

APPROVAL OF MINUTES
COMMISSIONERS COURT
FORT BEND COUNTY

I, Dianne Wilson, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 23rd day of November, 2010.



DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Patterson duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the ~~23rd~~^{7th} day of December, 2010.



ROBERT E. HEBERT, COUNTY JUDGE

November 23, 2010

MINUTES

BE IT REMEMBERED, That on this 23rd DAY of NOVEMBER, 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 Patterson.

Invocation and Pledge of Allegiance by Commissioner Patterson.

3. Approve minutes of regular meeting held on November 9, 2010, and special meeting held on November 15, 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 November 9, 2010, and special meeting held on November 15, 2010.

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

November 23, 2010

4. Public Comments regarding the Agenda and Announcements.

No public comments.

November Service Awards were presented to county employees.

County offices will be closed November 25 and 26 for Thanksgiving holidays.

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

- A. Acceptance of the traffic control plans for Riverpark West, Section 12, Precinct 1.**
- B. Acceptance of 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, Precinct 3.**
- C. Acceptance of the traffic control plans for Cinco Terrace Drive and Summerset Ridge Lane Street Dedication and Cinco Ranch Southwest, Section 36, Precinct 3.**

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

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

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

CONSENT AGENDA ITEMS 6 - 20

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

Human Resources: Kent Edwards to Las Vegas, Nevada, June 25 - July 1, 2011, to attend the Society of Human Resource Management Conference. (Fund: Human Resources, Travel)

7. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. County Judge: Approve FY 2011 transfer in the amount of \$234 from Non-Departmental Fees into Information Technology to allocate funds for the Historical Commission to purchase software through the County as part of their FY 2011 budget.**
- B. Parks Department: Approve FY 2011 transfer in the amount of \$10,000 from Information Technology into Capital Acquisitions to allocate funds into correct line item for the purchase of reservation software for Parks and Fairgrounds facilities.**

Item 7 continued - Budget and Finance/Budget Transfers:

- C. **Public Transportation:** Approve FY 2010 transfer in the amount of \$1,684,167 as detailed on Director's form dated November 5, 2010 to allocate funds for County match for various transportation grant programs.

8. COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT:

- A. Record into Minutes the FY 2010 State Budget Statement of Financial Position for the Fort Bend County Community Supervision and Corrections Department, pursuant to Local Government Code Section 140.004.
- B. Approve and accept grant funds in the amount of \$150,000 from the Office of the Governor, Criminal Justice Division for the Felony Drug Court (CARD), Misdemeanor DWI Court, and Misdemeanor Drug Court Program for the period of September 1, 2010 through August 31, 2011, with no cash match required by Fort Bend County, and designate County Judge as authorized official to electronically accept the award.

9. ENGINEERING:

- A. Approve Deed for the transfer of Title from Fort Bend County to the State of Texas for land described as Parcel 4 regarding Phase II of the FM 1464 Mobility Project, Precinct 4, for purposes of reimbursement to the County pursuant to the 90/10 Agreement between Fort Bend County and Texas Department of Transportation; authorize County Judge to sign all necessary deeds and closing documents.
- B. Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$399,146.13 to Allgood Construction Company, Inc. regarding improvements to Greenbusch Road, Phase II, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 7 (Pay Estimate No. 7) in the amount of \$249,367.46 to Allgood Construction Company, Inc. regarding improvements to Katy Gaston Road (from FM 1093 to Cinco Ranch Blvd.), Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)
- D. Approve payment of Invoice No. 3653 in the amount of \$15,345.00 to Property Acquisition Services (PAS) for various right of way acquisition services within Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- E. Approve payment of Invoice No. 26832 (Pay Estimate No. 14) in the amount of \$41,346.36 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)
- F. Approve payment of Invoice No. 48782 (Pay Estimate No. 16) in the amount of \$78,639.54 to Burk Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)

Item 9 continued - Engineering:

- G. Approve payment of Invoice No. 20104238 (Pay Estimate No. 9) in the amount of 1,479.36 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)**
- H. Approve application from AT&T to place two 1-1/2-inch inner ducts on Overland Trails Drive, Precinct 3.**
- I. Approve application from Devon Street Homes to construct two driveway tie-ins, one on Millwood Pass Circle and one on Jay Thrush Drive, Precinct 3.**
- J. Approve application from ICTX Wavemedia, Inc. to bore under and bury telecommunication cable along Mason Road, Precinct 3.**
- K. Approve application from ICTX Wavemedia, Inc. to bury telecommunication cable along University Blvd., Precinct 4.**
- L. Approve application from AT&T to bury fiber optic cable and place a cabinet along Parkman Grove Drive, Precinct 3.**
- M. Accept Oversize, Overweight...Letter of Credit #1481 in the amount of \$50,000.00 from Bruington Operating, L.L.C. for any and all damages that may be sustained to any roads (Pilcik Road) or bridges while operating equipment in Fort Bend County, Precinct 1.**
- N. Approve the plat for Long Meadow Farms Commercial Reserve Sec. 4, Partial Replat No. 1, Precinct 3.**
- O. Approve the plat for Fulbrook Section 3, Replat of Lots, 3, 4, and 5 of Block 1, Pct. 3.**
- P. Accept the streets in Cinco Ranch Southwest, Section 23: Hollydale Ridge Lane 677.95 LF; Springwood Glen Lane 548.54 LF; Summerfield Glade Lane 671.07 LF; Sawgrass Meadow Lane 749.44 LF; Evangeline Springs Lane 568.87 LF; Havenwood Canyon Lane 930.05 LF; Silverton Valley Lane 596.39 LF; Stanwick Crossing Lane 1,094.82 LF; and Ranchwood Springs Lane 619.78 LF; for a total of 6,456.91 LF; and release bond #SU5024349 in the amount of \$450,170.00, Precinct 3.**
- Q. Accept the streets in Cinco Ranch Southwest, Section 27: Marbrook Meadow Lane 1,711.50 LF; Acacia Lane 57.77 LF; Bell Mountain Drive 1,452.73 LF; Jordanfield Lane 651.71 LF; Bracken Hurst Drive 1,000.00 LF; and Norfolk Trail Lane 942.39 LF; for a total of 5,816.86 LF; and release Bond #SU5024649 in the amount of \$416, 500.00, Precinct 3.**
- R. Accept the streets in Cinco Ranch Southwest, Section 28: Marbrook Meadow Lane 830.77 LF; Moss Fern Drive 809.17 LF; Seguin Valley Drive 511.06 LF; Michener Falls Lane 649.82 LF; Pernod Oaks Drive 145.00 LF; and Iberville Glen Drive 759.63 LF; for a total of 3,705.45 LF; and release Bond #SU5024650 in the amount of \$265,300.00, Precinct 3.**

Item 9 continued - Engineering:

- S. Accept the streets in King Lakes, Section 6: Northlight Lane 707.41 LF; Durban Oaks Drive 504.60 LF; Westbourne Drive 689.36 LF; and Baxters Court 410.16 LF for a total of 2,391.53 LF; and release Bond #929436208 in the amount of \$173,000.00, Precinct 3.
- T. Accept the streets in Winfield Lakes, Section 13: Vermillion Oak Street 84.20 LF; Hawthorne Brook Lane 718.53 LF; and Scarlet View Lane 149.20 LF; for a total of 951.93 LF; and release Bond #929419185 in the amount of \$66,641.60, Precinct 2.
- U. Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 23, Section 27 and Section 28, Precinct 3. *(Tuesday, December 21, 2010, at 1:00 p.m.)*
- V. Set public hearing to consider road name change from Katy Fort Bend Road to Kingsland Blvd. from Katy Fort Bend Road (North / South portion) east to Harris County Line, Precinct 3. *(Tuesday, December 21, 2010, at 1:00 p.m.)*
- W. Set public hearing for acceptance of the traffic control plan for King Lakes, Section 6, Precinct 3. *(Tuesday, December 21, 2010, at 1:00 p.m.)*
- X. Set public hearing for acceptance of the traffic control plan for Winfield Lakes, Section 13, Precinct 2. *(Tuesday, December 21, 2010, at 1:00 p.m.)*
- Y. Accept Oversize, Overweight...Bond #TX632123 in the amount of \$50,000.00 from Resaca Resources, LLC for any and all damages that may be sustained to any roads (Battle Roads) or bridges while operating equipment in Fort Bend County, Precinct 1.
- 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 Bond and/or Capital Projects:
 - A. Invoice No. 10029198 in the amount of \$459.24 to PGAL for Professional Services regarding the Justice Center;
 - B. Invoice No. SH-006908 in the amount of \$310.00 to DataVox for furniture, fixture, and equipment costs associated with the Missouri City Annex;
 - C. Pay Application No. 09-0040009 in the amount of \$5,867.48 to Bass Construction for Construction Services regarding the EMS Medic One Facility;
 - D. Pay Application No. 17 in the amount of \$2,108,656.00 to JE Dunn South Central, Inc. for Construction Services regarding the Justice Center;
 - E. Pay Application No. 14 in the amount of \$81,724.00 to Rosenberger Construction LP for Construction Services regarding the Fort Bend County North Annex;
 - F. Pay Application No. 1 in the amount of \$105,300.00 to Architectural Floors for carpet replacement regarding renovations to the George Memorial Library;

Item 10 continued - Facilities Management and Planning:

- G. Invoice No. 14-683868 in the amount of \$276.44 to Ridgway's Houston for drawings regarding renovations to the George Memorial Library; and
 - H. Pay Application No. One (1) in the amount of \$405,758.00 to E.E. Reed Construction, L.P. for Construction Services regarding the University Branch Library.
11. **FORT BEND FLOOD CONTROL WATER SUPPLY CORP:** The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed this item at their regular meeting on October 27, 2010, and makes the following recommendations to Commissioners Court:
- Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated October 27, 2010 for an amount totaling \$20,186.25 for Big Creek. (Fund: Big Creek)
12. **HEALTH & HUMAN SERVICES:**
- Clinical Health: Accept and sign Contract Number 2011-037504 to receive grant funds from the Texas Department of State Health Services in the amount of \$103,860 for Tuberculosis Prevention and Control Services for the term of January 1, 2011 through December 1, 2011, with no cash match required by Fort Bend County.
13. **HUMAN RESOURCES:**
- A. Approve and record into Minutes the Application for Appointment of Deputy Constable James Eleckel by Constable Precinct 3, in accordance with Constable's form dated November 10, 2010, pursuant to Local Government Code §86.011.
 - B. Approve requests for withdrawal of hours from the Shared Sick Leave Pool as follows: Employee of Community Development, Position No. 6431-0006, 140 hours; Employee of County Clerk's Office, Position No. 4031-0009, 40 hours; and Employee of Sheriff's Office, Position No. 5601-0426, 59 hours.
14. **LIBRARY:**
- Approve Contract between Fort Bend County Libraries and the Texas State Library & Archives Commission to receive the 2011 Loan Star Libraries Grant in the amount of \$122,215 for use through August 31, 2011, with no cash match required by Fort Bend County.
15. **PARKS DEPARTMENT:**
- Record into Minutes the revised address for Agenda Item 21 A from Commissioners Court on November 9, 2010: the Facilities Extension Agreement between Fort Bend County and CenterPoint Energy Houston Electric in the amount of \$10,255 for the installation of power poles to provide utilities for the location at 18050 Westheimer Parkway, Pct. 3. (Fund: Parks & Trails Grant)

16. PUBLIC TRANSPORTATION:

- A. Authorize County Judge to sign and Transportation Director to electronically submit on behalf of Fort Bend County the FY 2011 Federal Certifications and Assurances for Federal Transit Administration Assistance Programs as required by the Federal Transit Administration.**
- B. Accept Public Transportation Amendment No. 3 to State Project 51912F7150, to extend the grant time period for Agreement RPT 0903 (12) 32 until December 31, 2010.**

17. PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:

- A. Construction materials testing and geotechnical engineering services for the Engineering Department;**
- B. Collection of delinquent fees and fines for the Offices of Justices of the Peace, and delinquent charges for Emergency Medical Service;**
- C. A one hundred foot tower for the Office of Emergency Management.**

18. SHERIFF'S OFFICE:

- A. Approve renewal of the Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council to provide law enforcement training services at the Gus George Academy effective September 1, 2010 through August 31, 2011.**
- B. Approve and record into Minutes the 2010 Federal Equitable Sharing Agreement and Certification for the Fort Bend County Narcotics Task Force.**
- C. Approve and record into Minutes the State FY 2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Narcotics Task Force.**
- D. Approve and record into Minutes the 2010 Federal Equitable Sharing Agreement and Certification for the Fort Bend County Sheriff's Office.**
- E. Approve and record into Minutes the State FY 2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Sheriff's Office.**

19. TAX ASSESSOR/COLLECTOR:

- A. Record into Minutes the Summary Monthly Report of Property Taxes collected in October, 2010, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- B. Record into Minutes the disposal of miscellaneous Tax Office Documentation, scanned by Windward Group as Boxes 868 through 876, dated September 3, 2010 through October 14, 2010, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- C. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on November 16, 2010, for an amount totaling \$10,878.13 for the Office of Patsy Schultz.**

20. TREASURER:

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

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 20.

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

21. COUNTY JUDGE:

- A. Take all appropriate action on the Agreement for Development of Public Parks and Recreational Lands between Fort Bend County and Fort Bend Green in the amount of \$75,000 effective through September 30, 2011. (Fund: Non-Departmental, Fees)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Agreement for Development of Public Parks and Recreational Lands between Fort Bend County and Fort Bend Green in the amount of \$75,000 effective through September 30, 2011. (Fund: Non-departmental, Fees)

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

- B. Take all appropriate action to authorize the Fort Bend County Toll Road Authority to initiate preliminary evaluation of a toll bridge over the Brazos River at the Grand Parkway and McCrary Road, Precincts 1 and 4.**

Pass. Item will be placed on a future agenda.

Judge Hebert explained there is an error in the wording and the correct intent is a bridge on behalf of City of Richmond.

22. COMMISSIONER, PCT. 1:

- A. Take all appropriate action on request by Antonio and Rosemary Tristan to waive penalty, interest, and collection fees totaling \$1,031.78 on property taxes for Tax Years 2006 through 2009, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by Antonio and Rosemary Tristan to waive penalty, interest, and collection fees totaling \$1,031.78 on property taxes for Tax Years 2006 through 2009, Precinct 1.

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

- B. Take all appropriate action on Resolution and Order to Accept Offer to Purchase Tax Re-Sale of Property, described as approximately 5.11 acres in Abstract 243, Fort Bend County, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Order to Accept Offer to Purchase Tax Re-Sale of Property, described as approximately 5.11 acres in Abstract 243, Fort Bend County, Precinct 1.

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

Item 22 continued - Commissioner Pct. 1:

- C. **Take all appropriate action on recommendation by the Fresno/Arcola Advisory Committee to fund the Boys and Girls Club of the Greater Houston Area for 2010-2011 utilizing revenue received from the BFI tipping fees, and approve Agreement between Fort Bend County and The Boys and Girls Club of Greater Houston to perform outreach programs for boys and girls in the area between the ages of 7-17 for 2010-2011 for an amount not to exceed \$15,000. (Fund: Fresno/Arcola Projects)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to accept recommendation by the Fresno/Arcola Advisory Committee to fund the Boys and Girls Club of the Greater Houston Area for 2010-2011 utilizing revenue received from the BFI tipping fees, and approve Agreement between Fort Bend County and The Boys and Girls Club of Greater Houston to perform outreach programs for boys and girls in the area between the ages of 7-17 for 2010-2011 for an amount not to exceed \$15,000. (Fund: Fresno/Arcola Projects)

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

23. COMMISSIONER, PCT. 4:

Take all appropriate action to appoint Matt Shepard to the City of Sugar Land Reinvestment Zone No. 4 to represent Fort Bend County for a term of two years, effective through November 23, 2012; in the event Fort Bend County declines participation in the Reinvestment Zone No. 4, said appointment and designation shall immediately expire.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to appoint Matt Shepard to the City of Sugar Land Reinvestment Zone No. 4 to represent Fort Bend County for a term of two years, effective through November 23, 2012; in the event Fort Bend County declines participation in the Reinvestment Zone No. 4, said appointment and designation shall immediately expire.

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

24. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on Agreement between Fort Bend County and Automated Logic Contracting Services Inc. for an amount not to exceed \$1,010,050 to perform Energy Retrofit Services for various County facilities pursuant to RFP #10-122. (Fund: Energy Efficiency Grant)

Pass.

25. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed these items at regular meetings held September 15, 2010, October 20, 2010, and November 17, 2010, and recommends that Commissioners Court take all appropriate action on the following matters:

- A. Acquisition of property: Parcel No. 33-1 for Fort Bend Parkway, Project B.**
- B. Acquisition of property: Parcel No. 33-2 for Fort Bend Parkway, Project B.**
- C. Acquisition of property: Parcel No. 41 for Fort Bend Parkway, Project B.**
- D. Acquisition of property: Parcel No. 43 for Fort Bend Parkway, Project B.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 25 A - D.

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

- E. Supplemental Agreement No. 6 to the Agreement to Engineering Services Agreement between Fort Bend County Toll Road Authority and Brown & Gay Engineers, Inc. in the amount of \$5,250.00 for additional surveying regarding right-of-way for Parcel No. 43 for Fort Bend Parkway, Project B.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to Agreement for Professional Services between Fort Bend County Toll Road Authority and William O. Jameson d.b.a. WJ Interests, LLC.

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

Item 25 continued - Fort Bend County Toll Road Authority:

F. First Amendment to Agreement for Professional Services between Fort Bend County Toll Road Authority and William O. Jameson d.b.a. WJ Interests, LLC.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to Agreement for Professional Services between Fort Bend County Toll Road Authority and William O. Jameson d.b.a. WJ Interests, LLC.

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

G. Supplemental Agreement No. 2 to the Engineering Services Agreement between Fort Bend County Toll Road Authority and Carter & Burgess, Inc. in an amount not to exceed \$48,261.50 for design and construction phase services of the Lake Olympia ramp modification project and for the right-turn lane improvements for Fort Bend Parkway, Project A.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Supplemental Agreement No. 2 to the Engineering Services Agreement between Fort Bend County Toll Road Authority and Carter & Burgess, Inc. in an amount not to exceed \$48,261.50 for design and construction phase services of the Lake Olympia ramp modification project and for the right-turn lane improvements for Fort Bend Parkway, Project A.

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

Item 25 continued - Fort Bend County Toll Road Authority:

- H. Supplemental Agreement No. 7 to the Agreement to Engineering Services Agreement between Fort Bend County Toll Road Authority and Brown & Gay Engineers, Inc. in the amount of \$9,035.00 for additional surveying for Fort Bend Parkway, Project B-1.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Supplemental Agreement No. 7 to the Agreement to Engineering Services Agreement between Fort Bend County Toll Road Authority and Brown & Gay Engineers, Inc. in the amount of \$9,035.00 for additional surveying for Fort Bend Parkway, Project B-1.

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

- 26. FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed the following items at their regular meeting held on November 17, 2010, and makes the following recommendations to Commissioners Court:**

- A. Approve Surveyor Services Agreement with Tejas Surveying, Inc. in an amount not to exceed \$352,548.75 for surveying services for the Fort Bend Grand Parkway Toll Road Authority.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Surveyor Services Agreement with Tejas Surveying, Inc. in an amount not to exceed \$352,548.75 for surveying services for the Fort Bend Grand Parkway Toll Road Authority.

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

Item 26 continued - Fort Bend Grand Parkway Toll Road Authority:

B. Approve negotiations for design services with list of consultants for Segment D of the Grand Parkway.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve negotiations for design services with list of consultants presented for Segment D of the Grand Parkway.

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

27. HEALTH & HUMAN SERVICES:

Social Services: Take all appropriate action on First Amendment and Renewal of Interlocal Agreement between Fort Bend County and University of Texas Medical Branch at Galveston for Forensic Pathology Services effective through August 31, 2011. (Fund: Social Services)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment and Renewal of Interlocal Agreement between Fort Bend County and University of Texas Medical Branch at Galveston for Forensic Pathology Services effective through August 31, 2011. (Fund: Social Services)

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

28. INDIGENT HEALTH CARE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$9,872.82 to Oak Bend Medical Office, Ltd. for rental of office space without a purchase order for the months of November and December 2010 to house the Indigent Health Care Physicians Clinic. (Fund: Indigent Health Care, Rental)

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 \$9,872.82 to Oak Bend Medical Office, Ltd. for rental of office space without a purchase order for the months of November and December 2010 to house the Indigent Health Care Physicians Clinic. (Fund: Indigent Health Care, Rental)

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

29. OFFICE OF EMERGENCY MANAGEMENT: Take all appropriate action on the 2010 Sub-Recipient Awards from the Texas Department of Public Safety for receipt of four Federal Grants from Homeland Security totaling \$3,147,155.67, detailed below, for the performance period of August 1, 2010 through July 31, 2012, with no cash match by Fort Bend County:

- A. Urban Area Security Initiative (UASI) in the amount of \$2,206,329.67;**
- B. Urban Area Security Initiative - Law Enforcement Terrorism Prevention Activity (UASI - LETPA) in the amount of \$849,826;**
- C. State Homeland Security Program (SHSP) in the amount of \$88,282.07; and**
- D. State Homeland Security Program - Law Enforcement Terrorism Prevention Activity (SHSP - LETPA) in the amount of \$2,717.93.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 29 A - D.

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

30. PURCHASING:

- A. Take all appropriate action to authorize the purchase of technical support from Oracle utilizing Department of Information Resources (DIR) Contact DIR-VPC-03-018 for an amount not to exceed \$58,520. (Fund: Information Technology, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of technical support from Oracle utilizing Department of Information Resources (DIR) Contact DIR-VPC-03-018 for an amount not to exceed \$58,520. (Fund: Information Technology, Fees)

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 two (2) Ford Fusion vehicles from Helfman Ford for the Sheriff's Office, pursuant to Bid #07-003. (Fund: Enforcement and Risk Management)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of two (2) Ford Fusion vehicles from Helfman Ford for the Sheriff's Office, pursuant to Bid #07-003. (Fund: Enforcement and Risk Management)

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

Item 30 continued - Purchasing:

- C. Take all appropriate action on Agreement between Fort Bend County and JSW & Associates for preparation and submission of a Hazard Mitigation Action Plan for an amount not to exceed \$82,290, pursuant to SOQ #11-016. (Fund: Office of Emergency Management Grant)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and JSW & Associates for preparation and submission of a Hazard Mitigation Action Plan for an amount not to exceed \$82,290, pursuant to SOQ #11-016. (Fund: Office of Emergency Management Grant)

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

- D. Take all appropriate action on Bid #11-019 for spectator benches for the Justice Center.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reject and re-advertise on Bid #11-019 for spectator benches for the Justice Center.

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

- E. Take all appropriate action on Services Agreement between Fort Bend County and Pier Systems, Inc. for Regional Pier Training in an amount not to exceed \$9,600. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Services Agreement between Fort Bend County and Pier Systems, Inc. for Regional Pier Training in an amount not to exceed \$9,600. (Fund: Office of Emergency Management, UASI Grant)

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

Item 30 continued - Purchasing:

- F. Take all appropriate action on Professional Services Agreement between Fort Bend County and Pier Systems, Inc. for PIER system enhancements for an amount not to exceed \$13,300. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Professional Services Agreement between Fort Bend County and Pier Systems, Inc. for PIER system enhancements for an amount not to exceed \$13,300. (Fund: Office of Emergency Management, UASI Grant)

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

- G. Take all appropriate action to authorize the purchase of software and support from Storage Assessments, an authorized reseller of NetApp, utilizing Department of Information Resources (DIR) Contract DIR-SDD-1458, for an amount not to exceed \$98,804. (Fund: Information Technology)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of software and support from Storage Assessments, an authorized reseller of NetApp, utilizing Department of Information Resources (DIR) Contract DIR-SDD-1458, for an amount not to exceed \$98,804. (Fund: Information Technology)

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

31. RISK MANAGEMENT:

Take all appropriate action on renewal of the Texas Association of Counties County Choice Silver Retiree Medical program for 2011.

Pass.

32. SHERIFF'S OFFICE:

Take all appropriate action to authorize rental of vehicle from Enterprise without contract pricing in the amount of \$117.03. (Fund: Sheriff, Enforcement, Travel)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize rental of vehicle from Enterprise without contract pricing in the amount of \$117.03. (Fund: Sheriff, Enforcement, Travel)

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

33. Approve Bills.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$10,175,895.66.

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

34. Ratify the release of time-sensitive bills by Auditor on November 18, 2010.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify the release of time-sensitive bills by Auditor on November 18, 2010 in the amount of \$227,988.56.

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

November 23, 2010

35. Authorize County Auditor to pay and release time sensitive bills on December 2, 2010, to be ratified by Commissioners Court on December 7, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on December 2, 2010, to be ratified by Commissioners Court on December 7, 2010.

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

36. WORKSHOP: Receive information and consider taking action on the Agreement between Fort Bend County and Concentra Health Services, Inc. for an employee, dependent and retiree primary care clinic and wellness program, pursuant to RFP #10-076.

D'Neal Krisch, representing the Employee Healthcare and Wellness committee and Wyatt Scott, Risk Management Director, presented the plan proposal and answered questions from members of court. John Beaty and Tony Smith, representatives of Concentra were in the audience.

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Concentra Health Services, Inc. for an employee, dependent and retiree primary care clinic and wellness program, pursuant to RFP #10-076.

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

Recess:

Recessed at 1:38 p.m.

37. **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.

Civil Action Number 6:08-CV-00008; Michael Buchanek vs. City of Victoria, Texas, et al.; In the United States District Court for the Southern District of Texas, Victoria Division.

Closed Session:

Convened at 1:49 p.m.
Adjourned at 2:05 p.m.

Reconvene:

Reconvened at 2:07 p.m.

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

§ 551.071. Consultation With Attorney.

Civil Action Number 6:08-CV-00008; Michael Buchanek vs. City of Victoria, Texas, et al.; In the United States District Court for the Southern District of Texas, Victoria Division.

No action.

39. **Adjournment.**

Commissioners Court adjourned at 2:08 p.m. on Tuesday, November 23, 2010.

November 23, 2010

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 23 DAY of NOVEMBER, 2010, The Drainage District Board of Fort Bend County, Texas, met at a scheduled 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
MARK VOGLER	DRAINAGE DISTRICT MANAGER

When the following were heard and the following orders were passed:

1. Call to Order.

Call to Order by Judge Hebert at 1:03 p.m.

2. Take all appropriate action on Resolution and Order to Accept Offer to Purchase Tax Re-Sale of Property, described as approximately 5.11 acres in Abstract 243, Fort Bend County, Pct 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to adopt Resolution and Order to Accept Offer to Purchase Tax Re-Sale of Property, described as approximately 5.11 acres in Abstract 243, Fort Bend County, Precinct 1.

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

November 23, 2010

3. **Take all appropriate action on Easement from Fort Bend County Drainage District to City of Sugar Land for property situated in the Alexander Hodge League, Abstract No. 32, for the collection and conveyance of water and wastewater, said property being approximately 0.315 acres of land.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Easement from Fort Bend County Drainage District to City of Sugar Land for property situated in the Alexander Hodge League, Abstract No. 32, for the collection and conveyance of water and wastewater, said property being approximately 0.315 acres of land.

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

4. **Take all appropriate action on an appointment to the City of Sugar Land Reinvestment Zone No. 4 to represent Fort Bend County, for a term of two years, effective through November 23, 2012; in the event Fort Bend County declines participation in the Reinvestment Zone No. 4, said appointment and designation shall immediately expire.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve appointment of Pamela Gubbels to the City of Sugar Land Reinvestment Zone No. 4 to represent Fort Bend County Drainage District, for a term of two years, effective through November 23, 2012; in the event Fort Bend County declines participation in the Reinvestment Zone No. 4, said appointment and designation shall immediately expire.

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

5. **Adjournment.**

The Drainage District Board adjourned at 1:05 p.m. on Tuesday, November 23, 2010.