

MINUTES

BE IT REMEMBERED, That on this 10th DAY of AUGUST, 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 August 3, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve minutes of regular meeting held on August 3, 2010.

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

4. Public Comments regarding the Agenda and Announcements.

Ralph Stafford, US Census representative, presented a letter and plaque to Judge Hebert for the county's participation in the 2010 Census. Judge Hebert thanked the Census Committee for their effort.

Judge Hebert announced a special Commissioners Court meeting on September 21.

Commissioner Meyers wished Mandi Bronsell, his Admin. Assistant, a happy birthday.

5. PUBLIC HEARING: 1:00 p.m.: Conduct Public Hearing and take all appropriate action on the following matter:

Approval of the replat for Hodges Ready Mix, being a Partial Replat of Lot 26 of the Meadows on Koeblen, Precinct 1.

Public hearing held. No public comments.

No court action.

CONSENT AGENDA ITEMS 6 - 14

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

- A. **Community Development: Marilynn Kindell and Carol Borrego to Denver, Colorado, September 13-17, 2010, to attend Housing and Urban Development Conference. (Fund: Community Development Block Grant).**
- B. **Elections Administration: Change in travel dates for staff attendance at Election Center Conference in Orlando, Florida: John Oldham August 15-21, 2010, James Guen and Julie Kassab August 14-21, 2010, at no additional expense to Fort Bend County. (Fund: Elections Contract, Travel)**
- C. **Sheriff's Office: Ratify travel by Roger Williamson and Dwayne Wright to Ratan, New Mexico August 4-8, 2010, for investigation and extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

7. COUNTY JUDGE:

Appoint by Resolution Russell Jones to serve as Fort Bend County representative on the Gulf Coast Water Authority Advisory Committee, effective August 10, 2010 to serve until replaced.

8. **BUDGET & FINANCE:**

A. **Record into Minutes the revised Budget Calendar for Fiscal Year 2011.**

B. **BUDGET TRANSFERS:**

1. **Constable, Pct. 3: Approve transfer in the amount of \$615 from Capital Acquisitions into Information Technology to reallocate additional funds required for purchase of computer related equipment.**
2. **County Attorney: Approve transfer in the amount of \$1,490 from Fees into Information Technology to allocate funds for purchase of replacement computer.**
3. **County Clerk: Approve transfer in the amount of \$15,000 from Capital Acquisitions into Operating Supplies to allocate funds for additional court folders for remaining budget year.**
4. **County Clerk: Approve transfer in the amount of \$30,000 from Records Management, Fees, into Information Technology to allocate funds for replacement of out-of-warranty computers.**
5. **Law Library: Approve transfer in the amount of \$300 from Travel into Information Technology to allocate additional funds for purchase of computer equipment.**
6. **Road & Bridge: Approve transfer in the amount of \$25,145 from Sales Proceeds into Capital Assets to amend the budget pursuant to Local Government Code Section 111.0706 and allocate funds received from the sale of five dump trucks.**
7. **Sheriff's Office: Approve transfer in the amount of \$624 from Enforcement, Operating, Fees into Facilities, Operations, Utilities, to allocate funds for monthly cost of T1 data connection through September 30, 2010.**
8. **Treasurer's Office: Approve transfer in the amount of \$148 from Office Supplies into Information Technology to allocate funds for purchase of keyboards into correct line item.**

9. **COUNTY CLERK:**

Approve request for increase in change fund for the Office of County Clerk to accommodate cash drawers at the North Fort Bend County Annex.

10. **ENGINEERING:**

- A. **Approve application from AT&T to bury cable and place a telephone cabinet along Winner Foster, Precinct 3.**
- B. **Approve application from AT&T to construct a driveway tie-in onto Foster Creek Drive, Precinct 3.**

Item 10 continued - Engineering:

- C. Approve application from H.L.U. Services, Inc. dba Houston Landscapes Unlimited to construct a driveway tie-in onto Old Richmond, Precinct 4.
- D. Approve application from Landmark Builders to construct a driveway tie-in onto Oak Shade Drive, Precinct 4.
- E. Approve application from JTM Construction, LLC to construct an outfall into Dry Creek, Precinct 1.
- F. Approve application from LG&G Construction, Inc. to bore an 8-inch water line under Voss Road, Precinct 3.
- G. Approve release of perpetual bond #61S35600-06-00 in the amount of \$50,000.00 to Devon Energy Corporation for completion of work on Meyer Road Permit #82453, Precinct 1.

11. FACILITIES MANAGEMENT & PLANNING:

- A. Approve payment of Invoice No. 74229 in the amount of \$11,491.25 to Eldridge Air Conditioning & Heating Co., for HVAC services/equipment regarding the Jail Expansion Project. (Fund: Facility Bond Project)
- B. Approve payment of Invoice No. 3083278-0 in the amount of \$6,260.95 to Jones & Cook Stationers, for furniture, fixture and equipment costs associated with the Missouri City Annex. (Fund: Facility Bond Project)
- C. Approve payment of Pay Application No. Nine (9) in the amount of \$4,510.00 to Crain Group, L.L.C. for Construction Services regarding the Parking Garage. (Fund: Facility Bond Project)
- D. Approve payment of Invoice No. 10028542 and No. 10028543 for an amount totaling \$39,591.08 to PGAL, for Professional Services regarding the Justice Center. (Fund: Facility Bond Project)
- E. Approve payment of Invoice No. 15 in the amount of \$27,163.49 to Bailey Architects, for Professional Services regarding the University Branch Library in Sugar Land. (Fund: Facility Bond Project)
- F. Approve payment of Invoice No. 40070 in the amount of \$1,568.65 to DA Mid South for Security Hardware/Installation regarding the Precinct One Facility. (Fund: Facility Bond Project)
- G. Approve payment of Pay Application No. Ten (10) in the amount of \$289,669.00 to Rosenberger Construction LP., for Construction Services regarding the North Fort Bend County Annex. (Fund: Facility Bond Project and Capital Improvement Project)

12. FORT BEND FLOOD CONTROL WATER SUPPLY CORPORATION:

The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed this item at their regular meeting on July 28, 2010, and makes the following recommendations to Commissioners Court: Authorize payment of invoices for work performed by consultants and/or contractors and listed on Board Report for an amount totaling \$9,661.99 for Big Creek. (Fund: Big Creek, Fees)

13. PURCHASING:

- A. Authorize renewal of Bid #06-030 for routine transportation services.**
- B. Authorize renewal of Bid #06-031 for transportation management services.**
- C. Authorize renewal of RFP #09-001 for drug and alcohol testing services.**
- D. Authorize renewal of Bid #09-004 for trade books.**
- E. Authorize renewal of Bid #09-005, the term contract for purchase of chemicals for Jail.**
- F. Authorize renewal of Bid #09-009 with Henry Schein for medical supplies.**
- G. Authorize renewal of Bid #09-010 for janitorial supplies.**
- H. Authorize renewal of Bid #09-014 for silicone lining material.**
- I. Authorize renewal of Bid #09-021 for newspaper publication of legal notices.**
- J. Authorize renewal of Bid #09-024 for standing orders for literary criticism and other reference titles.**
- K. Authorize renewal of Bid #09-025 for screen granite gravel.**
- L. Authorize renewal of Bid #09-038 for extended drain engine oil.**
- M. Authorize renewal of Bid #09-054 for General Motors repair parts.**
- N. Authorize renewal of Bid #10-002 for high demand books.**
- O. Authorize renewal of Bid 10-003 for HVAC at Libraries.**
- P. Authorize renewal of Bid #10-004 for janitorial services at the Libraries.**
- Q. Authorize renewal of Bid #10-005 for janitorial services at various County buildings.**
- R. Authorize renewal of Bid #10-007 for safety supplies.**
- S. Authorize renewal of Bid #10-010 for hydro-insensitive polyurethane foam materials.**

Item 13 continued - Purchasing:

- T. Authorize renewal of Bid #10-01: uniforms for the Sheriff's Office.
 - U. Authorize renewal of Bid #10-012 for duty gear.
 - V. Authorize renewal of Bid #10-013 for facsimile machine maintenance.
 - W. Authorize renewal of Bid #10-018 for mowing right-of-ways.
 - X. Authorize renewal of Bid #10-023 for armored car service.
 - Y. Authorize renewal of Bid #10-024 for hard hats and safety glasses.
 - Z. Authorize renewal of Bid #10-025 for abatement of junked vehicles.
 - AA. Authorize renewal of Bid #10-026 for Chrysler repair parts.
 - BB. Authorize renewal of Bid #10-028 for Fire Alarm, Sprinkler, Anti-Backflow, Ansul Systems Maintenance Service and Fire/Security Monitoring.
 - CC. Authorize renewal of Bid #10-028 for Fire Alarm, Sprinkler, Anti-Backflow, Ansul Systems Maintenance Service and Fire/Security Monitoring.
 - DD. Authorize renewal of Bid #10-037 for grinding services.
 - EE. Authorize renewal of Bid #10-038 for window cleaning.
 - FF. Authorize renewal of Bid #10-083 for finish cut mowing.
14. **TAX ASSESSOR/COLLECTOR:**

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on August 3, 2010, for an amount totaling \$10,040.96 for the Office of Patsy Schultz.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 14 with correction to 10C-Precinct 3, 10D-Precinct 1 and 10F-Precincts 3 and 4.

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

15. COMMISSIONER, PCT. 1:

Take all appropriate action on request by Nolan & Tina (Weaver) Bell to waive penalty and interest totaling \$513.13 on property taxes for Tax Year 2009, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to deny request by Nolan & Tina (Weaver) Bell to waive penalty and interest totaling \$513.13 on property taxes for Tax Year 2009, Pct 1.

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

16. AUDITOR:

Take all appropriate action on request to transfer the amount of \$3,450 from Non-Departmental Contingency into Auditor, Fees, to allocate funds for payment to Internal Revenue Service regarding incorrect taxpayer identification numbers.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$3,450 from Non-Departmental Contingency into Auditor, Fees, to allocate funds for payment to Internal Revenue Service regarding incorrect taxpayer identification numbers.

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

17. COMMUNITY DEVELOPMENT:

Take all appropriate action on Agreement between Fort Bend County and Texana Center in the amount of \$127,600 to purchase a foreclosed home and redevelop into a primary residence for Texana Center Clients, part of the FY 2008 Substantial Amendment approved by Commissioners Court on November 25, 2008, and authorize County Judge to sign all documents pertaining to the agreement. (Fund: Neighborhood Stabilization Program)

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 Texana Center in the amount of \$127,600 to purchase a foreclosed home and redevelop into a primary residence for Texana Center Clients, part of the FY 2008 Substantial Amendment approved by Commissioners Court on November 25, 2008, and authorize County Judge to sign all documents pertaining to the agreement. (Fund: Neighborhood Stabilization Program)

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

18. ENGINEERING:

Take all appropriate action on request by Leon Janes for a variance to the Fort Bend County Regulations of Subdivision as given in Section 2.2B, to allow approximately 1.00 acre to be divided from the parent 24.996 acre tract (Tract 4) located in the S.A. & M.G. Railroad Company Survey, Section 9, Abstract 326, recorded in official Fort Bend County Deed Records, Instrument #2009015684, Fort Bend County, Texas, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request by Leon Janes for a variance to the Fort Bend County Regulations of Subdivision as given in Section 2.2B, to allow approximately 1.00 acre to be divided from the parent 24.996 acre tract (Tract 4) located in the S.A. & M.G. Railroad Company Survey, Section 9, Abstract 326, recorded in official Fort Bend County Deed Records, Instrument #2009015684, Fort Bend County, Texas, Precinct 1.

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

19. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on Lease Extension Agreement between Fort Bend County and the Texas Alcoholic Beverage Commission (TABC) to continue the lease of office space in the Gus George Law Enforcement Academy from October 1, 2010 through August 31, 2011.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Lease Extension Agreement between Fort Bend County and the Texas Alcoholic Beverage Commission (TABC) to continue the lease of office space in the Gus George Law Enforcement Academy from October 1, 2010 through August 31, 2011.

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

20. HUMAN RESOURCES:

A. Take all appropriate action on request to reclassify Position No. 5801-0002 in the Office of Emergency Management from Senior Planning Coordinator, Grade 12 of the Professional Management Policy Group to Grade 13, Professional Management Policy Group, effective August 14, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5801-0002 in the Office of Emergency Management from Senior Planning Coordinator, Grade 12 of the Professional Management Policy Group to Grade 13, Professional Management Policy Group, effective August 14, 2010.

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

Item 20 continued - Human Resources:

- B. Take all appropriate action on request to reclassify Position No. 5801-0016 in the Office of Emergency Management from Principal Regional Planning Coordinator, Grade 13 of the Professional Management Policy Group to Regional Planning Coordinator, Grade 12, Professional Management Policy Group, effective August 14, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5801-0016 in the Office of Emergency Management from Principal Regional Planning Coordinator, Grade 13 of the Professional Management Policy Group to Regional Planning Coordinator, Grade 12, Professional Management Policy Group, effective August 14, 2010.

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

21. INDIGENT HEALTH CARE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$4,936.41 to Oakbend Doctors Center for rental of office space at the Oak Bend Professional Building for the month of August 2010 without a Purchase Order, to house the Indigent Health Care Physician's Clinic. (Fund: Indigent Health Care, Rental)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$4,936.41 to Oakbend Doctors Center for rental of office space at the Oak Bend Professional Building for the month of August 2010 without a Purchase Order, to house the Indigent Health Care Physician's Clinic. (Fund: Indigent Health Care, Rental)

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

22. PURCHASING:

A. Take all appropriate action on renewal request from Helfman Ford to include price increase pursuant to Bid #03-001 for police package Crown Victoria vehicles.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve renewal request from Helfman Ford to include price increase of \$21,658.00 pursuant to Bid #03-001 for police package Crown Victoria vehicles.

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

B. Take all appropriate action on renewal request from Helfman Ford to include price increase pursuant to Bid #03-003 for Expedition sport utility vehicles.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve renewal request from Helfman Ford to include price increase of \$24,547.78 pursuant to Bid #03-003 for Expedition sport utility vehicles.

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

C. Take all appropriate action on renewal request from Bound Tree including a price increase pursuant to Bid #09-009 for medical supplies.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve renewal request from Bound Tree including a price increase pursuant to Bid #09-009 for medical supplies.

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

Note: Price increase is allowed in contract.

Item 22 continued - Purchasing:

- D. Take all appropriate action on renewal request from Olympia Business Products including price increase pursuant to Bid #10-001 for summer reading trophies.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve renewal request from Olympia Business Products including price increase to \$1.40 each pursuant to Bid #10-001 for summer reading trophies.

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

- E. Take all appropriate action on renewal request from Agape Cleaning including price increase pursuant to Bid #10-005 for janitorial services for various County buildings.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve renewal request from Agape Cleaning including price increase pursuant to Bid #10-005 for janitorial services for various County buildings.

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

23. TAX ASSESSOR/COLLECTOR:

- A. Take all appropriate action on request to implement program allowed by Texas Transportation Code 520, Subchapter E, to require Vehicle Title Service Companies and Vehicle Title Service Runners to be licensed to conduct business with Fort Bend County Tax Office.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to implement program allowed by Texas Transportation Code 520, Subchapter E, to require Vehicle Title Service Companies and Vehicle Title Service Runners to be licensed to conduct business with Fort Bend County Tax Office.

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

- B. Take all appropriate action on request to transfer the amount of \$1,995 from Non-Departmental Contingency into Tax Office, Information Technology to allocate funds for the purchase of software and supplies for licensing of title companies.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$1,995 from Non-Departmental Contingency into Tax Office, Information Technology to allocate funds for the purchase of software and supplies for licensing of title companies.

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 Meyers

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$2,174,208.82.

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

August 10, 2010

- 25. Authorize County Auditor to pay and release time sensitive bills on August 19, 2010, to be ratified by Commissioners Court on August 24, 2010.**

Moved by Commissioner Morrison 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 August 19, 2010, to be ratified by Commissioners Court on August 24, 2010.

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

Recess:

Recessed at 1:18 p.m.

- 26. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**

- A. § 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.**

- 1. Annual Evaluation - Director of Human Resources.**

Closed Session:

Convened at 1:31 p.m.
Adjourned at 1:48 p.m.

Reconvene:

Reconvened at 1:49 p.m.

- 27. Reconvene Open Session and consider taking action on the following matters:**

- A. § 551.074. Personnel Matters.**

- 1. Annual Evaluation - Director of Human Resources.**

Annual review conducted.

- 28. Adjournment.**

Commissioners Court adjourned at 1:52 p.m. on Tuesday, August 10, 2010.

August 10, 2010