

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 4th day of January, 2011.



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 11th day of January, 2011.



ROBERT E. HEBERT, COUNTY JUDGE

January 4, 2011

MINUTES

BE IT REMEMBERED, That on this 4th DAY of JANUARY, 2011, 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
SHERRY FISK for 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 December 21, 2010.

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve minutes of regular meeting held on December 21, 2010.

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

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4. Public Comments regarding the Agenda and Announcements.

No public comments.

Condolences were extended to the family of Sheriff's Deputy John Norsworthy, who passed away today. Deputy Norsworthy was seriously injured in a traffic accident while on duty. All county flags will be flown half staff for the remainder of this week.

CONSENT AGENDA ITEMS 5 - 17:

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

- A. Office of Emergency Management: Jeff Braun to Boston, Massachusetts, April 8-13, 2011, to attend American Planning Association (APA) 2011 National Planning Conference. (Fund: Emergency Management, Travel)**
- B. Sheriff's Office: Ratify travel by J. Orlop to Biloxi, Mississippi, December 15, 2010, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

6. COUNTY JUDGE:

- A. Record the approval of Bonds for County Commissioner Grady Prestage, Precinct 2, and County Commissioner James Patterson, Precinct 4, by County Judge Robert Hebert for the term of January 1, 2011 through December 31, 2014.**
- B. Approve and record Bonds for newly elected officials effective January 1, 2011 through December 31, 2014: County Judge Robert Hebert; District Clerk Annie Rebeca Elliott; County Treasurer Paul Jeff Council; County Clerk Dianne Wilson; County Court at Law No. 1 Judge Ben W. "Bud" Childers; County Court at Law No. 2 Judge Jeff McMeans; County Court at Law No. 3 Judge Susan G. Lowery; County Court at Law No. 4 Judge Sandy Bielstein; Justice of the Peace, Precinct 1, Place 2 Judge Mary S. Ward; Justice of the Peace, Precinct 2 Judge Joel C. Clouser, Sr.; Justice of the Peace, Precinct 3 Judge Kenneth Cannata; and Justice of the Peace, Precinct 4 Judge Jim Richard.**
- C. Record into Minutes the Bond for District Attorney John F. Healey, Jr. for term of office January 1, 2011 through December 31, 2014.**
- D. Approve the appointment of Judge Jeff McMeans as the Designee of County Court-at- Law Judges to serve on the Bail Bond Board for the term of January 1 through December 31, 2011.**
- E. Approve the reappointment of Ann Werlein as the County Judge's Designee on the Fort Bend County Bail Bond Board effective January 1 through December 31, 2011.**
- F. Approve the reappointment of Manny Reyes and Thelma Shelton to the Fort Bend County Spanish Language Advisory Committee for Elections Administration for the term of January 1, 2011 through December 31, 2012.**
- G. Approve the reappointment of James Clark, Harvey Ludwig, Morris Mitchell, and Jon Strange as Directors of the Fort Bend Subsidence District for a two year term effective January 31, 2011 through January 31, 2013.**

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Item 6 continued - County Judge:

- H. **Approve annual payment to Harris County Treasurer in the amount of \$77,148 which is Fort Bend County's proportionate share of total expenses for the 1st and 14th Appellate Courts for fiscal year ending February 28, 2010 pursuant to Section 22.202 of the Government Code. (Fund: Non-Departmental, Fees)**

- 7. **COMMISSIONER, PCT. 2:**

Approve the reappointment of Ronald Castillo and Johanna Compean to the Fort Bend County Spanish Language Advisory Committee for Elections Administration for the term of January 1, 2011 through December 31, 2012.

- 8. **COMMISSIONER, PCT. 3:**
 - A. **Approve the appointment of J. J. Martinez and Lupe Uresti to the Fort Bend County Spanish Language Advisory Committee for Elections Administration for the term of January 1, 2011 through December 31, 2012.**
 - B. **Approve the reappointment of Gregg Nady and Hank Wenzler as Commissioners to the Fort Bend County Emergency Services District No. 1 (Kelliwood) for a two year term effective January 1, 2011 through December 31, 2012.**
 - C. **Approve the reappointment of John Godbee as Commissioner to Fort Bend County Emergency Services District No. 5 for a two year term, effective January 1, 2011 through December 31, 2012.**

- 9. **COMMISSIONER, PCT. 4:**

Approve the reappointment of Laura Munoz and Sylvia Garza to the Fort Bend County Spanish Language Advisory Committee for Elections Administration for the term of January 1, 2011 through December 31, 2012.

- 10. **ELECTIONS ADMINISTRATION:**

Acknowledge and record appointments of the following individuals to the Fort Bend County Spanish Language Advisory Committee for Election Administration with terms ending December 31, 2012: Ted Garcia and Robert Jimenez by the Fort Bend County Elections Administrator, and Ken Stubbe by the Chairman of the Fort Bend County Democrat Party.

- 11. **ENGINEERING:**
 - A. **Approve payment of Invoice No. 38 (Pay Estimate No. 38) in the amount of \$26,345.00 to Schaumburg & Polk, Inc. regarding Management and Administrative Support Services for the 2007 Mobility Bond Projects located within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
 - B. **Approve payment of Invoice T172645 (Pay Estimate No. 4) in the amount of \$13,093.38 to Terracon regarding Greenbusch Road, Phase II (from Mill Manor to Falcon Landing Blvd.) Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**

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Item 11 continued - Engineering:

- C. Approve payment of Invoice No. 10-356 (Pay Estimate No. 6) in the amount of \$7,617.45 to HVJ Associates, Inc regarding materials testing for improvements to Katy Flewellen Road, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 20104883 (Pay Estimate No. 10) in the amount of \$6,191.92 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)**
- E. Approve payment of Invoice No. 48918 (Pay Estimate No. 17) in the amount of \$30,387.81 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 30 (Pay Estimate No. 30) in the amount of \$267.05 to Cobb-Fendley & Associates, Inc. regarding Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. WHX17400-09 in the amount of \$24,326.80 to Jacobs Engineering Group, Inc. regarding FM1093/Westpark Tollway, Mobility Bond Project 748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 211560107 (Pay Estimate No. 7) in the amount of \$2,446.84 to Huitt-Zollars, Inc. regarding the expansion of Falcon Landing Blvd. (from Greenbusch to Katy-Gaston), Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- I. Approve payment of Invoice No. 26923 in the amount of \$24,118.71 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- J. Approve payment of Invoice No. 27 (Pay Estimate No. 27) in the amount of \$18,183.60 to Othon, Inc. regarding the expansion of Williams Way Boulevard, formerly known as Ransom Road, from River Park to Main Street in Fort Bend County and City of Richmond, Texas, Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- K. Approve application from CenterPoint Entex to bore a 2-inch plastic gas line under Bellaire Boulevard, Precinct 3.**
- L. Approve application from CenterPoint Entex to bore a 2-inch plastic gas main under Roesner Road, Precinct 3.**
- M. Approve application from CenterPoint Entex to bore a 4-inch plastic gas line under Farmer Road, Precinct 3.**
- N. Approve application from Comcast of Houston LLC c/o Jier LLC to bore under Fifth Street, Precinct 2.**

Item 11 continued - Engineering:

- O. Approve application from D. L. Elliott Enterprises, Inc. to bore a 16-inch waterline under McKaskle and bury waterline along Old Richmond, Dora Lane and McKaskle and to construct a driveway tie-in onto McKaskle, Precinct 4.**
- P. Approve application from Gonzales Construction Enterprises, Inc. to bore under Williwaw Drive, Keegans Bayou and Addicks Clodine with 12-inch waterline, Pct. 3.**
- Q. Accept the streets in Cinco Ranch Southwest, Section 33: Hinesdale Park Lane 722.46 LF; Marbrook Meadow Lane 334.66 LF; Heritage Stream Drive 577.80 LF; Stanville Drive 269.77 LF; Stoney Cloud Drive 529.58 LF; Glenirish Drive 757.57 LF; Wedgeoak Drive 1,266.64 LF; Hollyfare Drive 536.33 LF; Hazepoint Drive 1,110.96 LF; Knoll Mill Lane 155.00 LF; Middleoak Grove Lane 898.43 LF; and Wedgeoak Court 342.19 LF for a total of 7,501.39 LF; and release bond #SU5025065 in the amount of \$554,960.00, Precinct 3.**
- R. Accept the streets in Sienna Village of Water Lake, Section 14: Cline Way 101.19 LF; Combwell Garden 1,267.01 LF; Carlton Square 215.00 LF; and Carlton Square 68.26 LF for a total of 1,651.46 LF; and release bond #6496619 in the amount of \$124,927.60, Precinct 1.**
- S. Accept the streets in Creekstone at Riverstone, Section 5: Creekstone Village Drive 1,647.64 LF; Jordan Falls Drive 204.72 LF; Pearl Pass Lane 598.10 LF; Kendall Hill Lane 1,012.91 LF; Pearl Pass Court 80.90 LF; Sydney Park Lane 112.40 LF; Waverly Canyon Court 225.33 LF; Merry Meadow Court 374.85 LF; and Kendall Hill Court 155.27 LF; for a total of 4,412.12 LF; and release bond #MNT8919419 in the amount of \$320,600.00, Precinct 4.**
- T. Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 33, Precinct 3. *(Tuesday, February 1, 2011, at 1:00 p.m.)***
- U. Set public hearing for acceptance of the traffic control plan for Sienna Village of Water Lake, Section 14, Precinct 1. *(Tuesday, February 1, 2011, at 1:00 p.m.)***
- V. Set public hearing for acceptance of the traffic control plan for Creekstone at Riverstone, Section 5, Precinct 4. *(Tuesday, February 1, 2011, at 1:00 p.m.)***
- 12. 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. 10029199, Invoice No. 10029369, Invoice No. 10029372, Invoice No. 10029400, and Invoice No. 10029509 for an amount totaling \$174,667.17 to PGAL for Professional Services regarding the Justice Center;**
 - B. Invoice No. ADV-12651 in the amount of \$895.00 to Advant Tech Solution for equipment costs associated with the Gus George Academy;**
 - C. Invoice No. 23054 in the amount of \$28,500.00 to The Mathis Group (TMG+) for Professional Services regarding the Justice Center;**
 - D. Invoice No. 161325 in the amount of \$25,000.00 to Gowan, Inc., for testing and balancing services regarding the Justice Center;**

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Item 12 continued - Facilities Management and Planning:

- E. Invoice No. 171791 in the amount of \$449.09 to Home Depot for furniture, fixture, and equipment costs associated with the EMS Medic One facility;**
- F. Invoice No. T172646 in the amount of \$13,757.66 to Terracon for Materials Testing Services regarding the University Branch Library in Sugar Land;**
- G. Invoice No. N171887 in the amount of \$2,535.00 to Data Vox for Communication Equipment regarding the Fort Bend County North Annex;**
- H. Invoice No. 20 and Invoice No. 2 for an amount totaling \$16,906.28 to Bailey Architects for Professional Services regarding the University Branch Library in Sugar Land.**

13. HEALTH & HUMAN SERVICES:

Approve and sign budget Amendment No. 001D to Attachment #001C for Grant Contract #2010-033332, between Fort Bend County and Texas Department of State Health Services, effective December 17, 2010, the content of which is covered under Texas Government Code § 418.183(f).

14. OFFICE OF EMERGENCY MANAGEMENT:

Approve request to Texas Division of Emergency Management for extension of time to process 2008 Grant Year expenditures for the UASI and SHSP programs; authorize County Judge to sign letter and Extension Request Form for the request.

15. PUBLIC TRANSPORTATION:

Approve and authorize County Judge to sign Texas Department of Transportation Project Grant Agreement (PGA) Amendment #2 (PGA #51012F7307), to extend the contract ending date for the New Freedom transportation services from March 31, 2011 to August 31, 2011.

16. RISK MANAGEMENT:

Authorize County Judge to approve and execute Settlement Agreement, and approve payment in the amount of \$943.17 in full and final settlement of all claims made by Donald M. Robinson and Avis Rent A Car System, L.L.C., regarding incident dated October 26, 2010. (Fund: Risk Management)

17. TAX ASSESSOR/COLLECTOR:

- A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on December 28, 2010, for an amount totaling \$4,104.57 for the Office of Patsy Schultz.**

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Item 17 continued - Tax Assessor Collector:

- B. Record into Minutes the disposal of miscellaneous Tax Office Documentation, scanned by Windward Group as Boxes 877 through 891, dated October 14, 2010 through November 24, 2010, per State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
-

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 5 - 17 with corrections to 11S and 11V - Creekstone Village at Riverstone.

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

18. COUNTY JUDGE:

Take all appropriate action on the First Amendment to the Tax Abatement Agreement between Fort Bend County and Frito-Lay, Inc. decreasing the full-time employee requirement from 450 to 350.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the First Amendment to the Tax Abatement Agreement between Fort Bend County and Frito-Lay, Inc. decreasing the full-time employee requirement from 450 to 350.

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

19. COMMISSIONER, PCT. 3:

Take appropriate action on request for a variance to the Texas Alcoholic Beverage Commission (TABC) requirement regarding Genghis Grill, located at 23501 Cinco Ranch Boulevard, Suite H130 in Katy, Texas, Precinct 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve a variance to the Texas Alcoholic Beverage Commission (TABC) requirement regarding Genghis Grill, located at 23501 Cinco Ranch Boulevard, Suite H130 in Katy, Texas, Precinct 3.

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

Note: A letter of non-objection has been received from the Katy School District.

20. COMMUNITY DEVELOPMENT: Take all appropriate action on Agreements between Fort Bend County and the following entities, all of which are part of the FY 2010 Consolidated Action Plan approved by Commissioners Court on July 6, 2010, and funded by the Community Development Block Grant Program, and authorize County Judge to sign all documents pertaining to the respective agreements:

- A. Fort Bend County Women's Center, Inc. in the amount of \$29,556 to provide salaries for shelter staff;**
- B. Fort Bend Community Revitalization Projects (Fort Bend CORPS) in the amount of \$225,000 to administer a home repair program;**
- C. City of Needville in the amount of \$250,000 for rehabilitation of the City's sanitary sewer collection system;**
- D. City of Rosenberg in the amount of \$260,700 for the installation of sanitary sewer system improvements;**
- E. City of Richmond in the amount of \$258,500 for the installation of sanitary sewer collection line improvements - Phase II.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve agenda item 20 A - E.

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

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21. ENGINEERING:

- A. Take all appropriate action on Third Amendment to Professional Engineering Services Agreement between Fort Bend County and Landtech Consultants, Inc. to extend the time for services regarding improvements to Mason Road until December 31, 2012, Mobility Bond Project No. 735, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Third Amendment to Professional Engineering Services Agreement between Fort Bend County and Landtech Consultants, Inc. to extend the time for services regarding improvements to Mason Road until December 31, 2012, Mobility Bond Project No. 735, Precinct 3. (Fund: 2007 Mobility Bonds)

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

- B. Take all appropriate action on Third Amendment to Professional Engineering Services Agreement between Fort Bend County and Othon, Inc. to extend the time for services for improvements to Ransom Road until December 31, 2012, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Third Amendment to Professional Engineering Services Agreement between Fort Bend County and Othon, Inc. to extend the time for services for improvements to Ransom Road until December 31, 2012, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)

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

Item 21 continued - Engineering:

- C. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$166,540.70 regarding improvements to Katy-Flewellen Road, Mobility Bond Project #734, Precinct 1. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 1 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$166,540.70 regarding improvements to Katy-Flewellen Road, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)

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

- D. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$75,801.65 regarding the extension of South Post Oak Boulevard and McKeever Road past West Plantation Drive, Mobility Bond Project #763, Precinct 1. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 1 to the Agreement between Fort Bend County and Durwood Greene Construction Company to increase the amount by \$75,801.65 regarding the extension of South Post Oak Boulevard and McKeever Road past West Plantation Drive, Mobility Bond Project #763, Precinct 1. (Fund: 2007 Mobility Bonds)

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

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Item 21 continued - Engineering:

- E. Take all appropriate action on Partial Release of Reversionary Interest executed by Fort Bend Independent School District in favor of Fort Bend County, Texas, necessary to convey portion of property at the Mamie George Library to the City of Sugar Land, Texas for the Dulles Avenue Upgrade Project, Pct. 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Partial Release of Reversionary Interest executed by Fort Bend Independent School District in favor of Fort Bend County, Texas, necessary to convey portion of property at the Mamie George Library to the City of Sugar Land, Texas for the Dulles Avenue Upgrade Project, Pct. 3.

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

- F. Take all appropriate action on Special Warranty Deed conveying a 0.099 acre tract of land from the Fort Bend Independent School District to Fort Bend County, Texas for improved access to the Mamie George Library, as a part of the Dulles Avenue Upgrade Project, Pct. 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to accept Special Warranty Deed conveying a 0.099 acre tract of land from the Fort Bend Independent School District to Fort Bend County, Texas for improved access to the Mamie George Library, as a part of the Dulles Avenue Upgrade Project, Pct. 3.

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

Item 21 continued - Engineering:

- G. Take all appropriate action on Special Warranty Deed to convey a 0.4011-acre tract of land from Fort Bend County, Texas to the City of Sugar Land, Texas for the Dulles Avenue Upgrade Project, Pct. 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to accept Special Warranty Deed to convey a 0.4011-acre tract of land from Fort Bend County, Texas to the City of Sugar Land, Texas for the Dulles Avenue Upgrade Project, Pct. 3.

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

22. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position No. 4553-0005, in the Office of Justice of the Peace, Precinct 2, from Clerk III, Grade 7 of the Administrative Policy Group to Case Manager, Grade 8 of the Administrative Policy Group, effective January 8, 2011.

Pulled.

23. JUSTICE OF THE PEACE, PCT. 3:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$110.00 to Skelton Business Equipment for copier supplies received without a purchase order. (Fund: Justice of the Peace, Pct. 3, Office Supplies)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$110.00 to Skelton Business Equipment for copier supplies received without a purchase order. (Fund: Justice of the Peace, Pct. 3, Office Supplies)

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

24. PUBLIC TRANSPORTATION:

- A. Take all appropriate action to authorize Grant Application to Federal Transit Administration (FTA) for FY 09 Section 5307 funds (Project ID# TX-95-X915) in the amount of \$2,590,835 with a local match of \$1,450,376; authorize electronic submission by Director of Public Transportation on behalf of County Judge, and designate funding source for the local match.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize Grant Application to Federal Transit Administration (FTA) for FY 09 Section 5307 funds (Project ID# TX-95-X915) in the amount of \$2,590,835 with a local match of \$1,450,376; authorize electronic submission by Director of Public Transportation on behalf of County Judge, and designate funding source for the local match as Public Transportation, Grant Project Allocations.

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

Note: Local match is in the Public Transportation budget.

- B. Take all appropriate action on Texas Department of Transportation Project Grant Agreement (PGA) Amendment #1 (PGA # 51112F7018) to add residual FY 2010 funds for a total grant award of \$145,452.01 with no local match required.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Texas Department of Transportation Project Grant Agreement (PGA) Amendment #1 (PGA # 51112F7018) to add residual FY 2010 funds for a total grant award of \$145,452.01 with no local match required.

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

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25. PURCHASING:

- A. Take all appropriate action on Agreement between Fort Bend County and Hernandez Funeral Home, Inc. pursuant to RFP #11-012 for Pauper Burial and Transportation Services effective through September 30, 2011. (Fund: Social Services)**

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 Hernandez Funeral Home, Inc. pursuant to RFP #11-012 for Pauper Burial and Transportation Services effective through September 30, 2011. (Fund: Social Services)

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

- B. Take all appropriate action on Bid #11-026 to provide and install 100-Foot Communications Tower for the Office of Emergency Management. (Fund: UASI Grant)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid #11-026 to provide and install 100-Foot Communications Tower for the Office of Emergency Management to Sabre Communications Corp. (Fund: UASI Grant)

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

- C. Take all appropriate action to add additional space to the janitorial services Contract with Agape Cleaning pursuant to Bid #10-005, in an amount not to exceed \$85.00 per month for the Precinct 1 Facility. (Fund: Facilities Management & Planning)**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to add additional space to the janitorial services Contract with Agape Cleaning pursuant to Bid #10-005, in an amount not to exceed \$85.00 per month for the Precinct 1 Facility. (Fund: Facilities Management & Planning)

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

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26. ROAD & BRIDGE:

Vehicle Maintenance: Take all appropriate action on the Vehicle Borrower Agreement between Fort Bend County and Classic Chevrolet for temporary use of a Police Package Chevrolet Tahoe, at no cost to the County.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Vehicle Borrower Agreement between Fort Bend County and Classic Chevrolet for temporary use of a Police Package Chevrolet Tahoe, at no cost to the County.

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

27. Approve Bills.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$4,184,284.45.

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

28. Ratify the release of time-sensitive bills by Auditor on December 30, 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 December 30, 2010 in the amount of \$1,182,368.71.

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

Recess:

Recessed at 1:19 p.m.

January 4, 2011

- 29. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**
- A. § 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. Cause No. 09-CCV-039253, Fort Bend County, Texas V. Robert W. Traugott, Sharon L. Traugott, et al.; In the County Court at Law No. Three (3) of Fort Bend County, Texas.**
 - 2. Cause No. 09-CCV-039738; Fort Bend County, Texas v. Harold J. Mathis, Jr., et al. In the County Court at Law Number One (1) of Fort Bend County, Texas.**
- B. § 551.072. Deliberation Regarding Real Property.** Commissioners Court will meet in Closed Session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- 1. Acquisition of property: Old Richmond Road, Mobility Bond Project #728, Precinct 4.**
 - 2. Acquisition of property: Dulles Avenue: Mobility Bond Project #720, Precinct 2.**

Closed Session:

Convened at 1:27 p.m.
Adjourned at 1:31 p.m.

Reconvene:

Reconvened at 1:33 p.m.

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

A. § 551.071. Consultation With Attorney.

- 1. Cause No. 09-CCV-039253, Fort Bend County, Texas V. Robert W. Traugott, Sharon L. Traugott, et al.; In the County Court at Law No. 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 Judge to execute and deliver the Settlement Agreement recommended for approval by the County Attorney for Cause No. 09-CCV-039253, Fort Bend County, Texas V. Robert W. Traugott, Sharon L. Traugott, et al.; In the County Court at Law No. Three (3) of Fort Bend County, Texas and accept Deeds in exchange for \$6,500.00 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

- 2. Cause No. 09-CCV-039738; Fort Bend County, Texas v. Harold J. Mathis, Jr., et al. In the County Court at Law Number One (1) of Fort Bend County, Texas.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay a negotiated settlement of Cause No. 09- CV-039738; Fort Bend County, Texas v. Harold J. Mathis, Jr., et al. In the County Court at Law Number One (1) of Fort Bend County, Texas and authorize the County Judge to execute and deliver the Settlement Agreement and accept Deeds in exchange for \$7,500.00 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

January 4, 2011

Item 30 continued - Reconvene Open Session and consider taking action on the following matters:

B. § 551.072. Deliberation Regarding Real Property.

1. Acquisition of property: Old Richmond Road, Mobility Bond Project #728, Precinct 4.

Pass.

2. Acquisition of property: Dulles Avenue: Mobility Bond Project #720, Precinct 2.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 12 of the Dulles Ave Mobility Project in the amount of \$8,234.00 plus necessary costs not to exceed \$5,000.00 with funds from Right of Way Fund and authorize the County Judge to sign all necessary documents.

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

31. Adjournment.

Commissioners Court adjourned at 1:36 p.m. on Tuesday, January 4, 2011.

January 4, 2011

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 4th DAY of JANUARY, 2011, 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
SHERRY FISK for 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 to approve bond for County Treasurer Paul Jeff Council for the Fort Bend County Drainage District for the term of January 1, 2011 through December 31, 2014.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve bond for County Treasurer Paul Jeff Council for the Fort Bend County Drainage District for the term of January 1, 2011 through December 31, 2014.

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

January 4, 2011

3. **Take all appropriate action on Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and authorize the acquisition and payment of compensation for public project known as Fulshear Creek Drainage Project, Pct. 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to adopt Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and authorize the acquisition and payment of compensation for public project known as Fulshear Creek Drainage Project, Pct. 3.

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

4. **Adjournment.**

The Drainage District Board adjourned at 1:04 p.m. on Tuesday, January 4, 2011.