

APPROVAL OF MINUTES
COMMISSIONERS COURT
FORT BEND COUNTY

I, Dianne Wilson, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 8th day of November, 2011.



DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Prestige seconded by Commissioner Patterson, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 22nd day of November, 2011.



ROBERT E. HEBERT, COUNTY JUDGE

November 8, 2011

MINUTES

BE IT REMEMBERED, That on this 8TH 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
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK

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

1. Call to Order.

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

2. Invocation and Pledge of Allegiance by Commissioner Patterson.

Invocation and Pledge of Allegiance by Commissioner Patterson.

3. Approve minutes of regular meeting held on November 1, 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 November 1, 2011.

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

4. Public Comments regarding the Agenda and Announcements.

November Service Awards were presented to county employees.

Judge Hebert announced that today is Election Day.

Commissioner Meyers named several local elections being held today.

Commissioner Morrison announced that November 15 is Recycling Day.

Judge Hebert reminded everyone about the National Emergency Systems Alert is tomorrow at 1:00 p.m. and that Friday is a county holiday for Veteran's Day.

Commissioner Patterson announced the ribbon cutting for the University Branch Library is Thursday, November 10 at 6:00 p.m.

Ray Webb, IT Director, introduced his new employee Clay Elliott.

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

Acceptance of the traffic control plan for University Boulevard at Riverstone, Phase I Street Dedication, Precinct 4.

Public hearing held. No public comments.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to accept the traffic control plan for University Boulevard at Riverstone, Phase I Street Dedication, Precinct 4.

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

CONSENT AGENDA ITEMS 6 - 13:

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

Sheriff's Office: Ratify travel by R. Callie and S. Nicodemus to Fort Lauderdale, Florida, November 7-9, 2011, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

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

- A. **Facilities Management & Planning:** Approve transfer in the amount of \$25,000 as detailed on Auditor's form dated November 2, 2011 to allocate funds for improvements to the Transportation Facility on Eldridge Road.
- B. **Facilities Management & Planning:** Approve transfer in the amount of \$500,000 from Commissioners Court Projects into Central Appraisal District Project to allocate funds for expansion of the facility.
- C. **Public Transportation:** Approve FY 2011 transfer in the amount of \$1,883,686 as detailed on Public Transportation Director's form dated November 1, 2011, to allocate local match funding for various grant programs.

8. **CONSTABLE, PCT. 4:**

Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and New Territory Residential Community Association, effective through September 30, 2012.

9. **ENGINEERING:**

- A. Approve payment of Invoice No. 14 - Final (Pay Estimate No. 14) in the amount of \$396,749.19 to Allgood Construction Company, Inc. regarding improvements to Greenbusch Road Phase II, Mobility Bond Project No. 732, Precinct 3. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 2011737 in the amount of \$12,005.44 and Invoice No. 2011723 in the amount of \$4,079.01 to Tedsi Infrastructure Group regarding the expansion of Harlem Road, Mobility Bond Project #725-A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 50382 in the amount of \$43,110.72 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)
- D. Approve payment of Invoice No. 11-09-010 (Pay Estimate No. 1) in the amount of \$45,384.00 to Kelly Kaluza & Associates regarding the expansion of Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)
- E. Approve payment of Invoice No. FBC2011-1006-718 in the amount of \$14,893.82 (Ludwig to US 90A) and Invoice No. FBC2011-1006-769 in the amount of \$13,748.14 (Avenue E to Ludwig) to SES Horizon Consulting Engineers, Inc. for improvements to Brand Lane, Mobility Bond Projects #718 and #769, Precinct 2. (Fund: 2007 Mobility Bonds)
- F. Approve payment of Invoice No. 211560114 in the amount of \$40,906.50, Invoice No. 211560115 in the amount of \$68,090.00 and Invoice No. 211560116 in the amount of \$30,678.00 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)

Item 9 continued - Engineering:

- G. Approve payment of Invoice No. 201110-115A (Final), Pay Estimate No. 6, in the amount of \$73,750.51 to Durwood Greene Construction Company regarding Old Richmond Road (from Voss to West Airport Blvd.), Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)**
- H. Approve release of Performance Bond #SUR0000654 in the amount of \$5,000.00 to Kinder Morgan Texas Pipeline, LLC for completion of work on Baker Road, Permit #83706, Precinct 1.**
- I. Approve release of Performance Bond #5088590 in the amount of \$7,000.00 to Steel Crete, LLC for completion of work on Beechnut Street, Permit #83838, Precinct 3.**
- J. Approve application from AT&T Texas to bury cable along Skinner Lane, Precinct 3.**
- K. Approve application from Justiniano Sabillon to construct a driveway tie-in onto Clodine Road, Precinct 3.**
- L. Approve application from Identity Homes to construct a driveway tie-in onto Knoll Oak Lane, Precinct 1.**
- M. Approve application from Quadvest Construction LP to construct a driveway tie-in onto Clodine Road, Precinct 3.**
- N. Approve acceptance of Travelers Casualty & Surety Company of America, Perpetual Bond #104984564 for HSC Pipeline Partnership, LLC.**
- O. Approve application from HSC Pipeline Partnership, LLC to utilize a portion of Big Creek ByPass 11-B-ALT as staging area, Precinct 1.**
- P. Approve application from Criss Knight dba C. Knight's plumbing to construct an outfall into Long Point Slough V-B, Precinct 3.**
- Q. Release Oversize, Overweight...Letter of Credit #1481 in the amount of \$50,000.00 from Bruington Operating, L.L.C. for any and all damages that may be sustained to any roads (Pilcik Road) or bridges while operating equipment in Fort Bend County, Precinct 1.**
- R. Approve reducing the bond amount for Cinco Ranch Southwest, Section 54 for Taylor Morrison of Texas, Inc. from \$406,770.00 to \$203,385.00 due to the project being in the 1-year warranty period; and authorize refund in the amount of \$203,385.00 plus fifty percent (50%) of the accrued interest to Taylor Morrison of Texas, Precinct 3.**
- S. Approve the plat for Truckee Woods Subdivision, Precinct 3.**
- T. Approve plat for the roads within Sienna Village of Anderson Springs, Section 15B, Pct 2.**

Item 9 continued - Engineering:

- U. Approve plat for the lots within Sienna Village of Anderson Springs, Section 15B, Precinct 2.
 - V. Approve plat for the roads within Firethorne West, Section 6, Precinct 3.
 - W. Approve plat for the lots within Firethorne West, Section 6, Precinct 3.
 - X. Set public hearing for replat of Sienna Village of Anderson Springs, Section 15A, Partial Replat No. 1, Precinct 2 (*December 13, 2011 at 1:00 p.m.*).
 - Y. Set public hearing for Family Dollar Store FM 1464 Subdivision, being a replat of a portion of Restricted Reserve "A" of Twin Oaks Village, Section 15, Precinct 3 (*December 13, 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. Pay Application No. Twelve (12) to EE Reed Construction LP in the amount of \$84,902 for Construction Services regarding the University Branch Library in Sugar Land;
 - B. Invoice No. 10031359 in the amount of \$209.63 to PGAL for reimbursable expenses regarding the Justice Center;
 - C. Pay Application No. 11-013 003 in the amount of \$46,773.35 to Bass Construction Co., Inc., for Construction Services regarding the Employee Health Clinic.
11. **HEALTH & HUMAN SERVICES:**
- Approve Full Release and Usage of County Property Agreement with the Spay-Neuter Assistance Program (SNAP) for five mobile clinic visits scheduled for FY 2012 at various County locations specified in the Agreement.
12. **PUBLIC TRANSPORTATION:**
- Approve the United States of America Department of Transportation Federal Transit Administration Master Agreement FTA MA (13) dated October 1, 2011, and authorize the Transportation Director to electronically submit the document.

13. PURCHASING:

- A. Authorize advertising for Design/Build Construction of pavilion for Kitty Hollow Park.**
 - B. Authorize advertising for bids for the widening project at Hwy 90A and Harlem Road.**
-

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-13 with correction to 9A - correct amount is \$396,749.18.

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

14. COUNTY JUDGE:

- A. Take all appropriate action on the appointment of Underwriters for the Issuance of \$65,000,000 Fort Bend County, Unlimited Tax Road Bonds, Series 2012.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to appoint Siebert Brandford Shank & Co as Senior Manager, Raymond James & Assoc. Inc. as Co-Manager, Kipling Jones & Co. Ltd. as Co-Manager and Jefferies & Company as Co-Manager for Underwriters for the Issuance of \$65,000,000 Fort Bend County, Unlimited Tax Road Bonds, Series 2012.

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

Item 14 continued - County Judge:

- B. Take all appropriate action on the appointment of Underwriters for the Issuance of \$25,000,000 Fort Bend County Toll Road Authority, Senior Lien Toll Road Revenue Bonds, Series 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to appoint RBC Capital Markets as Senior Manager and Rice Financial Products Co. as Co-Manager as Underwriters for the Issuance of \$25,000,000 Fort Bend County Toll Road Authority, Senior Lien Toll Road Revenue Bonds, Series 2012.

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 Agreement between Fort Bend County, Fort Bend County Municipal Utility District No. 37, and Pin Oak Village Homeowners Association, Inc. for Landscaping and Maintenance of the Westheimer Parkway Median.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Agreement between Fort Bend County, Fort Bend County Municipal Utility District No. 37, and Pin Oak Village Homeowners Association, Inc. for Landscaping and Maintenance of the Westheimer Parkway Median subject to approval by the County Attorney and execution by all parties.

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

16. ENGINEERING:

- A. Take all appropriate action to rescind action item number 44.B from October 25, 2011 Commissioners Court approving purchase of Parcel 41 of the Spur 10 Mobility Project in the amount of \$47,719 plus necessary costs not to exceed \$5,000 with funds from Right of Way and authorize County Judge to execute all necessary documents.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to rescind action item number 44.B from October 25, 2011 Commissioners Court approving purchase of Parcel 41 of the Spur 10 Mobility Project in the amount of \$47,719 plus necessary costs not to exceed \$5,000 with funds from Right of Way and authorize County Judge to execute all necessary documents.

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

- B. Take all appropriate action to approve purchase of Parcel 46 of the Spur 10 Mobility Project in the amount of \$47,718, plus necessary closing costs not to exceed \$5,000 with funds from Right of Way and authorize County Judge to executive all necessary documents.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve purchase of Parcel 46 of the Spur 10 Mobility Project in the amount of \$47,718, plus necessary closing costs not to exceed \$5,000 with funds from Right of Way and authorize County Judge to executive all necessary documents.

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

Item 16 continued - Engineering:

- C. Take all appropriate action on Development Agreement between Sunrise Meadow Subdivision (LGI Homes) and Fort Bend County to modify escrow requirements for the construction of Powerline Road, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Development Agreement between Sunrise Meadow Subdivision (LGI Homes) and Fort Bend County to modify escrow requirements for the construction of Powerline Road, Precinct 1.

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

- D. Take all appropriate action on the plat for the roads within Sunrise Meadow, Section 6, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the plat for the roads within Sunrise Meadow, Section 6, Precinct 1.

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

- E. Take all appropriate action on the plat for the lots within Sunrise Meadow, Section 6, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the plat for the lots within Sunrise Meadow, Section 6, Precinct 1.

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

17. PURCHASING:

- A. Take all appropriate action to authorize the purchase of five (5) replacement trucks, Vehicle 3, from Helfman Ford, for Road and Bridge, pursuant to Bid #11-028. (Fund: Road and Bridge)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of five (5) replacement trucks, Vehicle 3, from Helfman Ford, for Road and Bridge, pursuant to Bid #11-028. (Fund: Road and Bridge)

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

- B. Take all appropriate action to authorize the purchase of two (2) Duraco Pothole Patchers from R.B. Everett & Company utilizing Houston-Galveston Area Council Contract SM10-10, for a total amount not to exceed \$132,752.00. (Fund: Road & Bridge)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of two (2) Duraco Pothole Patchers from R.B. Everett & Company utilizing Houston-Galveston Area Council Contract SM10-10, for a total amount not to exceed \$132,752.00. (Fund: Road & Bridge)

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 two (2) Etnyre Centennial Oil Distributors from R. B. Everett & Company utilizing Buy Board Agreement 268-07, for a total amount not to exceed \$89,872.00. (Fund: Road & Bridge)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Etnyre Centennial Oil Distributors from R. B. Everett & Company utilizing Buy Board Agreement 268-07, for a total amount not to exceed \$89,872.00. (Fund: Road & Bridge)

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

Item 17 continued - Purchasing:

- D. Take all appropriate action to authorize the purchase of one (1) replacement automobile, non-police package Caprice, from Classic Chevrolet, for Gus George Academy, for an amount of \$23,997.25 plus spare tire at \$220.00. (Fund: Gus George Academy)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) replacement automobile, non-police package Caprice, from Classic Chevrolet, for Gus George Academy, for an amount of \$23,997.25 plus spare tire at \$220.00. (Fund: Gus George Academy)

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

- E. Take all appropriate action on Amendment No. 1 to the Agreement between Fort Bend County and Millis Development and Construction, Inc., pursuant to RFP #11-060, to extend the deadline for completion until January 31, 2012, with no increase in the amount of the Agreement.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 1 to the Agreement between Fort Bend County and Millis Development and Construction, Inc., pursuant to RFP #11-060, to extend the deadline for completion until January 31, 2012, with no increase in the amount of the Agreement.

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

Item 17 continued - Purchasing:

- F. Take all appropriate action on Amendment No. 1 to the Agreement between Fort Bend County and AMJ Endeavors, LLC., pursuant to RFP 11-072, to extend the time of performance through February 29, 2012, with no increase in the amount of the Agreement.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 1 to the Agreement between Fort Bend County and AMJ Endeavors, LLC., pursuant to RFP 11-072, to extend the time of performance through February 29, 2012, with no increase in the amount of the Agreement.

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

- G. Take all appropriate action on Change Order No. 2 to the Agreement between Fort Bend County and Nunn Constructors, Ltd., pursuant to Bid #10-116, for a net decrease in the amount of \$4,930; total contract amount not to exceed \$582,313.00 for the City of Kendleton Wastewater Treatment Plant. (Fund: Community Development)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 2 to the Agreement between Fort Bend County and Nunn Constructors, Ltd., pursuant to Bid #10-116, for a net decrease in the amount of \$4,930; total contract amount not to exceed \$582,313.00 for the City of Kendleton Wastewater Treatment Plant. (Fund: Community Development)

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

Item 17 continued - Purchasing:

- H. Take all appropriate action to authorize the purchase of one (1) Volvo Soil Compactor from Romco Equipment Company Houston-Galveston Area Council Contract Number SM10-10, for a total amount not to exceed \$112,924. (Fund: Road & Bridge)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) Volvo Soil Compactor from Romco Equipment Company Houston-Galveston Area Council Contract Number SM10-10, for a total amount not to exceed \$112,924. (Fund: Road & Bridge)

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

- I. Take all appropriate action on request for price increase and renewal of the Term Contract for Transportation Services from AFC Transportation effective November 8, 2011 through January 31, 2012, pursuant to Bid #06-030.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve price increase and renewal of the Term Contract for Transportation Services from AFC Transportation effective November 8, 2011 through January 31, 2012, pursuant to Bid #06-030.

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

Note: This is only for one commuter route.

18. ROAD & BRIDGE:

- A. Take all appropriate action on Change Order No. 1 to the Contract between Fort Bend County and Traffic Control Devices, Inc., pursuant to Bid #11-054, to increase the amount by \$20,329.45 for modifications during construction of the Traffic Signal at Mason Road and Northmoor Drive, Precinct 3. (Fund: Road & Bridge, Traffic Signals)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 1 to the Contract between Fort Bend County and Traffic Control Devices, Inc., pursuant to Bid #11-054, to increase the amount by \$20,329.45 for modifications during construction of the Traffic Signal at Mason Road and Northmoor Drive, Precinct 3. (Fund: Road & Bridge, Traffic Signals)

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

- B. Take all appropriate action to approve a Change Order to Contract #TS8707-48 between Houston-Galveston Area Council and Fort Bend County for the Clean Cities/Clean Vehicles Grant to extend the performance period until December 31, 2011.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve a Change Order to Contract #TS8707-48 between Houston-Galveston Area Council and Fort Bend County for the Clean Cities/Clean Vehicles Grant to extend the performance period until December 31, 2011.

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

19. SHERIFF'S OFFICE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$1,500.00 to National Academies of Emergency Dispatch for recertification of dispatchers obtained without a purchase order. (Fund: Sheriff's Office, Fees)

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$1,500.00 to National Academies of Emergency Dispatch for recertification of dispatchers obtained without a purchase order. (Fund: Sheriff's Office, Fees)

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

20. 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 \$8,391,816.79.

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

21. Authorize County Auditor to pay and release time-sensitive bills on November 17, 2011, to be ratified by Commissioners Court on November 22, 2011.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time-sensitive bills on November 17, 2011, to be ratified by Commissioners Court on November 22, 2011.

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

Recess:

Recessed at 1:17 p.m.

November 8, 2011

22. 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.**

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.

- 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.**

Burney Road, Mobility Bond Project #719, Precinct 3.

Closed Session:

Convened at 1:29 p.m.
Adjourned at 1:39 p.m.

Reconvene:

Reconvened at 1:44 p.m.

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

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

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.

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

Burney Road, Mobility Bond Project #719, Precinct 3.

Pulled.

24. Adjournment.

Commissioners Court adjourned at 1:45 p.m. on Tuesday, November 8, 2011.

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 8TH DAY of NOVEMBER, 2011, The Drainage District Board of Fort Bend County, Texas, met at a scheduled meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK
MARK VOGLER	DRAINAGE DISTRICT MANAGER

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

1. Call to Order.

Call to Order by Judge Hebert at 1:04 p.m.

Recess:

Recessed at 1:05 p.m.

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

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

- 1. Cause No. 10-CCV-043690; James E. Eiteman and Ludy Eiteman, v. Fort Bend County Drainage District in County Court at Law Number (4) in Fort Bend County, Texas.**
- 2. Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens, v. Fort Bend County Drainage District in County Court at Law Number Four (4) in Fort Bend County, Texas.**

Closed Session:

Convened at 1:25 p.m.
Adjourned at 1:29 p.m.

Reconvene:

Reconvened at 1:42 p.m.

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

A. § 551.071. Consultation With Attorney.

1. Cause No. 10-CCV-043690; James E. Eiteman and Ludy Eiteman, v. Fort Bend County Drainage District in County Court at Law Number (4) in Fort Bend County, Texas.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to authorize the County Attorney to pay a negotiated settlement for Cause No. 10-CCV-043690; James E. Eiteman and Ludy Eiteman, v. Fort Bend County Drainage District in County Court at Law Number (4) in Fort Bend County, Texas and authorize the County Judge to execute and deliver any Settlement Agreement and related documents recommended for approval by the County Attorney, to accept Deeds and to approve such terms and provisions for the full and final settlement of all claims set forth with funds from 100410101-63000.

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

2. Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens, v. Fort Bend County Drainage District in County Court at Law Number Four (4) in Fort Bend County, Texas.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to authorize the County Attorney to pay a negotiated settlement for Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens, v. Fort Bend County Drainage District in County Court at Law Number Four (4) in Fort Bend County, Texas and authorize the County Judge to execute and deliver any Settlement Agreement and related documents recommended for approval by the County Attorney, to accept Deeds and approve such terms and provisions for the full and final settlement of all claims set forth therein with funds from 100410101-63000.

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

November 8, 2011

4. Adjournment.

The Drainage District Board adjourned at 1:44 p.m. on Tuesday, November 8, 2011.

APPROVAL OF MINUTES
COMMISSIONERS COURT
FORT BEND COUNTY

I, Dianne Wilson, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 16th day of November, 2011. (special meeting)



DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Prestage seconded by Commissioner Patterson, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 22nd day of November, 2011.



ROBERT E. HEBERT, COUNTY JUDGE

MINUTES

BE IT REMEMBERED, That on this 16th DAY of NOVEMBER, 2011, Commissioners Court of Fort Bend County, Texas, met at a special meeting with the following present:

RICHARD MORRISON	COMMISSIONER PRECINCT 1
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
DIANNE WILSON	COUNTY CLERK

Judge Hebert and Commissioner Prestage absent. Commissioner Meyers presided.

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

1. Call to Order.

Call to Order by Commissioner Meyers at 10:00 a.m.

2. Authorize Presiding Officer of Commissioners Court to execute any and all documents pertaining to action taken during Special Meeting held on November 16, 2011.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (3-0), it is ordered to authorize Presiding Officer of Commissioners Court to execute any and all documents pertaining to action taken during Special Meeting held on November 16, 2011.

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

November 16, 2011

3. Canvass votes for the Election conducted on November 8, 2011, pursuant to Section 67.004 of the Texas Election Code.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (3-0), it is ordered to accept the results and canvass votes of the November 8, 2011 election, pursuant to Section 67.004 of the Texas Election Code as certified by John Oldham, Election Administrator.

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

4. Adjournment.

Commissioners Court adjourned the special meeting at 10:03 a.m. on Wednesday, November 16, 2011.