

MINUTES

BE IT REMEMBERED, That on this 2nd DAY of MARCH, 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 1:00 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 February 23, 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 February 23, 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.

Judge Hebert announced that today is Texas Independence Day and Election Day.

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

A. Approval of replat: CVS Grand Mission, Replat No. 1, Pct. 3.

B. Approval of replat: Long Meadow Farms Commercial Reserve, Sec 2, Partial Replat No 1, Pct 3.

Public hearing held. No public comments.

No court action for 5 A - B.

CONSENT AGENDA ITEMS 6 - 14:

6. OUT OF STATE TRAVEL:

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

Constable, Pct. 2: Constable Ruben Davis to Baltimore, Maryland, July 8-15, 2010, to attend the 34th National Organization of Black Law Enforcement Executives (NOBLE) Annual Training Conference. (Fund: Constable, Pct. 2, Travel)

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

1) Commissioner, Pct. 2: Felecia Evans-Smith and Brenda Patton to New Orleans, Louisiana, May 13-16, 2010, to attend the National Organization of Black County Officials (NOBCO) 26th Annual Economic Development Conference. (Fund: Commissioner Pct. 2, Travel)

2) Constable, Pct. 2: Rodney Pentecost to Baltimore, Maryland, July 8-15, 2010, to attend the 34th National Organization of Black Law Enforcement Executives (NOBLE) Annual Training Conference. (Fund: Constable, Pct. 2, Travel)

3) Library: Lorraine Lessey to Portland, Oregon, March 23-27, 2010, to attend the Public Library Association National Conference. (Fund: Library, Travel)

4) Sheriff's Office: Ratify travel by Aramis Gonzales and Bruce Denney to Franklinton, Louisiana, March 1-2, 2010, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

7. COUNTY JUDGE:

A. Record into Minutes the Continuation Certificate of Official Bond and Oath for Robert L. Perez as Treasurer for Harris-Fort Bend Emergency Services District No. 100 effective January 1, 2010 through January 1, 2011.

B. Record into Minutes the 2009 Annual Report as submitted by Fort Bend County Emergency Services District No. 5, pursuant to Health & Safety Code Title 9, Chapter 775, Section 775.036.

8. COMMISSIONER, PCT. 3: Approve the reappointments of James H. White and Ernie Carter as Commissioners for the Fort Bend County Emergency Services District No. 5 for a term of January 1, 2010 through December 31, 2011.

9. BUDGET TRANSFERS:

A. Extension Office: Approve transfer in the amount of \$1,756 as detailed on Auditor's form dated February 24, 2010 to amend the budget pursuant to Local Government Code §111.0706 and allocate funds received from various departments for work done by the Extension Office.

B. Facilities Management & Planning: Approve transfer in the amount of \$48 from Office Supplies into Information Technology to allocate additional funds due to price increase in purchase of computer and license.

10. ENGINEERING:

A. Approve payment of Invoice No. 6099 (Pay Estimate No. 17) in the amount of \$10,237.00 to Othon, Inc. regarding the expansion of Williams Way Boulevard (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 Bond)

B. Accept Oversize, Overweight...bond #5068177 in the amount of \$50,000.00 from C & E Operating, Inc. for any and all damages that may be sustained to any roads or bridges while operating equipment in Fort Bend County, Pct. 1.

C. Approve application from C&E Operating, Inc. to construct a driveway tie-in onto Dipple-Lehmann, Precinct 1.

D. Approve release of Cashier's Check #850305553 in the amount of \$5,000.00 to En-Touch Systems, Inc. for completion of work on Katy-Gaston, Permit #82724, Precinct 3.

E. Approve release of Cashier's Check #593519577 in the amount of \$5,000.00 to En-Touch Systems, Inc. for completion of work on Katy-Gaston, Permit #82842, Precinct 3.

F. Approve release of Performance Bond #46BSBEJ6256 in the amount of \$5,000.00 to Parkstone Estates Homes for completion of work on Royal Lakes Blvd., Permit #83284, Pct 1.

G. Approve the plat for Shops at Bella Terra, Section 8, Pct. 3.

H. Approve plat for the roads within Del Webb-Richmond, Section 1, Pct. 1.

I. Approve plat for the lots within Del Webb-Richmond, Section 1, Pct. 1.

J. Approve application from Harrison Construction & Remodeling, Inc. to repair driveway on Red Lake Lane, Precinct 3.

K. Approve application from Wind Stream Communications to bore under and bury cable along Sienna Parkway and Waters Lake Boulevard, Precinct 1.

L. Approve application from Devon Street Homes to construct driveway tie-ins onto Jay Thrusch Drive, Sandal Grove and Millwood Pass Circle, Precinct 3.

M. Approve application from Blocker Investment Group dba Milano Custom Homes to construct driveways on Dove Country and Commerce Business Drive, Precinct 2.

Item 10 continued - Engineering:

N. Accept the streets in Bonbrook Plantation South, Section 3 and release bond #022-021-719 in the amount of \$264,740.00, Pct. 1.

Reading Road	548.16 LF
Buford Lane	229.59 LF
Rappahanook Lane	944.65 LF
Cavalier Lane	988.22 LF
Culpepper Drive	<u>322.49 LF</u>
TOTAL:	3,033.11 LF

O. Set public hearing for acceptance of the traffic control plan for Bonbrook Plantation South, Section 3, Pct. 1. (Tuesday, April 6, 2010, at 1:00 p.m.)

- 11. 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. 22216 in the amount of \$7,012.00 to Wellington Electric, Inc. for the purchase of a generator regarding the Jail Expansion Project;

B. Invoice No. 1763 in the amount of \$117,932.90 to Carter Goble Lee, LLC, for program management services regarding the Jail Expansion Project;

C. Invoice No. 40232 in the amount of \$2,470.00 to 2M Business Products for furniture, fixture, and equipment costs associated with the Missouri City Annex;

D. Invoice No. 728451 in the amount of \$4,670.00 to Aves Audio Visual Educational Systems, for audio/visual costs associated with the Missouri City Annex;

E. Invoice No. XDKN8CP58 in the amount of \$4,337.20 to Dell for furniture, fixture, and equipment costs associated with the Jail Expansion Project;

F. Invoice No. 55970 in the amount of \$4,968.00 to Royal Protection Group, Inc. for security/fire installation services regarding the Dew House;

G. Invoice No. 5441492517 in the amount of \$55,984.97 to Siemens Industry, Inc. for the installation of door access systems for several County facilities;

H. Invoice No. 22835 in the amount of \$28,500.00 to The Mathis Group (TMG+) for program/construction management services regarding the Justice Center;

I. Periodical Estimate #26 in the amount of \$52,074.00 to Turner Construction Company for design services regarding the 9-1-1 Call Center.

- 12. PUBLIC TRANSPORTATION: Approve Amendment Number 1 to Contract No. 51812F7074, terminating the Federal FY08 Section 5317 (New Freedom) Contract as of February 28, 2010.**

- 13. PURCHASING: Authorize advertising for Bids for Fencing at the Juvenile Detention Facility.**

- 14. TAX ASSESSOR/COLLECTOR: Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 23, 2010, for an amount totaling \$231,399.52.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 14.

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

- 15. COMMISSIONER, PCT. 3: Take all appropriate action on Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and Authorizing the Acquisition and Payment of Compensation for public project known as widening of Mason Road, Mobility Bond Project No. 735.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and Authorizing the Acquisition and Payment of Compensation for public project known as widening of Mason Road, Mobility Bond Project No. 735.

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

- 16. CONSTABLE, PCT. 3:**
A. Take all appropriate action on request to transfer the amount of \$88,146 from Non-Departmental Contingency as detailed on Auditor's form dated February 23, 2010 to amend the budget pursuant to Local Government Code §111.0706 and allocate funds for two new vehicles and equipment for the law enforcement agreement with Cinco Ranch.

Pass.

B. Take all appropriate action on request to transfer the amount of \$44,073 from Non-Departmental Contingency as detailed on Auditor's form dated February 23, 2010 to amend the budget pursuant to Local Government Code §111.0706 and allocate funds for one new vehicle and equipment for the law enforcement agreement with Falcon Ranch.

Pass.

Item 16 continued - Constable Pct. 3:

C. Take all appropriate action on request to transfer the amount of \$44,073 from Non-Departmental Contingency as detailed on Auditor's form dated February 23, 2010 to amend the budget pursuant to Local Government Code §111.0706 and allocate funds for one new vehicle and equipment for the law enforcement agreement with Twin Oaks.

Pass.

- 17. DISTRICT ATTORNEY: Take all appropriate action to approve Resolutions for continuation of below listed programs and authorize submission of electronic applications to the Office of the Governor, Criminal Justice Division, and authorize County Judge to sign all documents pertaining to the grant funding of the programs from September 1, 2010 through August 31, 2011:**

A. Victim Witness Expansion Staff Expansion (VOCA) Grant in the amount of \$73,198; with a County match of \$56,750;

B. Violence Against Women (VAWA) Prosecutor Grant in the amount of \$75,125; with a County match of \$41,500;

C. Violence Against Women (VAWA) Investigator Grant in the amount of \$49,024 with a County match of \$28,750.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 17 A - C.

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

18. ENGINEERING:

A. Take all appropriate action on Change Order No. 4 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$433,524.30 regarding paving and drainage improvements to West Bellfort, for a total contract amount not to exceed \$4,790,578; Mobility Bond Project #731, Precinct 4. (Fund: 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. 4 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$433,524.30 regarding paving and drainage improvements to West Bellfort, for a total contract amount not to exceed \$4,790,578; Mobility Bond Project #731, Precinct 4. (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 request by Texas Department of Transportation (TxDOT) to pay the Fort Bend County portion in the amount of \$92,028.87 regarding the Advance Funding Agreement for a surface transportation program for FM 1464 (from 200 feet north of FM 1093 to 1,000 feet south of Fort Bend Westpark Toll Way), Mobility Bond Project #59, Precinct 3. (Fund: 2000 Mobility Bonds)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve request by Texas Department of Transportation (TxDOT) to pay the Fort Bend County portion in the amount of \$92,028.87 regarding the Advance Funding Agreement for a surface transportation program for FM 1464 (from 200 feet north of FM 1093 to 1,000 feet south of Fort Bend Westpark Toll Way), Mobility Bond Project #59, Precinct 3. (Fund: 2000 Mobility Bonds)

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

Item 18 continued - Engineering:

C. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Del Webb-Richmond, Section 2, on behalf of C.W. Richmond, L.P., Pct. 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve a variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Del Webb-Richmond, Section 2, on behalf of C.W. Richmond, L.P., Pct. 1.

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

D. Take all appropriate action on the plat for roads within Del Webb-Richmond, Sect 2, Pct. 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the plat for roads within Del Webb-Richmond, Sect 2, Pct. 1.

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

E. Take all appropriate action on the plat for lots within Del Webb-Richmond, Section 2, Pct. 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the plat for lots within Del Webb-Richmond, Section 2, Pct. 1.

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

19. HUMAN RESOURCES:

A. Take all appropriate action on revisions to Fort Bend County Employee Information Manual, specifically Section 406: Transfers, Separations and Subsequent Rehires, and Section 510: Retirement.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve revisions to Fort Bend County Employee Information Manual, specifically Section 406: Transfers, Separations and Subsequent Rehires, and Section 510: Retirement.

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

B. Take all appropriate action on request to reclassify Position No. 5401-0068, in the Emergency Medical Service Department from EMT Intermediate, Grade 8, Public Health Policy Group to Paramedic I, Grade 9, Public Health Policy Group, effective March 6, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5401-0068, in the Emergency Medical Service Department from EMT Intermediate, Grade 8, Public Health Policy Group to Paramedic I, Grade 9, Public Health Policy Group, effective March 6, 2010.

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

20. INDIGENT HEALTH CARE: Take all appropriate action to terminate the Agreement between Fort Bend County and Oak Bend Medical Group for medical services to Eligible Indigent County Residents.

Pass.

21. **JUVENILE PROBATION: Take all appropriate action to authorize electronic submission of application and Resolution to the Office of the Governor, Criminal Justice Division, for first year grant funding of the Saved by the Bell II, a new grant in the amount of \$120,990.43 to expand the Delinquency Reduction Program for use from September 1, 2010 through August 31, 2011, with no cash match required by Fort Bend County, to be ratified at next meeting of the Juvenile Board.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize electronic submission of application and Resolution to the Office of the Governor, Criminal Justice Division, for first year grant funding of the Saved by the Bell II, a new grant in the amount of \$120,990.43 to expand the Delinquency Reduction Program for use from September 1, 2010 through August 31, 2011, with no cash match required by Fort Bend County, to be ratified at next meeting of the Juvenile Board.

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

22. **PUBLIC TRANSPORTATION: Take all appropriate action on Project Grant Agreement Contract No. 51012F7307 for Federal FY10 Section 5317 (New Freedom) for a total amount of \$480,697 and cash match by Fort Bend County of \$309,011; with \$255,829.67 in federal funds and County match of \$181,769.92 remaining for the period ending September 30, 2010; and authorize County Judge to sign all documents pertaining to the grant. (Fund: Transportation, FY10 Grant Allocation)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Project Grant Agreement Contract No. 51012F7307 for Federal FY10 Section 5317 (New Freedom) for a total federal amount of \$480,697 and cash match by Fort Bend County of \$309,011; with \$255,829.67 in federal funds and County match of \$181,769.92 remaining for the period ending September 30, 2010; and authorize County Judge to sign all documents pertaining to the grant. (Fund: Transportation, FY10 Grant Allocation)

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

23. PURCHASING:

A. Take all appropriate action to grant an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(4) for the purchase of a professional service, for mechanical testing and balancing services at the Justice Center from Systems Commissioning, Inc., for an amount not to exceed \$147,918. (Fund: Facility Bond Project)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

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)(4) for the purchase of a professional service, for mechanical testing and balancing services at the Justice Center from Systems Commissioning, Inc., for an amount not to exceed \$147,918. (Fund: Facility Bond Project)

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

B. Take all appropriate action to authorize payment of Invoice Number 206658 in the amount of \$4,790.55 to ESP Office Solutions, LLC for copier maintenance of Sharp Model 2060 machines during the month of October, 2009. (Fund: Non-Departmental, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize payment of Invoice Number 206658 in the amount of \$4,790.55 to ESP Office Solutions, LLC for copier maintenance of Sharp Model 2060 machines during the month of October, 2009. (Fund: Non-Departmental, Fees)

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

Item 23 continued - Purchasing:

C. Take all appropriate action on Converged Network Solutions Agreement between Fort Bend County and Sprint Solutions, Inc. for the Sheriff's Office and Jail Facility.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Converged Network Solutions Agreement between Fort Bend County and Sprint Solutions, Inc. for the Sheriff's Office and Jail Facility.

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

D. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item available from only one source for supplemental agreement with Manatron to provide licenses, products, and services for upgrade to Agenda Link, Version 4.3, in an amount not to exceed \$738. (Fund: County Clerk, Records Management)

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) for the purchase of an item available from only one source for supplemental agreement with Manatron to provide licenses, products, and services for upgrade to Agenda Link, Version 4.3, in an amount not to exceed \$738. (Fund: County Clerk, Records Management)

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

Item 23 continued - Purchasing:

E. Take all appropriate action to renew IBM maintenance with Sirius utilizing Texas Multiple Award Schedule (TXMAS) Contract-4-70080, for an amount not to exceed \$42,778.32. (Fund: Information Technology, Sheriff's Office, and District Attorney's Office)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to renew IBM maintenance with Sirius utilizing Texas Multiple Award Schedule (TXMAS) Contract-4-70080, for an amount not to exceed \$42,778.32. (Fund: Information Technology, Sheriff's Office, and District Attorney's Office).

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

F. Take all appropriate action to grant an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(4) for the purchase of a professional service, for renewal of security management program from Cybertrust, Inc., in an amount not to exceed \$78,000. (Fund: Library and Information Technology)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(4) for the purchase of a professional service, for renewal of security management program from Cybertrust, Inc., in an amount not to exceed \$78,000. (Fund: Library and Information Technology)

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

Item 23 continued - Purchasing:

G. Take all appropriate action on the following:

1) Bid # 10-045 – Paving Improvements to Teal Bend Boulevard;

Moved by Commissioner Morrison Seconded by Commissioner Meyers to award Bid # 10-045 – Paving Improvements to Teal Bend Boulevard to Durwood Greene Construction.

MOTION WITHDRAWN AND FAILED DUE TO LACK OF SECOND.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and carried (4-1), it is ordered to award Bid # 10-045 – Paving Improvements to Teal Bend Boulevard to low bidder Harris Construction.

Judge Hebert	yes
Commissioner Morrison	no
Commissioner Prestage	yes
Commissioner Meyers	yes
Commissioner Patterson	yes

2) Bid # 10-047 – Construction of hike and bike trails in Buffalo Bayou parks and trail system;

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-047 – Construction of hike and bike trails in Buffalo Bayou parks and trail system to D L Meachum LP at \$2.92 per linear foot.

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

3) Bid # 10-053 – Pavement marking;

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-053 – Pavement marking to low bidder Stripes and Stops.

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

Item 23G continued - Purchasing:

4) Bid # 10-054 – Thermoplastic traffic coating

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-054 – Thermoplastic traffic coating to Road Safe Traffic Systems.

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

5) Bid # 10-056 – Culverts

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to reject and re-advertise Bid # 10-056 – Culverts.

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

6) Bid # 10-057 – Bridge materials

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-057 – Bridge materials to International Forest Products.

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

Item 23G continued - Purchasing:

7) Bid # 10-058 – Earthen type road materials

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-058 – Earthen type road materials to all bidders meeting specifications.

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

8) Bid # 10-059 – Chemical type road materials;

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-059 – Chemical type road materials to all bidders meeting specifications.

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

9) Bid # 10-060 – Equipment filters;

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid # 10-060 – Equipment filters to Napa Auto Parts.

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

10) Bid # 10-061 – HVAC repairs;

Pass.

Item 23G continued - Purchasing:

11) RFP# 10-033 - Records storage

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize contract negotiations with Harris County Department of Education for RFP# 10-033 - Records storage.

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

12) SOQ# 10-050 - Design/build expansion of Emergency Management

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize contract negotiations with Crain Group for SOQ# 10-050 - Design/build expansion of Emergency Management.

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

24. 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 \$4,708,349.56.

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

Recess:

Recessed at 1:26 p.m.

25. **Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**
§ 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.
A. Cause No. 32,357 and Cause No. 32,709 Consolidated into No. 32357; The State of Texas and Fort Bend County, vs. Raheem Ali Charania, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.
B. Medical Subrogation Lien Claim: Holbert, Nadine; Date of Incident October 24, 2009.
C. Cause No. 09-CCV-039361; The State of Texas and Fort Bend County, Texas vs. Eileen Rosniak, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.
D. Cause No. 09-CCV-040649; The State of Texas and Fort Bend County, Texas vs. LRI Investment Group, Ltd., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.
E. Cause No. 09-CCV-040651; The State of Texas vs. Orchard Lake Estates HOA, Inc., et al; In the County Court at Law Number Three (3) of Fort Bend County, Texas.
F. Cause No. 09-CCV-040653; The State of Texas and Fort Bend County, Texas vs. Timothy L. Schumann, Chelsea Harbour, Ltd., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.

Closed Session:

Convened at 1:33 p.m.
Adjourned at 1:41 p.m.

Reconvene:

Reconvened at 1:43 p.m.

26. **Reconvene Open Session and consider taking action on the following matters:**
§ 551.071. Consultation With Attorney.

A. Cause No. 32,357 and Cause No. 32,709 Consolidated into No. 32357; The State of Texas and Fort Bend County, vs. Raheem Ali Charania, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize County Judge to sign Agreement Not to Execute on Judgment as part of the Settlement Agreement in Cause No. 07-CCV-032357 and Cause No. 07-CCV-032709 Consolidated into No. 07-CCV-032357; The State of Texas and Fort Bend County, vs. Raheem Ali Charania, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.

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

Item 26 continued - 551.071 Consultation with Attorney:

B. Medical Subrogation Lien Claim: Holbert, Nadine; Date of Incident October 24, 2009.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve and accept the proposal made by letter dated February 23, 2010 for the settlement of the County Health Care Plan's Subrogation Lien against the personal injury claims asserted by Nadine Holbert arising from the accident on 10/24/2009.

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

C. Cause No. 09-CCV-039361; The State of Texas and Fort Bend County, Texas vs. Eileen Rosniak, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in an amount not to exceed \$1,000.00 and fund account 100685888-64500-P685-06ROWPURCH-32000 be designated as the funding source for Cause No. 09-CCV-039361; The State of Texas and Fort Bend County, Texas vs. Eileen Rosniak, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.

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

D. Cause No. 09-CCV-040649; The State of Texas and Fort Bend County, Texas vs. LRI Investment Group, Ltd., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in an amount not to exceed \$1,000.00 and that fund account 100685888-64500-P685-06ROWPURCH-32000 be designated as the funding source for Cause No. 09-CCV-040649; The State of Texas and Fort Bend County, Texas vs. LRI Investment Group, Ltd., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.

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

Item 26 continued - 551.071 Consultation with Attorney:

E. Cause No. 09-CCV-040651; The State of Texas vs. Orchard Lake Estates HOA, Inc., et al; In the County Court at Law Number Three (3) of Fort Bend County, Texas.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in an amount not to exceed \$1,000.00 and fund account 100685888-64500-P685-06ROWPURCH-32000 be designated as the funding source for Cause No. 09-CCV-040651; The State of Texas vs. Orchard Lake Estates HOA, Inc., et al; In the County Court at Law Number Three (3) of Fort Bend County, Texas.

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

F. Cause No. 09-CCV-040653; The State of Texas and Fort Bend County, Texas vs. Timothy L. Schumann, Chelsea Harbour, Ltd., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in an amount not to exceed \$500.00 and fund account 100685888-64500-P685-06ROWPURCH-32000 be designated as the funding source for Cause No. 09-CCV-040653; The State of Texas and Fort Bend County, Texas vs. Timothy L. Schumann, Chelsea Harbour, Ltd., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.

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

27. Adjournment.

Commissioners Court adjourned at 1:47 p.m. on Tuesday, March 2, 2010.