20, 2009, for an amount totaling \$8,920.25, of which \$3,135.25 is for construction work done on Section B of the Fort Bend Parkway, \$4,410.00 for Westpark, Section B, and \$1,375.00 for Grand Parkway, Segment D. (Fund: Toll Road Authority, Construction)
    - 2) Authorize payment of operations invoices in the amount of \$132,819.94 for the Fort Bend Parkway, Section A and Westpark Corridor. (Fund: Toll Road Authority, Operations)
14. **HEALTH & HUMAN SERVICES**
  - A. Environmental Health: Approve Adopt-A-County Road Agreement between Fort Bend County and The River Church for assistance with litter control on Harlem Road from State Hwy 99 to FM 1093.**
  - B. Social Services:**
    - 1) Authorize renewal of Agreement between Fort Bend County and Reliant Energy Low Income Electricity Fund (Relief) Program Agreement to receive funds totaling \$98,041 from Reliant (with no cash match from Fort Bend County) for use during calendar year 2009.
    - 2) Approve acceptance of funds in the amount of \$32,000 from Reliant Energy for the CARE Program to assist low-income seniors and hardship cases with utility expenses, with no cash match required by Fort Bend County.

15. **JUSTICE OF THE PEACE, PCT. 1-PL. 1: Approve an increase in the amount of change fund at JP Office to accommodate need for additional change due to increase in fees accepted by the Court. (Fund: General Fund)**
  
16. **PURCHASING: Authorize advertising for bids/RFPs/SOQs for the following:**
  - A. Rosenberg Annex security camera;
  - B. Door access system for SO;
  - C. Tactical vests and accessories;
  - D. Tactical street light cameras;
  - E. HVAC repairs;
  - F. Jail Maintenance Service; and
  - G. Jail Inmate Medical Services.
  
17. **TAX ASSESSOR/COLLECTOR:**
  - A. Approve renewal of Interlocal Agreement for the Collection of Taxes between Fort Bend County and Stafford Municipal School District effective through June 30, 2010.
  
  - B. Record into Minutes the Summary Monthly Report of Property Taxes Collected in April, 2009, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.
  
  - C. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 19, 2009, for an amount totaling \$51,116.48.
  
18. **TREASURER: Approve Monthly Reports submitted by County Treasurer for March and April, 2009, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.**

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Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 5-18 with correction to 10B-\$6,491.10.

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

19. COUNTY JUDGE:

**A. Take all appropriate action on Agreement for Local Guardianship Services between Fort Bend County and Brazos Bend Guardianship Services in the amount of \$20,000 annually to provide guardianship services to disabled and incapacitated adults and their families in Fort Bend County, Texas, pursuant to Chapter 118 of the Texas Probate Code. (Fund: Supplemental Court Guardianship Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Local Guardianship Services between Fort Bend County and Brazos Bend Guardianship Services in the amount of \$20,000 annually to provide guardianship services to disabled and incapacitated adults and their families in Fort Bend County, Texas, pursuant to Chapter 118 of the Texas Probate Code. (Fund: Supplemental Court Guardianship Fees)

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

**B. Take all appropriate action to submit application for funding to the Transportation, Community, and System Preservation Program Grant of the Federal Highway Administration for congressional authorized funds in the amount of \$475,000 for re-alignment of the intersection at FM 359 and Farmers Road.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to submit application for funding to the Transportation, Community, and System Preservation Program Grant of the Federal Highway Administration for congressional authorized funds in the amount of \$475,000 for re-alignment of the intersection at FM 359 and Farmers Road.

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

Note: Name change of Farmers Road to Mason Road.

20. **COMMISSIONER, PCT. 1:**

**A. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Arcola regarding the extension of South Post Oak Road to connect State Highway 6 to McKeever Road, and improvements to McKeever Road.**

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 City of Arcola regarding the extension of South Post Oak Road to connect State Highway 6 to McKeever Road, and improvements to McKeever Road.

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

**B. Take all appropriate action on Resolution in Support of HB 284 and HB 2826, which will improve responsible e-waste recycling and public education provisions.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Resolution in Support of HB 284 and HB 2826, which will improve responsible e-waste recycling and public education provisions.

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

**C. Take all appropriate action on request by Sever and Marina Zagrai to waive penalty and interest totaling \$401.18 on property taxes for Tax Year 2008.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to deny request by Sever and Marina Zagrai to waive penalty and interest totaling \$401.18 on property taxes for Tax Year 2008.

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

**21. COMMISSIONER, PCT. 3: Take all appropriate action on request by Lyndon and Kelli Parker to waive penalty and interest totaling \$279.28 on property taxes for tax year 2008.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to deny request by Lyndon and Kelli Parker to waive penalty and interest totaling \$279.28 on property taxes for tax year 2008.

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

**22. COMMISSIONER, PCT. 4:**

**A. Take all appropriate action to appoint Jon Thompson to the Fort Bend County Child Welfare Board for a three-year term, commencing May 26, 2009.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to appoint Jon Thompson to the Fort Bend County Child Welfare Board for a three-year term, commencing May 26, 2009.

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

**B. Take all appropriate action on request by Jorge and Rocio Quezada to waive penalty and interest totaling \$356.55 on property taxes for Tax Year 2008.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to deny request by Jorge and Rocio Quezada to waive penalty and interest totaling \$356.55 on property taxes for Tax Year 2008.

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

23. **ENGINEERING:**

**A. Take all appropriate action on Standard Utility Agreement between Fort Bend County, the State of Texas, and Netco Pipeline, LLC regarding the widening of Harlem Road, from Grand Parkway (SH 99) to Stone Mission Lane, County expenditure not to exceed \$184,244.15; Mobility Bond Project No. 727, Pcts 3 and 4.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Standard Utility Agreement between Fort Bend County, the State of Texas, and Netco Pipeline, LLC regarding the widening of Harlem Road, from Grand Parkway (SH 99) to Stone Mission Lane, County expenditure not to exceed \$184,244.15; Mobility Bond Project No. 727, Pcts 3 and 4.

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

**B. Take all appropriate action on Standard Utility Agreement between Fort Bend County, the State of Texas, and Teppco Crude Pipeline LLC regarding the widening and storm sewer installation for Greenbusch Road (from Pin Oak to Falcon Landing), County expenditure not to exceed \$67,583.88; Mobility Bond Project No. 732, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Standard Utility Agreement between Fort Bend County, the State of Texas, and Teppco Crude Pipeline LLC regarding the widening and storm sewer installation for Greenbusch Road (from Pin Oak to Falcon Landing), County expenditure not to exceed \$67,583.88; Mobility Bond Project No. 732, Precinct 3.

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

**C. Take all appropriate action on Supplemental Contractual Agreement for Right of Way Procurement between Fort Bend County and Texas Department of Transportation regarding FM 1464 (from Shiloh Lake Drive to SH 99), Precinct 4, as authorized by Commissioners Court on October 3, 2006.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Supplemental Contractual Agreement for Right of Way Procurement between Fort Bend County and Texas Department of Transportation regarding FM 1464 (from Shiloh Lake Drive to SH 99), Precinct 4, as authorized by Commissioners Court on October 3, 2006.

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

**Item 23 continued - Engineering:**

**D. Take all appropriate action on Supplemental Contractual Agreement for Right of Way Procurement between Fort Bend County and Texas Department of Transportation regarding FM 359 (from US 90A to Jones Creek), Precincts 1 and 3, as authorized by Commissioners Court on October 3, 2006.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Supplemental Contractual Agreement for Right of Way Procurement between Fort Bend County and Texas Department of Transportation regarding FM 359 (from US 90A to Jones Creek), Precincts 1 and 3, as authorized by Commissioners Court on October 3, 2006.

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

**E. Take all appropriate action to suspend solicitation process under Texas Government Code §2254.004 for materials testing for Greensbusch Road Improvement Project and authorize contract negotiations with Terracon Consulting Engineers & Scientists. (2007 Mobility Bond Project No. 732)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to suspend solicitation process under Texas Government Code §2254.004 for materials testing for Greensbusch Road Improvement Project and authorize contract negotiations with Terracon Consulting Engineers & Scientists. (2007 Mobility Bond Project No. 732), Precinct 3.

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

**F. Take all appropriate action on letter from Parkway Lakes Development, Inc. regarding acceptance of existing Peek Road and Bellaire Boulevard, and future construction of remaining roadways dated May 16, 2009, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to accept letter from Parkway Lakes Development, Inc. regarding acceptance of existing Peek Road and Bellaire Boulevard, and future construction of remaining roadways dated May 16, 2009, Precinct 3.

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

**Item 23 continued - Engineering:**

**G. Take all appropriate action on request to accept the streets Peek Road and Bellaire Boulevard and release bond #6456474 in the amount of \$1,700,102.00.**

Peek Road	5,972.96 LF
Bellaire Boulevard (Eastbound lanes only)	<u>1,681.06 LF</u>
<b>TOTAL:</b>	<b>7,654.02 LF</b>

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to accept the streets Peek Road and Bellaire Boulevard and release bond #6456474 in the amount of \$1,700,102.00, Precinct 3.

Peek Road	5,972.96 LF
Bellaire Boulevard (Eastbound lanes only)	<u>1,681.06 LF</u>
<b>TOTAL:</b>	<b>7,654.02 LF</b>

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

**H. Take all appropriate action to set public hearing for acceptance of the traffic control plan for Peek Road, Bellaire Boulevard, Precinct 3. (Tuesday, June 23, 2009, at 1:00 p.m.)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to set public hearing for acceptance of the traffic control plan for Peek Road, Bellaire Boulevard, Precinct 3. (Tuesday, June 23, 2009, at 1:00 p.m.)

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

**24. PUBLIC TRANSPORTATION: Take all appropriate action on Contract Amendment No 2 between Fort Bend County and the Texas Commission on Environmental Quality under the Local Initiative Project, to extend contract expiration date to August 31, 2010.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Contract Amendment No 2 between Fort Bend County and the Texas Commission on Environmental Quality under the Local Initiative Project, to extend contract expiration date to August 31, 2010.

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

**25. PURCHASING:  
A. Take all appropriate action on the following:  
1) Bid #09-067 for the Summer food program;**

Pass.

**2) Bid #09-076 for Fry Road median modifications;**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid #09-076 for Fry Road median modifications to E L Harris III Construction at \$89,981.65 with 40 calendar days completion.

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

**3) Bid #09-081 for Lime and gravel road material**

Pass.

**Item 25 continued - Purchasing:**

**B. Take all appropriate action to approve purchase of computer equipment and accessories from Advant Tech and PCPC for Judicial Steering Team (JST) project utilizing Department of Information Resources (DIR) contracts DIR-SDD-890 and DIR-SDD-203, for an amount not to exceed \$93,000. (Fund: Project Rawhide).**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve purchase of computer equipment and accessories from Advant Tech and PCPC for Judicial Steering Team (JST) project utilizing Department of Information Resources (DIR) contracts DIR-SDD-890 and DIR-SDD-203, for an amount not to exceed \$93,000. (Fund: Project Rawhide).

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

**C. Take all appropriate action to cancel contract for Chrysler repair parts with Archer Chrysler and award to second low bidder, Finnegan Chrysler, pursuant to Bid #07-063.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to cancel contract for Chrysler repair parts with Archer Chrysler and award to second low bidder, Finnegan Chrysler, with a 30% discount, pursuant to Bid #07-063.

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

**D. 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 ELS Bilingual Spanish Computers with Advanced Workstations in Education, for an amount to exceed \$61,000. (Fund: Library)**

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 ELS Bilingual Spanish Computers with Advanced Workstations in Education, for an amount not to exceed \$61,000. (Fund: Library)

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

**Item 25 continued - Purchasing:**

**E. Take all appropriate action to approve the purchase of two (2) full size automobiles for the Sheriff's Office utilizing the Houston Galveston Area Council contract in an amount not to exceed \$56,524. (Fund: Sheriff, Narcotics, Capital Acquisitions)**

Pass.

**F. Take all appropriate action on agreement between Fort Bend County and Linebarger, Goggan, Blair & Sampson LLP for collection services of delinquent Emergency Medical accounts and Court fees and fines.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve agreement between Fort Bend County and Linebarger, Goggan, Blair & Sampson LLP for collection services of delinquent Emergency Medical accounts and Court fees and fines.

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

**G. Take all appropriate action on Change Order #1 in the amount of \$600.00 to The Jack Olsta Company, for additional services requested pursuant to Bid #09-027. (Fund: Road & Bridge, Capital Acquisitions)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Change Order #1 in the amount of \$600.00 to The Jack Olsta Company, for additional services requested pursuant to Bid #09-027. (Fund: Road & Bridge, Capital Acquisitions)

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

**Item 25 continued - Purchasing:**

**H. Take all appropriate action to authorize the purchase of Presort /Barcode Mailing Services from Pitney Bowes utilizing State Council of Competitive Government, an agency of the State of Texas Contract Number 061020-CCG-MPB. (Fund: Mail Center)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of Presort /Barcode Mailing Services from Pitney Bowes utilizing State Council of Competitive Government, an agency of the State of Texas Contract Number 061020-CCG-MPB. (Fund: Mail Center)

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

**26. SHERIFF'S OFFICE:**

**A. Take all appropriate action to accept a grant from the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas (HIDTA) program in the amount of \$382,805, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to accept a grant from the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas (HIDTA) program in the amount of \$382,805, with no cash 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 continuation of the Texas Victim Information and Notification Everyday (VINE) Program for FY 2010, and authorize County Judge to execute all appropriate documents for receiving grant funding from the Office of the Attorney General for use by the Sheriff's Office from September 1, 2009 through August 31, 2010, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize continuation of the Texas Victim Information and Notification Everyday (VINE) Program for FY 2010, and authorize County Judge to execute all appropriate documents for receiving grant funding from the Office of the Attorney General for use by the Sheriff's Office from September 1, 2009 through August 31, 2010, with no cash match required by Fort Bend County.

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

**Item 26 continued - Sheriff's Office:**

**C. Take all appropriate action on renewal of Service Agreement between Fort Bend County and Appriss, Inc. for maintenance of the Victim Information & Notification Everyday (VINE) program for the Sheriff's Office for the term of September 1, 2009 through August 31, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve renewal of Service Agreement between Fort Bend County and Appriss, Inc. for maintenance of the Victim Information & Notification Everyday (VINE) program for the Sheriff's Office for the term of September 1, 2009 through August 31, 2010.

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

**27. 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 \$7,853,155.15.

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

**28. Ratify bills of time sensitive bills by Auditor on May 21, 2009.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify release of time sensitive bills by Auditor on May 21, 2009 in the amount of \$127,139.75.

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

**Recess:**

Recessed at 1:33 p.m.

29. **Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**
- A. § 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.**
- 1) 5215 James Lane, Fulshear, Texas 77441.
  - 2) 5209 James Lane, Fulshear, Texas 77441.
  - 3) 5203 James Lane, Fulshear, Texas 77441.
  - 4) 4915 James Lane, Fulshear, Texas 77441.
  - 5) Cause No. 32,982; The State of Texas and Fort Bend County, Texas vs. Sun Meng Liaw, et al.; In the County Court at Law No. Two (2) of Fort Bend County, Texas.
- 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, Katy-Gaston Road, Mobility Bond Project No. 733, Precinct 3.
  - 2) Acquisition of property, Katy-Flewellen Road, Mobility Bond Project No. 734, Precinct 3.
  - 3) Acquisition of property, Ransom Road, Mobility Bond Project No. 747, Pct. 1.
- C. § 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.**
- Executive Manager Evaluation – Director Information Technology.**

**Closed Session:**

Convened at 1:45 p.m.  
Adjourned at 2:10 p.m.

**Reconvene:**

Reconvened at 2:13 p.m.

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

- A. § 551.071. Consultation With Attorney.**
- 1) 5215 James Lane, Fulshear, Texas 77441.
  - 2) 5209 James Lane, Fulshear, Texas 77441.
  - 3) 5203 James Lane, Fulshear, Texas 77441.
  - 4) 4915 James Lane, Fulshear, Texas 77441.

Pulled.

- 5) Cause No. 32,982; The State of Texas and Fort Bend County, Texas vs. Sun Meng Liaw, et al.; In the County Court at Law No. Two (2) of Fort Bend County, Texas.

No court action.

**Item 30 continued - Reconvene Open Session and consider taking action on the following matters:**

**B. § 551.072. Deliberation Regarding Real Property.**

**1) Acquisition of property, Katy-Gaston Road, Mobility Bond Project No. 733, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to refer to the County Attorney as per prior Resolution (dated April 7, 2009) on Right to Take plus litigation expenses not to exceed \$3,000.00 to acquire by Eminent Domain Parcel 5 of the Katy Gaston 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, Katy-Flewellen Road, Mobility Bond Project No. 734, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to refer to the County Attorney as per prior Resolution (dated April 7, 2009) on Right to Take plus litigation expenses not to exceed \$3,000.00 each to acquire by Eminent Domain Parcel 9 and Parcel 3 of the Katy Flewellen Mobility Project with funds from Right of Way fund.

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

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

No court action.

**C. § 551.074. Personnel Matters.**

**Executive Manager Evaluation – Director Information Technology.**

Annual review conducted.

**31. Adjournment.**

Commissioners Court adjourned at 2:15 p.m. on Tuesday, May 26, 2009.