

## MINUTES

BE IT REMEMBERED, That on this 13th DAY of APRIL, 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 April 6, 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 April 6, 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 presented a Proclamation to Jim Barnes that the month of May 2010 is Older American Month.

Today is Election Day for the Primary Run-off.

**CONSENT AGENDA ITEMS 5-14:**

**5. OUT OF STATE TRAVEL: Enter into record the out-of-state travel requests for elected officials:**

**A. 268th District Court: Judge Brady Elliott to Reno, Nevada, June 5-21, 2010, to attend the National Judicial College. (Fund: 268th District Court, Travel)**

**B. County Clerk: County Clerk Dianne Wilson to San Francisco, California, August 14-17, 2010, to attend the 25th Annual Association for Title Information Management Conference. (Fund: County Clerk, Travel)**

**6. COMMISSIONER PCT. 2: Authorize the County Judge to sign all necessary documents regarding the Energy Efficiency and Conservation Block Grant for the duration of the program, which was approved by Commissioners Court on December 22, 2010.**

**7. BUDGET & FINANCE: Approve the Quarterly County Investment Report for the First Quarter of Fiscal Year 2010 in accordance with Texas Government Code §2256.023.**

**8. BUDGET TRANSFERS:**

**A. County Judge: Approve transfer in the amount of \$332 from Fees into Information Technology to allocate funds for purchase of Adobe Professional software for three computers.**

**B. Commissioner, Pct. 2: Approve transfer in the amount of \$400 from Property & Equipment into Information Technology to allocate funds for purchase of replacement printer.**

**C. Tax Assessor/Collector: Approve transfer in the amount of \$400 from Operating Supplies into Information Technology to allocate funds for purchase of replacement printer.**

**9. ENGINEERING:**

**A. Approve payment of Invoice No. T110239 (Pay Estimate No. 8) in the amount of \$8,295.25 to Terracon regarding Greenbusch Road, Phase I, (from Katy Flewellen Road to Shadow Forest), Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**

**B. Approve payment of Invoice No. 201003-114 (Pay Estimate No. 8) in the amount of \$195,743.61 to Durwood Greene Construction Company regarding Greenbusch paving and drainage, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**

**C. Approve application from Lem Construction Co., Inc. to construct a driveway tie-in onto Skinner Lane, Precinct 3.**

**Item 9 continued - Engineering:**

**D. Approve application from Sakyno Auto Parts Distributor Inc. to construct two driveway tie-ins onto Old Richmond, Precinct 4.**

**E. Approve application from Wave Media Telecon to bury conduit along Mason Road, Precinct 3.**

**F. Approve the plat for Long Meadow Farms Commercial Reserve Sec. 2, Partial Replat No. 1, Precinct 3.**

- 10. 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. GC404-1 in the amount of \$8,050.00 to Weisser Engineering Company, Inc. for professional services regarding the Precinct Three Annex;**

**B. Pay Application No. 6 in the amount of \$95,009.29 to Crain Group LLC for construction services regarding renovations to the Jane Long Annex;**

**C. Invoice No. XDM7M7921 in the amount of \$5,502.10 to Dell for furniture, fixture, and equipment costs associated with the Missouri City Annex;**

**D. Pay Application No. 10 in the amount of \$4,631,778.00 to JE Dunn South Central, Inc. for construction services regarding the Justice Center;**

**E. Invoice No. 39751 in the amount of \$9,427.59 and Credit Memo No. 39911 in the amount of \$1,748.27 for a total payment of \$7,643.32 to DA Mid South for furniture, fixture, and equipment costs associated with the Gus George Academy;**

**F. Invoice No. 3047509-0 in the amount of \$3,348.00 to Jones & Cook Stationers for Patrol furniture, fixture, and equipment costs associated with the Jail Expansion;**

**G. Invoice Nos. 505248161001, 511950786001, and 509242581001 for an amount totaling \$5,979.07 to Office Depot for Patrol furniture, fixture, and equipment costs associated with the Jail Expansion;**

**H. Invoice No. 512231458001 in the amount of \$32.99 to Office Depot for furniture, fixture, and equipment costs associated with the Gus George Academy;**

**I. Invoice No. 923-0323.I09-10 in the amount of \$1,600.00 to Evans Construction for construction services regarding renovations to the George Memorial Library;**

**J. Invoice No. 10-32301 in the amount of \$22,604.50 to QC Laboratories, Inc. for professional services regarding the Justice Center**

- 11. HUMAN RESOURCES: Approve and record into Minutes the Application for Appointment of Deputy Constable Mark D. Gilliam by Constable Precinct 3, in accordance with Constable's form dated April 1, 2010, pursuant to Local Government Code §86.011.**

12. **OFFICE OF EMERGENCY MANAGEMENT: Approve and sign the 2007 Grant Adjustment Notice (GAN) between Fort Bend County and the State of Texas to close out the 2007 performance year for the Homeland Security Grant Program.**
  13. **PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
    - A. Elevator maintenance at various facilities; and
    - B. Engineering services for FM 1093 Feeder Road Project.
  14. **TAX ASSESSOR/COLLECTOR: Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on April 6, 2010, for an amount totaling \$23,275.45.**
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Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 5 - 10 and 12 - 14 with correction to item 6 - December 22, 2009.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

Item 11 moved to regular agenda.

**11. HUMAN RESOURCES: Approve and record into Minutes the Application for Appointment of Deputy Constable Mark D. Gilliam by Constable Precinct 3, in accordance with Constable's form dated April 1, 2010, pursuant to Local Government Code §86.011.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve and record into Minutes the Application for Appointment of Deputy Constable Mark D. Gilliam by Constable Precinct 3, in accordance with Constable's form dated April 1, 2010, pursuant to Local Government Code §86.011 as presented by Constable Rob Cook.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**15. COUNTY JUDGE:**

**A. Take all appropriate action on Resolution to nominate a candidate to fill the vacancy on the Fort Bend Central Appraisal District Board of Directors, due to the resignation of Lee Duggan, III, for a term effective through December 31, 2011.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution to nominate a candidate to fill the vacancy on the Fort Bend Central Appraisal District Board of Directors, due to the resignation of Lee Duggan, III, for a term effective through December 31, 2011.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

Note: Commissioner Meyers nominated Paul Stamatis Jr. and Commissioner Patterson nominated James R. Miller. Commissioner Patterson thanked Lee Duggan III for his service.

**B. Take all appropriate action on request to transfer the amount of \$51,839 from Non-Departmental Contingency into line items detailed on Judge's form dated April 5, 2010, to allocate funds for salary and benefits for Director of Special Services through Sept. 30, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$51,839 from Non-Departmental Contingency into line items detailed on Judge's form dated April 5, 2010, to allocate funds for salary and benefits for Director of Special Services through Sept. 30, 2010.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**16. COMMISSIONER, PCT. 2:**

**A. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Missouri City for construction improvements to South Gessner Road and Cravens Road in an amount not to exceed \$1,600,000. (Fund: 2007 Mobility Bonds)**

Pass until May 4, 2010 Commissioners Court meeting.

**Item 16 continued - Commissioner Pct. 2:**

**B. Take all appropriate action on request to reinstall building signage (removed from the marquis at the East End Annex due to expansion of the parking lot) as a variance to the Fort Bend County Sign Policy.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reinstall building signage (removed from the marquis at the East End Annex due to expansion of the parking lot) as a variance to the Fort Bend County Sign Policy.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**C. Take all action necessary on participation by Fort Bend County in Tax Increment Reinvestment Zone No. 1, City of Missouri City, pursuant to Chapter 311 of the Texas Tax Code.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve participation by Fort Bend County in Tax Increment Reinvestment Zone No. 1, City of Missouri City, pursuant to Chapter 311 of the Texas Tax Code.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**17. COMMISSIONER, PCT. 4: Take all appropriate action on request by Dong Yang to waive penalty and interest totaling \$205.72 on property taxes for Tax Year 2009, Pct. 4.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by Dong Yang to waive penalty and interest totaling \$205.72 on property taxes for Tax Year 2009, Pct. 4.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**18. ENGINEERING:**

**A. Take all appropriate action on the Professional Services Agreement between Fort Bend County and HVJ Associates, Inc. for materials testing services in an amount not to exceed \$121,881 regarding Mobility Bond Project No. 734, improvements to Katy Flewellen Road, 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 the Professional Services Agreement between Fort Bend County and HVJ Associates, Inc. for materials testing services in an amount not to exceed \$121,881 regarding Mobility Bond Project No. 734, improvements to Katy Flewellen Road, 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 the Professional Services Agreement between Fort Bend County and Geotech Engineering and Testing for materials testing services in an amount not to exceed \$63,940 regarding Mobility Bond Project No. 733, improvements to Katy Gaston Road, 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 the Professional Services Agreement between Fort Bend County and Geotech Engineering and Testing for materials testing services in an amount not to exceed \$63,940 regarding Mobility Bond Project No. 733, improvements to Katy Gaston Road, Precinct 3. (Fund: 2007 Mobility Bonds)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

19. **FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on Change Order No. 4 to the Agreement between Fort Bend County and Crain Group LLC, for additional services in the amount of \$41,370.90 regarding construction of the Missouri City Annex, for a total amount not to exceed \$3,428,848.56. (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. 4 to the Agreement between Fort Bend County and Crain Group LLC, for additional services in the amount of \$41,370.90 regarding construction of the Missouri City Annex, for a total amount not to exceed \$3,428,848.56. (Fund: Facility Bond Project)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

20. **HUMAN RESOURCES: Take all appropriate action on request to reclassify Position No. 5401-0025, Emergency Medical Service Department, from EMT-Intermediate/Cadet, Grade 8 of the Public Health Policy Group to Paramedic I, Grade 9 of the Public Health Policy Group, effective April 17, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5401-0025, Emergency Medical Service Department, from EMT-Intermediate/Cadet, Grade 8 of the Public Health Policy Group to Paramedic I, Grade 9 of the Public Health Policy Group, effective April 17, 2010.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes



21. **OFFICE OF EMERGENCY MANAGEMENT: Take all appropriate action on Amendment to Interlocal Agreement by and between Fort Bend County and Montgomery County for use of an additional seven (7) i-INFO licenses purchased by Montgomery County using Homeland Security Grant Funds.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Interlocal Agreement by and between Fort Bend County and Montgomery County for use of an additional seven (7) i-INFO licenses purchased by Montgomery County using Homeland Security Grant Funds.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

22. **PUBLIC TRANSPORTATION:**  
**A. Take all appropriate action on Amendment No. 1 to FY 2007 Sub-Award Interlocal Agreement By and Between Fort Bend County and The Gulf Coast Rail District, to extend the duration of the agreement for an additional eighteen (18) months.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 1 to FY 2007 Sub-Award Interlocal Agreement By and Between Fort Bend County and The Gulf Coast Rail District, to extend the duration of the agreement for an additional eighteen (18) months.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- B. Take all appropriate action on Work Authorization No. 1 in the amount of \$240,000 for transportation planning services pertaining to the Professional Services Agreement between Fort Bend County and Kimley Horn & Associates, Inc. (Fund: Transportation Grants)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Work Authorization No. 1 in the amount of \$240,000 for transportation planning services pertaining to the Professional Services Agreement between Fort Bend County and Kimley Horn & Assoc., Inc. (Fund: Transportation Grants)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**23. PURCHASING:**

**A. Take all appropriate action on Bid #10-077 for the construction of baseball fields in Buffalo Bayou Park.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid #10-077 for the construction of baseball fields in Buffalo Bayou Park to Construction Rent a Fence for \$207,944.00.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**B. Take all appropriate action to authorize the purchase of medical stretchers from Moore Medical utilizing Buy Board Contract 294-08, for an amount not to exceed \$130,025. (Fund: Emergency Medical Service, Capital Acquisitions)**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of medical stretchers from Moore Medical utilizing Buy Board Contract 294-08, for an amount not to exceed \$130,025. (Fund: Emergency Medical Service, Capital Acquisitions)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**24. ROAD & BRIDGE: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$29.68 to Gulf Coast Stabilized Materials for materials purchased without a purchase order. (Fund: Road & Bridge, Operating Supplies)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$29.68 to Gulf Coast Stabilized Materials for materials purchased without a purchase order. (Fund: Road & Bridge, Operating Supplies)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- 25. SHERIFF'S OFFICE: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$21,231.00 to Appriss, Inc. for implementation of Texas VINE Automated Victim Notification Services with Fort Bend County District and County Courts without a purchase order. (Fund: VINE Grant)**

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 \$21,231.00 to Appriss, Inc. for implementation of Texas VINE Automated Victim Notification Services with Fort Bend County District and County Courts without a purchase order. (Fund: VINE Grant)

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- 26. Approve Bills.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$9,220,177.24.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

- 27. Authorize County Auditor to pay and release time sensitive bills on April 22, 2010, to be ratified by Commissioners Court on April 27, 2010.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on April 22, 2010, to be ratified by Commissioners Court on April 27, 2010.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**28. WORKSHOP: Chief Mike Meade to discuss the Truancy Prevention Program administered by Juvenile Detention & Probation Department.**

Mike Meade, chief Juvenile Probation Officer, discussed the success of the Truancy Prevention Program which started in 2007. Troy Mooney, Principal at Kempner High School, stated that the program has made a difference at his school and praised Bruce Bell, Program Counselor. Lillie Vega, Principal at Hodges Bend Middle School, also praised Bruce Bell for his positive relationship with her students. She stated the program has made a difference in the students who move on to Bush High School. Bruce Bell stated that to stop delinquency, you need to stop truancy. Commissioner Patterson and Mike Meade thanked Judge Cannata for his support with this program.

**29. Adjournment.**

Commissioners Court adjourned at 1:44 p.m. on Tuesday, April 13, 2010.