

MINUTES

BE IT REMEMBERED, That on this 20th 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 1:02 p.m.

2. Invocation and Pledge of Allegiance by Commissioner Morrison.

Invocation and Pledge of Allegiance by Commissioner Morrison.

3. Approve minutes of regular meeting held on October 13, 2009.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on October 13, 2009.

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

4. Public Comments regarding the Agenda and Announcements.

October Service Awards were presented to county employees.

Judge Hebert presented a Proclamation to Micah Johnson, honor student at Woodcreek Junior High School, for winning a national essay competition.

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

A. Conduct Public Hearing on the Proposed FY 2010 Budget for Fort Bend County, pursuant to Local Government Code §111.067.

Public hearing held. No public comments.

See agenda item 26D for court action.

B. Conduct Public Hearings and take all appropriate action on the following matters:

1) Acceptance of the traffic control plan for River's Edge, Section 5 and River's Edge, Sect 6, Pct. 1.

2) Acceptance of the traffic control plan for Sienna Village of Waters Lake, Section 12B, Sienna Village of Waters Lake, Section 13A, Sienna Village of Waters Lake, Section 13B, Sienna Village of Waters Lake, Section 16, Sienna Village of Waters Lake, Section 19, Sienna Village of Waters Lake, Section 27, Sienna Steep Bank Village, Section 16, and Sienna Portion of Scanlan Trace and Sequoia Pass Street Dedication, Pct. 1.

3) Acceptance of the traffic control plan for Sienna Village of Anderson Springs, Section 7, Sienna Village of Anderson Springs, Section 9, Sienna Village of Anderson Springs, Section 21 and Fort Bend Independent School District Elementary School No. 43, Pct. 2.

Public hearing held. No public comments.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 5B 1-3.

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

CONSENT AGENDA ITEMS 6 - 19:

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

A. Emergency Management:

1) Ratify change in travel dates for Janette Walker and Terrance Harris to Atlanta, Georgia from October 19-23, 2009 to attend ESI University training. (Fund: Emergency Management, UASI Grant)

Item 6A continued - Out of State Travel Emergency Management:

2) Janette Walker to Emmitsburg, Maryland, November 29 through December 4, 2009, to attend training at the Emergency Management Institute. (Fund: Emergency Management, Travel)

B. Sheriff's Office:

1) Ratify travel by Michael Kubricht to Marksville, Louisiana on October 13, 2009, for extradition of prisoner back to Fort Bend County. (Sheriff, Enforcement, Travel)

2) Scott Soland to Washington, D. C., October 20-23, 2009, to testify in Federal Court; travel expenses to be reimbursed by U. S. Department of Justice. (Fund: Sheriff, Enforcement, Travel)

3) Brian Schmitt and Jose Hernandez to Coleman, Florida, November 30 through December 1, 2009, to transport prisoner back to Fort Bend County from federal prison on bench warrant (Fund: Sheriff, Enforcement, Travel)

4) Dominic Sodolak and Craig Crabtree to Largo, Florida, December 12-19, 2009, to attend ballistics training course. (Fund: Sheriff, Enforcement, Travel)

- 7. COUNTY JUDGE: Approve Addendum to Agreement between Fort Bend County and the Fort Bend County Museum Association (to include Heritage Unlimited Museum and Dewalt Heritage Center), in the amount of \$137,500 for the term of October 1, 2009 through September 30, 2010. (Fund: Non-Departmental, Fees)**
- 8. COMMISSIONER, PCT. 1: Approve Full Release and Authorization for Use of County Property for the Convoy of Hope Event, a public event, to be held on November 21, 2009, at the Fort Bend County Fairgrounds.**
- 9. CONSTABLE, PCT. 1:**
 - A. Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County Municipal Utility District No. 23, Fort Bend County Municipal Utility District No. 23, and Newpoint Estates Homeowners Association effective October 1, 2009 through September 30, 2010.**
 - B. Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 1.**
- 10. CONSTABLE, PCT. 3: Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 3**
- 11. CONSTABLE, PCT. 4: Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 4.**
- 12. COUNTY ATTORNEY: Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of County Attorney.**
- 13. EMERGENCY MANAGEMENT: Approve the Addendum to Debris Management Plan for Collection and Disposal between Fort Bend County and City of Weston Lakes.**
- 14. ENGINEERING:**
 - A. Approve release of Performance Bond #6556027 in the amount of \$5,000.00 to Sprint Sand and Clay, LLC for completion of work on Koebler Road, Permit #83597, Pct. 1.**

Item 14 continued - Engineering:

B. Approve release of Performance Bond #6666938 in the amount of \$5,000.00 to Christian Ashibuogwu / dba Fiest Investors/Peoples Club of Nigeria Int. Houston for completion of work on Kroesche Road, Permit # 83682, Pct.1.

C. Approve plat for the roads within Cinco Ranch Southwest, Section 40, Pct. 3.

D. Approve plat for the lots within Cinco Ranch Southwest, Section 40, Pct. 3.

E. Approve the plat for Lakemont Cove, Section 1 Amending Plat No. 1, Pct. 3.

F. Approve the plat for Avalon at Seven Meadows, Section 3 Amending Plat No. 1, Precinct 3.

G. Approve plat for the roads within Silver Ranch, Section 3, Pct. 3.

H. Approve plat for the lots within Silver Ranch, Section 3, Pct. 3.

I. Approve the plat for Southwest Properties, Pct. 3.

J. Approve the plat for Villas at Grand Parkway Apartments, Pct. 3.

K. Approve the plat for Word of Restoration Christian Fellowship Church, Precinct 1.

L. Accept the streets in Grand Mission, Section 12 and release bond #82038383 in the amount of \$208,880.00, Pct. 3.

Breton Falls Lane	510.55 LF
Drybrook Crossing Lane	247.85 LF
Mustang Pointe Lane	687.62 LF
Thorncroft Manor Lane	734.28 LF
Canyon Ferry Lane	278.20 LF
Saragosa Blue Lane	<u>511.63 LF</u>
TOTAL:	2,970.13 LF

M. Accept the streets in Grand Mission, Section 14 and release bond #81960028 in the amount of \$451,339.00, Pct. 3.

Breton Falls Lane	1,294.26 LF
Harpers Landing Lane	771.95 LF
Feather Mill Lane	195.00 LF
Quarry Lakes Lane	782.66 LF
Dusty Canyon Lane	790.62 LF
Logan Star Court	217.09 LF
Saragosa Blue Lane	694.51 LF
Opul Trails Court	275.05 LF
Coyote Bridge Lane	294.17 LF
Garrett Knolls Lane	300.39 LF
Haven Bend Lane	649.59 LF
Loma Lago Lane	<u>53.03 LF</u>
TOTAL:	6,318.32 LF

Item 14 continued - Engineering:

N. Accept the streets in Grand Mission, Section 15 and release bond #82038382 in the amount of \$172,620.00, Pct. 3.

Drybrook Crossing Lane	142.15 LF
Edge Manor Lane	627.36 LF
Foster Brook Lane	303.12 LF
Merchant Mark Lane	1,012.45 LF
Iris Glen Lane	<u>390.49 LF</u>
TOTAL:	2,475.57 LF

O. Accept the streets in Grand Mission Estates, Section 2 and release bond #81960027 in the amount of \$470,867.00, Pct. 3.

Bellaire Boulevard	1,469.67 LF
Lakehead Lane	883.95 LF
Desert Brook Lane	283.45 LF
Turtle Brook Lane	981.66 LF
Norwood Point Lane	918.59 LF
Norwood Point Court	133.89 LF
Swan Ranch Lane	272.21 LF
Rain Drop Court	341.31 LF
Winston Cove Court	<u>192.44 LF</u>
TOTAL:	5,477.17 LF

P. Accept the streets in Riverpark, Section 7 and release bond #134030 in the amount of \$278,050.00, Pct. 1.

Wimberly Canyon Drive	1,472.74 LF
Gable Meadows Drive	1,312.50 LF
Sparrow Branch Court	395.03 LF
Linden Grove Court	722.63 LF
Raypointe Drive	<u>145.44 LF</u>
TOTAL:	4,048.34 LF

Q. Accept the streets in Riverpark, Section 9 and release bond #153011 in the amount of \$515,850.00, Pct. 1.

Wimberly Canyon Drive	1,095.03 LF
Brazos Springs Drive	900.09 LF
Meadow Canyon Drive	851.30 LF
Willow Springs Lane	992.81 LF
Riverhollow Lane	1,083.17 LF
Riverhollow Court	100.12 LF
Rosehaven Court	325.04 LF
Parkstone Court	284.58 LF
Raypointe Drive	144.56 LF
Timberpark Lane	295.00 LF
Park Springs Lane	430.52 LF
Gatesprings Lane	398.02 LF
Stone River Lane	612.89 LF
River Gable Court	452.89 LF
Manorfield Court	174.12 LF
Crestbrook Court	<u>330.38 LF</u>
TOTAL:	8,470.52 LF

Item 14 continued - Engineering:

R. Accept the streets in Riverpark, Section 10 and release bond #B21856877 in the amount of \$393,300.00, Pct. 1.

Summit Creek Drive	693.68 LF
Oak Place Drive	1,372.40 LF
Barton Grove Court	113.01 LF
Branchport Court	208.53 LF
Adlerspoint Lane	464.91 LF
Baron Hill Lane	793.29 LF
Indian Plains Lane	312.57 LF
Stonebury Lane	1,546.96 LF
Park Field Court	90.49 LF
Stonebury Court	72.51 LF
Hampton Park Lane	<u>277.06 LF</u>
TOTAL:	5,945.41 LF

S. Accept the streets in Riverpark, Section 11 and release bond #BE937759 in the amount of \$586,800.00, Pct. 1.

Wimberly Canyon Drive	2,428.15 LF
River Falls Drive	425.54 LF
Meadow Canyon Drive	1,547.12 LF
Park Springs Lane	664.41 LF
Stone River Lane	130.32 LF
Richland Spring Lane	2,153.69 LF
Hillbrook Court	399.83 LF
Breezy Point Lane	317.99 LF
Fall Forest Lane	<u>314.35 LF</u>
TOTAL:	8,381.40 LF

T. Accept the streets in Riverpark, Section 12 and release bond #B21843440 in the amount of \$584,500.00, Pct. 1.

Wimberly Canyon Drive	753.95 LF
Indigo River Lane	1,360.11 LF
Lark Creek Court	290.04 LF
Brush Field Lane	422.21 LF
Brannon Hill Lane	1,831.18 LF
Hearth Hollow Lane	526.89 LF
Misty Park Lane	655.22 LF
Brannon Hill Court	86.05 LF
Aspen Hollow Lane	973.80 LF
Thistlecroft Lane	214.13 LF
Brook Harbor Lane	<u>611.70 LF</u>
TOTAL:	7,725.28 LF

U. Accept the streets in West Riverpark Drive Street Dedication and release bond #109756 in the amount of \$85,000.00, Pct. 1.

West Riverpark Drive	700.00 LF
Wimberly Canyon Drive	<u>140.25 LF</u>
TOTAL:	840.25 LF

Item 14 continued - Engineering:

V. Set public hearing for acceptance of the traffic control plan for Grand Mission, Section 12, Section 14, Section 15 and Grand Mission Estates, Section 2, Pct. 3. (Tuesday, November 17, 2009, at 1:00 p.m.)

W. Set public hearing for acceptance of the traffic control plan for Riverpark, Section 7, Section 9, Section 10, Section 11, Section 12 and West Riverpark Drive Street Dedication, Pct. 1. (Tuesday, November 17, 2009, at 1:00 p.m.)

X. Set public hearing for Okene Court Subdivision being a replat of Reserve "C" Mission West, Section 3, Precinct 3. (Tuesday, November 24, 2009, at 1:00 p.m.)

- 15. 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. 004 in the amount of \$4,979.52 to Brian Smith Construction Inspection, Inc. for professional services regarding the Missouri City Annex Building;

B. Invoice No. 9974323 in the amount of \$2,540.00 to The Home Depot for furniture, fixture, and equipment costs associated with the South Post Oak Ball Park;

C. Pay Application No. 4 in the amount of \$2,071,679.00 to J E Dunn South Central, Inc. for construction services regarding the Justice Center;

D. Invoice No. 44984 in the amount of \$3,200.00 to Paradigm Consultants, Inc. for professional services regarding the Medic One Facility;

E. Invoice No. 09-31449 in the amount of \$38,369.00 to QC Laboratories, Inc. for professional services regarding the Justice Center;

F. Invoice No. 09-31639 in the amount of \$407.50 to QC Laboratories, Inc. for materials testing regarding the Precinct Two Missouri City Annex Building;

G. Pay Application No. 10 (Final) in the amount of \$31,269.08 to ROCA Construction for professional services regarding the South Post Oak Ball Park;

H. Invoice No. 2003-003-CA10; Invoice No. 2003-003-CA11, and Invoice No. 2003-003-CA12 for an amount totaling \$25,067.38 to STOA for architectural services regarding the Sienna Library.

- 16. PURCHASING: Approve renewal of Interlocal Agreements between Fort Bend County and the following entities for the purchase of goods and services: City of Missouri City and City of Rosenberg.**

- 17. ROAD & BRIDGE: Approve renewal of Agreements between Fort Bend County and the following entities for the Purchase of Fuel, effective October 1, 2009 through September 30, 2010 with automatic one-year renewals: City of Sugar Land, Town of Thompsons, Village of Pleak, and Texana Center.**

18. SHERIFF'S OFFICE:

A. Approve Amendment to Agreement between Fort Bend County and Seth W. Silverman, M.D., P.A. to continue providing psychiatric forensic services to inmates of the Fort Bend County Jail on a month-to-month basis. (Fund: Sheriff, Detention, Professional Services)

B. Approve Amendment to Interlocal Cooperation Agreement between Fort Bend County and Limestone to continue providing Jail Services on a month-to-month basis. (Fund: Sheriff, Detention)

19. TAX ASSESSOR/COLLECTOR:

A. Record into Minutes the Summary Monthly Report of Property Taxes Collected in September, 2009, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.

B. Record into Minutes the Summary Yearly Report of Property Taxes Collected from October 1, 2008 through September 30, 2009, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 14O, 14V, 14X and 15 - 19 with correction to 9A - MUD #23 & #24 and 18B - Limestone County.

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

Items 14 P-U and 14W pulled.

20. COUNTY JUDGE:

A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$247.50 to DA Mid South for service call without a purchase order. (Fund: Courthouse Security, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$247.50 to DA Mid South for service call without a purchase order. (Fund: Courthouse Security, Fees)

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

Item 20 continued - County Judge:

B. Take all appropriate action on Agreement between Fort Bend County and Allison, Bass & Associates, LLP for professional assistance with the upcoming redistricting plan. (Fund: Non-Departmental, Fees)

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Allison, Bass & Associates, LLP for professional assistance with the upcoming redistricting plan. (Fund: Non-Departmental, Fees)

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

C. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County and Lufkin Industries, Inc.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County and Lufkin Industries, Inc.

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

21. COMMISSIONER, PCT. 1: Take all appropriate action on request by David Luedeke representing 360 Short Stop, Inc. to waive penalty and interest, including attorney fees, totaling \$2,457.78 for Tax Years 2007 and 2008.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request by David Luedeke representing 360 Short Stop, Inc. to waive penalty and interest, including attorney fees, totaling \$2,457.78 for Tax Years 2007 and 2008.

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

22. COMMISSIONER, PCT. 2: Take all appropriate action on request by Sandra Barb to waive penalty and interest, including attorney fees, totaling \$205.18 for Tax Year 2008.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve request by Sandra Barb to waive penalty and interest, including attorney fees, totaling \$205.18 for Tax Year 2008.

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

23. COMMISSIONER, PCT. 3: Discuss and consider taking action on Agreement with Texas Department of Transportation on FM 1093 Mobility Project.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize County Judge to send a letter to TXDOT accepting the pass through toll proposal dated October 19, 2009 subject to final review of the numbers and execution of the definitive agreement.

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

24. COMMISSIONER, PCT. 4: Take all appropriate action on the Schematic Design from Bailey Architects for Library at University of Houston Sugar Land.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to accept as presented the Schematic Design from Bailey Architects for Library at University of Houston Sugar Land.

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

25. AUDITOR: Take all appropriate action on proposed Fort Bend County Travel Policy, effective October 21, 2009.

Moved by Commissioner Patterson Seconded by Commissioner Morrison to approve proposed Fort Bend County Travel Policy, effective October 21, 2009.

Motion withdrawn. Return to court in two weeks.

26. BUDGET OFFICE:

A. Take all appropriate action to adopt the 2009 Tax Rate for Fort Bend County as follows:

Proposed General Fund Tax Rate:	\$0.38620
Proposed Road & Bridge Fund Tax Rate:	\$0.03100
Proposed Interest & Sinking Fund Tax Rate:	<u>\$0.06180</u>
Total Proposed Tax Rate:	<u>\$0.47900</u>

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to adopt the 2009 Tax Rate for Fort Bend County as follows:

Proposed General Fund Tax Rate:	\$0.38620
Proposed Road & Bridge Fund Tax Rate:	\$0.03100
Proposed Interest & Sinking Fund Tax Rate:	<u>\$0.06180</u>
Total Proposed Tax Rate:	<u>\$0.47900</u>

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

B. Take all appropriate action to adopt list of proposed positions for FY 2010 for Fort Bend County as presented by Budget Officer.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to adopt list of proposed positions for FY 2010 for Fort Bend County as presented by Budget Officer.

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

Item 26 continued - Budget Office:

C. Take all appropriate action to set the FY 2010 Salaries for Elected Officials of Fort Bend County.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to set the FY 2010 Salaries for Elected Officials of Fort Bend County.

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

Note: Salaries remained the same as FY 2009.

D. Take all appropriate action to adopt the FY 2010 Budget for Fort Bend County.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to adopt the FY 2010 Budget for Fort Bend County.

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

27. COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$155.28 to Cooler's Inc. for repairs performed without a purchase order. (Fund: CSCD Grant Funds)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$155.28 to Cooler's Inc. for repairs performed without a purchase order. (Fund: CSCD Grant Funds)

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

28. **COUNTY ATTORNEY: Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$2,243.44 to TBG Partners for work performed without a purchase order regarding the FM 1464 Ferrel Property. (Fund: Right of Way)**

Pass.

29. **DISTRICT CLERK: Take all appropriate action to adopt a District Court Records Archive fee of not more than \$5 in accordance with Senate Bill 1685, effective October 20, 2009.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to adopt a District Court Records Archive fee of not more than \$5 in accordance with Senate Bill 1685, effective October 20, 2009.

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

30. **EMERGENCY MANAGEMENT: Take all appropriate action on the 2009 Sub-Recipient Agreement between Fort Bend County and the State of Texas for grant funding from the Department of Homeland Security in the amount of \$4,934,854.50 for the performance period of August 1, 2009 through April 15, 2012.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the 2009 Sub-Recipient Agreement between Fort Bend County and the State of Texas for grant funding from the Department of Homeland Security in the amount of \$4,934,854.50 for the performance period of August 1, 2009 through April 15, 2012.

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

Bob Stone with Office of Emergency Management explained the purpose of the funds.

- 31. FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on the First Amendment to Agreement between Fort Bend County and Pierce Goodwin Alexander & Linville (PGAL) for additional services and reimbursable expenses regarding the Justice Center in an amount not to exceed \$65,310, for a total contract amount of \$3,715,310. (Fund: Facility Bond Project)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the First Amendment to Agreement between Fort Bend County and Pierce Goodwin Alexander & Linville (PGAL) for additional services and reimbursable expenses regarding the Justice Center in an amount not to exceed \$65,310, for a total contract amount of \$3,715,310. (Fund: Facility Bond Project)

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

- 32. HUMAN RESOURCES:**
A. Take all appropriate action on request to reclassify Position No. 5503-0015 in the Office of Constable Pct 3, from Constable Clerk, Grade 5 of the Administrative Clerical Policy Group to Clerk III, Grade 7, of the Administrative Clerical Policy Group effective October 20, 2009.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5503-0015 in the Office of Constable Pct 3, from Constable Clerk, Grade 5 of the Administrative Clerical Policy Group to Clerk III, Grade 7, of the Administrative Clerical Policy Group effective October 20, 2009.

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

Item 32 continued - Human Resources:

B. Take all appropriate action on request to reclassify Position No. 5031-0024 in the Information Technology (IT) Department from Operations Supervisor, Grade 12 of the Professional Management Policy Group to IT Infrastructure Analyst, Grade 13, of the Professional Management Policy Group effective October 31, 2009.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5031-0024 in the Information Technology (IT) Department from Operations Supervisor, Grade 12 of the Professional Management Policy Group to IT Infrastructure Analyst, Grade 13, of the Professional Management Policy Group effective October 31, 2009.

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

C. Take all appropriate action to authorize reimbursement in the amount of \$17.96 to Ernestine Ware for payment of service without a purchase order. (Fund: Human Resources, Fees)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$17.96 to Ernestine Ware for payment of service without a purchase order. (Fund: Human Resources, Fees)

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

D. Take all appropriate action on revisions to the Employee Information Manual, Section 410: Employment Applicant Travel Reimbursement, and Section 411: Employee Travel Reimbursement, as submitted by Human Resources.

Pass. Return to court in two weeks.

- 33. LIBRARY: Take all appropriate action on Plan of Action for submission to the Texas State Library and Archives Commission for the Loan Star Library Grant in the amount of \$141,277, 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 approve Plan of Action for submission to the Texas State Library and Archives Commission for the Loan Star Library Grant in the amount of \$141,277, with no cash match required by Fort Bend County.

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

- 34. PURCHASING:**
A. Take all appropriate action on RFP #10-027 for Records Storage.

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 on RFP #10-027 for Records Storage.

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

- B. Take all appropriate action on the request for cancellation by Fish Window pursuant to Bid #09-078 and authorize Purchasing Agent to re-solicit.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve request for cancellation by Fish Window pursuant to Bid #09-078 and authorize Purchasing Agent to re-solicit.

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

Item 34 continued - Purchasing:

C. Take all appropriate action on Addendum No. 2 to the Agreement between Fort Bend County and Beck Disaster Recovery, Inc. for Houston-Galveston Area Council disaster and recovery professional consulting services notice-to-proceed for public assistance consulting services. (Fund: Hurricane Ike)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Addendum No. 2 to the Agreement between Fort Bend County and Beck Disaster Recovery, Inc. for Houston-Galveston Area Council disaster and recovery professional consulting services notice-to-proceed for public assistance consulting services. (Fund: Hurricane Ike)

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

35. TREASURER: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$6,000.00 to GHG Corporation for supplies purchased without a purchase order. (Fund: Time Management System)

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 \$6,000.00 to GHG Corporation for supplies purchased without a purchase order. (Fund: Time Management System)

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

36. 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 \$4,063,769.85.

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

37. **Authorize County Auditor to pay and release time sensitive bills on October 29, 2009, to be ratified by Commissioners Court on November 3, 2009.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on October 29, 2009, to be ratified by Commissioners Court on November 3, 2009.

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

Recess:

Recessed at 1:50 p.m.

38. **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.
- Cause No. 09-CCV-039359; Fort Bend County, Texas vs. Cynthia Castro, Jerry Castro, et al.; In the County Court at Law Number Four (4) 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) FM 1464 (a 90/10 Texas Department of Transportation reimbursement project) Phase II, Mobility Bond Project #764, Precinct 4.**
- 2) FM 359: (a 90/10 Texas Department of Transportation reimbursement project), Pcts 1 and 3.**
- 3) Old Richmond Road, Mobility Bond Project #729, Precinct 4.**

Closed Session:

Convened at 2:12 p.m.

Adjourned at 2:23 p.m.

Reconvene:

Reconvened at 2:26 p.m.

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

A. § 551.071. Consultation With Attorney.

Cause No. 09-CCV-039359; Fort Bend County, Texas vs. Cynthia Castro, Jerry Castro, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered that the County Attorney is authorized to pay a negotiated settlement of Cause No. 09-CCV-039359; Fort Bend County, Texas vs. Cynthia Castro, Jerry Castro, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas and the County Judge is authorized to execute and deliver the settlement agreement as well as accept Deeds in exchange for \$46,000.00 including the Special Commissioners Award of \$21,627.00 and to approve such terms and provisions for the full and final settlement of all claims set forth therein.

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

Item 39 continued - Reconvene Open Session and consider taking action on the following matters:

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 4.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 5 in the amount of \$697,769.00 plus necessary costs not to exceed \$7,000.00, Parcel 8 in the amount of \$4,433.00 plus necessary costs not to exceed \$3,000.00 and Parcel 15 in the amount of \$2,007.00 plus necessary costs not to exceed \$3,000.00 of the FM 1464 Mobility Project 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	yes
Commissioner Patterson	yes

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to refer to the County Attorney as per prior Resolution on Right to Take plus litigation expenses not to exceed \$6,000.00 to acquire by Eminent Domain Parcels 11 and 13 of the FM 1464 Mobility Project with funds from Right of Way Fund.

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

Item 39B 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 (5-0), it is ordered to purchase Parcel 6 in the amount of \$15,596.00 and Parcel 9 in the amount of \$6,609.50 of the FM 359 Mobility Project plus necessary costs not to exceed \$3,000.00 each and authorize the County Judge to sign all necessary documents with funds from Right of Way Fund.

Judge Hebert
Commissioner Morrison
Commissioner Prestage
Commissioner Meyers
Commissioner Patterson

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to move to refer to the County Attorney as per prior Resolution on Right to Take plus litigation expenses not to exceed \$3,000.00 each to acquire by Eminent Domain Parcel 8 and Parcel 3 of the FM 359 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) Old Richmond Road, Mobility Bond Project #729, Precinct 4.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 17W in the amount of \$1,031.00 and Parcel 18W in the amount of \$2,000.00 of the Old Richmond Road Mobility Project plus necessary costs not to exceed \$3,000.00 each and authorize the 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	yes
Commissioner Patterson	yes

40. Adjournment.

Commissioners Court adjourned at 2:33 p.m. on Tuesday, October 20, 2009.