

## MINUTES

BE IT REMEMBERED, That on this 26th DAY of OCTOBER, 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 Morrison.**

Invocation and Pledge of Allegiance by Commissioner Morrison.

**3. Approve minutes of regular meeting held on October 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 October 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.**

October Service Awards were presented to county employees.

Early voting ends October 29 and November 2 is Election Day.

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

**Acceptance of the revised traffic control plan for University Boulevard at Manor Drive and Cabrera Drive at Scenic Rivers, Precinct 4.**

Public hearing held. No public comments.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to accept the revised traffic control plan for University Boulevard at Manor Drive and Cabrera Drive at Scenic Rivers, Precinct 4.

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

**CONSENT AGENDA ITEMS 6 - 23**

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

- A. Sheriff's Office: Ratify travel by B. Schmitt and J. Harris to Bakersfield, California, October 19-20, 2010, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
- B. Sheriff's Office: J. Tabares and R. Waits to Durham, North Carolina, November 1-5, 2010, to attend training class for Deltasphere. (Fund: Sheriff, Enforcement, Travel)**
- C. Sheriff's Office: Ratify travel by Aramis Gonzales and Hal Knight to Charlotte, North Carolina, October 25-26, 2010, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

**7. COUNTY JUDGE:**

**Approve Renewal Agreement between Fort Bend County and the Fort Bend County Museum Association for an annual amount of \$100,000 and approve Addendum Regarding Dewalt Heritage Center for an annual amount of \$25,000 and the Addendum Regarding the Fort Bend County Heritage Unlimited Museum for an annual amount of \$12,500. (Fund: Non-Departmental, Fees)**

**8. COMMISSIONER, PCT. 1:**

- A. Approve Project Agreement between Fort Bend County and City of Richmond to provide assistance with removing collected debris from a Community Clean Up Campaign on the north side of the City, County expenditure not to exceed \$900. (Fund: Road & Bridge, Multi)**
- B. Approve the reappointment of Ron Castillo to Position No. 8, Tax Increment Reinvestment Zone Number Two, City of Pearland, as Fort Bend County Designee for a term of two years, effective through December 31, 2012.**

**9. BUDGET & FINANCE/BUDGET TRANSFERS:**

- A. Auditor: Approve FY 2011 transfer in the amount of \$50 from Office Supplies into Information Technology to allocate funds for the purchase of cables for projector.**
- B. Indigent Health Care: Approve FY 2011 transfer in the amount of \$650 from Property and Equipment into Information Technology to allocate funds for purchase of replacement printer.**
- C. Sheriff's Office: Approve FY 2010 transfer in the amount of \$12,968 from Enforcement into Detention to allocate funds for maintenance by Carter Goble for the month of September, 2010.**

**10. CONSTABLE, PCT. 1:**

**Approve and record into Minutes the State FY 2010 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 1.**

**11. CONSTABLE, PCT. 2:**

- A. Approve and record into Minutes the FY 2010 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 2.**
- B. Approve renewal of Agreements for Additional Law Enforcement Services between Fort Bend County and Briargate Community Improvement Association and Quail Run Community Improvement Association, effective from October 1, 2010 through September 30, 2011.**

**12. CONSTABLE, PCT. 4:**

- A. Approve and record into Minutes the FY2010 Chapter 59 Asset Forfeiture Report (State) and Equitable Sharing Agreement and Certification Report (Federal) for the Office of the Constable, Pct 4.**
- B. Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and New Territory Residential Community Association, effective from October 1, 2010 through September 30, 2011.**

**13. DISTRICT ATTORNEY:**

**Approve and record into Minutes the State FY 2010 Chapter 59 Asset Forfeiture Report for Attorney Representing the State for the Fort Bend County District Attorney.**

**14. ENGINEERING:**

- A. Approve payment of Invoice No. 2 (Pay Estimate No. 2) in the amount of \$529,658.56 to Allgood Construction Company, Inc. regarding improvements to Greenbusch Road (Phase II), Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. WHX17400-07 (Pay Estimate No. 7) in the amount of \$14,355.26 to Jacobs Engineering Group, Inc. regarding FM 1093/Westpark Tollway, Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 36 (Pay Estimate No. 36) in the amount of \$22,073.50 to Schaumburg & Polk, Inc. regarding Management and Administrative Support Services for the 2007 Mobility Bond Project Program, Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. T157835 (Pay Estimate No. 2) in the amount of \$8,512.75 to Terracon regarding Greenbusch Road, Phase II (from Mill Manor to Falcon Landing Blvd.) Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 20103898 (Pay Estimate No. 8) in the amount of \$9,692.20 to LJA Engineering & Surveying, Inc. regarding the extension of South Post Oak Blvd. and the reconstruction of McKeever Road, Mobility Bond Project #763, Precinct 1. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 201008-102 (Pay Estimate No. 11) in the amount of \$378,368.13 to Durwood Greene Construction Company regarding Greenbusch paving and drainage, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 201009-112 (Pay Estimate No. 5) in the amount of \$259,609.63 to Durwood Greene Construction Company regarding Katy-Flewellen Road Improvements, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 201009-103 - Final - (Pay Estimate No. 12) in the amount of \$288,941.91 to Durwood Greene Construction Company regarding Greenbusch paving and drainage, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- I. Approve payment of Invoice No. 10-2033C.06.CM7395 (Pay Estimate No. 5) in the amount of \$968.00 to Geotech Engineering and Testing regarding improvements to Katy Gaston Road (from FM 1093 to Cinco Ranch Blvd.) Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)**
- J. Approve application from Steel Crete, LLC to construct two driveway tie-ins onto Beechnut Street, Precinct 3.**

**Item 14 continued - Engineering:**

- K. Approve application from AT&T Texas to bore under West Bellfort, Precinct 3.**
- L. Approve application from Hurtado Construction Company to construct a driveway tie-in onto Roesner Road, Precinct 3.**
- M. Approve application from W.C. Bell, Inc. to construct a driveway tie-in onto Katy-Gaston, Precinct 3.**
- N. Approve application from Landmark Industries to construct two driveways and one median cut on South Firestone Road, Precinct 3.**
- O. Approve application from Comcast, LLC to bore under Discovery Lane, Precinct 1.**
- P. Approve application from AT&T Texas to bore under and bury cable along Farmer Road, Precinct 3.**
- Q. Accept the streets in Riverpark West, Section 12: Tamarisk Hills Lane 175.00 LF; Juniper Wood Lane 722.12 LF; Sequoia Trail Lane 507.43 LF; Oleaster Springs Lane 714.96 LF; Arbor Bend Lane 55.00 LF; and Larchmont Court 169.36 LF for a total of 2,343.87 LF; and release bond #K00713526 in the amount of \$168,490.00, Precinct 1.**
- R. Accept the streets in Cinco Terrace Drive and Summerset Ridge Lane Street Dedication: Cinco Terrace Drive 836.95 LF; Summerset Ridge Lane 3,063.85 LF; Hollydale Ridge Lane 57.85 LF; and Havenwood Canyon Lane 56.09 LF for a total of 4,014.74 LF; and release bond #SU5024348 in the amount of \$277,550.00, Precinct 3.**
- S. Accept the streets in Cinco Ranch Southwest, Section 36: Burgess Heights Lane 698.99 LF; Dartford Springs Lane 582.52 LF; Guilford Glen Lane 358.53 LF; Haywards Crossing Lane 937.87 LF; and Addlestone Ridge Lane 60.77 LF for a total of 2,638.68 LF; and release bond #SU5025669 in the amount of \$183,890.00, Pct. 3.**
- T. Approve the plat for Fulbrook, Section 3B Replat of Lots 1 and 2 of Block 1, Pct. 3.**
- U. Approve the plat for Sugar Plaza Partial Replat No. 1, Precinct 3.**
- V. Approve the plat for Brazos Lakes Partial Replat Two, Precinct 1.**
- W. Approve plat for the roads within The Orchard at Riverstone, Section 1, Precinct 4.**
- X. Approve plat for the lots within The Orchard at Riverstone, Section 1, Precinct 4.**
- Y. Set public hearing for acceptance of the traffic control plans for Riverpark West, Section 12, Precinct 1. *(Tuesday, November 23, 2010, at 1:00 p.m.)***
- Z. Set public hearing to consider name changes for the following streets within Cinco Ranch Southwest, Section 42: Lost Pines Drive to Western Pine Trail, Pinyon Pine Drive to Cedar Pine Drive and Pine Ridge Court to Red Pine Valley Trail, Pct. 3. *(Tuesday, November 23, 2010, at 1:00 p.m.)***

**Item 14 continued - Engineering:**

- AA. Set public hearing for acceptance of the traffic control plans for Cinco Terrace Drive and Summerset Ridge Lane Street Dedication and Cinco Ranch Southwest, Section 36, Precinct 3. *(Tuesday, November 23, 2010, at 1:00 p.m.)*
- BB. Set public hearing for Grand River Section 1 Replat of Lot 10 in Block 4, Precinct 1. *(Tuesday, December 7, 2010, at 1:00 p.m.)*
- CC. Set Public Hearing on the plat vacation of Huntington Place, Section 1, Precinct 1. *(Tuesday, December 7, 2010, at 1:00 p.m.)*
- 15. **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 Bond and/or Capital Projects:
  - A. Invoice No. 53370 in the amount of \$9,023.97 to Franklin Furniture for furniture, fixture, and equipment costs associated with the EMS Medic One facility;
  - B. Pay Application No. Twelve (12) and Pay Application No. Thirteen (13) for an amount totaling \$289,679.00 to Rosenberger Construction LP for Construction Services regarding the Fort Bend County North Annex;
  - C. Pay Application No. 1 in the amount of \$54,180.00 to Burton Construction Co. for Construction Services regarding expansion of the Justice of the Peace Precinct 2 Facility;
  - D. Invoice No. 18 in the amount of \$8,303.50 to Bailey Architects for Professional Services regarding the University Branch Library in Sugar Land;
  - E. Invoice No. 5422 in the amount of \$6,036.00 to Library Design Systems, Inc. for moving services regarding renovations to the George Memorial Library Renovation;
  - F. Pay Application No. 2 and Pay Application No. 3 for an amount totaling \$678,122.88 to Turner Construction for Construction Services regarding renovations to the Sheriff's Communications Center;
  - G. Invoice No. 96423055 RI in the amount of \$1,821.03 to Moore Medical, for furniture, fixture, and equipment costs associated with the Missouri City Annex; and
  - H. Pay Application No. 16 in the amount of \$2,324,903.00 to JE Dunn South Central, Inc., for Construction Services regarding the Justice Center.
- 16. **FIRE MARSHAL:**

Approve renewal of Interlocal Agreement for Fire Protection between Fort Bend County and the City of Sugar Land effective October 1, 2010 through September 30, 2012.

**17. HEALTH & HUMAN SERVICES:**

**Social Services:** Accept additional funding in the amount of \$2,500 from Reliant Energy for the 2010 Reliant Energy CARE program, to assist eligible Fort Bend County residents who are Reliant Energy customers with their electric bill, with no cash match required by Fort Bend County.

**18. HUMAN RESOURCES:**

Approve application for withdrawal of 80 hours from the Shared Sick Leave Pool for Employee of Sheriff's Office, Position No. 5601-0426.

**19. OFFICE OF EMERGENCY MANAGEMENT:**

Rescind Court's approval of agenda item 21 from Commissioners Court meeting on October 5, 2010, an agreement for training, and approve Memorandum of Agreement between Fort Bend County and Texas Engineering Extension Service (TEEX) to provide Jurisdictional Crisis Emergency Management training for an amount not to exceed \$75,000. (Fund: 2008 UASI Grant)

**20. PURCHASING:**

- A. Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
  - 1. Furniture, Fixtures and Equipment for the Justice Center;**
  - 2. Engineering design services for bridges;**
  - 3. Engineering design services for traffic signals;**
  - 4. Media advertising for the Sheriffs Office;**
  - 5. Expansion of Animal Services Facility;**
  - 6. Trailer mounted generator; and**
  - 7. Roof replacement at Road and Bridge Dairy Ashford facility and Fairgrounds Bldg. C.**
- B. Approve renewal of Interlocal Agreement between Fort Bend County and Brazoria County for the purchase of goods and services.**
- C. Authorize renewing Bid #10-035 for pauper burials, transports and related services for the month of November 2010.**
- D. Approve renewal of the Participation Agreement between Fort Bend County and the Texas Association of Counties Unemployment Compensation Group Account Fund.**

**21. SHERIFF'S OFFICE:**

- A. Approve renewal of Motorcycle Lease Agreements between Fort Bend County and the following Officers effective October 1, 2010 through September 30, 2011: Danny Beckworth; Brett Frankie; Victor Garcia; Joe Lancaster; David Mejorado; S. Reid Rader; Roger Thurman; and Jesse Zamaripa. (Fund: Sheriff, Operating, Enforcement, Salaries)**
- B. Authorize acceptance of grant funds in the amount of \$2,500 from the Target Blue Law Enforcement Grant Program for the purchase of investigative equipment used in Organized Retail Crime Investigations, with no cash match required by Fort Bend County.**

**22. TAX ASSESSOR/COLLECTOR:**

- A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on October 19, 2010, for an amount totaling \$26,707.27 for the Office of Patsy Schultz.**
- B. Record into Minutes the Summary Monthly Report of Property Taxes Collected in September, 2010, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**

**23. TREASURER:**

**Approve Monthly Report submitted by County Treasurer for September, 2010, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.**

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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 6 - 23.

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

**24. COUNTY JUDGE:**

**A. Take all appropriate action on the Tax Abatement Agreement for Building No. 2 between Fort Bend County, API Realty, LLC., as Owner, and Accredo Packaging, Inc. as Lessee.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement for Building No. 2 between Fort Bend County, API Realty, LLC., as Owner, and Accredo Packaging, Inc. as Lessee.

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

**B. Take all appropriate action to authorize the issue of a purchase order to Fort Bend County Historical Commission in an amount not to exceed \$4,500 which represents funding for committee activities as documented on final approved budget dated October 11, 2010. (Fund: Non-Departmental, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the issue of a purchase order to Fort Bend County Historical Commission in an amount not to exceed \$4,500 which represents funding for committee activities as documented on final approved budget dated October 11, 2010. (Fund: Non-Departmental, Fees)

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

**25. COMMISSIONER, PCT. 1:**

- A. Take all appropriate action on the Utility Easement for Fort Bend County to grant Fort Bend County Fresh Water Supply District No. 1 an easement necessary for the District's Lift Station.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Utility Easement for Fort Bend County to grant Fort Bend County Fresh Water Supply District No. 1 an easement necessary for the District's Lift Station.

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

- B. Take all appropriate action on Sanitary Easement for Fort Bend County to grant Fort Bend County Fresh Water Supply District No. 1 an easement necessary to construct, repair, maintain, re-construct and operate sewer lines for the District's Lift Station.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Sanitary Easement for Fort Bend County to grant Fort Bend County Fresh Water Supply District No. 1 an easement necessary to construct, repair, maintain, re-construct and operate sewer lines for the District's Lift Station.

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

**26. COMMISSIONER, PCT. 3:**

- A. Take all appropriate action on request by David Wormser, Sally Wormser Bassler, and John H. Wormser to waive penalty, interest and collection fees totaling \$6,089.07 on property taxes for Tax Year 2009, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to deny request by David Wormser, Sally Wormser Bassler, and John H. Wormser to waive penalty, interest and collection fees totaling \$6,089.07 on property taxes for Tax Year 2009, Precinct 3.

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

- B. Take all appropriate action on request for variance to the Fort Bend County Platting Policy, Section 5.2B1, to grant a ten-foot wide easement on Plantation Drive to the General Land Office for the installation of a waterline for the new Fort Bend Independent School District, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to grant a variance to the Fort Bend County Platting Policy, Section 5.2B1, to grant a ten-foot wide easement on Plantation Drive to the General Land Office for the installation of a waterline for the new Middle School in Fort Bend Independent School District, Precinct 3.

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

**27. ENGINEERING:**

- A. Take all appropriate action on Resolution and Order to abandon a portion of Manor Road in Fort Bend County, Precinct 4.**

Pass.

**Item 27 continued - Engineering:**

- B. 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 Cinco Ranch Southwest, Section 10, on behalf of Terrabrook Cinco Ranch Southwest, Ltd. Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve request for variance to the building set back line requirement (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Cinco Ranch Southwest, Section 10, on behalf of Terrabrook Cinco Ranch Southwest, Ltd. Pct 3.

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

- C. Take all appropriate action on plat for the roads within Cinco Ranch Southwest, Section 10, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve plat for the roads within Cinco Ranch Southwest, Section 10, Precinct 3.

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

- D. Take all appropriate action on plat for the lots within Cinco Ranch Southwest, Section 10, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve plat for the lots within Cinco Ranch Southwest, Section 10, Precinct 3.

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

**Item 27 continued - Engineering:**

- E. Take all appropriate action on the Engineering Services Agreement between Fort Bend County and Kelly Kaluza & Associates, Inc. for an amount not to exceed \$208,965 regarding the expansion of Williams Way Boulevard, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)**

Pass.

- F. Take all appropriate action on the Second Amendment to the Professional Engineering Services Agreement and the Assignment and Consent Agreement between Fort Bend County and AECOM USA Group, Inc. in an amount not to exceed \$55,320.70 for additional services regarding the expansion of Old Richmond Road, for a total project cost not to exceed \$291,571.25; Mobility Bond Project #728, 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 the Second Amendment to the Professional Engineering Services Agreement and the Assignment and Consent Agreement between Fort Bend County and AECOM USA Group, Inc. in an amount not to exceed \$55,320.70 for additional services regarding the expansion of Old Richmond Road, for a total project cost not to exceed \$291,571.25; Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)

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

Note: This is a time and materials agreement.

**Item 27 continued - Engineering:**

- G. Take all appropriate action to authorize County Engineer, along with an engineering contract negotiating committee, to negotiate an Engineering Services Contract with Dannenbaum Engineers, Inc., pursuant to Statement of Qualification #10-087, FM 1093 widening project pass-through from State Highway 99 to FM 359, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize County Engineer together with an engineering contract negotiating committee, selected by the County Engineer, to negotiate an Engineering Services Contract with Dannenbaum Engineers Inc. and should negotiations with Dannenbaum Engineers Inc. be unsuccessful, authorize negotiations with second ranked entity pursuant to Statement of Qualifications #10-087, TXDOT Pass-Thru Agreement FM 1093 widening project from SH 99 to James Street in Fulshear, Texas Mobility Bond Project #703 Precinct 3 (Fund 2007 Mobility Bonds).

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

- H. Take all appropriate action on Second Amendment to the Professional Engineering Services Agreement between Fort Bend County and Huitt-Zollars, Inc. for additional services regarding the expansion of Falcon Landing Boulevard in an amount not to exceed \$35,000 for a total project cost not to exceed \$445,000; Mobility Bond Project #703, 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 Second Amendment to the Professional Engineering Services Agreement between Fort Bend County and Huitt-Zollars, Inc. for additional services regarding the expansion of Falcon Landing Boulevard in an amount not to exceed \$35,000 for a total project cost not to exceed \$445,000; Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)

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

**Item 27 continued - Engineering:**

- I. Take all appropriate action on Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council (H-GAC) for the Clean Cities/Clean Vehicles Program regarding roll off container trucks. (Fund: Recycling Center)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Intergovernmental Agreement between Fort Bend County and Houston- Galveston Area Council (H-GAC) for the Clean Cities/Clean Vehicles Program regarding roll off container trucks. (Fund: Recycling Center)

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

- J. Take all appropriate action on request by Dennis Ray Vacek for a variance to the Fort Bend County Regulations of Subdivisions as given in Section 2.2 B&C and Appendix T, to allow an 8.310 acre tract to be divided into four (4) tracts, Tract 1, 2.077 acres, and Tract 2, 2.075 acres, Tract 3, 2.078 acres and Tract 3,2.078 acres and Tract 4, 2.080 acres, to be gifted or sold from a called 8.310-acre tract situated in the Barnabus Wickson Survey, Abstract 95, as described in Instrument #2005040065 and Deed of Gift #2010058531 as deeded to Dustin Ray Vacek, of the deed records of 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 Dennis Ray Vacek for a variance to the Fort Bend County Regulations of Subdivisions as given in Section 2.2 B&C and Appendix T, to allow an 8.310 acre tract to be divided into four (4) tracts, Tract 1, 2.077 acres, and Tract 2, 2.075 acres, Tract 3, 2.078 acres and Tract 3,2.078 acres and Tract 4, 2.080 acres, to be gifted or sold from a called 8.310-acre tract situated in the Barnabus Wickson Survey, Abstract 95, as described in Instrument #2005040065 and Deed of Gift #2010058531 as deeded to Dustin Ray Vacek, of the deed records of Fort Bend County, Texas, Precinct 1.

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

**28. FACILITIES MANAGEMENT & PLANNING:**

- A. Take all appropriate action on Change Order No. One to the Agreement between Fort Bend County and Burton Construction to increase the scope of services by \$25,000 regarding expansion of the Justice of the Peace, Precinct 2 Facility, for a total project amount not to exceed \$456,697. (Fund: Capital Improvement Project)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. One to the Agreement between Fort Bend County and Burton Construction to increase the scope of services by \$25,000 regarding expansion of the Justice of the Peace, Precinct 2 Facility, for a total project amount not to exceed \$456,697. (Fund: Capital Improvement Project)

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

- B. Take all appropriate action to approve the Materials Testing Agreement between Fort Bend County and Terracon Consultants, Inc. for an amount not to exceed \$73,562 for services regarding the University Branch Library. (Fund: Facility Bond Project)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the Materials Testing Agreement between Fort Bend County and Terracon Consultants, Inc. for an amount not to exceed \$73,562 for services regarding the University Branch Library. (Fund: Facility Bond Project)

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

29. **FORT BEND 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 October 20, 2010, and recommends that Commissioners Court:**

**Take all appropriate action on Agreement between Fort Bend County and Mar-Con Services, LLC in the amount of \$723,276.21 for construction of the Fort Bend Parkway Segment No. 4 (Lake Olympia) Ramp Improvement Project. (Fund: Toll Road Operations)**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Mar-Con Services, LLC in the amount of \$723,276.21 for construction of the Fort Bend Parkway Segment No. 4 (Lake Olympia) Ramp Improvement Project. (Fund: Toll Road Operations)

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

30. **HEALTH & HUMAN SERVICES:**

- A. **Emergency Medical Service: Take all appropriate action on request to reimburse Michael McDill in the amount of \$60.00 for continuing education program renewal received without a purchase order. (Fund: Emergency Medical Service, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to reimburse Michael McDill in the amount of \$60.00 for continuing education program renewal received without a purchase order. (Fund: Emergency Medical Service, Fees)

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

**Item 30 continued - Health and Human Services:**

- B. Social Services: Take all appropriate action on Energy Assistance Program Agreement between Fort Bend County and Direct Energy to participate in a utility bill payment assistance program for qualified Fort Bend County residents who use Direct Energy, with no cash match required by Fort Bend County.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Energy Assistance Program Agreement between Fort Bend County and Direct Energy to participate in a utility bill payment assistance program for qualified Fort Bend County residents who use Direct Energy, 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. HUMAN RESOURCES:**

- A. Take all appropriate action on revisions to the Employee Information Manual, specifically Section 301, Drug and Alcohol Detection and Deterrence, as submitted by the Director of Human Resources.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve revisions to the Employee Information Manual, specifically Section 301, Drug and Alcohol Detection and Deterrence, as submitted by the Director of Human Resources.

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

**Item 31 continued - Human Resources:**

- B. Take all appropriate action on request to reclassify Position Number 4001-0008 in the Office of County Judge from Executive Assistant, Grants, Grade 12 of the Professional Management Policy Group, to Grade 11 of the Professional Management Policy Group, effective October 30, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Number 4001-0008 in the Office of County Judge from Executive Assistant, Grants, Grade 12 of the Professional Management Policy Group, to Grade 11 of the Professional Management Policy Group, effective October 30, 2010.

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

- C. Take all appropriate action on request to reclassify Position Number 4001-0005 in the Office of County Judge from Agenda Coordinator, Grade 10 of the Professional Management Policy Group to Executive Assistant, Agenda, Grade 11 of the Professional Management Policy Group, effective October 30, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Number 4001-0005 in the Office of County Judge from Agenda Coordinator, Grade 10 of the Professional Management Policy Group to Executive Assistant, Agenda, Grade 11 of the Professional Management Policy Group, effective October 30, 2010.

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

**Item 31 continued - Human Resources:**

- D. Take all appropriate action on request to reclassify Position No. 5601-0421 in the Sheriff's Office from Administrative Assistant, Narcotics Task Force, Grade 6 of the Administrative Clerical Policy Group to Deputy Sheriff, Grade 9 of the Law Enforcement Policy Group, effective October 30, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position No. 5601-0421 in the Sheriff's Office from Administrative Assistant, Narcotics Task Force, Grade 6 of the Administrative Clerical Policy Group to Deputy Sheriff, Grade 9 of the Law Enforcement Policy Group, effective October 30, 2010.

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

**32. INDIGENT HEALTH:**

**Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$538 to Home Depot Credit Services for the purchase of two microwave machines. (Fund: Indigent Health Care, Property and Equipment)**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$538 to Home Depot Credit Services for the purchase of two microwave machines. (Fund: Indigent Health Care, Property and Equipment)

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

**33. MENTAL HEALTH PUBLIC DEFENDER:**

- A. Take all appropriate action to authorize reimbursement in the amount of \$48.69 to Roderick Glass for phone equipment purchased without a purchase order. (Fund: Mental Health Public Health Defender Grant, Office Supplies)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$48.69 to Roderick Glass for phone equipment purchased without a purchase order. (Fund: Mental Health Public Health Defender Grant, Office Supplies)

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

- B. Take all appropriate action to authorize reimbursement in the amount of \$100.00 to Roderick Glass for continuing legal activity training received without a purchase order. (Fund: Mental Health Public Defender Grant, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$100.00 to Roderick Glass for continuing legal activity training received without a purchase order. (Fund: Mental Health Public Defender Grant, Fees)

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

- C. Take all appropriate action to authorize reimbursement in the amount of \$21.64 to Overzenia Ojuri for supplies purchased without a purchase order. (Fund: Mental Health Public Defender Grant, Office Supplies)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$21.64 to Overzenia Ojuri for supplies purchased without a purchase order. (Fund: Mental Health Public Defender Grant, Office Supplies)

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 a sole source exemption as authorized by Local Government Code Section 262.024 and take appropriate action on Amendment No. 2 between Fort Bend County and Tiburon, Inc. for the purchase of software upgrade and implementation from Tiburon Inc. in an amount not to exceed \$721,983. (Fund: Tiburon Project)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to grant a sole source exemption as authorized by Local Government Code Section 262.024 and take appropriate action on Amendment No. 2 between Fort Bend County and Tiburon, Inc. for the purchase of software upgrade and implementation from Tiburon Inc. in an amount not to exceed \$721,983. (Fund: Tiburon Project)

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

- B. Take all appropriate action to add additional copiers to the term contract for copier equipment and maintenance pursuant to Bid #11-001.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to add additional copiers to the term contract for copier equipment and maintenance pursuant to Bid #11-001.

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

**Item 34 continued - Purchasing:**

- C. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source; Technical Service Support Agreement between Fort Bend County and Physio-Control, Inc. for an amount not to exceed \$60,060. (Fund: Emergency Medical Service, Fees)**

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 Section 262.024 (a)(7) for the purchase of an item available from only one source; Technical Service Support Agreement between Fort Bend County and Physio-Control, Inc. for an amount not to exceed \$60,060. (Fund: Emergency Medical Service, Fees)

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 Section 262.024 (a)(7) for the purchase of an item available from only one source: Letter of Agreement between Fort Bend County and Texas Engineering Extension Service (TEEX) for rope and trench rescue training for an amount not to exceed \$74,460. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Morrison 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 Section 262.024 (a)(7) for the purchase of an item available from only one source: Letter of Agreement between Fort Bend County and Texas Engineering Extension Service (TEEX) for rope and trench rescue training for an amount not to exceed \$74,460. (Fund: Office of Emergency Management, UASI Grant)

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

**Item 34 continued - Purchasing:**

- E. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) to purchase an item available from only one source; an Addendum to renew license agreement with IBM Corporation for an amount not to exceed \$17,295. (Fund: Information Technology, Fees)**

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 Section 262.024 (a)(7) to purchase an item available from only one source; an Addendum to renew license agreement with IBM Corporation for an amount not to exceed \$17,295. (Fund: Information Technology, Fees)

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

- F. Take all appropriate action on Amendment No. 2 to RFP #09-023; Document Imaging Services with Windward Group to extend the contract term for an amount not to exceed \$25,000. (Fund: Tax Office, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 2 to RFP #09-023; Document Imaging Services with Windward Group to extend the contract term for an amount not to exceed \$25,000. (Fund: Tax Office, Fees)

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

**Item 34 continued - Purchasing:**

- G. Take all appropriate action to add locations to the window cleaning contract with National Window Cleaning pursuant to Bid #10-038 in an amount not to exceed \$760.00 per cleaning. (Fund: Facilities Management & Planning)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to add locations to the window cleaning contract with National Window Cleaning pursuant to Bid #10-038 in an amount not to exceed \$760.00 per cleaning. (Fund: Facilities Management & Planning)

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

- H. Take all appropriate action on Bid #10-123; Construction of Ransom Road (Williams Way) from Pilgrim to Williams Way, Mobility Bond Project No. 747, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid #10-123; Construction of Ransom Road (Williams Way) from Pilgrim to Williams Way, Mobility Bond Project No. 747, Precinct 1 to Hassell Construction.

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

- I. Take all appropriate action to authorize the purchase of one (1) Ford Explorer for the Sheriff's Office pursuant to Bid #05-009. (Fund: Sheriff, Enforcement)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Ford Explorer from Helfman Ford for the Sheriff's Office pursuant to Bid #05-009. (Fund: Sheriff, Enforcement)

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

**Item 34 continued - Purchasing:**

**J. Take all appropriate action to authorize the purchase of one (1) Ford Explorer for the Engineering Department pursuant to Bid #05-009. (Fund: Engineering)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Ford Explorer from Helfman Ford for the Engineering Department pursuant to Bid #05-009. (Fund: Engineering)

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

**K. Take all appropriate action to authorize the purchase of five (5) non-police package four door sedans for the Sheriff's Office pursuant to Bid #07-003. (Fund: Sheriff Enforcement)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of five (5) non-police package four door sedans from Helfman Ford for the Sheriff's Office pursuant to Bid #07-003. (Fund: Sheriff Enforcement)

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

**L. Take all appropriate action to authorize the purchase of one (1) non-police package four door sedan for the Sheriff's Office, pursuant to Bid #07-003. (Fund: Sheriff's Office, Sex Offender Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to purchase one (1) non-police package four door sedan from Helfman Ford for the Sheriff's Office, pursuant to Bid #07-003. (Fund: Sheriff's Office, Sex Offender Grant)

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

**Item 34 continued - Purchasing:**

- M. Take all appropriate action to authorize the purchase of one (1) non-police package four door sedan for Environmental Health pursuant to Bid #07-003. (Fund: Environmental Health)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) non-police package four door sedan from Helfman Ford for Environmental Health pursuant to Bid #07-003. (Fund: Environmental Health)

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

- N. Take all appropriate action to authorize the purchase of one (1) Truck IV pickup truck pursuant to Bid #08-027. (Fund: Environmental Health)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Truck IV pickup truck from Helfman Ford for \$22,065.13 pursuant to Bid #08-027. (Fund: Environmental Health)

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

- O. Take all appropriate action to authorize the purchase of computer equipment from Dell Marketing utilizing State of Texas DIR contract DIR-SDD-890 for various County departments from their 2011 budget, following review by the Information Technology Department.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of computer equipment from Dell Marketing utilizing State of Texas DIR contract DIR-SDD-890 for various County departments from their 2011 budget, following review by the Information Technology Department.

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

**Item 34 continued - Purchasing:**

- P. Take all appropriate action to authorize the purchase of Adobe software from PC Mall utilizing State of Texas DIR contract DIR-SDD-1023 for various County departments from their 2011 budget, following review by the Information Technology Department.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of Adobe software from PC Mall utilizing State of Texas DIR contract DIR-SDD-1023 for various County departments from their 2011 budget, following review by the Information Technology Department.

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

- Q. Take all appropriate action to authorize the purchase of Microsoft licensing, maintenance, and warranty from Dell Marketing utilizing State of Texas DIR contract DIR-SDD-1014 for various County departments from their 2011 budget, following review by the Information Technology Department.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of Microsoft licensing, maintenance, and warranty from Dell Marketing utilizing State of Texas DIR contract DIR-SDD-1014 for various County departments from their 2011 budget, following review by the Information Technology Department.

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

**35. SHERIFF'S OFFICE:**

- A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$685.52 to Thyssenkrupp Elevator Corporation for elevator repairs made without a purchase order. (Fund: Sheriff, Operating, Detention, Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$685.52 to Thyssenkrupp Elevator Corporation for elevator repairs made without a purchase order. (Fund: Sheriff, Operating, Detention, Fees)

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

- B. Take all appropriate action to authorize reimbursement in the amount of \$85.00 to Milton Wright for purchase of Texas flag for honor guard ceremony without a Purchase Order. (Fund: Sheriff, Operating Enforcement, Operating Supplies)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$85.00 to Milton Wright for purchase of Texas flag for honor guard ceremony without a Purchase Order. (Fund: Sheriff, Operating Enforcement, Operating Supplies)

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

**Item 35 continued - Sheriff's Office:**

- C. Take all appropriate action on Agreement to accept funds in the amount of \$4,235.28 for the Organized Crime Drug Enforcement Task Force Strike Force/Strategic Initiative Program, for the term of October 1, 2010 through September 30, 2011, to be administrated by the Sheriff's Office, with no cash match by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement to accept funds in the amount of \$4,235.28 for the Organized Crime Drug Enforcement Task Force Strike Force/Strategic Initiative Program, for the term of October 1, 2010 through September 30, 2011, to be administrated by the Sheriff's Office, with no cash match by Fort Bend County.

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

**36. TREASURER:**

**Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$47.75 to Skelton Business Equipment for a copier drum blade installed without a purchase order. (Fund: Treasurer, Repairs and Maintenance)**

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 \$47.75 to Skelton Business Equipment for a copier drum blade installed without a purchase order. (Fund: Treasurer, Repairs and Maintenance)

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

**37. Approve Bills, and ratify the release of time-sensitive bills by Auditor on October 21, 2010.**

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 \$11,163,896.79 and ratify the release of time- sensitive bills in the amount of \$196,317.44 by Auditor on October 21, 2010.

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

**Recess:**

Recessed at 1:30 p.m.

**38. 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.

- 1. Potential Litigation: Jose G. Davila (Vermont Street and Sycamore Street).**
- 2. 2011 HIPAA Exemptions for Group Health Plan.**
- 3. Potential litigation: Billy Penn (Overpayment of earning).**
- 4. Potential litigation: Tommie J. Jarmon; Date of Incident: January 11, 2009.**
- 5. Cause No. 07-CCV-032379; The State of Texas and Fort Bend County vs. Benina L. Ferrel, et al.; In the County Court at Law Number Three (3) of Fort Bend County, Texas.**
- 6. Cause No. 10-CCV-042206; Fort Bend County, Texas vs. Frances King and Jack King, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.**
- 7. Cause No. 10-CCV-042202; Fort Bend County, Texas vs. B. Todd Patterson and wife, Amy A. Patterson a/k/a Amy Elizabeth Patterson, et al.; In the County Court at Law Number Two (2) of Fort Bend County, Texas (Parcels 2, 3 and 4).**
- 8. Cause No. 10-CCV-042201; Fort Bend County, Texas vs. Barden E. Patterson and wife, Carolyn Patterson, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas (Parcel 5).**

**Item 38 continued - 551.071 Consultation with Attorney:**

9. **Cause No. 09-CCV-039247; Fort Bend County, Texas vs. Fellowship Bible Church of Katy, Inc., et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas (Parcel 12).**
10. **Cause No. 09-CCV-039638; Fort Bend County, Texas vs. Fellowship Bible Church of Katy, Inc., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas (Parcel 12A).**

**Closed Session:**

Convened at 1:47 p.m.  
Adjourned at 2:25 p.m.

**Reconvene:**

Reconvened at 2:27 p.m.

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

**§ 551.071. Consultation With Attorney.**

1. **Potential Litigation: Jose G. Davila (Vermont Street and Sycamore Street).**

Pulled.

2. **2011 HIPAA Exemptions for Group Health Plan.**

No action.

3. **Potential Litigation: Billy Penn (Overpayment of earning).**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to file a lawsuit on behalf of Fort Bend County, Texas against Billy Penn for actual damages, interest, court costs and other appropriate legal and equitable relief due on account of an over payment of wages on or about December 7, 2007.

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

**Item 39 continued - 551.071 Consultation with Attorney:**

**4. Potential litigation: Tommie J. Jarmon; Date of Incident: January 11, 2009.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to file a lawsuit on behalf of Fort Bend County, Texas against Tommie J. Jarmon for actual damages, interest, court costs and other appropriate legal and equitable relief due on account of an automobile accident on or about January 11, 2009.

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

**5. Cause No. 07-CCV-032379; The State of Texas and Fort Bend County vs. Benina L. Ferrel, et al.; In the County Court at Law Number Three (3) 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 the County Attorney to pay a negotiated settlement in the matter of Cause No. 07-CCV-032379; The State of Texas and Fort Bend County vs. Benina L. Ferrel, et al.; In the County Court at Law Number Three (3) of Fort Bend County, Texas and authorize the County Judge to execute and deliver the Settlement Agreement and to accept Deeds and to approve such terms and provisions for the full and final settlement of all claims set forth therein with funds from Right of Way fund.

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

**Item 39 continued - 551.071 Consultation with Attorney:**

- 6. Cause No. 10-CCV-042206; Fort Bend County, Texas vs. Frances King and Jack King, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas.**
- 7. Cause No. 10-CCV-042202; Fort Bend County, Texas vs. B. Todd Patterson and wife, Amy A. Patterson a/k/a Amy Elizabeth Patterson, et al.; In the County Court at Law Number Two (2) of Fort Bend County, Texas (Parcels 2, 3 and 4).**
- 8. Cause No. 10-CCV-042201; Fort Bend County, Texas vs. Barden E. Patterson and wife, Carolyn Patterson, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas (Parcel 5).**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay a negotiated settlement and authorize the County Judge to execute and deliver the Settlement Agreement, accept Deeds and approve such terms and provisions for the full and final settlement of all claims set forth therein for Cause No. 10-CCV-042206; Fort Bend County, Texas vs. Frances King and Jack King, et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas, Cause No. 10-CCV-042202; Fort Bend County, Texas vs. B. Todd Patterson and wife, Amy A. Patterson a/k/a Amy Elizabeth Patterson, et al.; In the County Court at Law Number Two (2) of Fort Bend County, Texas (Parcels 2, 3 and 4) and Cause No. 10-CCV-042201; Fort Bend County, Texas vs. Barden E. Patterson and wife, Carolyn Patterson, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas (Parcel 5) with funds from Right of Way fund.

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

**Item 38 continued - 551.071 Consultation with Attorney:**

9. **Cause No. 09-CCV-039247; Fort Bend County, Texas vs. Fellowship Bible Church of Katy, Inc., et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas (Parcel 12).**
10. **Cause No. 09-CCV-039638; Fort Bend County, Texas vs. Fellowship Bible Church of Katy, Inc., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas (Parcel 12A).**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay a negotiated settlement and authorize the County Judge to execute and deliver the Settlement Agreement, accept Deeds and to approve such terms and provisions for the full and final settlement of all claims set forth therein for Cause No. 09-CCV-039247; Fort Bend County, Texas vs. Fellowship Bible Church of Katy, Inc., et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas (Parcel 12) and Cause No. 09-CCV-039638; Fort Bend County, Texas vs. Fellowship Bible Church of Katy, Inc., et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas (Parcel 12A) with funds from Right of Way fund.

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

**40. Adjournment.**

Commissioners Court adjourned at 2:32 p.m. on Tuesday, October 26, 2010.