

MINUTES

BE IT REMEMBERED, That on this 26th DAY of JANUARY, 2010, 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 Prestage.

Invocation and Pledge of Allegiance by Commissioner Prestage.

3. Approve minutes of regular meeting held on January 12, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on January 12, 2010.

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.

January Service Awards were presented to county employees.

Dianne Wilson, County Clerk, presented leather bound books titled "Roster of Elected Officials 1838-2009" to the Fort Bend County Library, Fort Bend County Historical Commission, Fort Bend County Museum and Kendleton Historical Society. This was a project Dianne Wilson spent five years to complete listing all county elected officials who have served.

5. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:

A. Acceptance of the traffic control plan for Mission Oaks, Section 1 and Section 2, Precinct 3.

B. Acceptance of the traffic control plan for Cinco Terrace Drive at FM 1093 Street Dedication, Cinco Terrace Drive Extension and Reserves, Cinco Ranch Southwest, Section 9, and Cinco Ranch Boulevard at Falcon Landing Boulevard, Precinct 3.

C. Acceptance of the traffic control plan for Fry Road Street Dedication No. 3, Precinct 3.

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 5 A-C.

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

CONSENT AGENDA ITEMS 6 - 21:

6. OUT OF STATE TRAVEL:

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

Commissioner, Pct. 1: Ratify travel by Commissioner Richard Morrison to Washington, D.C., January 20-21, 2010, to meet with U.S. Department of Transportation and other government officials regarding TIGER Grant. (Fund: Commissioner Pct. 1, Travel)

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

1) Risk Management: Wyatt Scott to Boston, Massachusetts, April 25-29, 2010, to attend the annual Risk and Insurance Management Society (RIMS) conference. (Fund: Risk Management, Travel)

2) Sheriff's Office: Ratify travel by Craig Brady and Vanessa Brady to Las Vegas, Nevada, January 19-22, 2010, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

7. **COMMISSIONER, PCT. 1:** Approve the reappointment of Al Sulak to the Fort Bend County Emergency Services District No. 3 Board of Commissioners for a two year term, through December 31, 2011.
8. **COMMISSIONER, PCT. 3:** Approve the reappointments of Frank Pyle, Richard McCormack, and Frances Smart to the Fort Bend County Emergency Services District No. 4 Board of Commissioners for two-year terms, through December 31, 2011.
9. **AUDITOR:** Approve Amendment to Shared Staff Reimbursement Contracts between Fort Bend County and Texas Department of Family and Protective Services to extend the FY 2010 program from August 31, 2010 until September 30, 2010.
10. **BUDGET OFFICE:** Approve Fort Bend County's score card for local government financial transparency and authorize electronic submittal to Texas Comptroller for the Leadership Circle program.
11. **BUDGET TRANSFERS:**
 - A. **Constable, Pct. 2:** Approve transfer in the amount of \$2,385 as detailed on Constable's form dated January 12, 2010, to allocate funds into correct line items for purchase of equipment.
 - B. **Records Management:** Approve transfer in the amount of \$7,500 from Fees into Temporary/Part-Time to reallocate funds into salary line items for temporary/part-time services budgeted for FY 2010.
 - C. **Sheriff's Office:**
 - 1) Approve transfer in the amount of \$1,000 from Narcotics, Forfeited, Federal, Contingency, into Capital Acquisitions to allocate funds into correct line item for emergency equipment and graphics for vehicle.
 - 2) Approve transfer in the amount of \$6,634 as detailed on Sheriff's form dated January 20, 2010, to amend the budget pursuant to Local Government Code §111.0706 and allocate funds received from abandoned vehicle escrow.
 - 3) Approve transfer in the amount of \$140,812 as detailed on Sheriff's form dated January 21, 2010, to reallocate funds into correct line item for purchase of miscellaneous equipment required for new vehicles.
 - 4) Approve transfer in the amount of \$200 as detailed on Sheriff's form dated January 21, 2010, to amend the budget pursuant to Local Government Code §111.076 and allocate funds donated for the purchase of kennel supplies.
12. **COMMUNITY DEVELOPMENT:** Approve Pay Estimate No. 4 (Final) in the amount of \$8,450.00 to PM Construction & Rehab, L.P. for the construction phase of City of Kendleton's Wastewater System Improvement Project. (Fund: Community Development Block Grant)

13. ENGINEERING:

A. Approve payment of Invoice No. 20094999 (Pay Estimate No. 5) in the amount of \$32,830.42 to LJA Engineering & Surveying, Inc. regarding the extension of South Post Oak Blvd. (from South Post Oak Blvd. to West to Steep Bank Trace), Mobility Bond Project #763, Precinct 1. (Fund: 2007 Mobility Bonds)

B. Approve payment of Invoice No. T091420 (Pay Estimate No. 5) in the amount of \$14,747.65 to Terracon regarding Greenbusch Road, Phase I, (from Katy Flewellen Road to Shadow Forest), Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)

C. Approve payment of Invoice No. FBC08007 (Pay Estimate No. 13) in the amount of \$9,044.00 to Chiang Patel & Yerby, Inc. regarding the expansion of Katy-Flewellen Road (from Pin Oak to Katy-Gaston), Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)

D. Approve payment of Invoice No. 6033 (Pay Estimate No. 16) in the amount of \$40,329.40 to Othon, Inc. regarding the expansion of Williams Way (formerly known as Ransom Road) (from River Park to Main Street in Fort Bend County and Richmond, Texas), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)

E. Approve payment of Invoice No. 37545 (Pay Estimate No. 3) in the amount of \$8,925.00 to CLR, Inc. regarding right of way mapping for Burney Road, Mobility Bond Project #719, Precinct 3. (Fund: 2007 Mobility Bonds)

F. Approve payment of Invoice No. 200912-122 (Pay Estimate No. 5) in the amount of \$262,914.30 to Durwood Greene Construction Company regarding paving and drainage improvements to Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)

G. Approve payment of Invoice No. 27 (Pay Estimate No. 27) in the amount of \$20,004.01 to Schaumburg & Polk, Inc. regarding Management and Administrative Support Services for the 2007 Mobility Bond Project Program in Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)

H. Approve payment of Invoice No. 3384 in the amount of \$15,820.00 to Property Acquisition Services (PAS) for various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)

I. Approve payment of Invoice No. 200912-114 (Pay Estimate No. 7) in the amount of \$321,116.40 to Durwood Greene Construction Company regarding West Bellfort paving and drainage, Mobility Bond Project #731, Precinct 4. (Fund: 2007 Mobility Bonds)

J. Approve the plat for Okene Court Subdivision, Pct. 3.

K. Approve plat for the roads within King Lakes, Section 3, Pct. 3.

L. Approve plat for the lots within King Lakes, Section 3, Pct. 3.

M. Approve plat for the roads within Sienna Village of Anderson Springs, Section 10A, Pct. 2.

N. Approve plat for the lots within Sienna Village of Anderson Springs, Section 10A, Pct. 2.

O. Approve plat for the roads within Sienna Village of Anderson Springs, Section 12A, Pct. 2.

Item 13 continued - Engineering:

P. Approve plat for the lots within Sienna Village of Anderson Springs, Section 12A, Pct. 2.

Q. Approve application from Hurtado Construction Company to bore under and bury a 10-inch sanitary sewer along Old Richmond Road and construct two driveway tie-ins on Old Richmond Road, Precinct 4.

R. Accept the streets in Sunrise Meadow, Section 4 and release bond #022-021- 711 in the amount of \$411,751.90, Pct. 1.

Sunrise Meadow Drive	406.02 LF
Primrose Gate Lane	190.00 LF
Rosebud Hollow Lane	886.99 LF
Waterlily View Lane	1,194.98 LF
Snowdrop Court	184.38 LF
Tulip Garden Court	271.40 LF
Wheatstone Court	365.89 LF
Poppy Crest Court	200.65 LF
Marigold Oaks Lane	140.00 LF
Wild Rose Hill Lane	779.01 LF
Myrtle Flower Court	139.56 LF
Poplar Leaf Lane	141.76 LF
TOTAL:	4,900.65 LF

S. Set public hearing for acceptance of the traffic control plan for Sunrise Meadow, Section 4, Pct. 1. (Tuesday, February 23, 2010, at 1:00 p.m.)

T. Set public hearing for acceptance of the revised traffic control plan for Oleta Lane within Sweet City Acres, Pct. 4. (Tuesday, February 23, 2010, at 1:00 p.m.)

U. Set public hearing for CVS Grand Mission Replat No. 1, Pct. 3. (Tuesday, March 2, 2010, at 1:00 p.m.)

V. Set public hearing for Long Meadow Farms Commercial Reserve Sec. 2 Partial Replat No. 1, Pct. 3. (Tuesday, March 2, 2010, at 1:00 p.m.)

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

A. Invoice No. 9 in the amount of \$57,164.05 to Bailey Architects for architectural services regarding the University of Houston Library, Sugar Land Campus;

B. Invoice No. N170584 in the amount of \$32,902.30 to DataVox for furniture, fixture, and equipment costs associated with the Jail Expansion;

C. Invoice No. 007 in the amount of \$7,854.40 to Brian Smith Construction Inspection, Inc. for professional services regarding the Missouri City Annex;

Item 14 continued - Facilities Management & Planning:

D. Invoice No. 206723 in the amount of \$3,650.00 to ESP Office Solutions, LLC for furniture, fixture, and equipment costs associated with the Missouri City Annex;

E. Invoice No. 09-32161 in the amount of \$588.00 to QC Laboratories, Inc. for materials testing services regarding the Missouri City Annex;

F. Pay Application No. 3 in the amount of \$218,444.00 to Rosenberger Construction, LP for construction services regarding the Precinct Three Annex;

G. Invoice No. TMG-507 in the amount of \$8,046.87 to The Maddox Group for professional services regarding the Sienna Library.

- 15. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed this item at their regular meeting held on January 20, 2010, and recommends that Commissioners Court approve Engineering Services Agreement between the Authority and LJA Engineering & Surveying, Inc. regarding the Fort Bend Grand Parkway Project.**
- 16. HEALTH & HUMAN SERVICES: Accept and sign Texas Department of State Health Services Amendment No. 001 to Substance Abuse Services Contract No. 2010-032893, to revise the goals for five performance measures regarding the Tobacco Community Coalition, effective December 18, 2009.**
- 17. HUMAN RESOURCES: Approve application for withdrawal of 280 hours from the Shared Sick Leave Pool for Employee of Constable, Precinct 3 Office, Position No. 5503-0006.**
- 18. PUBLIC TRANSPORTATION: Authorize County Judge to sign and the Transportation Director to submit on behalf of Fort Bend County the FY10 Federal Lobbying Certification and Debarment and Suspension documents to the Texas Department of Public Transportation.**
- 19. PURCHASING:**
 - A. Approve the renewal of Interlocal Agreements for the purchase of goods and services between Fort Bend County and the following entities: Harris County and Montgomery County.**
 - B. Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
 - 1) Paving Improvements to Teal Bend Boulevard;**
 - 2) Design/build for the expansion Emergency Management Office; and**
 - 3) Lease of land for agricultural purposes.**
- 20. SHERIFF'S OFFICE:**
 - A. Approve renewal of Mutual Aid Agreement between Fort Bend County and City of Katy for police protection effective October 1, 2009 through September 30, 2010 with automatic renewal on a yearly basis.**
 - B. Approve the renewal of Agreement between Fort Bend County and the Village of Fairchilds for use of the County Public Safety Radio System effective October 1, 2009 through September 30, 2010.**

21. TAX ASSESSOR/COLLECTOR:

A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 19, 2010, for an amount totaling \$38,079.40.

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

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 21.

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

22. COMMISSIONER, PCT. 1:

A. Take all appropriate action on request to waive penalty and interest, including attorney fees, for an amount totaling \$15,199.81 on personal property taxes for Associated Mortgage Investors for Tax Years 2006, 2007, and 2008, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to deny request to waive penalty and interest, including attorney fees, for an amount totaling \$15,199.81 on personal property taxes for Associated Mortgage Investors for Tax Years 2006, 2007, and 2008, Precinct 1.

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

B. Take all appropriate action to abandon a portion of Blaisdale Road (also known as Skinner Road) in Fort Bend County, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to abandon a portion of Blaisdale Road (also known as Skinner Road) in Fort Bend County, Precinct 1.

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

23. COMMISSIONER, PCT. 3:

A. Take all appropriate action to abandon Moats Way in Fort Bend County, Precinct 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to abandon Moats Way in Fort Bend County, Precinct 3.

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

B. Take all appropriate action on appointment of Judy Bartay to the Fort Bend County Child Welfare Board of Directors.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to appoint Judy Bartay to the Fort Bend County Child Welfare Board of Directors.

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

24. AUDITOR: Take all appropriate action on FY 2010 Formula Grant from the Texas Task Force on Indigent Defense in the amount of \$237,953, with no cash match required by Fort Bend County.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve FY 2010 Formula Grant from the Texas Task Force on Indigent Defense in the amount of \$237,953, with no cash match required by Fort Bend County.

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

25. BUDGET OFFICE: Take all appropriate action to adopt the FY 2011 Budget Policy for Fort Bend County.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to adopt the FY 2011 Budget Policy for Fort Bend County.

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

26. COMMUNITY DEVELOPMENT: Take all appropriate action on Agreements between Fort Bend County and the entities listed below, both of which are part of the FY 2009 Consolidated Action Plan approved by Commissioners Court on July 7, 2009, and funded by Community Development Block Grant programs, and authorize County Judge to sign all documents pertaining to the agreements:

A. City of Needville: for rehabilitation of a sanitary sewer collection system, Phase II, in the Skrabanek Subdivision, for an amount not to exceed \$120,000;

B. City of Arcola: for sanitary sewer system improvements in an amount not to exceed \$175,000.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 26 A - B.

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

27. ELECTIONS ADMINISTRATION:

A. Take all appropriate action on approval of Early Voting Schedules for the March 2, 2010 Joint Primary Election and April 13, 2010 Runoff Election (if required).

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Early Voting Schedules for the March 2, 2010 Joint Primary Election and April 13, 2010 Runoff Election (if required).

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

B. Take all appropriate action on approval of Election Day polling locations for the March 2, 2010 Joint Primary Election.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Election Day polling locations for the March 2, 2010 Joint Primary Election.

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

28. ENGINEERING:

A. Take all appropriate action on Advanced Funding Agreement between Fort Bend County and Cinco Southwest Municipal Utility District No. 1 in an amount not to exceed \$240,329 for relocation of approximately 1,500 linear feet of existing waterline and fire hydrants along a 5,000-foot stretch of Katy-Gaston Road, south of Cinco Ranch Boulevard, Mobility Bond Project No. 733, Precinct 3. (Fund: 2007 Mobility Bonds).

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Advanced Funding Agreement between Fort Bend County and Cinco Southwest Municipal Utility District No. 1 in an amount not to exceed \$240,329 for relocation of approximately 1,500 linear feet of existing waterline and fire hydrants along a 5,000-foot stretch of Katy-Gaston Road, south of Cinco Ranch Boulevard, Mobility Bond Project No. 733, Precinct 3. (Fund: 2007 Mobility Bonds).

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

B. Take all appropriate action on Change Order No. 3 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$35,287.50 regarding paving and drainage improvements to West Bellfort, Mobility Bond Project #731, Precinct 4. (Funds: 2007 Mobility Bonds)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 3 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$35,287.50 regarding paving and drainage improvements to West Bellfort, Mobility Bond Project #731, Precinct 4. (Funds: 2007 Mobility Bonds)

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

Item 28 continued - Engineering:

C. Take all appropriate action on Second Amendment to Professional Engineering Services Agreement between Fort Bend County and Othon, Inc., to increase by \$400,000 the scope of services regarding expansion of Williams Way (formerly Ransom Road), for a total contract amount not to exceed \$1,170,000; Mobility Bond Project #747; Pct. 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 Second Amendment to Professional Engineering Services Agreement between Fort Bend County and Othon, Inc., to increase by \$400,000 the scope of services regarding expansion of Williams Way (formerly Ransom Road), for a total contract amount not to exceed \$1,170,000; Mobility Bond Project #747; Pct. 1. (Fund: 2007 Mobility Bonds)

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

D. Take all appropriate action on request for variance to the building set back line requirements, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Sienna Village of Anderson Springs, Section 11A, on behalf of Sienna Johnson North LP, Pct. 2.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve a variance to the building set back line requirements, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Sienna Village of Anderson Springs, Section 11A, on behalf of Sienna Johnson North LP, Pct. 2.

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

Item 28 continued - Engineering:

E. Take all appropriate action on the plat for the roads within Sienna Village of Anderson Springs, Section 11A, Pct. 2.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the plat for the roads within Sienna Village of Anderson Springs, Section 11A, Pct. 2.

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

F. Take all appropriate action on the plat for the lots within Sienna Village of Anderson Springs, Section 11A, Pct. 2.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the plat for the lots within Sienna Village of Anderson Springs, Section 11A, Pct. 2.

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

29. FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on Change Order No. 2 to the Agreement between Fort Bend County and Crain Group, LLC to increase construction services by \$10,299.30 for the Missouri City Annex, for a total contract amount not to exceed \$3,382,032.66. (Fund: Facility Bond Project)

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 2 to the Agreement between Fort Bend County and Crain Group, LLC to increase construction services by \$10,299.30 for the Missouri City Annex, for a total contract amount not to exceed \$3,382,032.66. (Fund: Facility Bond Project)

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

- 30. GRANTS ADMINISTRATION: Take all appropriate action to consider accepting Edward Byrne Memorial Justice Assistance Grant Stimulus award in the amount of \$51,810 for the purchase of criminal investigation equipment, with no cash match required by Fort Bend County.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to accept the Edward Byrne Memorial Justice Assistance Grant Stimulus award in the amount of \$51,810 for the purchase of criminal investigation equipment, with no cash match required by Fort Bend County.

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

- 31. HEALTH & HUMAN SERVICES – SOCIAL SERVICES: Take all appropriate action to authorize an Agreement between Fort Bend County and TXU Energy Retail Company, LLC, for participation in the TXU Low Income Energy Efficiency Program, to assist persons to reduce energy related costs for Fort Bend County residents who are customers of TXU Energy.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize an Agreement between Fort Bend County and TXU Energy Retail Company, LLC, for participation in the TXU Low Income Energy Efficiency Program, to assist persons to reduce energy related costs for Fort Bend County residents who are customers of TXU Energy.

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

- 32. HUMAN RESOURCES:
A. Take all appropriate action on changes to the Fort Bend County Employee Information Manual, specifically Section 601: Dispute Resolution.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve changes to the Fort Bend County Employee Information Manual, specifically Section 601: Dispute Resolution.

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. 4801-0050 in the Office of District Attorney from Attorney I, Grade 12 to Attorney II, Grade 14 of the Professional Management Policy Group, effective February 6, 2010. (Fund: District Attorney, Salaries)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 4801-0050 in the Office of District Attorney from Attorney I, Grade 12 to Attorney II, Grade 14 of the Professional Management Policy Group, effective February 6, 2010. (Fund: District Attorney, Salaries)

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

33. PUBLIC TRANSPORTATION: Take all appropriate action on the Charter Policy for Public Transportation.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Charter Policy for Public Transportation.

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

34. PURCHASING:

A. 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 services from Syncsort Inc., in an amount not to exceed \$33,000. (Fund: Information Technology, Fees, Project Renaissance, and Project Rawhide)

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 services from Syncsort Inc., in an amount not to exceed \$33,000. (Fund: Information Technology, Fees, Project Renaissance, and Project Rawhide)

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

Item 34 continued - Purchasing:

B. Take all appropriate action on Professional Software Supplier Agreement between Fort Bend County and UR International for Building Management Software, pursuant to RFP #09-091 for an amount not to exceed \$53,400. (Fund: Facilities Management and Planning)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Professional Software Supplier Agreement between Fort Bend County and UR International for Building Management Software, pursuant to RFP #09-091 for an amount not to exceed \$53,400. (Fund: Facilities Management and Planning)

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

C. Take all appropriate action on Second Amendment to Professional Design Services Agreement between Fort Bend County and PGAL in the amount of \$105,000 to include technology design services required on the Justice Center Project, for a total contract amount not to exceed \$3,820,310. (Fund: Justice Center Bond)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Professional Design Services Agreement between Fort Bend County and PGAL in the amount of \$70,000 to include technology design services required on the Justice Center Project, for a total contract amount not to exceed \$3,785,310. (Fund: Justice Center Bond)

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

Item 34 continued - Purchasing:

D. Take all appropriate action on Inmate Health Services Agreement between Fort Bend County and Correctional Healthcare Management, Inc (CHM) pursuant to RFP #09-099 to provide inmate health care services for an amount not to exceed \$258,457.60 per month. (Fund: Sheriff, Professional Services)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Inmate Health Services Agreement between Fort Bend County and Correctional Healthcare Management, Inc (CHM) pursuant to RFP #09-099 to provide inmate health care services for an amount not to exceed \$258,457.60 per month. (Fund: Sheriff, Professional Services)

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

E. Take all appropriate action on Addendum # 1 to Standard Customer Agreement between Fort Bend County and Pier Systems, Inc. pursuant to RFP #06-062, for the purchase of additional subscriptions/centers for the Communication Software, Public Information Emergency Response Web-Based Communications System in an amount not to exceed \$483,000. (Fund: Emergency Management Grant)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Addendum # 1 to Standard Customer Agreement between Fort Bend County and Pier Systems, Inc. pursuant to RFP #06-062, for the purchase of additional subscriptions/centers for the Communication Software, Public Information Emergency Response Web-Based Communications System in an amount not to exceed \$483,000. (Fund: Emergency Management Grant)

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

Lachlan Mullen with Office of Emergency Management answered questions from members of the court.

Item 34 continued - Purchasing:

F. Take all appropriate action on Agreement between Fort Bend County and IDC, Inc. pursuant to SOQ #09-072 for Transportation Planning, Engineering, Environmental Analysis, and Design for Westpark, US 90A, and FM 521 Park and Ride Projects, for an amount not to exceed \$1,634,556. (Fund: Transportation Grant)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and IDC, Inc. pursuant to SOQ #09-072 for Transportation Planning, Engineering, Environmental Analysis, and Design for Westpark, US 90A, and FM 521 Park and Ride Projects, for an amount not to exceed \$1,634,556. (Fund: Transportation Grant)

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

Note: This is a multi year project to be paid by federal grants, subject to receiving the grants.

35. ROAD & BRIDGE: Take all appropriate action to authorize reimbursement by Invoice Transmittal in the amount of \$10.00 to Jim Alewine for tire repair performed without a purchase order. (Fund: Road & Bridge, Fees)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement by Invoice Transmittal in the amount of \$10.00 to Jim Alewine for tire repair performed without a purchase order. (Fund: Road & Bridge, Fees)

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

36. SHERIFF'S OFFICE:

A. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Truancy Abatement and Assistance Program for the term of September 1, 2010 through August 31, 2011, 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 Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Truancy Abatement and Assistance Program for the term of September 1, 2010 through August 31, 2011, 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 on request for temporary clerical position to provide administrative support to Enforcement Records Division effective February 6, 2010. (Fund: Sheriff, Part-Time Temporary)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve temporary clerical position to provide administrative support to Enforcement Records Division effective February 6, 2010. (Fund: Sheriff, Part-Time Temporary)

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

Item 36 continued - Sheriff's Office:

C. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Kids and Cops Program for the term of September 1, 2010 through August 31, 2011, with no cash match required by Fort Bend County.

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Kids and Cops Program for the term of September 1, 2010 through August 31, 2011, with no cash match required by Fort Bend County.

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

D. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Special Crimes Detective Program for the term of September 1, 2010 through August 31, 2011, 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 Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Special Crimes Detective Program for the term of September 1, 2010 through August 31, 2011, 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 36 continued - Sheriff's Office:

E. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for third year grant funding of the Sex Offender Registration, Monitoring, and Compliance Program (SF 421), Grant No. 2018803 in the amount of \$39,505 for the term of September 1, 2010 through August 31, 2011, with a County match of forty percent (40%). (Fund: Sheriff, FY 2011 Budget)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Application to the Office of the Governor, Criminal Justice Division, for third year grant funding of the Sex Offender Registration, Monitoring, and Compliance Program (SF 421), Grant No. 2018803 in the amount of \$39,505 for the term of September 1, 2010 through August 31, 2011, with a County match of forty percent (40%). (Fund: Sheriff, FY 2011 Budget)

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

F. Take all appropriate action to authorize reimbursement by Invoice Transmittal in the amount of \$100.00 to Kelly Walger for bond fee pertaining to professional license paid by employee without a purchase order. (Fund: Sheriff, Enforcement, Fees)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement by Invoice Transmittal in the amount of \$100.00 to Kelly Walger for bond fee pertaining to professional license paid by employee without a purchase order. (Fund: Sheriff, Enforcement, Fees)

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

Item 36 continued - Sheriff's Office:

G. Take all appropriate action to authorize payments by Invoice Transmittal in the amount of \$1,244.00 to Memorial Hospital and the amount of \$1,564.00 to UTP Pediatrics for crime victim medical services provided during FY 2009, but not invoiced until FY 2010. (Fund: Sheriff, Enforcement, Professional Services)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize payments by Invoice Transmittal in the amount of \$1,244.00 to Memorial Hospital and the amount of \$1,564.00 to UTP Pediatrics for crime victim medical services provided during FY 2009, but not invoiced until FY 2010. (Fund: Sheriff, Enforcement, Professional Services)

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

37. 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 \$7,937,668.08.

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

38. Ratify the release of time-sensitive bills by Auditor on January 21, 2010.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify the release of time-sensitive bills by Auditor on January 21, 2010 in the amount of \$388,228.96.

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

Recess:

Recessed at 1:35 p.m.

- 39. 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) Civil Action No. H-98-0653; The Burlington Northern and Santa Fe Railway Company vs. Fort Bend County, et al.; in the United States District Court for the Southern District of Texas, Houston Division.**
- 2) 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) Sale of Property, Eldridge Road, Precinct 4.**
- 2) Acquisition of Property: Old Richmond Road, FM 1464, Phase II, Mobility Bond Project #728, Precinct 4.**

Closed Session:

Convened at 1:54 p.m.

Adjourned at 3:03 p.m.

Reconvene:

Reconvened at 3:03 p.m.

- 40. Reconvene Open Session and consider taking action on the following matters:**
- A. § 551.071. Consultation With Attorney.**
- 1) Civil Action No. H-98-0653; The Burlington Northern and Santa Fe Railway Company vs. Fort Bend County, et al.; in the United States District Court for the Southern District of Texas, Houston Division.**
- No action.
- 2) Thor Ranch, FM 1093 at Spring Green Road.**
- No action.

Item 40 continued - Reconvene Open Session and consider taking action on the following matters:

B. § 551.072. Deliberation Regarding Real Property.

1) Sale of property, Eldridge Road, Precinct 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the sale of the property described herein to the City of Sugar Land, a political subdivision of the State of Texas and Fort Bend County pursuant to Local Government Code Section 263.152, being a 4,171 SF of land out of a parent tract situated in the Brown & Belknap Survey, Abstract No. 15, City of Sugar Land, Fort Bend County, Texas, conveyed to Fort Bend County by Deed on November 25, 1992 and recorded in Volume 2471, page 2440 of the Official Property Records of Fort Bend County.

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

2) Acquisition of Property: Old Richmond Road, FM 1464, Phase II, Mobility Bond Project #728, Precinct 4.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 11E in the amount of \$2,047.00, Parcels 7E and 8E in the amount of \$2,000.00 and Parcel 12E in the amount of \$3,778.00 of the Old Richmond Road Mobility Project plus necessary costs not to exceed \$5,000.00 each with funds from Right of Way fund and authorize the County Judge to sign all necessary documents.

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 purchase Parcel 2 in the amount of \$3,110.00 and HQ 1464 LLC in the amount of \$13,740.00 of the FM 1464 Phase II Mobility Project plus necessary costs not to exceed \$5,000.00 each with funds from Right of Way fund and authorize the County Judge to sign all necessary documents.

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

41. Adjournment.

Commissioners Court adjourned at 3:07 p.m. on Tuesday, January 26, 2010.