

MINUTES

BE IT REMEMBERED, That on this 22nd DAY of NOVEMBER, 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
JAMES PATTERSON	COMMISSIONER PRECINCT 4
DIANNE WILSON	COUNTY CLERK

Commissioner Meyers absent.

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

1. Call to Order.

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

2. Invocation and Pledge of Allegiance by Commissioner Morrison.

Invocation and Pledge of Allegiance by Commissioner Morrison.

3. Approve minutes of regular meeting held on November 8, 2011, and special meeting held on November 16, 2011.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to approve the minutes of regular meeting held on November 8, 2011, and special meeting held on November 16, 2011.

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

4. Public Comments regarding the Agenda and Announcements.

County offices will be closed November 24 and 25 for Thanksgiving.

CONSENT AGENDA ITEMS 5 - 27:

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

- A. Human Resources: Kent Edwards to Atlanta, Georgia, June 23-30, 2012, to attend the Society of Human Resources Management Conference. (Fund: Human Resources, Travel)**
- B. Parks Department: Ratify change in travel dates for Michel Davis to Atlanta, Georgia, October 31 - November 4, 2011, to attend the National Parks & Recreation Conference. (Fund: Parks Department, Travel)**
- C. Sheriff's Office: Ratify travel by J. Hernandez and J. Harris to Jonesboro, Georgia, November 17-18, 2011, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
- D. Sheriff's Office: Ratify travel by B. Schmitt and J. Bell to Las Vegas, Nevada, November 21-22, 2011, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

6. COMMISSIONER, PCT. 1:

- A. Set Public Meeting to receive input for a Flood Protection Planning Study on Gapps Slough, in Precinct 1, to be conducted in cooperation with the Texas Water Development Board on Tuesday, December 6, 2011, at 6:30 p.m. in the 1st Floor Meeting Room at the George Memorial Library, 1001 Golfview Drive in Richmond, Texas.**
- B. Approve Interlocal Project Agreement between Fort Bend County and Needville Independent School District to provide assistance with improving drainage and adding additional parking at the Alternative Campus, County expenditure not to exceed \$2,020. (Fund: Road & Bridge)**
- C. Approve recommendation by the Fresno/Arcola Advisory Committee to fund YMCA Programs for the Fresno/Arcola area utilizing revenue received from the BFI tipping fees, and approve the Renewal Agreement between Fort Bend County and the YMCA of Greater Houston in an amount not to exceed \$70,272 for outreach services and after-school computer learning programs in the Fresno/Arcola area effective through September 30, 2012. (Fund: Fresno/Arcola Projects)**

7. COMMISSIONER, PCT. 2:

Approve the reappointment of Stephen Brown, Jr. to the Board of Directors for the City of Missouri City Tax Increment Reinvestment Zone No. 3 for a two year term, effective through December 3, 2013.

8. COMMISSIONER, PCT. 3:

Approve the reappointment of Robert Armstrong and Gayle P. Hawkins as Commissioners to the Fort Bend County Emergency Services District No. 1 (Kelliwood) for the term of January 1, 2012 through December 31, 2013.

9. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. Auditor: Approve FY 2011 transfer in the amount of \$142,566 as detailed on Auditor's form dated November 8, 2011, to amend the budget pursuant to Local Government Code Section 111.0706 and allocate reimbursement of capital mileage incurred by law enforcement agreements for the period of April 1, 2011 through September 30, 2011.**
- B. Facilities Management & Planning: Approve FY 2011 transfer in the amount of \$6,839,539 as detailed on Auditor's form dated November 16, 2011, to amend the budget pursuant to Local Government Code Section 111.0706 and allocate revenue received from the interest earned on Facility Bond Projects into ongoing County projects.**
- C. Facilities Management & Planning: Approve FY 2011 transfer in the amount of \$1,339,763 as detailed on Auditor's form dated November 16, 2011, to amend the budget pursuant to Local Government Code Section 111.0706 and allocate revenue earned from the interest proceeds of the Facility Bond for the Justice Center.**
- D. Facilities Management & Planning: Approve FY 2011 transfer in the amount of \$909,729 as detailed on Auditor's form dated November 16, 2011, to reallocate unused funds from completed Capital Improvement Projects and projects that became eligible for funding from other sources into ongoing County projects.**
- E. Indigent Health Care: Approve transfer in the amount of \$4,500 from Professional Services into Information Technology to allocate funds for purchase of replacement printer and software licenses.**
- F. Road & Bridge: Approve FY 2011 transfer in the amount of \$9 as detailed on Auditor's form dated November 16, 2011, to reallocate unused funds from completed Needville Service Center project into ongoing Road & Bridge projects.**

10. COMMUNITY DEVELOPMENT:

Set a Public Hearing to receive comments regarding use of Community Development Block Grant Disaster Recovery Fund: Hurricane Ike Non-Housing Activities, Round 2.2, to be conducted on Tuesday, December 6, 2011, at 1:00 p.m, in the Commissioners Courtroom, 7th Floor, William B. Travis Building, Richmond, Texas.

11. CONSTABLE, PCT. 2:

Approve and record into Minutes the State FY 2011 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 2.

12. CONSTABLE, PCT. 4:

Approve and record into Minutes the Federal FY 2011 Equitable Sharing Agreement and Certification for the Office of Constable, Precinct 4.

13. DISTRICT ATTORNEY:

- A. Record into Minutes the appointment of Earnest Taylor by John Healey, District Attorney, to serve as a member of the Civil Service Commission to administer the Fort Bend County Sheriff's Department (Office) Civil Service System, pursuant to Texas Local Government Code Sec. 158.034.**
- B. Approve and record into Minutes the Federal FY 2011 Equitable Sharing Agreement and Certification for the Fort Bend County District Attorney.**

14. ENGINEERING:

- A. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$681,667.85 to City of Missouri City regarding access management for State Highway 6 intersections, Mobility Bond Project #750, Precincts 2 and 4. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 3939 in the amount of \$19,072.50 to Property Acquisition Services (PAS) regarding right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- C. Approve payment of Invoice No. 1110-40 (Pay Estimate No. 1) in the amount of \$1,215.00 to JNS Engineers, LLC regarding roadway improvements for Falcon Landing - Katy Gaston, (from Willowfork Buffalo Bayou Bridge to Spring Green and Katy Gaston), Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 27495 in the amount of \$70,616.71 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 102410 (Pay Estimate No. 10) in the amount of \$129,245.08 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)**
- F. Approve payment of Invoice No. 201109-109A - Final (Pay Estimate No. 11) in the amount of \$317,903.73 to Durwood Greene Construction Company regarding the extension of South Post Oak Blvd. and reconstruction of McKeever Road, Mobility Bond Project #763, Precinct 1. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 11292 (Pay Estimate No. 4) in the amount of \$6,696.80 to Lippke, Cartwright, & Roberts, Inc. regarding improvements to Front Street (Ransom Road), Mobility Bond Project # 747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- H. Approve application from CenterPoint Entex to bury a 6-inch plastic gas line along West Airport Blvd. and Binion Lane, Precinct 3.**

Item 14 continued - Engineering:

- I. Approve application from CenterPoint Entex to bury a 6-inch plastic gas line along Roesner Road, Cinco Trace Drive, and Katy Flewellen Road, Precinct 3.
- J. Approve application from ETC NGL Transport, LLC to bore a 20-inch pipeline under Zamanek Road, Shenley Road, Krueger Road, Buffalo Creek I-B-3, Mound Creek I-A, Guy Creek I-A-I, Deer Creek Lateral 11-B-5-C-2, Cedar Creek I-B, Deer Creek Lateral II-B-5 C, Precinct 1.
- K. Accept the streets in Cinco Ranch Southwest, Section 40: Sugarside Glen Drive 1,234.56 LF; Lindabury Hollow Drive 568.65 LF; Yellow Cornerstone Drive 834.84 LF; Hollowback Drive 564.97 LF; Red Cedar Hollow Drive 664.09 LF; Nobbe Hollow Drive 304.31 LF; and Justin Ridge Road 56.31 LF; for a total of 4,227.73 LF; and release bond #SU1103240 in the amount of \$330,260.00, Precinct 3.
- L. Approve plat for the roads within Del Webb Richmond, Section 18A, Precinct 1.
- M. Approve plat for the lots within Dell Webb Richmond, Section 18A, Precinct 1.
- N. Approve the plat for Katy Gaston Road North from Bellaire Boulevard STD, Pct. 3.
- O. Approve the plat for San Marino Cove STD, Precinct 3.
- P. Approve the plat for Cinco Village Center, Section 3, Partial Replat No. 5, Precinct 3.
- Q. Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 40, Precinct 3. *(Tuesday, December 20, 2011, at 1:00 p.m.)*
- R. Set public hearing for replat of Fulbrook, Section 2C, Replat of Lots 3 and 4 of Block 2, Precinct 3. *(Tuesday, January 3, 2012, at 1:00 p.m.)*
- S. Reset public hearing for acceptance of traffic control plan for King Lakes, Section 4, Precinct 3, due to error with newspaper publication. *(Tuesday, Dec. 20, 2011, at 1:00 p.m.)*
- 15. **FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by Facility Bond and/or Capital Projects:**
 - A. Invoice No. 31 in the amount of \$9,102.22 to Bailey Architects for Architectural Services regarding the University Branch Library in Sugar Land;
 - B. Pay Application No. 30 in the amount of \$1,729,491.00 to JE Dunn South Central, Inc., for construction services regarding the Justice Center.
- 16. **FIRE MARSHAL:**

Approve and record into Minutes the State FY 2011 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Fire Marshal.

17. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend County Toll Road Authority (the Authority) reviewed these items at their regular Board meeting held on November 16, 2011, and makes the following recommendations to Commissioners Court:
 - A. Approve proposal by Brown & Gay Engineers, Inc. in the amount of \$8,000 for a Traffic Speed Study of the Fort Bend Westpark Tollway/FM 1093 Corridor.
 - B. Approve Letter Agreement between Fort Bend County Toll Road Authority and Webber LLC for a temporary office site to be used during the course of construction for the Harris County Toll Road Authority Beltway 8 expansion project.

18. **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 November 16, 2011, and makes the following recommendations to Commissioners Court:
 - A. Approve insurance proposal from Harco Insurance Services in the amount of \$24,994.00 for property and equipment breakdown policies.
 - B. Approve Supplemental Agreement No. 2 to the Engineering Services Agreement between Fort Bend Grand Parkway Toll Road Authority and Aguirre & Fields LP in the amount of \$186,253.75 for design services of the direct connector from eastbound Westpark Tollway to northbound Grand Parkway, Segment D.

19. **HEALTH & HUMAN SERVICES:**

Approve Texas Department of State Health Services (DHS) Grant Award Contract No. 2012-040288, the content of which is confidential and covered by Texas Government Code 418.183(f).

20. **HUMAN RESOURCES:**

Approve request for withdrawal of 120 hours from the Shared Sick Leave Pool for employee of the Tax Office, Position No. 4991-0060.

21. **PUBLIC TRANSPORTATION:**

Authorize County Judge to sign and Transportation Director to electronically submit on behalf of Fort Bend County the FY12 Federal Certifications and Assurances for Federal Transit Administration Assistance Programs as required by the Federal Transit Administration.

- 22. PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
- A. Bids for Falcon Landing Blvd Road Extension;**
 - B. Proposals for oil, gas and mineral lease;**
 - C. Proposals for landscape maintenance; and**
 - D. Bids for vehicles.**
- 23. RISK MANAGEMENT:**
- Approve letter of exemption to the Health Insurance Portability and Accountability Act (HIPAA) of 1996 for Plan Year 2012.**
- 24. ROAD & BRIDGE:**
- A. Approve payment of Invoice No. 21301 in the amount of \$4,091.00 to Terra Associates, Inc. for traffic signal design at the intersections of Mason Rd. and Northmoor Dr., Highland Knolls Dr. and Greenway Village, and Cinco Ranch Blvd. and Gaston Road. (Fund: Road & Bridge, Traffic Signals)**
 - B. Approve payment of Invoice No. 2011749 in the amount of \$13,996.66 to TEDSI Infrastructure Group for traffic signal design at the intersection of Westheimer Parkway and Greenbusch/Saddle Spur. (Fund: Road & Bridge, Traffic Signals)**
 - C. Approve payment of Invoice No. 1097 in the amount of \$4,482.50 to EPIC Transportation Group, LP for traffic signal design at the intersection of Old Richmond and Voss Road. (Fund: Road & Bridge, Traffic Signals)**
- 25. SHERIFF'S OFFICE:**
- A. Record into Minutes the appointment of Otoniel Cantu, Ph.D. by Milton Wright, Sheriff, to serve as a member of the Civil Service Commission to administer the Fort Bend County Sheriff's Department (Office) Civil Service System, pursuant to Texas Local Government Code Sec. 158.034.**
 - B. Approve and record into Minutes the State FY 2011 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Narcotics Task Force.**
 - C. Approve and record into Minutes the Federal FY 2011 Equitable Sharing Agreement and Certification for the Fort Bend County Narcotics Task Force.**
 - D. No agenda item. Error in numbering.**
 - E. Approve and record into Minutes the Federal FY 2011 Equitable Sharing Agreement and Certification for the Sheriff's Office.**

Item 25 continued - Sheriff's Office:

- F. **Approve and record into Minutes the State FY 2011 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Sheriff's Office.**

26. TAX ASSESSOR/COLLECTOR:

- A. **Record into Minutes the Summary Monthly Report of Property Taxes Collected in October, 2011 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- B. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on November 15, 2011, for an amount totaling \$11,164.22 for the Office of Patsy Schultz.**
- C. **Record into Minutes the Annual Report of Property Taxes collected from October 1, 2010 through September 30, 2011, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**

27. TREASURER:

Approve Monthly Report submitted by County Treasurer for October, 2011, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve consent agenda items 5 - 27 with correction to 25D-no item, error in numbering.

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

28. COUNTY JUDGE:

- A. Take all appropriate action on the appointment of a Commissioners Court representative as a member of the Civil Service Commission to administer the Fort Bend County Sheriff's Department (Office) Civil Service System, pursuant to Texas Local Government Code Sec. 158.034.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to appoint Bobby Slavinski as Commissioners Court representative and as a member of the Civil Service Commission to administer the Fort Bend County Sheriff's Department (Office) Civil Service System, pursuant to Texas Local Government Code Sec. 158.034.

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

- B. Take all appropriate action to modify the Order of Commissioners Court adopted on June 14, 2011, Agenda Item 18A, for the Designation of Courts Facilities.**

Pass.

- C. Take all appropriate action on Resolution and Application to Texas Historical Commission for the Texas Historic Courthouse Preservation Program, Round VII, for Restoration of the Historic Courthouse.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Resolution and Application to Texas Historical Commission for the Texas Historic Courthouse Preservation Program, Round VII, for Restoration of the Historic Courthouse.

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

Item 28 continued - County Judge:

D. Take all appropriate action on First Amendment to the Tax Abatement Agreement between Fort Bend County and CLB, Inc.; assignment to CLB Buffalo Run, LLC, as Owner.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve First Amendment to the Tax Abatement Agreement between Fort Bend County and CLB, Inc.; assignment to CLB Buffalo Run, LLC, as Owner.

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

E. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County, ELI.FIN Development, Inc., as Owner, and OMB Valves, Inc., as Lessee.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County, ELI.FIN Development, Inc., as Owner, and OMB Valves, Inc., as Lessee.

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

F. Take all appropriate action on request to terminate the Tax Abatement Agreement between Fort Bend County and Cooper Surgical, Inc., as parent company of Lone Star Medical Products, Inc.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to terminate the Tax Abatement Agreement between Fort Bend County and Cooper Surgical, Inc., as parent company of Lone Star Medical Products, Inc.

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

Item 28 continued - County Judge:

G. Take all appropriate action on Order Establishing and Organizing Fort Bend County Assistance District No. 1, Precinct 3, and Approval of Agreement for the Duration, Rate, and Allocation of Sale and Use Tax.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Order Establishing and Organizing Fort Bend County Assistance District No. 1, Precinct 3, and Approval of Agreement for the Duration, Rate, and Allocation of Sale and Use Tax.

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

H. Take all appropriate action on Order Establishing and Organizing Fort Bend County Assistance District No. 2, Precincts 3 and 4, and Approval of Agreement for the Duration, Rate, and Allocation of Sale and Use Tax.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to approve Order Establishing and Organizing Fort Bend County Assistance District No. 2, Precincts 3 and 4, and Approval of Agreement for the Duration, Rate, and Allocation of Sale and Use Tax.

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

I. Take all appropriate action on Order Establishing and Organizing Fort Bend County Assistance District No. 4, Precinct 1, and Approval of Agreement for the Duration, Rate, and Allocation of Sale and Use Tax.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Order Establishing and Organizing Fort Bend County Assistance District No. 4, Precinct 1, and Approval of Agreement for the Duration, Rate, and Allocation of Sale and Use Tax.

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

Item 28 continued - County Judge:

J. Take all appropriate action on Order Establishing and Organizing Fort Bend County Assistance District No. 5, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Order Establishing and Organizing Fort Bend County Assistance District No. 5, Precinct 1.

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

29. COMMISSIONER, PCT. 1:

A. Take all appropriate action on Primary Interlocal Agreement between Fort Bend County, Texas and Rosenberg Development Corporation.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Primary Interlocal Agreement between Fort Bend County, Texas and Rosenberg Development Corporation.

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

B. Take all appropriate action on Interlocal Project Agreement between Fort Bend County and Rosenberg Development Corporation (RDC) for the RDC contribution of the local match required by Texas Department of Transportation (TxDOT) for the US 59/FM 762 Landscaping Project.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Interlocal Project Agreement between Fort Bend County and Rosenberg Development Corporation (RDC) for the RDC contribution of the local match required by Texas Department of Transportation (TxDOT) for the US 59/FM 762 Landscaping Project.

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

30. COMMISSIONER, PCT. 3:

- A. Take all appropriate action on the Toll Equity Financial Assistance Agreement between the Texas Department of Transportation and Fort Bend County for the extension of the Westpark Tollway, including frontage roads, Precinct 3.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the Toll Equity Financial Assistance Agreement between the Texas Department of Transportation and Fort Bend County for the extension of the Westpark Tollway, including frontage roads, Precinct 3.

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

- B. Take all appropriate action on Primary Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 37.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Primary Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 37.

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

- C. Take all appropriate action on the appointment of John Steffes as a Commissioner to the Fort Bend County Emergency Services District No. 1 (Kelliwood) Board for a term effective January 1, 2012 through December 31, 2013.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the appointment of John Steffes as a Commissioner to the Fort Bend County Emergency Services District No. 1 (Kelliwood) Board for a term effective January 1, 2012 through December 31, 2013.

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

31. COMMUNITY DEVELOPMENT:

Take all appropriate action on First Modification of Agreement between Fort Bend County and Southeast Texas Housing Finance Corporation, to decrease original funding amount from \$650,000.00 to \$179,035.00. (Fund: Neighborhood Stabilization Program)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve First Modification of Agreement between Fort Bend County and Southeast Texas Housing Finance Corporation, to decrease original funding amount from \$650,000.00 to \$179,035.00. (Fund: Neighborhood Stabilization Program)

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

32. CONSTABLE, PCT. 2:

Take all appropriate action on request to transfer the amount of \$33,453 from Non-Departmental Contingency as detailed on Auditor's form dated November 10, 2011, to allocate funds for the purchase of a replacement vehicle for the Law Enforcement Agreement with Fort Bend County Toll Road Authority.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to transfer the amount of \$33,453 from Non-Departmental Contingency as detailed on Auditor's form dated November 10, 2011, to allocate funds for the purchase of a replacement vehicle for the Law Enforcement Agreement with Fort Bend County Toll Road Authority.

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

33. ENGINEERING:

- A. Take all appropriate action on Third Amendment to the Professional Services Agreement between Fort Bend County and TEDSI Infrastructure Group increasing compensation in an amount not to exceed \$13,350; total project cost not to exceed \$88,350, for improvements to Harlem Road, Project No. 725A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Third Amendment to the Professional Services Agreement between Fort Bend County and TEDSI Infrastructure Group increasing compensation in an amount not to exceed \$13,350; total project cost not to exceed \$88,350, for improvements to Harlem Road, Project No. 725A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)

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

- B. Take all appropriate action on the Professional Design Engineering Services Agreement between Fort Bend County and Dannenbaum Engineering Corporation to serve as Program Manager for Phase I/Design Phase of the extension of FM 1093 from State Highway 99 to west of FM 359, for an amount not to exceed \$5,156,625.00, Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the Professional Design Engineering Services Agreement between Fort Bend County and Dannenbaum Engineering Corporation to serve as Program Manager for Phase I/Design Phase of the extension of FM 1093 from State Highway 99 to west of FM 359, for an amount not to exceed \$5,156,625.00, Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)

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

Item 33 continued - Engineering:

- C. Take all appropriate action on the Professional Engineering Services Agreement between Fort Bend County and Cobb, Fendley & Associates, Inc. in an amount not to exceed \$237,142.00 for improvements to Gaston Road, Mobility Bond Project 733, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the Professional Engineering Services Agreement between Fort Bend County and Cobb, Fendley & Associates, Inc. in an amount not to exceed \$237,142.00 for improvements to Gaston Road, Mobility Bond Project 733, Precinct 3. Fund: 2007 Mobility Bonds)

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

- D. Take all appropriate action on Interlocal Agreement between Fort Bend County and the City of Missouri City in an amount not to exceed \$265,603 for design and \$2,213,355 for construction of improvements to Lexington Blvd., Mobility Bond Project 722, Precinct 2. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Interlocal Agreement between Fort Bend County and the City of Missouri City in an amount not to exceed \$265,603 for design and \$2,213,355 for construction of improvements to Lexington Blvd., Mobility Bond Project 722, Precinct 2. Fund: 2007 Mobility Bonds)

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

Item 33 continued - Engineering:

- E. Take all appropriate action on request to abandon Torrey Pines Drive, a street stub dedicated to the public with Aliana Section 10, Precinct 4.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to abandon Torrey Pines Drive, a street stub dedicated to the public with Aliana Section 10, Precinct 4.

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

- F. Take all appropriate action on request by James N. & Barbara Burgin for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to allow 2.71 acres to be divided out of 15.271 acres located in the John Randon League, Abstract 76, recorded in official Fort Bend County Deed Records, Instrument #2000091429 and Instrument #2011080869, Fort Bend County, Texas, Precinct 3.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve request by James N. & Barbara Burgin for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to allow 2.71 acres to be divided out of 15.271 acres located in the John Randon League, Abstract 76, recorded in official Fort Bend County Deed Records, Instrument #2000091429 and Instrument #2011080869, Fort Bend County, Texas, Precinct 3.

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

Item 33 continued - Engineering:

- G. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Cinco Ranch Southwest, Section 48 Partial Replat No. 1, on behalf of Terrabrook Cinco Ranch Southwest, Ltd., Precinct 3.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve request for variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Cinco Ranch Southwest, Section 48 Partial Replat No. 1, on behalf of Terrabrook Cinco Ranch Southwest, Ltd., Precinct 3.

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

Note: City of Houston has approved the set back line.

- H. Take all appropriate action on the plat for Cinco Ranch Southwest, Section 48 Partial Replat No. 1, Precinct 3.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the plat for Cinco Ranch Southwest, Section 48 Partial Replat No. 1, Precinct 3.

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

Item 33 continued - Engineering:

- I. Take all appropriate action on the Advance Funding Agreements between Fort Bend County and Texas Department of Transportation for Bridge Replacement for Rehabilitation Off the State System for these bridges: CSJ 0912-34-176 Meyer Road at Snake Creek Tributary; and CSJ 0912-34-177 Meyer Road at Snake Creek, Precinct 1, at no cost to the County.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve the Advance Funding Agreements between Fort Bend County and Texas Department of Transportation for Bridge Replacement for Rehabilitation of OFF the State System for these bridges: CSJ 0912-34-176 Meyer Road at Snake Creek Tributary; and CSJ 0912-34-177 Meyer Road at Snake Creek, Precinct 1, at no cost to the County.

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

34. FIRE MARSHAL:

Take all appropriate action on request to reimburse Matt Cornell in the amount of \$35.00 for renewal of membership in the International Association of Arson Investigators/Texas Chapter without a purchase order. (Fund: Fire Marshal, Fees)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to reimburse Matt Cornell in the amount of \$35.00 for renewal of membership in the International Association of Arson Investigators/Texas Chapter without a purchase order. (Fund: Fire Marshal, Fees)

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

35. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position Number 4553-0007 in the Office of Justice of the Peace, Pct 2, from Clerk III, Grade 7, of the Administrative Clerical Policy Group, to Case Manager, Grade 8 of the Administrative Clerical Policy Group, effective November 26, 2011.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to reclassify Position Number 4553-0007 in the Office of Justice of the Peace, Pct 2, from Clerk III, Grade 7, of the Administrative Clerical Policy Group, to Case Manager, Grade 8 of the Administrative Clerical Policy Group, effective November 26, 2011.

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

36. INFORMATION TECHNOLOGY:

Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$2,874.00 to J. T. Packard for preventive maintenance on the Mitsubishi equipment performed without a purchase order. (Fund: Information Technology, Fees)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to authorize payment by Invoice Transmittal for an amount totaling \$2,874.00 to J. T. Packard for preventive maintenance on the Mitsubishi equipment performed without a purchase order. (Fund: Information Technology, Fees)

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

37. JUSTICE OF THE PEACE, PCT. 1, PL. 2:

Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$1,350.01 to American Promo Print for jackets and shirts with County emblem purchased without a purchase order. (Fund: Justice of the Peace, Pct. 1, Place 2, Operating Supplies)

Pass.

38. LIBRARY:

Take all appropriate action on Barnes & Noble Bookfair Agreement, authorizing the Fort Bend County Libraries to participate in a Bookfair event from March 16-23, 2012, at no cost to the County.

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Barnes & Noble Bookfair Agreement, authorizing the Fort Bend County Libraries to participate in a Bookfair event from March 16-23, 2012, at no cost to the County.

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

39. PURCHASING:

A. Take all appropriate action on Change Order 5 and Change Order 6 to the Agreement between Fort Bend County and Phonoscope, Inc. pursuant RFP #10-086 for Ethernet Service in an amount not to exceed \$12,000 per month. (Fund: Facilities Management & Planning)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Change Order 5 and Change Order 6 to the Agreement between Fort Bend County and Phonoscope, Inc. pursuant RFP #10-086 for Ethernet Service in an amount not to exceed \$12,000 per month. (Fund: Facilities Management & Planning)

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

Item 39 continued - Purchasing:

- B. Take all appropriate action on Agreement between Fort Bend County and First Transit, Inc. pursuant to RFP #11-079 for Bus Service effective January 1, 2012. (Fund: Public Transportation Grants)**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Agreement between Fort Bend County and First Transit, Inc. pursuant to RFP #11-079 for Bus Service effective January 1, 2012 and authorize County Judge to sign final agreement. (Fund: Public Transportation Grants)

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

- C. Take all appropriate action on Agreement between Fort Bend County and Tegrity TH 1 LLC, pursuant to RFP 11-089 for Construction of Single Family Housing, in an amount not to exceed \$59,300. (Fund: Community Development Hurricane Ike Recovery Funds)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Agreement between Fort Bend County and Tegrity TH 1 LLC, pursuant to RFP 11-089 for Construction of Single Family Housing, in an amount not to exceed \$59,300. (Fund: Community Development Hurricane Ike Recovery Funds)

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

- D. Take all appropriate action to authorize the purchase of one (1) replacement automobile, Vehicle 13, from Caldwell Country, for Constable Pct 2, in the amount of \$24,691.00 plus dual battery option \$143.00. (Fund: Constable Pct. 2)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to authorize the purchase of one (1) replacement automobile, Vehicle 13, from Caldwell Country, for Constable Pct 2, in the amount of \$24,691.00 plus dual battery option \$143.00. (Fund: Constable Pct. 2)

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

Item 39 continued - Purchasing:

- E. Take all appropriate action to authorize the purchase of one (1) asphalt truck from Houston Freightliner/Sterling utilizing Houston-Galveston Area Council Contract Number HT11-09 for a total amount not to exceed \$74,350. (Fund: Road & Bridge)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to authorize the purchase of one (1) asphalt truck from Houston Freightliner/Sterling utilizing Houston-Galveston Area Council Contract Number HT11-09 for a total amount not to exceed \$74,350. (Fund: Road & Bridge)

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

- F. Take all appropriate action to authorize the purchase of one (1) dump truck from Houston Freightliner/Sterling utilizing Houston-Galveston Area Council Contract HT11-09 for a total amount not to exceed \$73,750. (Fund: Road & Bridge)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to authorize the purchase of one (1) dump truck from Houston Freightliner/Sterling utilizing Houston-Galveston Area Council Contract HT11-09 for a total amount not to exceed \$73,750. (Fund: Road & Bridge)

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

Item 39 continued - Purchasing:

- G. Take all appropriate action to authorize the purchase of computer hardware, software and professional services from NWN Corporation utilizing State of Texas Department of Information Resources Contract Numbers DIR-SDD-1366 and 1544 for an amount not to exceed \$63,586.88. (Fund: Facility Bond Project)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to authorize the purchase of computer hardware, software and professional services from NWN Corporation utilizing State of Texas Department of Information Resources Contract Numbers DIR-SDD-1366 and 1544 for an amount not to exceed \$63,586.88. (Fund: Facility Bond Project)

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

- H. Take all appropriate action to authorize the purchase of one (1) addition to fleet vehicle, an SUV, from Helfman Ford, for Information Technology, for an amount not to exceed \$18,560. (Fund: Information Technology)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to authorize the purchase of one (1) addition to fleet vehicle, an SUV, from Helfman Ford, for Information Technology, for an amount not to exceed \$18,560. (Fund: Information Technology)

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

Item 39 continued - Purchasing:

- I. Take all appropriate action to authorize the purchase of telephone equipment and services from Walkercom per State of Texas Department of Information Resources Contract DIR-SDD1499 for an amount not to exceed \$67,151.30. (Fund: Library)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to authorize the purchase of telephone equipment and services from Walkercom per State of Texas Department of Information Resources Contract DIR-SDD1499 for an amount not to exceed \$67,151.30. (Fund: Library)

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

- J. Take all appropriate action on Amendment to Agreement between Fort Bend County and Science Applications International Corporation for county-wide continuity of operations plan utilizing Houston-Galveston Area Council Agreement EN06-10, in an amount not to exceed \$9,981. (Fund: Office of Emergency Management, Urban Area Security Initiative Grant)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Amendment to Agreement between Fort Bend County and Science Applications International Corporation for county-wide continuity of operations plan utilizing Houston-Galveston Area Council Agreement EN06-10, in an amount not to exceed \$9,981. (Fund: Office of Emergency Management, Urban Area Security Initiative Grant)

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

Item 39 continued - Purchasing:

- K. Take all appropriate action on BuyBoard Contract #339-100 for Elevator Maintenance with Schindler Elevator Corporation for an amount not to exceed \$59,064.00. (Fund: Facilities Management & Planning)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve BuyBoard Contract #339-100 for Elevator Maintenance with Schindler Elevator Corporation for an amount not to exceed \$59,064.00. (Fund: Facilities Management & Planning)

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

40. ROAD & BRIDGE:

- Take all appropriate action on the Interlocal Agreement between Fort Bend County and the Fort Bend County Levee Improvement District No. 6 for maintenance of the Wessendorff Ditch, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve the Interlocal Agreement between Fort Bend County and the Fort Bend County Levee Improvement District No. 6 for maintenance of the Wessendorff Ditch, Precinct 1.

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

41. SHERIFF'S OFFICE:

- A. Take all appropriate action on Agreement to accept grant funds from the Organized Crime Drug Enforcement Task Forces (OCDETF) in the amount of \$4,235.28 for use in the strike force initiative programs from October 1, 2012 through September 30, 2012, with no cash match required by Fort Bend County.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Agreement to accept grant funds from the Organized Crime Drug Enforcement Task Forces (OCDETF) in the amount of \$4,235.28 for use in the strike force initiative programs from October 1, 2011 through September 30, 2012, with no cash match required by Fort Bend County.

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

- B. Take all appropriate action on Modification 2 to accept additional funds in the amount of \$4,614.00 from the Executive Office of the President, Office of National Drug Control Policy, for the High Intensity Drug Trafficking Area (HIDTA) program for the grant period January 1, 2011 through December 31, 2012, with no cash match required by Fort Bend County.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Modification 2 to accept additional funds in the amount of \$4,614.00 from the Executive Office of the President, Office of National Drug Control Policy, for the High Intensity Drug Trafficking Area (HIDTA) program for the grant period January 1, 2011 through December 31, 2011, with no cash match required by Fort Bend County.

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

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to amend previous motion to correct grant period to January 1, 2011 through December 31, 2012.

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

Item 41 continued - Sheriff's Office:

- C. **Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$123.00 to Skelton Business Equipment for image transfer unit received without a purchase order. (Fund: Sheriff, Enforcement, Operating, Office Supplies)**

Pass.

- D. **Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$461.60 to Copperfield Electric for repair services performed without a purchase order. (Fund: Sheriff, Federal Forfeited Assets-Task, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$461.60 to Copperfield Electric for repair services performed without a purchase order. (Fund: Sheriff, Federal Forfeited Assets-Task, Fees)

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

42. Approve Bills.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve bills in the amount of \$10,040,788.96.

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

43. Ratify the release of time-sensitive bills by Auditor on November 17, 2011.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to ratify the release of time-sensitive bills by Auditor on November 17, 2011 in the amount of \$134,318.69.

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

44. Authorize County Auditor to pay and release time sensitive bills on December 1, 2011, to be ratified by Commissioners Court on December 6, 2011.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on December 1, 2011, to be ratified by Commissioners Court on December 6, 2011.

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

Recess:

Recessed at 1:30 p.m.

45. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:

§ 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.

- A. Cause No. 11-DCV-192196; Nancy Kendziora, Individually and A/N/F of William Kendziora, a minor v. John Kendziora (Medical Subrogation).**
- B. Civil Action No. 3:11-CV-02733-O; Dallas County, Texas vs. MERSCORP, Inc., et al.; In the United States District Court Northern District of Texas, Dallas Division.**

Closed Session:

Convened at 1:42 p.m.
Adjourned at 1:52 p.m.

Reconvene:

Reconvened at 1:54 p.m.

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

§ 551.071. Consultation With Attorney.

A. Cause No. 11-DCV-192196; Nancy Kendziora, Individually and A/N/F of William Kendziora, a minor v. John Kendziora (Medical Subrogation).

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve and accept the proposal made by agreed Court Order/Final Judgment dated November 18, 2011 for the settlement of the County Health Care Plan's Subrogation Lien against the personal injury claims asserted by Nancy Kendziora, individually and next friend of William Kendziora, a minor (insured dependant), arising from the accident on 4/26/2011.

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

B. Civil Action No. 3:11-CV-02733-O; Dallas County, Texas vs. MERSCORP, Inc., et al.; In the United States District Court Northern District of Texas, Dallas Division.

No action.

47. Adjournment.

Commissioners Court adjourned at 1:57 p.m. on Tuesday, November 22, 2011.