

MINUTES

BE IT REMEMBERED, That on this 8th DAY of SEPTEMBER, 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
SHERRY FISK for 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 Patterson.

Invocation and Pledge of Allegiance by Commissioner Patterson.

3. Approve minutes of regular meeting held on September 1, 2009.

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on September 1, 2009.

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

4. Public Comments regarding the Agenda and Announcements.

No public comments.

CONSENT AGENDA ITEMS 5 - 12:

5. COUNTY JUDGE:

A. Approve Amendment to renew Agreement between Fort Bend County and Katy Area Economic Development Council for an amount not to exceed \$15,000 for FY2010. (Fund: Non-Departmental, Fees)

B. Approve Full Release from Model T Ford Club of America for use of the Parking Lot at William B. Travis Building on September 19 or September 26, 2009.

C. Approve correction to amount shown for Agenda Item No. 8B from Commissioners Court meeting on September 1, 2009: renewal of Agreement between Fort Bend County and Mental Health America of Fort Bend County for mental health services in the amount of \$60,000 for FY 2010. (Fund: Non-Departmental, Fees)

D. Accept appropriated funds in the amount of \$1,293,258.92 from the Texas Commission on Environmental Quality (TCEQ) for the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Retirement Program (LIRAP) for the period of September 1, 2009 through August 31, 2010.

E. Approve Amendment No. 6 to the Interlocal Agreement between Fort Bend County and Houston-Galveston Area Council to administer the Low Income Vehicle Repair Assistance, Retrofit and Accelerated Retirement Program (LIRAP) for activity through August 31, 2011.

F. Correct ending date of contract between Fort Bend County and the Texas Commission on Environmental Quality (TCEQ) for the Low Income Vehicle Repair Assistance, Retrofit and Accelerated Retirement Program (LIRAP) effective September 1, 2008 through August 31, 2011, (not August 31, 2009, as indicated on August 26, 2008), and record contract with corrected date.

6. BUDGET TRANSFERS:

A. Facilities Management & Planning: Approve transfer in the amount of \$1,200,000 as detailed on Auditor's form dated September 3, 2009, to allocate funds into correct line item for the Precinct Three Service Center.

B. Justice of the Peace, Pct. 1, Pl. 1: Approve transfer in the amount of \$6,400 from JP Technology Fund, into JP 1, Capital Acquisitions, to allocate funds into correct line item for purchase of equipment costing more than \$5,000.

Item 6 continued - Budget Transfers:

C. Justice of the Peace, Pct. 2: Approve transfer in the amount of \$6,400 from JP Technology Fund, into JP 2, Capital Acquisitions, to allocate funds into correct line item for purchase of equipment costing more than \$5,000.

D. Law Library: Approve transfer in the amount of \$6,600 as detailed on Librarian's form dated September 1, 2009, to allocate funds into correct line items for 2009 postage fees and to continue paying 2009 book/material invoices through September 30, 2009.

E. Public Transportation: Approve transfer in the amount of \$73,306 as detailed on Transportation Director's form dated September 2, 2009, to reallocate grant match funds not required at this time.

F. Risk Management: Approve transfer in the amount of \$61,000 from Property and Equipment into Capital Acquisitions to allocate funds from totaled vehicles by various County departments into correct line item.

G. Road & Bridge: Approve transfer in the amount of \$45,000 from Capital Acquisitions into Property and Equipment to allocate funds into correct line item for purchase of new school zone lights.

7. **COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT:** Accept grant funding in the amount of \$150,000 from the Office of the Governor, Criminal Justice Division, for the Drug Court (Closing Addition's Revolving Door - CARD), Misdemeanor Drug Court, and DWI Drug Court Programs, for substance abuse related case management, counseling, outpatient treatment services.

8. **ENGINEERING:**

A. Approve payment of Invoice No. 0154879 (Pay Estimate No. 22) in the amount of \$1,769.79 to Jones & Carter, Inc. for Fifth Street Paving and Drainage Project Improvements (from FM 1092 to FM 2234), Mobility Bond Project #17, Precinct 2.

B. Approve payment of Invoice No. 809029 (Pay Estimate No. 18) in the amount of \$12,040.95 to Klotz Associates regarding labor rates relating to Fort Bend County Mobility Bond Projects in Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)

C. Approve release of Performance Bond #6386456 in the amount of \$5,000.00 to HC Beck, Ltd. for completion of work on Belknap, Permit #83204, Precinct 3.

D. Approve release of Performance Bond #24147251 in the amount of \$2,000.00 to Wier Enterprises for completion of work on Highland Knolls, Permit #82174, Precinct 3.

E. Approve release of Cashier's Check #0681928979 in the amount of \$5,000.00 to Riverway Services, LLC for completion of work on Fulshear-Gaston, Permit #83640, Precinct 3.

Item 8 continued - Engineering:

F. Approve application from WFL Development, LP/dba BE&DE Construction to construct a driveway tie-in onto South Fry Road, Precinct 3.

G. Approve application from J.C. Hernandez Construction, Inc. / Debo Homes LLC to construct a driveway tie-in onto Dale Jean Drive, Precinct 1.

H. Approve acceptance of Sure Tec Insurance Company perpetual bond #5054575 for J.C. Hernandez Construction, Inc.

I. Accept Oversize, Overweight...bond #TX 702 003 in the amount of \$50,000.00 from Carrizo Well Service, LLC for any and all damages that may be sustained to any roads or bridges while operating equipment in Fort Bend County, Pct. 1.

J. Set public hearing for acceptance of the traffic control plan for Shops at Bella Terra, Section 4, Pct. 3. (Tuesday, October 6, 2009, at 1:00 p.m.)

K. Set public hearing for the revised traffic/safety study for Exley Elementary School (Katy ISD Elem. School #24), to install "No U-turn" signs along Westheimer Parkway, Pct. 3. (Tuesday, October 6, 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. 3 in the amount of \$747,663.00 to JE Dunn South Central, Inc. for construction services regarding the Justice Center;

B. Invoice No. 10026623 in the amount of \$42,369.70 to PGAL for architectural services regarding the Justice Center;

C. Pay Application No. 5 in the amount of \$431,452.05 to Crain Zamora LLC for professional services regarding the Missouri City Annex;

D. Pay Application No. 08-00900013 in the amount of \$577,916.35 to Bass Construction Company, Inc. for construction services regarding the Gus George Academy;

E. Pay Application No. 08-00300013 (Final) in the amount of \$6,820.00 to Bass Construction Company, Inc. for construction services regarding the Needville Facility.

10. PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:

A. Buses for Public Transportation; and

B. Mailing and printing of voter certificates.

11. ROAD & BRIDGE:

A. Approve renewal of Lease Agreement between Fort Bend County and Needville Independent School District for storage of Fort Bend County road and bridge materials effective October 1, 2009, with automatic yearly renewals.

B. Approve the renewal of Primary Interlocal Agreements between Fort Bend County and the following entities effective through September 30, 2010, with automatic one-year renewals: Austin County; City of Beasley; Brazos Independent School District; City of Kendleton; City of Needville; Needville Independent School District; City of Orchard; Richmond State Supported Living Center; City of Simonton; Texana Center; Town of Thompsons; and Wharton County Junior College.

12. TAX ASSESSOR/COLLECTOR:

A. Record into Minutes the cancellation and removal of certain taxes from the Delinquent Tax Roll of Fort Bend County, pursuant to Texas Property Tax Code §33.05, Limitation on Collection of Taxes, as submitted by Tax Assessor/Collector.

B. Record into Minutes the cancellation and removal of certain taxes from the Delinquent Tax Roll of Fort Bend County Lateral Road & Flood Control District, pursuant to Texas Property Tax Code §33.05, Limitation on Collection of Taxes, as submitted by Tax Assessor/Collector.

C. Approve Amendment to Interlocal Cooperation Agreements for the Collection of Taxes between Fort Bend County and City of Meadows Place effective through June 30, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 5 - 12 with correction to 7 - Closing Addiction's Revolving Door.

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

13. COUNTY JUDGE:

A. Take all appropriate action on request to transfer the amount of \$85,574 from Non-Departmental Contingency into Fees to allocate funds for payments on parcels not properly coded by the Central Appraisal District in City of Missouri Tax Investment Reinvestment Zone (TIRZ) No. 2 from 1999 through 2008.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$85,574 from Non-Departmental Contingency into Fees to allocate funds for payments on parcels not properly coded by the Central Appraisal District in City of Missouri City Tax Increment Reinvestment Zone (TIRZ) No. 2 from 1999 through 2008.

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

B. Take all appropriate action to establish the regular schedule of Fort Bend County Commissioners Court, pursuant to Local Government Code §81.005(a) for Fiscal Year 2010, meeting every Tuesday except the third and fifth Tuesday of each month, at 1:00 p.m. in the Commissioners Courtroom located on the 7th Floor of the William B. Travis Building in Richmond, Texas.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to establish the regular schedule of Fort Bend County Commissioners Court, pursuant to Local Government Code §81.005(a) for Fiscal Year 2010, meeting every Tuesday except the third and fifth Tuesday of each month, at 1:00 p.m. in the Commissioners Courtroom located on the 7th Floor of the William B. Travis Building in Richmond, Texas.

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

Item 13 continued - County Judge:

C. Take all appropriate action to consider changes in the regular meeting schedule of Commissioners Court for the months of October, November, and December, 2009, to accommodate adoption of the tax rate, budget requirements, and Holidays.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve changes in the regular meeting schedule of Commissioners Court for the months of October, November, and December, 2009, to accommodate adoption of the tax rate, budget requirements, and Holidays as listed below.

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

Friday October 2 - Public Hearing for Tax Rate (6:00 p.m.)

Tuesday October 6 - Regular Commissioners Court and Public Hearing on Tax Rate

Tuesday October 13 - Regular Commissioners Court

Monday October 19 - Public Hearing for Budget (6:00 p.m.)

Tuesday October 20 - Regular Commissioners Court and Public Hearing for Budget (adopt Budget and Tax Rate)

Meet November 3, 17 and 24

Meet December 8, 15 and 22

Note: Certified Tax Rolls have been received.

14. COMMISSIONER, PCT. 1: Take all appropriate action to authorize County Judge to sign and submit grant application for the Transportation Investment General Economic Recovery (TIGER) funding regarding the widening of Crabb River Road (FM 2759) and FM 762.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize County Judge to sign and submit grant application for the Transportation Investment General Economic Recovery (TIGER) funding regarding the widening of Crabb River Road (FM 2759) and FM 762.

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

Note: Application is due September 15.

**15. COMMISSIONER, PCT. 3:
A. Take all appropriate action on request by John Dombrowski representing JRD Wine Interests LTD to waive penalty and interest, including attorney fees totaling \$264.78 on personal 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 approve request by John Dombrowski representing JRD Wine Interests LTD to waive penalty and interest, including attorney fees totaling \$264.78 on personal property taxes for tax year 2008.

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

Item 15 continued - Commissioner Pct. 3:

B. Take all appropriate action on request by Rizwan Mistry representing Pem-Tech, Inc. to waive penalty and interest, including attorney fees totaling \$6,149.83 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 approve request by Rizwan Mistry representing Pem-Tech, Inc. to waive penalty and interest, including attorney fees totaling \$6,149.83 on property taxes for tax year 2008.

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

C. Take all appropriate action to accept the resignation of Trent Thomas from the Board of Directors for the Fort Bend Toll Road Authority, and appoint Melody Hess effective for the term through January 22, 2012.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to accept the resignation of Trent Thomas from the Board of Directors for the Fort Bend Toll Road Authority, and appoint Melody Hess effective for the term through January 22, 2012.

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

16. COMMISSIONER, PCT. 4: Take all appropriate action on Ground Lease Agreement between Fort Bend County and University of Houston System for the University Branch Library - Sugar Land campus. (Fund: Facility Bond Project)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Ground Lease Agreement between Fort Bend County and University of Houston System for the University Branch Library - Sugar Land campus and authorize County Judge to sign agreement subject to review and approval by County Attorney. (Fund: Facility Bond Project)

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

Note: Project costs are 87.1% Fort Bend County and 12.9% University of Houston.

17. AUDITOR: Take all appropriate action to accept additional funding from the Texas Task Force on Indigent Defense in the amount of \$130,707 in the form of an equalization disbursement.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to accept additional funding from the Texas Task Force on Indigent Defense in the amount of \$130,707 in the form of an equalization disbursement.

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

18. FIRE MARSHAL: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$71.00 to Anco Wessendorff Insurance Services for purchase of Notary Bond without a purchase order. (Fund: Fire Marshal, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$71.00 to Anco Wessendorff Insurance Services for purchase of Notary Bond without a purchase order. (Fund: Fire Marshal, Fees)

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

19. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed the following item at their regular meeting held on August 19, 2009, and requests that Commissioners Court approve the adoption of Order Exercising Fort Bend County's Local Option to Develop the Grand Parkway.

Moved by Commissioner Meyers Seconded by Commissioner Morrison
Duly put and unanimously carried (5-0), it is ordered to approve the adoption of Order Exercising Fort Bend County's Local Option to Develop the Grand Parkway.

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

Note: Fort Bend County is the first of seven counties to accept primacy of the Grand Parkway. All seven must agree in order for development. Deadline is September 25 for acceptance.

20. HUMAN RESOURCES:

A. Take all appropriate action on request for a new grant funded position, Licensed Vocational Nurse, Grade 9 of the Public Health Policy Group, effective September 8, 2009. (Fund: Clinical Health Grants)

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve new grant funded position, Licensed Vocational Nurse, Grade 9 of the Public Health Policy Group, effective September 8, 2009. (Fund: Clinical Health Grants)

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

Note: Position ends when this grant ends.

B. Take all appropriate action on request for a new grant funded position, Community Service Aide, Grade 5 of the Administrative Clerical Policy Group, effective September 8, 2009. (Fund: Clinical Health Grants)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve new grant funded position, Community Service Aide, Grade 5 of the Administrative Clerical Policy Group, effective September 8, 2009. (Fund: Clinical Health Grants)

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

Note: Position ends when this grant ends.

21. PUBLIC TRANSPORTATION:

A. Take all appropriate action on Contract Amendment No 1 for Section 5310 Elderly and Disabled Transportation Program Contract No. 51912F7217, State Project No. RPT 0905(12), to add remainder of Federal award to project budget with no local match required.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Contract Amendment No 1 for Section 5310 Elderly and Disabled Transportation Program Contract No. 51912F7217, State Project No. RPT 0905(12), to add remainder of Federal award to project budget with no local match required.

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

B. Take all appropriate action to authorize submission of Grant Application TX 90-X869 to Federal Transit Administration for Federal FY07 Section 5307 Urbanized funding in the amount of \$2,120,000 with a County match of \$1,085,337; and authorize electronic submission by Director of Public Transportation on behalf of the County Judge. (Fund: Transportation, FY08 Grant Allocation)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize submission of Grant Application TX 90-X869 to Federal Transit Administration for Federal FY07 Section 5307 Urbanized funding in the amount of \$2,120,000 with a County match of \$1,085,337; and authorize electronic submission by Director of Public Transportation on behalf of the County Judge. (Fund: Transportation, FY08 Grant Allocation)

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

22. PURCHASING:

A. Take all appropriate action to authorize the purchase of additional software licenses and maintenance support for document management system from Image Now by Perceptive Software utilizing The Cooperative Purchasing Network Agreement R4841 for an amount not to exceed \$24,000. (Fund: Sheriff's Office)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of additional software licenses and maintenance support for document management system from Image Now by Perceptive Software utilizing The Cooperative Purchasing Network Agreement R4841 for an amount not to exceed \$24,000. (Fund: Sheriff's Office)

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

B. Take all appropriate action on trade package submissions from J. E. Dunn for the Justice Center Project.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve trade package submissions from J. E. Dunn for the Justice Center Project.

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

Note: Submissions are polished concrete, stair noisings, pre-engineered dome structure, selective demolition, traffic control, landscaping and irrigation.

Item 22 continued - Purchasing:

C. Take all appropriate action on Agreement between Fort Bend County and Rosenberger Construction in an amount not to exceed \$3,286,000 for construction of the Precinct Three Annex pursuant to RFP #09-096. (Fund: Facility Bond Project)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Rosenberger Construction in an amount not to exceed \$3,286,000 for construction of the Precinct Three Annex pursuant to RFP #09-096. (Fund: Facility Bond Project)

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

D. Take all appropriate action on Professional Program Management Agreement between Fort Bend County and The Mathis Group for the Justice Center project pursuant to SOQ #09-101, for an amount not to exceed \$630,000. (Fund: Justice Center Bond Project)

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Professional Program Management Agreement between Fort Bend County and The Mathis Group for the Justice Center project pursuant to SOQ #09-101, for an amount not to exceed \$638,000. (Fund: Justice Center Bond Project)

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

Item 22 continued - Purchasing:

E. Take all appropriate action on the following:

- 1) Bid #10-001 - Trophies for Summer Reading Program;**
- 2) Bid #10-002 - High Demand Books;**
- 3) Bid #10-003 - HVAC Libraries;**
- 4) Bid #10-004 - Janitorial Libraries;**
- 5) Bid #10-005 - Janitorial County Buildings;**
- 6) Bid #10-006 - DVDs for Libraries;**
- 7) Bid #10-007 - Safety Supplies;**
- 8) Bid #10-008 - Fire alarm, sprinkler, anti-backflow, Ansul systems Maintenance Service and Fire/Security Monitoring;**
- 9) Bid #10-009 - Fire Alarm Maintenance for Jail and Juvenile;**
- 10) Bid #10-010 - Hydro-Insensitive Polyurethane Foam Materials and Labor;**
- 11) Bid #10-011 - Uniforms for Sheriffs Office;**
- 12) Bid #10-012 - Duty Gear;**
- 13) Bid #10-013 - Facsimile Machine Maintenance;**
- 14) Bid #10-014 - Pauper Burials and Transportation;**
- 15) Bid #10-016 - Tires and Tubes;**
- 16) Bid #10-017 - Chrysler Repair Parts;**
- 17) Bid #10-018 - Mowing of Right-of-Ways;**
- 18) Bid #10-019 - Oil and Lubricants;**
- 19) Bid #10-020 - Weed, Brush and Insect Control Chemicals;**
- 20) Bid #10-021 - Traffic Signs, Posts and Supplies;**
- 21) Bid #10-023 - Armored Car Services;**

Item 22E continued - Purchasing:

22) Bid #10-024 – Hard Hats and Safety Glasses;

23) Bid #10-025 - Abatement of Junked Vehicles.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award bids for 22E 1-7, 9-15 and 17-23 as per bid tabulations.

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 reject all bids and re-advertise for 22E 8 and 16.

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

23. ROAD & BRIDGE: Take all appropriate action on Change Order No. 1 in the amount of \$3,345.40 to E.L. Harris III Construction, Inc., for additional services requested pursuant to Bid #09-076, Fry Road Modifications. (Fund: Road & Bridge, Multi)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 1 in the amount of \$3,345.40 to E.L. Harris III Construction, Inc., for additional services requested pursuant to Bid #09-076, Fry Road Modifications. (Fund: Road & Bridge, Multi)

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

24. SPECIAL PROJECTS: Take all appropriate action to establish a Mental Health Public Defender Advisory Board for the purpose of providing recommendations to Commissioners Court on the operation of the department and appoint to the Board: one District Court Judge, one County Court-at-Law Judge, two County Commissioners (or their appointees), two Criminal Defense Attorneys, and one Mental Health Advocate, as required under the terms of the Criminal Justice/Mental Health Initiative Grant.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to establish a Mental Health Public Defender Advisory Board for the purpose of providing recommendations to Commissioners Court on the operation of the department and appoint to the Board: one District Court Judge, one County Court-at-Law Judge, two County Commissioners (or their appointees), two Criminal Defense Attorneys, and one Mental Health Advocate, as required under the terms of the Criminal Justice/Mental Health Initiative Grant.

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

Note: Board members are Judge Brady G. Elliott (District Courts), Judge Bud Childers (County Court at Law), Commissioner Richard Morrison, Commissioner James Patterson, Pat McCann (Criminal Defense Attorney), Maggie Perez-Jaramillo (Criminal Defense Attorney) and Dr. Connie Almeida (Mental Health Advocate). County Auditor will be providing financial support.

25. 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 \$3,853,903.70.

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

26. Authorize County Auditor to pay and release time sensitive bills on September 17, 2009, to be ratified by Commissioners Court on September 22, 2009.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on September 17, 2009, to be ratified by Commissioners Court on September 22, 2009.

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

Recess:

Recessed at 1:33 p.m.

27. 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.

Thor Ranch, FM 1093 at Spring Green Road.

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) FM 1464 (a 90/10 Texas Department of Transportation reimbursement project) Phase II, Mobility Bond Project #764, Precinct 3.

2) FM 359: (a 90/10 Texas Department of Transportation reimbursement project), Pcts 1 and 3.

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.

County Librarian.

Closed Session:

Convened at 1:46 p.m.
Adjourned at 2:41 p.m.

Reconvene:

Reconvened at 2:44 p.m.

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

**A. § 551.071. Consultation With Attorney.
Thor Ranch, FM 1093 at Spring Green Road.**

No action.

**B. § 551.072. Deliberation Regarding Real Property
1) FM 1464 (a 90/10 Texas Department of Transportation reimbursement project) Phase II, Mobility Bond Project #764, Precinct 3.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to purchase Parcel 16 of the FM 1464 Mobility Project in the amount of \$1,135.00 plus necessary costs not to exceed \$3,000.00 and authorize County Judge to sign all necessary documents with funds from Right of Way Fund Precinct 4.

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

Item 28B continued - 551.072 Deliberation Regarding Real Property:

2) FM 359: (a 90/10 Texas Department of Transportation reimbursement project), Pcts 1 and 3.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to purchase Parcel 10, parts 1, 2 and 3 of the FM 359 Mobility Project in the amount of \$143,865.00 plus necessary costs not to exceed \$3,000.00 and authorize County Judge to sign all necessary documents with funds from Right of Way Fund.

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

**C. § 551.074. Personnel Matters.
County Librarian.**

No action.

29. Adjournment.

Commissioners Court adjourned at 2:47 p.m. on Tuesday, September 8, 2009.