

MINUTES

BE IT REMEMBERED, That on this 13th DAY of OCTOBER, 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 Patterson.

Invocation and Pledge of Allegiance by Commissioner Patterson.

3. Approve minutes of Public Hearing held on October 2, 2009 and regular meeting held on October 6, 2009.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of Public Hearing held on October 2, 2009 and regular meeting held on October 6, 2009.

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

4. Public Comments regarding the Agenda and Announcements.

Rodrigo Carreon of Fresno supports agenda items #18 and Drainage District #3.

Reception at 3:00 p.m. today to say farewell to Sonya Howard, HR Generalist.

Ribbon cutting at 6:30 p.m. today for Oakbend Medical Center at Hwy. 59 and Williams Way.

5. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearing to receive public comments on the request by District Clerk to adopt a fee of not more than \$5 for the purpose of preservation and restoration of District Court Records Archive, pursuant to Senate Bill 1685.

Public hearing held. No public comments.

CONSENT AGENDA ITEMS 6 - 17:

6. OUT OF STATE TRAVEL:

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

Commissioner, Pct. 2: Commissioner Grady Prestage to Santa Rosa, California, December 3-5, 2009, to attend the National Association of Counties (NACo) Fall Board of Directors Meeting. (Fund: Commissioner Pct. 2, Travel)

B. Approve out-of-state travel requests for County personnel:

Purchasing: Approve travel by the following employees to Tucson, Arizona, and Clark County, Nevada, October 29 through November 1, 2009, to conduct site visits of Jail Inmate Medical Service Providers: Gilbert Jalomo, Purchasing; Mary Reveles, County Attorney; Dr. Jean Galloway, Health & Human Services; Pamela Gubbels, Budget Officer; Daniel Quam and Joyce Johnson, Sheriff's Office. (Fund: Multiple County Departments, Travel)

7. AUDITOR: Approve renewal of Memorandum of Agreement between Fort Bend County and Texas AgriLife Extension Service for supplemental pay to extension agents effective October 1, 2009 through September 30, 2010. (Fund: Extension Office, Fees)

8. CONSTABLE, PCT. 3: Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Big Oaks Municipal Utility District effective October 1, 2009 through September 30, 2010.

9. COUNTY ATTORNEY: Approve renewal of Agreement between Fort Bend County and Child Advocates of Fort Bend County, Inc. effective October 1, 2009 through September 30, 2010 for office space leased for employees of the County Attorney (CA) and District Attorney (DA) offices. (Fund: CA and DA, Rental)

10. ENGINEERING:

A. Approve payment of Invoice No. 17 (Pay Estimate No. 17) in the amount of \$23,712.95 to Cobb-Fendley & Associates, Inc. regarding the expansion of Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)

Item 10 continued - Engineering:

B. Approve payment of Invoice No. 9-09-01-631 (Pay Estimate No. 4) in the amount of \$6,434.75 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: Right of Way)

C. Approve payment of Invoice No. 9-08-02-631 (Pay Estimate No. 3) in the amount of \$9,307.79 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project #735, Pct. 3. (Fund: Right of Way)

D. Approve payment of Invoice No. 3319 in the amount of \$23,887.50 to Property Acquisition Services (PAS) for various right of way acquisition services in Precincts 1, 2, 3, and 4. (Fund: Right of Way)

E. Approve application from Kinder Morgan Texas Pipeline, LLC to bore under Fairchild Creek Lateral II-B-Log-1, Pleak, Foster School, Merchant Drive and Oberrender, Precinct 1.

F. Approve application from Construction Supervisors, Inc. to bore under and bury cable along Fry Road, Precinct 3.

G. Approve the plat for Fort Bend I.S.D. Elem. No. 45, Pct. 1.

H. Accept the streets in Cinco Ranch Southwest, Section 16 and release bond #SU5023941 in the amount of \$176,120.00, Pct. 3.

Salt Creek Lane	200.04 LF
Lavender Bend Lane	572.48 LF
Caper Meadow Lane	911.34 LF
Rosemary Knoll Lane	334.04 LF
Parsley Ridge Court	<u>216.74 LF</u>
TOTAL:	2,234.64 LF

I. Accept the streets in Cinco Ranch Southwest, Section 25 and release bond #SU5024590 in the amount of \$155,960.00, Pct. 3.

Calgary Woods Lane	553.86 LF
Carlton Springs Lane	715.44 LF
Alpine Trail Lane	260.10 LF
Foxberry Glen Lane	<u>693.88 LF</u>
TOTAL:	2,223.28 LF

J. Approve the grant of additional ten-foot wide easement from Fort Bend County, Grantor, to CenterPoint Energy Houston Electric, LLC, Grantee, located at 650 Klauke Road for electric distribution and communication facilities, Precinct 1.

K. Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 16 and Section 25, Pct. 3. (Tuesday, November 17, 2009, at 1:00 p.m.)

L. Set public hearing for acceptance of the traffic control plan for Riverpark Subdivision for the addition of No Parking Anytime signs for a portion of East Riverpark Drive and Summit Creek, Pct. 1. (Tuesday, November 17, 2009, at 1:00 p.m.)

11. **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. 15052009-04 (Final) in the amount of \$12,206.25 to Crain Zamora, LLC for program management fees regarding the Gus George Academy;
 - B. Invoice No. 15052009-02 (Final) in the amount of \$7,575.00 to Crain Zamora LLC for program management services regarding the Medic One Facility;
 - C. Pay Application No. 6 in the amount of \$322,948.45 to Crain Zamora LLC for professional services regarding the Missouri City Annex;
 - D. Pay Application No. 7 in the amount of \$67,352.85 to Crain Zamora LLC for professional services regarding the Parking Garage;
 - E. Invoice No. 01112008 (Final) in the amount of \$20,312.50 to Crain Zamora LLC for program management services regarding the Precinct Three Facility;
 - F. Invoice No. 15052009-01 (Final) in the amount of \$7,706.25 to Crain Zamora LLC for program management services regarding the Tax Assessor/Collector Facility;
 - G. Invoice No. TMG-483 in the amount of \$4,762.75 to The Maddox Group, Inc. for professional services regarding the Sienna Library; and
 - H. Invoice No. IN87996 in the amount of \$311.20 to NWN Corporation for telecommunication services regarding the Gus George Academy.
12. **FIRE MARSHAL:** Approve the reappointment of Vance T. Cooper as County Fire Marshal for a two-year term commencing October 1, 2009, subject to conditions of employment and employment policies of all Fort Bend County employees, pursuant to Local Government Code §352.011(b).
13. **LAW LIBRARY:** Approve renewal of Agreement between Fort Bend County and Fort Bend County Bar Association for administration of the Law Library for the term of October 1, 2009 through September 30, 2010.
14. **PURCHASING:**
 - A. Authorize advertising for bids for traffic signalization for Trammel-Fresno at Teal Bend Blvd/Chimney Rock Road and Trammel-Fresno Road at Windfield Lakes Trail/Liberty Square Trail, Precincts 1 and 2.
 - B. Approve renewal of Interlocal Agreement between Fort Bend County and Texana Center for the purchase of goods and services.
15. **ROAD & BRIDGE:** Approve renewal of Primary Interlocal Agreement between Fort Bend County and City of Fulshear effective October 1, 2009 through September 30, 2010, with automatic one-year renewal.

16. SHERIFF'S OFFICE:

A. Approve Amendment to Agreement between Fort Bend County and William Troy Rodriguez, D. D. S. to continue providing dental care services to inmates of the Fort Bend County Jail on a month-to-month basis. (Fund: Sheriff, Detention, Professional Services)

B. Approve Amendment to Agreement between Fort Bend County and Jesse A. Reed, III, Ph.D., d/b/a/ AWARE/AWARE, Inc. to continue providing psychological care services to inmates of the Fort Bend County Jail on a month-to-month basis. (Fund: Sheriff, Detention, Professional Services)

C. Approve Amendment to Agreement between Fort Bend County and Letosha Gale, M.D. to continue providing medical care services to inmates of the Fort Bend County Jail on a month-to-month basis. (Fund: Sheriff, Detention, Professional Services)

D. Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Sienna Plantation Residential Association, Incorporated, effective October 1, 2009 through September 30, 2010.

E. Approve renewal of Agreements between Fort Bend County and the following individuals for the use of Organized Crime Drug Enforcement Task Force (OCDETF) Strike Force/Strategic Initiative programs for the term of October 1, 2009 through September 30, 2010: Billy D. Davis, TFO, and Patrick Gasser, TFO.

17. TAX ASSESSOR/COLLECTOR: Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on October 6, 2009, for an amount totaling \$15,652.25.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 17.

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

18. COUNTY JUDGE: Take all appropriate action to nominate by Resolution a candidate for the Board of Directors of the Fort Bend Central Appraisal District for the term of January 1, 2010 through December 31, 2011.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to nominate by Resolution Lee Duggan III for the Board of Directors of the Fort Bend Central Appraisal District for the term of January 1, 2010 through December 31, 2011.

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

19. COMMISSIONER, PCT. 3: Take all appropriate action to consider appointing a committee to negotiate with Texas Department of Transportation on Pass-Through Funding of FM 1093.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to appoint a committee to negotiate with Texas Department of Transportation on Pass-Through Funding of FM 1093 consisting of Fort Bend County Toll Road Authority adviser Bill Jameson, County Engineer Jess Hegemier and Commissioner Andy Meyers or their designees and any other consultants as needed.

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

20. CONSTABLE, PCT. 2: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$132.27 to Harris County Treasurer for repairs to a communications radio without a purchase order. (Fund: Constable, Pct. 2, Fees)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$132.27 to Harris County Treasurer for repairs to a communications radio without a purchase order. (Fund: Constable, Pct. 2, Fees)

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

21. **ENGINEERING: Take all appropriate action on First Amendment to Agreement for Professional Engineering Services between Fort Bend County and LJA Engineering & Surveying, Inc. for services related to Teal Bend Blvd. improvements, increasing the amount from \$55,000 to a not-to-exceed amount of \$58,400, Mobility Bond Project No. 746, Precinct 1. (Fund: 2007 Mobility Bonds).**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to Agreement for Professional Engineering Services between Fort Bend County and LJA Engineering & Surveying, Inc. for services related to Teal Bend Blvd. improvements, increasing the amount from \$55,000 to a not-to-exceed amount of \$58,400, Mobility Bond Project No. 746, Precinct 1. (Fund: 2007 Mobility Bonds).

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

22. **FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on Design/Build Agreement between Fort Bend County and Bass Construction Company, Inc. in the amount of \$153,000 for the design phase of Emergency Medical Service (EMS) Medic One Facility, pursuant to SOQ #09-069. (Fund: EMS Facility)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Design/Build Agreement between Fort Bend County and Bass Construction Company, Inc. in the amount of \$153,000 for the design phase of Emergency Medical Service (EMS) Medic One Facility, pursuant to SOQ #09-069. (Fund: EMS Facility)

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

23. PURCHASING:

A. Take all appropriate action to authorize the sale of twenty (20) Judge Booth Controllers (JBC's) to Brazoria County in an amount of \$1,400 each, for use with electronic voting equipment.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the sale of twenty (20) Election Judge Booth Controllers (JBC's) to Brazoria County in an amount of \$1,400 each, for use with electronic voting equipment.

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

B. Take all appropriate action to renew Agreement between Fort Bend County and P.F.A., Inc. for image/index conversion, pursuant to RFP #00-054, for an amount not to exceed \$50,000. (Fund: County Clerk, Records Management, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to renew Agreement between Fort Bend County and P.F.A., Inc. for image/index conversion, pursuant to RFP #00-054, for an amount not to exceed \$50,000. (Fund: County Clerk, Records Management, Fees)

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

C. Take all appropriate action to renew Agreement between Fort Bend County and Louisiana Binding for record preservation, pursuant to Statement of Qualification #05-002 for an amount not to exceed \$55,000. (Fund: County Clerk, Records Management, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to renew Agreement between Fort Bend County and Louisiana Binding for record preservation, pursuant to Statement of Qualification #05-002 for an amount not to exceed \$55,000. (Fund: County Clerk, Records Management, Fees)

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

Item 23 continued - Purchasing:

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) to purchase an item available from only one source, for maintenance support from Sirsi Dynix Corp in an amount not to exceed \$61,000. (Fund: Library, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

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) to purchase an item available from only one source, for maintenance support from Sirsi Dynix Corp in an amount not to exceed \$61,000. (Fund: Library, Fees)

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

E. Take all appropriate action on the following:

1) Bid #09-104 Generator for Sheriffs Office Patrol Division;

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid #09-104 Generator for Sheriffs Office Patrol Division to Wellington Electric and authorize Purchasing Agent and Facilities Director to negotiate.

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

2) Bid #09-105 Printing and mailing of voter registration cards;

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to award Bid #09-105 Printing and mailing of voter registration cards to Integrated Voting Solutions Inc.

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

Item 23E continued - Purchasing:

3) Bid #Bid 09-106 Sale of Real Property in New Territory Subdivision.

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to accept Bid 09-106 Sale of Real Property in New Territory Subdivision from Steven Hoang for properties 1 and 2 for \$22,702.00 each.

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

24. TREASURER:

A. Take all appropriate action to authorize County Treasurer the option to pay jurors in cash on the date of service pursuant to Government Code §61.001.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize County Treasurer the option to pay jurors in cash on the date of service pursuant to Government Code §61.001.

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

B. Take all appropriate action to authorize the County Treasurer to establish a change fund for the purpose of paying jurors in cash on the date of service.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the County Treasurer to establish a change fund of \$6,000.00 for the purpose of paying jurors in cash on the date of service.

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

25. Approve Bills.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$6,520,721.75.

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

26. Adjournment.

Commissioners Court adjourned at 1:17 p.m. on Tuesday, October 13, 2009.