

**MINUTES**

BE IT REMEMBERED, That on this 28th DAY of JUNE, 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
DIANNE WILSON	COUNTY CLERK

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

**1. Call to Order.**

Call to Order by Judge Hebert at 1:00 p.m.

**2. Invocation and Pledge of Allegiance by Commissioner Prestage.**

Invocation and Pledge of Allegiance by Commissioner Prestage.

**3. Approve minutes of regular meeting held on June 14, 2011.**

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 June 14, 2011.

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

**4. Public Comments regarding the Agenda and Announcements.**

June Service Awards were presented to county employees.

Claudia Pittman, owner of firework stands in Fort Bend County, requests ability to sell certain firework products.

Teddy Perez expressed concerns about exceptions to ban on burning and fireworks.

July 4 is a county holiday.

July 5 all courts will open at the Justice Center.

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

**Replat of Fort Bend County Municipal Utility District No. 25, Lift Station No. 9, being a partial replat of Grand Parkway Baptist Church, Precinct 3.**

Public hearing held. No public comments.

No court action.

**CONSENT AGENDA ITEMS 6 - 20**

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

- A. **AgriLife Extension Office:** Vincent Mannino and Shelley Pappas to Syracuse, New York, October 9-15, 2011, to attend 2011 Epsilon Sigma Phi (ESP) National Conference. (Fund: Extension Office, Travel)
- B. **District Attorney:** Ratify travel by Michael Hartman from May 16-21, 2011, and Suzy Morton from May 16-20, 2011, to San Jose, California, to attend 2011 National Strategy Conference on Combatting Child Exploitation, with travel and lodging funded by sponsoring organization. (Fund for Incidentals: District Attorney, Travel)
- C. **Office of Emergency Management:** Jeff Braun to Milwaukee, Wisconsin, September 17-22, 2011, to attend the International City/County Management Association (ICMA) 97th Annual Conference. (Fund: Office of Emergency Management Travel)
- D. **Sheriff's Office:** Ratify travel by T. Oxley and L. Williams to Hopkinsville, Kentucky, June 22-23, 2011, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- E. **Sheriff's Office:** Ratify out of state travel for B. Schmitt and R. Williamson to Orange County, California on June 8-9, 2011 for extradition of prisoner back to Ft. Bend County. (Fund: Sheriff, Enforcement, Travel)
- F. **Sheriff's Office:** Ratify travel by H. Knight and E. Parr to New Orleans, Louisiana, June 22, 2011, to extradite two prisoners back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

7. COMMISSIONER, PCT. 1:

- A. Approve Interlocal Project Agreement between Fort Bend County and Needville Independent School District to provide assistance with construction of a parking lot at the Athletic Complex, located at 100 Fritzella Road; County expenditure not to exceed \$9,560. (Fund: Road & Bridge)
- B. Approve Interlocal Project Agreement between Fort Bend County and Needville Independent School District to provide assistance with improved drainage along Fritzella Road, County expenditure not to exceed \$800. Fund: Road & Bridge)

8. COMMISSIONER, PCT. 4:

Approve the reappointment of Dianne Wilson to Position 4 representing Fort Bend County on the Texana Center Board of Trustees for a two-year term, effective through August 31, 2013.

9. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. Child Protective Services: Approve transfer in the amount of \$183,850 as detailed on Auditor's form dated June 15, 2011, to amend the budget pursuant to Local Government Code Section 111.0707 and allocate funds received for the Staffing Contract with the Texas Department of Family and Protective Services.
- B. Human Resources: Approve transfer in the amount of \$2,500 from Fees & Services into Information Technology to allocate funds for purchase of licenses and software for applicant and testing computers.
- C. Justice of the Peace, Pct. 2: Approve transfer in the amount of \$3,000 as detailed on Judge's form dated June 16, 2011 to allocate additional funds for temporary assistance through September 30, 2011.
- D. Sheriff's Office: Approve transfer in the amount of \$2,500 from Sheriff, Federal Forfeited Assets, Contingency, into Capital Acquisitions to allocate funds for purchase of two bed covers for commercial motor vehicles.
- E. Sheriff's Office: Approve transfer in the amount of \$7,876 from Enforcement, Operating, Capital Acquisitions into Fees to allocate funds into correct line item for purchase of walk in cooler preparation work and warranty on mobile data computers.

10. ENGINEERING:

- A. Approve payment of Invoice No. 201105-114 (Pay Estimate No. 8) in the amount of \$268,079.84 to Durwood Greene Construction Company regarding the extension of South Post Oak Blvd. and the reconstruction of McKeever Road, Mobility Bond Project #763, Precinct 1. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 102405 (Pay Estimate No. 5) in the amount of \$425,162.42 to Hassell Construction Company regarding Williams Way Boulevard, Phase I (from Ransom Road to Pilgrim) Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)

**Item 10 continued - Engineering:**

- C. Approve payment of Invoice No. 11-477 (Pay Estimate No. 11) in the amount of \$2,431.80 to HVJ Associates, Inc. for materials testing regarding the improvements to Katy Flewellen, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 211560112 in the amount of \$23,668.25 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)**
- E. Approve payment to SES Horizon Consulting Engineers, Inc. for Invoice No. FBC2011-1005 718 in the amount of \$21,119.86 regarding Brand Lane, Mobility Bond Project #718 (from Ludwig to US90A) and Invoice No. FBC 2011-1005 769 in the amount of \$19,495.26 regarding Brand Lane (from Avenue E to Ludwig), Mobility Bond Project #769, Precinct 2. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 49743 (Pay Estimate No. 22) in the amount of \$19,878.14 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 43 in the amount of \$28,160.17 to Schaumburg & Polk, Inc. regarding Management and Administrative Support for the 2007 Mobility Bond Projects located within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. ES110426-2 (Pay Estimate No. 2) in the amount of \$10,137.40 to Amani Engineering, Inc. regarding the traffic signal at Harlem Road and Plantation Drive, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- I. Approve payment of Invoice No. 046139 (Pay Estimate No. 6) in the amount of \$6,449.40 to Paradigm Consultants, Inc. for materials testing regarding the expansion of Ransom Road, Phase I (Pilgrim to Williams Way), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- J. Approve payment of Invoice No. 20112061 (Pay Estimate No. 16) in the amount of \$9,927.83 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)**
- K. Approve payment of Invoice No. 11-05-1-631 (Pay Estimate No. 37) in the amount of \$112.50 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: Right of Way)**
- L. Approve payment of Invoice No. 11-05-2-631 (Pay Estimate No. 38) in the amount of \$675.00 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: Right of Way)**
- M. Approve payment of Invoice No. 201105-105 (Pay Estimate No. 13) in the amount of \$268,890.48 to Durwood Greene Construction Company regarding improvements to Katy Flewellen Road, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)**

**Item 10 continued - Engineering:**

- N. Approve request for Fort Bend County to sponsor a Texas Department of Transportation Project on behalf of Fort Bend County Municipal Utilities District No. 194 to expedite the construction of modifications of the east side of the West Bellfort Road and US Highway 99 Grand Parkway intersection within the Long Meadow Farms Development at no cost to the County, Precinct 3.**
- O. Approve application from Paskey Incorporated / LJA Engineering, Inc. to install an 8-inch water line along Clodine Road (Old FM 1464), Precinct 4.**
- P. Approve application from Centerpoint Energy Entex to bury a 4-inch plastic gas line along Gaston Road, Precinct 3.**
- Q. Approve application from the City of Missouri City to bore under and bury a 30-inch and a 10-inch water line along Sienna III G, Precinct 1.**
- R. Accept Letter of Credit #7032964 Amendment No.1 for Fullbrook, Section 5B to extend the expiration date until June 3, 2012, Precinct 3.**
- S. Approve the plat for Robinson Landing Section One, Partial Replat No. 2, Pct. 4.**
- T. Approve the plat for Aliana Section 19, Replat No. 1, Precinct 4.**
- U. Approve the plat for Meadow Ranch Parkway from West Bellfort Road Street Dedication, Precinct 3.**
- V. Approve the plat for Meadow Ranch Parkway Extension Street Dedication, Pct. 3.**
- W. Approve plat for the roads within Firethorne, Section 22, Precinct 3.**
- X. Approve plat for the lots within Firethorne, Section 22, Precinct 3.**
- Y. Approve plat for the roads within Sweetbriar at Riverstone, Section 2, Precinct 4.**
- Z. Approve plat for the lots within Sweetbriar at Riverstone, Section 2, Precinct 4.**
- AA. Approve plat for the roads within Lost Creek, Section 4, Precinct 3.**
- BB. Approve plat for the lots within Lost Creek, Section 4, Precinct 3.**
- CC. Approve plat for the roads within Orchard at Riverstone, Section 2, Precinct 4.**
- DD. Approve plat for the lots within Orchard at Riverstone, Section 2, Precinct 4.**
- EE. Approve plat for the roads within Firethorne West, Section 5, Precinct 3.**
- FF. Approve plat for the lots within Firethorne West, Section 5, Precinct 3.**
- GG. Approve plat for the roads within Firethorne, Section 21, Precinct 3.**
- HH. Approve plat for the lots within Firethorne, Section 21, Precinct 3.**

11. **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. 26 in the amount of \$10,192.83 to Bailey Architects for Architectural Services regarding the University Branch Library in Sugar Land;
  - B. Invoice No. 1904 in the amount of \$3,386.37 to Carter Goble Lee LLC for Professional Services regarding the Jail Expansion Project;
  - C. Pay Application No. 24 in the amount of \$328,862.00 to JE Dunn South Central, Inc., for Construction Services regarding the Justice Center;
  - D. Pay Application No. 31 in the amount of \$20,545.00 to Turner Construction for Design and Construction Services regarding the renovations to Sheriff's Communications Center.
12. **FIRE MARSHAL:**

Record into Minutes renewal of the Official Bond and Oath for Bradley W. Bass, Fire Investigator, effective June 15, 2011 through June 15, 2012.
13. **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 held on June 22, 2011, and recommends that Commissioners Court authorize payment of invoices for work performed by consultants and/or contractors as listed on the Board Report dated June 22, 2011 for an amount totaling \$3,686.00 regarding Big Creek. (Fund: Big Creek)
14. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend County Toll Road Authority (the Authority) reviewed this item at their regular Board meeting held on June 15, 2011, and makes the following recommendation to Commissioners Court:

Approve renewal of commercial liability insurance policies with the Texas Municipal League Intergovernmental Risk Pool for property, loss of revenue, general, law enforcement, pollution, and auto liability insurance coverages, cost of renewal \$77,521.00.
15. **FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed these items at their regular meeting held on June 15, 2011, and makes the following recommendations to Commissioners Court:
  - A. Approve Supplemental Agreement No. 1 to the Engineering Services Agreement between Fort Bend Grand Parkway Toll Road Authority and Brown & Gay Engineers, Inc. in the amount of \$847,363.00 for the Grand Parkway Segment D Project.
  - B. Approve Supplemental Agreement No. 1 to Engineering Services Agreement between Fort Bend Grand Parkway Toll Road Authority and Terracon Consultants, Inc., in the amount of \$4,493.46 for geotechnical services for the Grand Parkway Segment D Project.

**Item 15 continued - Fort Bend Grand Parkway Toll Road Authority:**

- C. **Approve Engineering Services Agreement between Fort Bend Grand Parkway Toll Road Authority and Sirrus Engineers, Inc., in an amount not to exceed \$178,385 for drainage services for the Grand Parkway Segment D Project.**

**16. HEALTH & HUMAN SERVICES:**

**Clinical Health Services: Approve increase in the change fund for Fort Bend County Clinical Health Services from the General Fund to accommodate the new North Annex-Cinco Ranch Location.**

**17. HUMAN RESOURCES:**

**Approve request for withdrawal of 96 hours from the Shared Sick Leave Pool for employee of County Court at Law No. 2, Position No. 4262-0003.**

**18. PURCHASING:**

**Authorize advertising for request for proposals for Transportation Bus Services for Public Transportation.**

**19. TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the disposal of miscellaneous Tax Office documentation dated March 30, 2011 through June 6, 2011, scanned by Windward Group as Box Number 996 through 1022, as described on report dated June 10, 2011, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- B. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on June 21, 2011, for an amount totaling \$18,088.62 for the Office of Patsy Schultz.**

**20. TREASURER:**

**Approve Monthly Report submitted by the County Treasurer for May, 2011, and authorize advertisement of affidavit of same, in accordance with Local Government Code 114.026.**

---

Moved by Commissioner Prestage Seconded by Commissioner Meyers

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 Resolution by Fort Bend County Commissioners Court Supporting the TexHealth Coalition 3-Share Program.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Resolution by Fort Bend County Commissioners Court Supporting the TexHealth Coalition 3-Share Program.

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

**B. Take all appropriate action on Order of the Commissioners Court for Designation of Location for Foreclosure and Tax Sales pursuant to Section 51.002(h) of the Texas Property Code and Section 34.01(r) of the Texas Tax Code; Real Property Auctions/Sales will be held at the Fort Bend County Justice Center, 1422 Eugene Heimann Circle, Richmond, Texas, in the Parking Garage, Level 1, South End, West Corner, near Stairway "B" effective for the October 6, 2011 Auction/Sale.**

Moved by Commissioner Morrison, Seconded by Commissioner Patterson, to approve Order of the Commissioners Court for Designation of Location for Foreclosure and Tax Sales pursuant to Section 51.002(h) of the Texas Property Code and Section 34.01(r) of the Texas Tax Code; Real Property Auctions/Sales will be held at the Fort Bend County Justice Center, 1422 Eugene Heimann Circle, Richmond, Texas, in the Parking Garage, Level 1, South End, West Corner, near Stairway "B" effective for the October 6, 2011 Auction/Sale.

MOTION WITHDRAWN.

Pass until July 5 Commissioners Court.

**C. Receive report from Citizens Advisory Committee for Redistricting and take all appropriate action on proposed modification of existing political boundaries in a manner designed to achieve both acceptable levels of numerical balance between the four Commissioners Court precincts and to protect the voting rights of all residents of Fort Bend County.**

Ted Garcia, Vice Chair of the Citizens Advisory Committee, presented three plans for proposed redistricting. The committee voted to support proposal #3. Commissioners Court thanked the committee.



**Item 21 continued - County Judge:**

**D. Take all appropriate action to set a Public Hearing at a Special Commissioners Court meeting to hear public comments on the proposed redistricting plans at the following dates and times:**

- **Tuesday, July 26, 2011, at 1:00 p.m. in Commissioners Court Courtroom, 7th Floor, Travis Building, 309 S. 4th Street, Richmond, Texas 77469;**
- **Tuesday, July 26, 2011, at 6:00 p.m. in Justice of the Peace, Pct. 3 Courtroom, 22333 Grand Corner Dr., Katy, Texas 77494; and**
- **Wednesday, July 27, 2011, at 6:00 p.m. in Justice of the Peace, Pct. 2 Courtroom, 303 Texas Parkway, Missouri City, Texas 77489.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to set a Public Hearing at a Special Commissioners Court meeting to hear public comments on the proposed redistricting plans at the following dates and times: Tuesday, July 26, 2011, at 1:00 p.m. in Commissioners Court Courtroom, 7th Floor, Travis Building, 309 S. 4th Street, Richmond, Texas 77469; Tuesday, July 26, 2011, at 6:00 p.m. in Justice of the Peace, Pct. 3 Courtroom, 22333 Grand Corner Dr., Katy, Texas 77494; and Wednesday, July 27, 2011, at 6:00 p.m. in Justice of the Peace, Pct. 2 Courtroom, 303 Texas Parkway, Missouri City, Texas 77489.

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

**Item 21 continued - County Judge:**

- E. Take all appropriate action on Extension of Local State of Disaster Declaration Order, to extend the local state of disaster ordered for Fort Bend County, Texas, by the County Judge on June 21, 2011, to continue for an additional number of days, or until terminated by order of the Fort Bend County Commissioners Court, as the conditions necessitating a declaration of a local state of disaster continue to exist.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Extension of Local State of Disaster Declaration Order, to extend the local state of disaster ordered for Fort Bend County, Texas, by the County Judge on June 21, 2011, to continue for an additional number of days, or until terminated by order of the Fort Bend County Commissioners Court, as the conditions necessitating a declaration of a local state of disaster continue to exist.

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

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to amend previous motion to change Order to June 22, 2011 and continue for an additional 14 days.

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

- F. Take all appropriate action to ratify the request by County Judge to the Governor of Texas for an extension of the restriction of the sale of fireworks in all of Fort Bend County because the conditions necessitating the declaration of a local state of disaster continue to exist.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to ratify the request by County Judge to the Governor of Texas for an extension of the restriction of the sale of fireworks in all of Fort Bend County because the conditions necessitating the declaration of a local state of disaster continue to exist.

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

**Item 21 continued - County Judge:**

**G. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County and Tyco Valves and Controls, L.P.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County and Tyco Valves and Controls, L.P.

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

**22. COMMISSIONER, PCT. 1:**

**Take all appropriate action on request by James Murnane on behalf of Pinnacle Realty Advisors, Inc. to waive penalty, interest, and collection fees totaling \$1,496.17 on property taxes for tax year 2009, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request by James Murnane on behalf of Pinnacle Realty Advisors, Inc. to waive penalty, interest, and collection fees totaling \$1,496.17 on property taxes for tax year 2009, Precinct 1.

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

**23. COMMISSIONER, PCT. 3:**

- A. Take all appropriate action on Resolution and Order Granting a Variance to the December 2, 1997 Order Regulating the Distance Between the Sale of Alcoholic Beverages and the Nearest Public Schools, Churches, and Public Hospitals, Day Care Centers and Child Care Facilities On Behalf of All Stars Family Grill.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Order Granting a Variance to the December 2, 1997 Order Regulating the Distance Between the Sale of Alcoholic Beverages and the Nearest Public Schools, Churches, and Public Hospitals, Day Care Centers and Child Care Facilities On Behalf of All Stars Family Grill.

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

- B. Discuss and consider taking action on application to Texas Department of Transportation for financial assistance under Toll Equity Program for Westpark Extension (FM 1093) from SH 99 to FM 1463.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve application to Texas Department of Transportation for financial assistance under Toll Equity Program for Westpark Extension (FM 1093) from SH 99 to FM 1463.

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

**Item 23 continued - Commissioner Pct. 3:**

- C. **Take all appropriate action on Agreement for Additional Law Enforcement Services between Fort Bend County and Weston Lakes Property Owners Association, to be provided by Constable, Pct. 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Additional Law Enforcement Services between Fort Bend County and Weston Lakes Property Owners Association, to be provided by Constable, Pct. 3.

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

**24. CONSTABLE, PCT. 3:**

**Take all appropriate action on request to transfer the amount of \$44,667 from Non-Departmental Contingency into Constable, Pct. 3, to allocate funds for a fleet replacement vehicle to accommodate law enforcement agreement for West Park Toll Road.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$44,667 from Non-Departmental Contingency into Constable, Pct. 3, to allocate funds for a fleet replacement vehicle to accommodate law enforcement agreement for West Park Toll Road.

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

Note: Money is reimbursed to County per contract.

**25. COUNTY CLERK:**

**Record into Minutes the posting of all official and legal notices filed with the Fort Bend County Clerk by electronic display, instead of a physical document, pursuant to Local Government Code § 82.051, and Texas Government Code § 551.043, to be fully implemented no later than July 5, 2011.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and carried (3-2), it is ordered to record into Minutes the posting of all official and legal notices filed with the Fort Bend County Clerk by electronic display, instead of a physical document, pursuant to Local Government Code § 82.051, and Texas Government Code § 551.043, to be fully implemented no later than July 5, 2011.

Judge Hebert	Yes
Commissioner Morrison	No
Commissioner Prestage	Yes
Commissioner Meyers	No
Commissioner Patterson	Yes

**26. ENGINEERING:**

- A. Take all appropriate action on request by Willie C. Haisler, Jr. for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 I, to allow 2.00 acres plus a 30 ft. strip ± to be divided out of a called 21.924-acre tract, located in the Thomas Westall League, Abstract 92, recorded in official Fort Bend County Probate records PB14802 and described in Vol. 1281, Page 67 Deed records, Fort Bend County, Texas, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request by Willie C. Haisler, Jr. for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 I, to allow 2.00 acres plus a 30 ft. strip ± to be divided out of a called 21.924-acre tract, located in the Thomas Westall League, Abstract 92, recorded in official Fort Bend County Probate records PB14802 and described in Vol. 1281, Page 67 Deed records, Fort Bend County, Texas, Precinct 3.

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

**Item 26 continued - Engineering:**

- B. Take all appropriate action on the Fourth Amendment to the Agreement for Property Appraisal Services between Fort Bend County and Fox & Bubela, Inc. for an additional amount not to exceed \$100,0000; for a total agreement amount not to exceed \$500,000. (Fund: Right of Way)**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Fourth Amendment to the Agreement for Property Appraisal Services between Fort Bend County and Fox & Bubela, Inc. for an additional amount not to exceed \$100,0000; for a total agreement amount not to exceed \$500,000. (Fund: Right of Way)

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

- C. Take all appropriate action on Interlocal Agreement between Fort Bend County and West Fort Bend Management District to provide maintenance of the US 59/FM 762 Landscaping Project for a period of twenty years, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and West Fort Bend Management District to provide maintenance of the US 59/FM 762 Landscaping Project for a period of twenty years, Precinct 1.

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

**27. FACILITIES MANAGEMENT & PLANNING:**

**Take all appropriate action on an Agreement between Fort Bend County and Lockwood, Andrews and Newnam, Inc. (LAN) for Professional Consulting Services in an amount not to exceed \$24,460 for a specialized technical assessment of the Jail. (Fund: Energy Efficiency and Conservation Block Grant)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Lockwood, Andrews and Newnam, Inc. (LAN) for Professional Consulting Services in an amount not to exceed \$24,460 for a specialized technical assessment of the Jail. (Fund: Energy Efficiency and Conservation Block Grant)

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

**28. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (The Authority) reviewed this item at their regular board meeting held on June 15, 2011, and makes the following recommendation to Commissioners Court:**

**Approve application to the Texas Department of Transportation for a Toll Equity Grant for the expansion of FM 1093 and extension of the Westpark Tollway.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve application to the Texas Department of Transportation for a Toll Equity Grant for the expansion of FM 1093 and extension of the Westpark Tollway.

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



**29. HUMAN RESOURCES:**

**Take all appropriate action on request to reclassify Position Numbers 5601-0648 and 5601-0649 in the Sheriff's Office from Telecommunications Officer I, Grade 9 of the Administrative Clerical Policy Group to Telecommunications Officer II, Grade 11 of the Administrative Clerical Policy Group, effective July 9, 2011.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Numbers 5601-0648 and 5601-0649 in the Sheriff's Office from Telecommunications Officer I, Grade 9 of the Administrative Clerical Policy Group to Telecommunications Officer II, Grade 11 of the Administrative Clerical Policy Group, effective July 9, 2011.

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

**30. INFORMATION TECHNOLOGY:**

**Take appropriate action to authorize reimbursement in the amount of \$37.88 to Octavio Gonzalez for purchase of a flash drive without a purchase order. (Fund: Information Technology)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$37.88 to Octavio Gonzalez for purchase of a flash drive without a purchase order. (Fund: Information Technology)

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

**31. OFFICE OF EMERGENCY MANAGEMENT:**

**Take all appropriate action on request to submit a draft of the 2011 Fort Bend County Hazard Mitigation Plan Update to the State of Texas and Federal Emergency Management Agency for official review.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to submit a draft of the 2011 Fort Bend County Hazard Mitigation Plan Update to the State of Texas and Federal Emergency Management Agency for official review.

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

**32. PUBLIC TRANSPORTATION:**

**Take all appropriate action on the United States of America Department of Transportation Federal Transit Administration Master Agreement dated October 1, 2010 for participation in the Urban Transportation, Section 5307 Grant Program.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the United States of America Department of Transportation Federal Transit Administration Master Agreement dated October 1, 2010 for participation in the Urban Transportation, Section 5307 Grant Program.

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

**33. PURCHASING:**

- A. Take all appropriate action on Participation Agreement between Fort Bend County and JPMorgan Chase Bank NA for procurement card program, utilizing City of Fort Worth Agreement 35775; additionally, take all appropriate action on Cooperative Purchasing Agreement between Fort Bend County and City of Fort Worth, Texas.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Participation Agreement between Fort Bend County and JPMorgan Chase Bank NA for procurement card program, utilizing City of Fort Worth Agreement 35775; additionally, take all appropriate action on Cooperative Purchasing Agreement between Fort Bend County and City of Fort Worth, Texas.

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

- B. Take all appropriate action on RFP #11-068 for Vending Machine Service.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to enter into contract negotiations with Five Star Food Service for RFP #11-068 for Vending Machine Service.

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

- C. Take all appropriate action on Debris Monitoring Agreement between Fort Bend County and Science Applications International Corp (SAIC) utilizing Houston-Galveston Area Council (H-GAC) Agreement EN06-10.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Debris Monitoring Agreement between Fort Bend County and Science Applications International Corp (SAIC) utilizing Houston-Galveston Area Council (H-GAC) Agreement EN06-10.

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

**Item 33 continued - Purchasing:**

- D. Take all appropriate action on Cabling Agreement between Fort Bend County and MCA Communications, Inc., utilizing Texas Department of Information Resources Agreement DIR-SDD-1533 for various cabling projects for Budget Year 2011 as approved by Information Technology Department.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Cabling Agreement between Fort Bend County and MCA Communications, Inc., utilizing Texas Department of Information Resources Agreement DIR-SDD-1533 for various cabling projects for Budget Year 2011 as approved by Information Technology Department.

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

- E. Take all appropriate action on Agreement between Fort Bend County and Tegrity TH 1, LLC for construction of single family structures pursuant to RFP #11-065, in an amount not to exceed \$340,700. (Fund: Community Development Hurricane Ike Recovery Funds)**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Tegrity TH 1, LLC for construction of single family structures pursuant to RFP #11-065, in an amount not to exceed \$340,700. (Fund: Community Development Hurricane Ike Recovery Funds)

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

**Item 33 continued - Purchasing:**

- F. Take all appropriate action to add the new Juvenile Justice Alternative Education Program Boot Camp in Rosenberg to the contract for inspection and monitoring services from Casteel Automatic Fire Protection, Inc. and Royal Protection Group, Inc. pursuant to Bid #10-028. (Fund: Juvenile, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to add the new Juvenile Justice Alternative Education Program Boot Camp in Rosenberg to the contract for inspection and monitoring services from Casteel Automatic Fire Protection, Inc. and Royal Protection Group, Inc. pursuant to Bid #10-028. (Fund: Juvenile, Fees)

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

**34. ROAD & BRIDGE:**

**Take all appropriate action on request to transfer the amount of \$400,000 from Non-Departmental Contingency into the Vehicle Maintenance Fuel account to allocate additional funds needed due to increase in fuel prices.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$400,000 from Non-Departmental Contingency into the Vehicle Maintenance Fuel account to allocate additional funds needed due to increase in fuel prices.

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

**35. SHERIFF'S OFFICE:**

- A. Take all appropriate action on Modification No. 1, to accept additional grant funds in the amount of \$240,748 from the Executive Office of the President, Office of National Control Policy, for the High Intensity Drug Trafficking Area (HIDTA) program, for use from January 1, 2011 through December 31, 2012, with no cash match required by Fort Bend County.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Modification No. 1, to accept additional grant funds in the amount of \$240,748 from the Executive Office of the President, Office of National Control Policy, for the High Intensity Drug Trafficking Area (HIDTA) program, for use from January 1, 2011 through December 31, 2012, with no cash match required by Fort Bend County.

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

- B. Take all appropriate action on request to apply to U. S. Department of Justice, Bureau of Justice Assistance, for FY 2011 State Criminal Alien Assistance Program (SCAAP) funds, with no cash match required by Fort Bend County.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to apply to U. S. Department of Justice, Bureau of Justice Assistance, for FY 2011 State Criminal Alien Assistance Program (SCAAP) funds, with no cash match required by Fort Bend County.

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 to authorize payment by Invoice Transmittal in the amount of \$246.50 to Varacados Shell for purchase of a tire without a purchase order. (Fund: Sheriff, OCDETF Grant, Operating Supplies)**

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 \$246.50 to Varacados Shell for purchase of a tire without a purchase order. (Fund: Sheriff, OCDETF Grant, Operating Supplies)

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

- D. **Take all appropriate action on Lease Agreement for the Narcotics Task Force, the content of which is confidential, pursuant to Section 552.108 and Section 552.352 of the Texas Government Code.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Lease Agreement for the Narcotics Task Force, the content of which is confidential, pursuant to Section 552.108 and Section 552.352 of the Texas Government Code.

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

**36. TAX ASSESSOR/COLLECTOR:**

**Take all appropriate action on request by Myron E Atkinson to refund property tax payments for Tax Years 2005 through 2009 totaling \$7,201.95; Precinct 4.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve request by Myron E Atkinson to refund property tax payments for Tax Years 2006 through 2009 totaling \$5,891.56; Precinct 4.

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

**37. 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 \$6,895,723.79.

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

**38. Ratify the release of time-sensitive bills by Auditor on June 23, 2011.**

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 June 23, 2011 in the amount of \$270,400.88.

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

**39. WORKSHOP:**

**Workshop to receive presentation by Sheriff's Office regarding staffing positions for the Jail and the new Justice Center.**

Major Leach and Lt. Quam, of the Sheriff's Office, presented staff requirements and requests for the Jail and Justice Center.

**Recess:**

Recessed at 2:43 p.m.



**40. 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.**

**Cause No. 09-CCV-039246; Fort Bend County, Texas vs. Katy Gaston Investment, Inc., 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. Spur 10, Precinct 1.**
- 2. Dulles Road, Mobility Bond Project #720, Precinct 2.**
- 3. Purchase: 5 acres on FM 2218, Precinct 1.**

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

**Annual Evaluation - Community Development Director.**

- D. §551.0785. Deliberations Involving Medical or Psychiatric Records of Individuals. Commissioners Court will meet in Closed Session to deliberate the records or information from the records of an individual applicant for a benefit from the employee benefit plan.**

**Payment of medical expenses under employee benefit plan: Bauer, Katherine.**

**Closed Session:**

Convened at 2:54 p.m.  
Adjourned at 4:02 p.m.

**Reconvene:**

Reconvened at 4:05 p.m.

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

**A. § 551.071. Consultation With Attorney.**

**Cause No. 09-CCV-039246; Fort Bend County, Texas vs. Katy Gaston Investment, Inc., et al.; In the County Court at Law Number One (1) 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 incur litigation expenses in an amount not to exceed \$15,000.00 for Cause No. 09-CCV-039246; Fort Bend County, Texas vs. Katy Gaston Investment, Inc., et al.; In the County Court at Law Number One (1) of Fort Bend County, Texas. Fund: Right of Way.

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

**B. § 551.072. Deliberation Regarding Real Property.**

**1. Spur 10, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 11 of the Spur 10 Mobility Project in the amount of \$30,390.00 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

**2. Dulles Road, Mobility Bond Project #720, Precinct 2.**

No action.

**3. Purchase: 5 acres on FM 2218, Precinct 1.**

a. No action.

**C. § 551.074. Personnel Matters.**

**Annual Evaluation - Community Development Director.**

Annual review conducted.

**Item 41 continued - Reconvene Open Session and consider taking action on the following matters:**

**D. §551.0785. Deliberations Involving Medical or Psychiatric Records of Individuals.**

**Payment of medical expenses under employee benefit plan: Bauer, Katherine.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to overturn decision to deny claims of Katherine Bauer for services between June 1, 2010 and October 22, 2010 on the basis of pre-existing condition and pay her claims as submitted.

Judge Hebert Yes

Commissioner Morrison Yes

Commissioner Prestage Yes

Commissioner Meyers Yes

Commissioner Patterson Yes

**42. Adjournment.**

Commissioners Court adjourned at 4:11 p.m. on Tuesday, June 28, 2011.