

## MINUTES

BE IT REMEMBERED, That on this 5th DAY of JULY, 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 Meyers.**

Invocation and Pledge of Allegiance by Commissioner Meyers.

**3. Approve minutes of regular meeting held on June 28, 2011.**

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 June 28, 2011.

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

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

No public comments.

Judge Hebert complemented the Fort Bend County citizens on honoring the fireworks ban.

Members of the Court thanked everyone involved in the planning and implementation of the building and moving into the Justice Center.

**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 plan for Lakemont Shores, Section 2, Precinct 3.**
- B. Acceptance of the traffic control plan for Glendale Lakes Entry Road and Lift Station, Precinct 1.**

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-B.

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

**CONSENT AGENDA ITEMS 6 -12:**

**6. COUNTY JUDGE:**

**Approve request by the Fort Bend County Paralegal Association to collect school supplies from July 5, 2011 through August 5, 2011, at the following Fort Bend County facilities: Travis Building, Missouri City Annex, and Rosenberg Annex.**

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

- A. Auditor's Office: Approve transfer in the amount of \$2,700 as detailed on Auditor's form dated June 27, 2011 to allocate funds for payment to the IRS due to incorrect Taxpayer Identification Numbers for tax year 2008.**
- B. Constable, Pct. 3: Approve transfer in the amount of \$2,200 from Property and Equipment into Information Technology to allocate funds for purchase of two replacement computers.**
- C. District Attorney: Approve transfer in the amount of \$9,745 from State Asset Forfeiture Account, Office Supplies, into salary line items as detailed on District Attorney's form dated June 28, 2011, to reallocate funds into correct line item for expenditure.**

**8. CONSTABLE, PCT. 3:**

**Accept grant funds in the amount of \$4,500 from the Texas Comptroller's Office for tobacco compliance and enforcement activities for Fiscal Year 2012, with no cash match required by Fort Bend County.**

**9. ENGINEERING:**

- A. Approve payment of Invoice No. T217895 (Pay Estimate No. 16) in the amount of \$13,015.88 to Terracon regarding Greenbusch Road Phase II (from Mills Manor to Falcon Landing Blvd.) Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 27261 in the amount of \$71,670.86 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve application from Debo Homes LLC, to construct a driveway tie-in onto Audrey Drive, Precinct 1.**
- D. Approve application from Clearwater Utilities, Inc. to bore under West Bellfort with 12-inch water line, Precinct 3.**
- E. Approve application from The Plazas at Spring Green, Ltd. to bore under and construct driveway tie-ins onto Cinco Ranch Blvd. and Spring Green Blvd., Pct. 3.**
- F. Approve application from Tackle Construction Company, Inc. to bore a water line under Grand Corner Drive, Precinct 3.**
- G. Approve application from Striping Unlimited Corp./Rochtek Paving to widen existing driveway onto West Bellfort, Precinct 3.**
- H. Approve application from Devon Street Homes to construct driveway tie-ins one on Pemetic Trail and one on Brookwood Hollow, Precinct 3.**
- I. Approve the plat for Katy ISD Elementary School Site No. 33, Precinct 3.**
- J. Approve the plat for Pecan Grove Volunteer Fire Department No. 2, Precinct 3.**
- K. Accept the streets in L J Parkway and Lake Riverstone Drive at Riverstone Street Dedication Phase I: L J Parkway 1,117.39 LF; and Lake Riverstone Drive 564.86 LF; for a total of 1,682.25 LF; and release bond #022-024-537 in the amount of \$235,480.00, Precinct 4.**
- L. Accept the streets in L J Parkway and Lake Riverstone Drive at Riverstone Street Dedication Plat Phase II: Lake Riverstone Drive 474.00 LF; L J Parkway 3,216.82 LF; Winding Waters Lane 86.46 LF; Legacy Ridge Lane 89.39 LF; and Vintage Trail Lane 109.77 LF; for a total of 3,976.55 LF; and release bond #022-024-536 in the amount of \$547,820.00, Precinct 4.**
- M. Accept the streets in Cinco Ranch Boulevard at Cinco Terrace Drive Street Dedication: Cinco Terrace Drive 2,359.88 LF; and Cinco Ranch Boulevard 1,582.34 LF; for a total of 3,942.22 LF; and release bond # SU5025328 in the amount of \$425,180.00, Precinct 3.**

**Item 9 continued - Engineering:**

- N. **Accept the streets in Deer Creek Estates: Casadores Boulevard 1,561.72 LF; Venado Street 1,349.52 LF; Casadores Lane 1,287.98 LF; Bisonte Street 2,027.34 LF; and Wapiti Street 1,320.79 LF; for a total of 7,247.35 LF; and release bond #765843S in the amount of \$434,000.00, Precinct 1.**
- O. **Approve the streets in Walnut Creek, Section 3: Haven Forest Lane 913.18 LF; Colonial Rose Lane 135.41 LF; Feather Creek Lane 150.00 LF; and Collins Rose Court 126.51 LF; for a total of 1,325.10 LF; and release bond #929470083 in the amount of \$107,985.00, Pct. 1.**
- P. **Set public hearing for acceptance of the traffic control plans for L J Parkway and Lake Riverstone Drive at Riverstone Street Dedication Phase I, and L J Parkway and Lake Riverstone Drive at Riverstone Street Dedication Plat Phase II, Precinct 4. *(Tuesday, August 2, 2011, at 1:00 p.m.)***
- Q. **Set public hearing for acceptance of the traffic control plans for Cinco Ranch Boulevard at Cinco Ranch Terrace Drive Street Dedication, Pct. 3. *(Tuesday, August 2, 2011, at 1:00 p.m.)***
- R. **Set public hearing for acceptance of the traffic control plans for Deer Creek Estates, Precinct 1. *(Tuesday, August 2, 2011, at 1:00 p.m.)***
- S. **Set public hearing for acceptance of the traffic control plans for Walnut Creek, Section 3, Precinct 1. *(Tuesday, August 2, 2011, at 1:00 p.m.)***
- 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. 23177 in the amount of \$14,250.00 to The Mathis Group (TMG+) for Professional Services regarding the Justice Center;**
  - B. **Invoice No. 14 in the amount of \$11,070.90 to AutoArch Architects for Architectural Services regarding the Fort Bend County North Annex.**
- 11. **PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
  - A. **Traffic Signal Components;**
  - B. **Video Teleconference Equipment for Emergency Management; and**
  - C. **HVAC Replacement for Juvenile Facility.**

**12. SHERIFF'S OFFICE:**

- A. Accept grant funds in the amount of \$13,500 from the Texas Comptroller's Office for tobacco compliance and enforcement activities for Fiscal Year 2012, with no cash match required by Fort Bend County.**
  - B. Approve correction to Agenda Item 29C from Commissioners Court meeting held on June 7, 2011, to modify the term of Agreement between Fort Bend County and Bryan Smith dba BPS Professional Services for services as Deputy Director for the HIDTA Program effective July 1, 2011 through June 30, 2012, or until grant funds are depleted. (Fund: HIDTA Grant G11HN0010A)**
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Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 12.

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

**13. COUNTY JUDGE:**

- A. Take all appropriate action to appoint Russell Jones to the Gulf Coast Water Authority (GCWA) Board of Directors as a voting member to represent Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to appoint Russell Jones to the Gulf Coast Water Authority (GCWA) Board of Directors as a voting member to represent Fort Bend County.

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

**Item 13 continued - County Judge:**

- B. Take all appropriate action to designate 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.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to designate the Fort Bend County Justice Center Parking Garage, 1418 Eugene Heimann Circle, Richmond Texas, between the hours of 10:00 a.m. and 4:00 p.m. in Level 1 of the Parking Garage at the South end, West corner, near Stairway "B" as 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.

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

**14. COMMISSIONER, PCT. 1:**

**Take all appropriate action on request by Sarah Hopkins Samore to waive penalty, interest and collection fees totaling \$3,457.06 on property taxes for tax years 2000 and 2001, Pct. 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to deny request by Sarah Hopkins Samore to waive penalty, interest and collection fees totaling \$3,457.06 on property taxes for tax years 2000 and 2001, Precinct 1.

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

**15. COMMISSIONER, PCT. 3:**

**Take all appropriate action on the Primary Interlocal Agreement between Fort Bend County and Pecan Grove Municipal Utility District.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Primary Interlocal Agreement between Fort Bend County and Pecan Grove Municipal Utility District.

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

**16. COMMUNITY DEVELOPMENT:**

**Take all appropriate action on the Fort Bend County FY 2011 Consolidated Acton Plan as presented for the Community Development Block Grant, HOME Investments Partnerships and Emergency Shelter Grant Programs, and authorize County Judge to sign all documents pertaining to the Plan.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Fort Bend County FY 2011 Consolidated Acton Plan as presented for the Community Development Block Grant, HOME Investments Partnerships and Emergency Shelter Grant Programs, and authorize County Judge to sign all documents pertaining to the Plan.

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

**17. CONSTABLE, PCT. 1**

**Take all appropriate action on Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal Utility District No. 23 and Fort Bend County Municipal Utility District No. 24, effective through September 30, 2011, to be provided by Constable, Pct. 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal Utility District No. 23 and Fort Bend County Municipal Utility District No. 24, effective through September 30, 2011, to be provided by Constable, Pct. 1.

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

**18. ENGINEERING:**

**Take all appropriate action on request by Kenneth and Shelia Bohacek for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 I, to allow 2.00 acres to be divided out of a called 16.678-acre tract situated in the Gabriel Cole 1/4 League, Abstract 20, recorded in official Fort Bend County Deed Records, Instrument #2006094549, #2006076263 and #2009016965, Fort Bend County, Texas, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request by Kenneth and Shelia Bohacek for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 I, to allow 2.00 acres to be divided out of a called 16.678-acre tract situated in the Gabriel Cole 1/4 League, Abstract 20, recorded in official Fort Bend County Deed Records, Instrument #2006094549, #2006076263 and #2009016965, Fort Bend County, Texas, Precinct 1.

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

**19. HUMAN RESOURCES:**

- A. Take all appropriate action on request to reclassify Position Numbers 5401-0055, 5401-0045, 5401-0081, 5401-0092, 5401-0095 and 5401-0056, Emergency Medical Service, from Paramedic I, Grade 9 of the Public Health Policy Group to Paramedic II, Grade 10 of the Public Health Policy Group, effective July 9, 2011.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Numbers 5401-0055, 5401-0045, 5401-0081, 5401-0092, 5401-0095 and 5401-0056, Emergency Medical Service, from Paramedic I, Grade 9 of the Public Health Policy Group to Paramedic II, Grade 10 of the Public Health Policy Group, effective July 9, 2011.

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

- B. Take all appropriate action on request to reclassify Position Numbers 5401-0077 and 5401-0097, Emergency Medical Service, from EMT-Intermediate, Grade 8 of the Public Health Policy Group to Paramedic I, Grade 9 of the Public Health Policy Group, effective July 9, 2011.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Numbers 5401-0077 and 5401-0097, Emergency Medical Service, from EMT-Intermediate, Grade 8 of the Public Health Policy Group to Paramedic I, Grade 9 of the Public Health Policy Group, effective July 9, 2011.

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

**20. MENTAL HEALTH PUBLIC DEFENDER:**

**Take all appropriate action on request to transfer the amount of \$20,000 from Non-Departmental Contingency as detailed on Auditor's form dated June 27, 2011, to allocate additional funds as part of the cash match required for the Mental Health Public Defender Grant that was not fully funded in the FY 2011 budget.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$20,000 from Non-Departmental Contingency as detailed on Auditor's form dated June 27, 2011, to allocate additional funds as part of the cash match required for the Mental Health Public Defender Grant that was not fully funded in the FY 2011 budget.

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

**21. PUBLIC TRANSPORTATION:**

**Take all appropriate action on the Agreement between Fort Bend County and United Way of Greater Houston to receive the amount of \$56,309 for local match assistance on New Freedom transportation services.**

Pass.

**22. PURCHASING:**

**A. Take all appropriate action on RFP #11-071 for Construction of Single Family Residential Structures.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to enter into contract negotiations with Tegrity Construction for RFP #11-071 for Construction of Single Family Residential Structures.

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

**Item 22 continued - Purchasing:**

- B. Take all appropriate action on Agreement between Fort Bend County and Millis Development and Construction, Inc., pursuant to RFP #11-060 for General Contractor Services – Paving, Water and Grading Improvements for Fort Bend County Park & Ride on Highway 36 in the City of Rosenberg, Texas for an amount not to exceed \$1,237,900.00. (Fund: Public Transportation, Rural Area Grant, and Highway 36 Park & Ride 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 Millis Development and Construction, Inc., pursuant to RFP #11-060 for General Contractor Services – Paving, Water and Grading Improvements for Fort Bend County Park & Ride on Highway 36 in the City of Rosenberg, Texas for an amount not to exceed \$1,237,900.00. (Fund: Public Transportation, Rural Area Grant, and Highway 36 Park & Ride Grant)

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

- C. Take all appropriate action to authorize the purchase of one (1) Truck V for Constable Precinct 3, from Helfman Ford, pursuant to Bid #08-028. (Fund: Westpark Toll Road Law Enforcement Agreement)**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage to authorize the purchase of one (1) Truck V for Constable Precinct 3, from Helfman Ford, pursuant to Bid #08-028. (Fund: Westpark Toll Road Law Enforcement Agreement)

MOTION WITHDRAWN.

**23. 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 \$4,574,924.99.

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

**24. Adjournment.**

Commissioners Court adjourned at 1:18 p.m. on Tuesday, July 5, 2011.