

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 24th day of January, 2012.



DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Patterson duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 7th day of February, 2012.



ROBERT E. HEBERT, COUNTY JUDGE

**MINUTES**

BE IT REMEMBERED, That on this 24th DAY of JANUARY, 2012, 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 1:05 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 January 10, 2012.**

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 January 10, 2012.

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.

January Service Awards presented to county employees.

Commissioner Meyers announced that today is his 45th wedding anniversary.

Judge Hebert announced that his Community Relations Manager, D'Neal Krisch, had a baby boy Monday.

**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 Sunrise Meadow, Section 5 and Sunrise Meadow Drive Street Dedication, Precinct 1.**
- B. Acceptance of traffic control plan for Walnut Creek, Section 5, Precinct 1.**
- C. Approval of replat: Fulbrook, Section 2A, Replat of Lots 3 and 4 of Block 2, Precinct 3.**
- D. Approval of replat: Fulbrook, Section 2D Replat of Lots 5 and 6 of Block 4, Precinct 3.**
- E. Approval of replat: Fulbrook, Section 3A, Replat of Lots 1 and 2 of Block 1, Precinct 3.**
- F. Approval of replat: Fulbrook, Section 3A, Replat of Lots 4 and 5 of Block 3, Precinct 3.**
- G. Approval of replat: Fulbrook, Section 5B, Replat of Lots 9 and 10 of Block 1, Precinct 3.**
- H. Approval of replat: Crystal Lake Estates Subdivision Replat No.1, Precinct 1.**

Public hearing held. No public comments for 5 A-G.

Public comments 5H - Patricia Hinsley from Crystal Lake Estates wanted more information about the replat. Chris Kalkomey with Charlie Kalkomey Surveying explained the purpose of the replat.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve 5 A-B.

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

Item 5 C-H no action.

**CONSENT AGENDA ITEMS 6 - 26:**

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **Community Development: Carol Borrego to Los Angeles, California, April 13-17, 2012, to attend the American Planning Association 2012 National Planning Conference. (Fund: Community Development Block Grant)**
  - B. **Library: Lorri Lessey and Katryna Russell to Philadelphia, Pennsylvania, March 13-19, 2012 to attend the Public Library Association Conference. (Fund: Library, Travel)**
  - C. **Office of Emergency Management: Alan Spears, Doug Barnes, Lach Mullen, and Jason Holloway to Denver, Colorado, April 29-May 3, 2012 to attend 2012 WebEOC Users Conference. (Fund: Office of Emergency Management, UASI Regional Planning Grant)**
  - D. **Purchasing: Debbie Kaminski to Tucson, Arizona, March 5-9, 2012, to attend the National Transit Institute Procurement Series III class. (Fund: Public Transportation Grant)**
  - E. **Sheriff's Office: Ratify travel by J. Orlop and E. Parr to St. Martinville, Louisiana, Jan. 11, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
  - F. **Sheriff's Office: J. Cervenka to Shawnee, Kansas, January 29 - February 1, 2012, for administrative training on ImageNow Software. (Fund: Sheriff, Enforcement, Travel)**
7. **COUNTY JUDGE:**
  - A. **Approve reappointment of Robert Hebert to serve on the Policy Committee for the Texas Conference of Urban Counties for the term of 2012-2013 and adopt Resolution for same.**
  - B. **Record into Minutes the Public Official Bond for Robert L. Perez, as Treasurer of the Board of Commissioners for Harris-Fort Bend Emergency Services District No. 100, effective January 1, 2012 through January 1, 2013.**
8. **COMMISSIONER, PCT. 1:**

**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 Monday, February 6, 2012, at 6:30 p.m. in the 1st Floor Meeting Room at the George Memorial Library, 1001 Golfview Drive in Richmond, Texas.**
9. **COMMISSIONER, PCT. 3:**

**Approve the reappointment of Richard McCormack, Michael Lavengco and Pam Speer as Commissioners to the Fort Bend County Emergency Services District No. 4 (Fulshear) for the term of January 1, 2012 through December 31, 2013.**
10. **AUDITOR:**

**Accept the FY2012 Formula Grant from the Texas Indigent Defense Commission in the amount of \$254,747.**

**11. BUDGET & FINANCE:**

- A. Approve and adopt the 2012 Fort Bend County Investment Policy and Investment Strategy, as presented by the Director of Finance & Investments, pursuant to Government Code Section 2256.005(e).
- B. Rescind approval of Agenda Item 10 B 5 from Commissioners Court on January 10, 2012, a transfer for the Sheriff's Office in the amount of \$1,200, to change account information.

**C. BUDGET TRANSFERS:**

- 1. Auditor: Approve transfer in the amount of \$1,020 from Fees into Information Technology to allocate funds for additional license upgrades for Microsoft Office on laptops.
- 2. County Attorney: Approve transfer in the amount of \$699 from Fees into Property and Equipment to allocate funds for replacement fax machine.
- 3. Office of Emergency Management: Approve transfer in the amount of \$1,558 as detailed on Coordinator's form dated January 13, 2012, to allocate funds for temporary employee.
- 4. Sheriff's Office: Approve transfer in the amount of \$1,200 as detailed on Director of Investments form dated January 17, 2012, to amend the budget pursuant to Local Government Code Section 111.07075 and allocate funds for administration of the updated security badge program approved by Commissioners Court after the budget was adopted.
- 5. Sheriff's Office: Approve transfer in the amount of \$356,853 as detailed on Auditor's form dated January 18, 2012 to amend the budget pursuant to Local Government Code 111.0707 and allocate funds received from forfeited assets.
- 6. Sheriff's Office: Approve transfer in the amount of \$11,615 from Property and Equipment into Information Technology to allocate funds into correct line item for expenditure by the Narcotics Task Force.

**12. CONSTABLE, PCT. 1:**

- A. Record into Minutes the Racial Profiling Report, Tier 2, dated January 5, 2012, for the Office of Constable, Precinct 1, pursuant to Code of Criminal Procedure, Articles 2.131 - 2.138.
- B. Approve renewal of Motorcycle Lease Agreement between Fort Bend County and Sheppard H. Werlein, Jr. effective through September 30, 2012. (Fund: Constable, Precinct 1, Greatwood Law Enforcement Agreement)

**13. CONSTABLE, PCT. 3:**

Approve revised Agreement between Fort Bend County and Harris County for Inquiry Only Use of the Southeast Texas Crime Information Center, (SETCIC) for the Office of Constable, Precinct 3.

**14. COUNTY CLERK:**

**Record into Minutes the Certificate of Completion awarded to County Clerk Dianne Wilson for completing the required 20 hours of Continuing Education for 2011, as prescribed by Section 51.605 of the Texas Government Code.**

**15. DISTRICT ATTORNEY:**

**Approve bi-weekly salary supplement in the amount of \$134.10 for Position No. 4801-0017, effective February 4, 2012. (Fund: District Attorney, State Asset Forfeiture Account)**

**16. ENGINEERING:**

- A. Approve payment of Invoice No. 1112-40 (Pay Estimate No. 3) in the amount of \$8,965.00 to JNS Engineers, LLC regarding Falcon Landing-Katy Gaston Roadway Improvements (from Willowfork Bayou Bridge to Spring Green and Katy Gaston), Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 49 in the amount of \$23,093.55 to Schaumburg & Polk, Inc. regarding management and administrative support for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 37197104 in the amount of \$1,252.39 to AECOM, USA, Inc. regarding Old Richmond Road (from FM 1464 to West Airport), Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$265,603.00 to the City of Missouri City regarding the extension of Lexington Boulevard, Mobility Bond Project #722, Precinct 2. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 90023592 (Pay Estimate No. 1) in the amount of \$4,459.61 to Union Pacific Railroad Company regarding Harlem Road railroad crossing, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 046505 in the amount of \$1,242.30 to Paradigm Consultants, Inc. for materials testing regarding the extension of Ransom Road, Phase I, (Pilgrim to Williams Way), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 45930/02/II in the amount of \$61,294.82 to Dannenbaum Engineering Corporation regarding Phase I design extension of FM 1093 (from State Highway 99 to West of FM 359), Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 102412 (Pay Estimate No. 12) in the amount of \$85,336.15 to Hassell Construction Company regarding Williams Way Boulevard Phase I (from Ransom Road to Pilgrim), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**

**Item 16 continued - Engineering:**

- I. Approve payment of Invoice No. 815399 in the amount of \$5,942.00 to Michael Baker, Jr. Inc. regarding professional services for James Lane over Bessies Creek (bridge replacement), Precinct 3. (Fund: 2000 Mobility Bonds)**
- J. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$16,735.25 to Southwest Signal Supply, Inc. regarding Bid #11-084 Harlem Road and Plantation Drive, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- K. Approve payment of Invoice No. 211560117 in the amount of \$51,130.00 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)**
- L. Approve payment of Invoice No. 6885 (Pay Estimate No. 33) in the amount of \$32,175.60 to Othon, Inc. regarding the expansion of Ransom Road (from River Park to Main Street in Fort Bend County and Richmond, Texas), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- M. Approve application from Verizon Communications to bore under and bury cable along LJ Parkway, Silver Grove, Manor Drive and University Blvd., Precinct 4.**
- N. Approve application from Brown & Gay Engineers, Inc. / Pulte Homes of Texas, L.P. to construct a driveway tie-in onto Katy Gaston Road, Precinct 3.**
- O. Approve application from CenterPoint Entex to bury plastic gas line along Roesner Road, Cinco Trace and Katy-Flewellen, Precinct 3.**
- P. Release bond #5069410 in the amount of \$161,560.00 for Old Orchard, Section 7. The streets are private, and will be maintained by the Homeowners Association, Pct. 4.**
- Q. Approve plat for the roads within Silver Grove at Riverstone, Section 2, Precinct 4.**
- R. Approve plat for the lots within Silver Grove at Riverstone, Section 2, Precinct 4.**
- S. Approve plat for the roads within River run at the Brazos, Section 4A, Precinct 1.**
- T. Approve plat for the lots within River Run at the Brazos, Section 4A, Precinct 1.**
- U. Approve plat for the roads within Sienna Village of Anderson Springs, Section 25, Precinct 2.**
- V. Approve plat for the lots within Sienna Village of Anderson Springs, Section 25, Pct 2.**
- W. Approve plat for the roads within Sienna Village of Anderson Springs, Section 26-A, Precinct 2.**
- X. Approve plat for the lots within Sienna Village of Anderson Springs, Section 26-A, Precinct 2.**

**Item 16 continued - Engineering:**

- Y. Approve plat for the roads within Sienna Village of Anderson Springs, Section 26-B, Precinct 2.
- Z. Approve plat for the lots within Sienna Village of Anderson Springs, Section 26-B, Pct 2.
- AA. Approve the plat for Texas Swim, Section 1, Precinct 3.
- BB. Set public hearing for acceptance of the traffic study for Five Oaks Lane at Five Oaks Drive within Sienna Village of Shipman's Landing, Section 11, Precinct 1. *(Tuesday, February 28, 2012, at 1:00 p.m.)*
- CC. Set public hearing for replat of Long Meadow Farms Commercial Reserve, Section 4, Partial Replat No. 2, Precinct 3. *(Tuesday, February 28, 2012 at 1:00 p.m.)*
- DD. Set public hearing for replat of Cinco Village Center, Section 3, Partial Replat No. 6, Precinct 3. *(Tuesday, February 28, 2012, at 1:00 p.m.)*
- EE. Set public hearing for replat of Fulbrook, Section 4A, Replat of Lots 7, 8, 9, 10 and 11 of Block 1, Precinct 3. *(Tuesday, February 28, 2012, at 1:00 p.m.)*
- 17. **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. 3 (Final) in the amount of \$15,000.00 to Turner Construction for Design/Build services regarding the Jail Tower Upgrades;
  - B. Invoice No. 33 in the amount of \$1,337.49 to Bailey Architects for Architectural Services regarding the University Branch Library in Sugar Land.
- 18. **FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the Authority) reviewed this item at their regular Board meeting held on January 18, 2012, and makes the following recommendation to Commissioners Court:**

Approve revised Right of Use Agreement between Fort Bend County Toll Road Authority and Texas Department of Transportation for a Local Project Entity's Use of State Highway Right-of-Way at the intersection of the Fort Bend Parkway and State Highway 6.
- 19. **FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed this item at their regular meeting held on January 18, 2012, and makes the following recommendation to Commissioners Court:**

Approve Service Agreement between Fort Bend Grand Parkway Toll Road Authority and ISI Contracting, Inc. in an amount not to exceed \$250,000 for roadway maintenance for the period ending September 30, 2012.

**20. HUMAN RESOURCES:**

- A. Approve request of withdrawal of hours from the Share Sick Leave Pool as follows: Employee of County Court at Law No. 2, Position No. 4262-0003, 160 hours; Employee of Justice of the Peace, Precinct 1, Place 1, Position No. 4551-0006, 160 hours; and Employee of Juvenile Probation, Position No. 5751-0058, 120 hours.**
- B. Approve correction of returned check fee from \$25 to \$30 on Agenda Item 31D, from Commissioners Court meeting on December 6, 2011, (Security Services Identification Badges Order) and correct effective date from January 23, 2011, to January 23, 2012.**

**21. LIBRARY:**

**Approve request to establish a change fund for the Fort Bend County Law Library.**

**22. PARKS DEPARTMENT:**

**Approve request to establish change for the Fairgrounds Department.**

**23. PURCHASING:**

- A. Authorize advertising for bids for traffic signal at Old Richmond Rd and Voss Rd.**
- B. Authorize advertising for proposals for contingency medical staffing for public health emergency response.**
- C. Authorize advertising for bids for traffic signal at Westheimer Parkway and Saddle Spur.**

**24. ROAD & BRIDGE:**

- A. Approve payment of Invoice No. 1109 in the amount of \$4,775.70 to EPIC Transportation Group, LP for work done on traffic signal design at the intersection of Old Richmond Road and Voss Road. (Fund: Road & Bridge, Traffic Signals)**
- B. Approve payment of Invoice No. #TX2168-00-02 in the amount of \$1,575.00 to AIA Engineers, LTD. for work done on design of the traffic signal located at the intersection of Fry Road and Gaston Road. (Fund: Road & Bridge Traffic Signals)**
- C. Approve payment of Invoice No. 2011809 in the amount of \$5,001.75 to TEDSI Infrastructure Group for work done on design of the traffic signal at the intersection of Westheimer Parkway and Greenbusch Road/Saddle Spur. (Fund: Road & Bridge Traffic Signals)**

**25. TAX ASSESSOR/COLLECTOR:**

**Record into Minutes the Summary Monthly Report of Property Taxes Collected in December, 2011, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**

**26. TREASURER:**

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

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Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 26 with correction to item 22-establish change fund.

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

**27. COUNTY JUDGE:**

**Take all appropriate action on the Tax Abatement Agreement between Fort Bend County and Frito-Lay, Inc. for the expansion of the Rosenberg Facility, Fort Bend County Reinvestment Zone No. 14, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County and Frito-Lay, Inc. for the expansion of the Rosenberg Facility, Fort Bend County Reinvestment Zone No. 14, Precinct 1.

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

**28. COMMISSIONER, PCT. 1:**

- A. Take all appropriate action on request by Valdemar L. Reyes to waive penalty, interest and collection fees totaling \$1,254.87 on property taxes for tax years 2004 through 2007, Pct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to deny request by Valdemar L. Reyes to waive penalty, interest and collection fees totaling \$1,254.87 on property taxes for tax years 2004 through 2007, Precinct 1.

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

**Item 28 continued - Commissioner Pct.1:**

- B. Take all appropriate action to rescind approval of Agenda Item 23 B from Commissioners Court meeting on September 27, 2011, an Agreement Between Fort Bend County and Fort Bend County Heritage Unlimited Museum, and take all appropriate action on Addendum to Renewal Agreement between Fort Bend County and the Fort Bend County Museum Association regarding Fort Bend County Heritage Unlimited Museum, in an amount not to exceed \$12,500. (Fund: Non-Departmental, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to rescind approval of Agenda Item 23 B from Commissioners Court meeting on September 27, 2011, an Agreement Between Fort Bend County and Fort Bend County Heritage Unlimited Museum, and take all appropriate action on Addendum to Renewal Agreement between Fort Bend County and the Fort Bend County Museum Association regarding Fort Bend County Heritage Unlimited Museum, in an amount not to exceed \$12,500. (Fund: Non-Departmental, Fees)

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

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to amend previous motion to add that the funds pass directly to the Fort Bend County Heritage Unlimited Museum and authorize the County Judge to sign all necessary documents.

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

Ed Sturdivant, County Auditor, stated that his office did a review of the controls and now does an annual audit of the museum. This replaces what the Fort Bend County Museum Association was doing.

**29. COMMISSIONER, PCT. 3:**

**Take all appropriate action on Advanced Funding Agreements between Fort Bend County and Texas Department of Transportation for Phase 1 and Phase 2 of the FM 1093/Westpark Projects, subject to approval of form by County Attorney.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve two Advanced Funding Agreements between Fort Bend County and Texas Department of Transportation for Phase 1 and Phase 2 of the FM 1093/Westpark Projects, subject to approval of form by County Attorney.

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

**30. COMMISSIONER, PCT. 4:**

**Take all appropriate action on Utility and Temporary Construction Easement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 2, for Sewer Collection System, Precinct 4.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the Utility and Temporary Construction Easement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 2, for Sewer Collection System, Precincts 3 and 4.

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

**31. BUDGET & FINANCE:**

**Take all appropriate action to adopt the FY 2013 Budget Policy for Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to adopt the FY 2013 Budget Policy for Fort Bend County.

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

Note: The only change is section 1.8 concerning the uniform policy.

**32. COMMUNITY DEVELOPMENT:**

- A. Take all appropriate action on Agreement between Fort Bend County and City of Needville in the amount of \$176,790.00 for Phase IV of the rehabilitation of a sanitary sewer collection system, part of the FY 2011 Consolidated Action Plan approved by Commissioners Court on July 5, 2011, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block 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 City of Needville in the amount of \$176,790.00 for Phase IV of the rehabilitation of a sanitary sewer collection system, part of the FY 2011 Consolidated Action Plan approved by Commissioners Court on July 5, 2011, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block Grant)

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

**Item 32 continued - Community Development:**

- B. Take all appropriate action on Agreement between Fort Bend County and City of Richmond in the amount of \$222,000.00 for Phase III, Installation of Sanitary Sewer Collection Line Improvements, part of the FY 2011 Consolidated Action Plan approved by Commissioners Court on July 5, 2011, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block 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 City of Richmond in the amount of \$222,000.00 for Phase III, Installation of Sanitary Sewer Collection Line Improvements, part of the FY 2011 Consolidated Action Plan approved by Commissioners Court on July 5, 2011, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block Grant)

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

**33. ENGINEERING:**

- A. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12C of the Fort Bend County Regulations of Subdivisions), for Cinco Ranch Southwest, Section 63, on behalf of Terrabrook Cinco Ranch Southwest, Ltd., Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve variance to the building set back line requirement, (Section 5.12C of the Fort Bend County Regulations of Subdivisions), for Cinco Ranch Southwest, Section 63, on behalf of Terrabrook Cinco Ranch Southwest, Ltd., Precinct 3.

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

**Item 33 continued - Engineering:**

**B. Take all appropriate action on plat for the roads within Cinco Ranch Southwest, Section 63, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve plat for the roads within Cinco Ranch Southwest, Section 63, Precinct 3.

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

**C. Take all appropriate action on plat for the lots within Cinco Ranch Southwest, Section 63, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve plat for the lots within Cinco Ranch Southwest, Section 63, Precinct 3.

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

**34. HUMAN RESOURCES:**

**Take all appropriate action on request to reclassify Position Number 4401-0007, Child Support, from Clerk I, Grade 5, of the Administrative Clerical Policy Group, to Clerk II, Grade 6, of the Administrative Clerical Policy Group, effective January 24, 2012.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Number 4401-0007, Child Support, from Clerk I, Grade 5, of the Administrative Clerical Policy Group, to Clerk II, Grade 6, of the Administrative Clerical Policy Group, effective January 24, 2012.

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

**35. JUSTICE OF THE PEACE, PCT. 2:**

**Take all appropriate action to authorize payment by Invoice Transmittal in an amount totaling \$220.77 to AT&T Mobility for cell phone usage without a purchase order. (Fund: Justice of the Peace, Precinct 2, Fees)**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in an amount totaling \$220.77 to AT&T Mobility for cell phone usage without a purchase order. (Fund: Justice of the Peace, Precinct 2, Fees)

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

**36. JUVENILE PROBATION & DETENTION:**

**Take all appropriate action on grant application to the Governor's Criminal Justice Division for the Juvenile Accountability Block Grant, in the amount of \$25,361.00, with a cash match by Fort Bend County of \$2,817.89 for educational and life skills programs for the 2012/2013 grant year, as approved by the Juvenile Board. (Fund: Juvenile Detention & Probation Department)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve grant application to the Governor's Criminal Justice Division for the Juvenile Accountability Block Grant, in the amount of \$25,361.00, with a cash match by Fort Bend County of \$2,817.89 for educational and life skills programs for the 2012/2013 grant year, as approved by the Juvenile Board. (Fund: Juvenile Detention & Probation Department)

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

**37. OFFICE OF EMERGENCY MANAGEMENT:**

**Take all appropriate action on application to Texas Department of Public Safety for fiscal year 2012 Emergency Management Performance Grant (EMPG) funds, and authorize County Judge to sign all documents pertaining to the application.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve application to Texas Department of Public Safety for fiscal year 2012 Emergency Management Performance Grant (EMPG) funds, and authorize County Judge to sign all documents pertaining to the application.

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

**38. PUBLIC TRANSPORTATION:**

**A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$199.00 to Texas Bus Sales for decals purchased without a purchase order. (Fund: Public Transportation)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$199.00 to Texas Bus Sales for decals purchased without a purchase order. (Fund: Public Transportation)

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

**Item 38 continued - Public Transportation:**

- B. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$70.00 to AFC Transportation for guaranteed ride home performed without a purchase order on September 28, 2011. (Fund: Public Transportation, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$70.00 to AFC Transportation for guaranteed ride home performed without a purchase order on September 28, 2011. (Fund: Public Transportation, Fees)

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

- C. Take all appropriate action on Amendment No. 2 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 April 1, 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. 2 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 April 1, 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 38 continued - Public Transportation:**

- D. Take all appropriate action on assumption of Parking Area License Agreement between Fort Bend County, First Transit, Inc., and America Multi-Cinema, Inc. for use of parking area for Fort Bend County Public Transportation services.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve assumption of Parking Area License Agreement between Fort Bend County, First Transit, Inc., and America Multi-Cinema, Inc. for use of parking area for Fort Bend County Public Transportation services.

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

**39. PURCHASING:**

- A. Take all appropriate action on Fourth Amendment to Agreement between Fort Bend County and Fort Bend Regional Council on Substance Abuse, Inc., Inc. for Tobacco Prevention and Control Programs in the amount of \$101,850.00 pursuant to RFP #08-052. (Fund: Tobacco Prevention & Control Grant)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Fourth Amendment to Agreement between Fort Bend County and Fort Bend Regional Council on Substance Abuse, Inc., Inc. for Tobacco Prevention and Control Programs in the amount of \$101,850.00 pursuant to RFP #08-052. (Fund: Tobacco Prevention & Control Grant)

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

**Item 39 continued - Purchasing:**

- B. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source, for online patron service from West Group for the Library System in an amount not to exceed \$52,000. (Fund: Law Library Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source, for online patron service from West Group for the Library System in an amount not to exceed \$52,000. (Fund: Law Library Fees)

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

- C. Take all appropriate action on renewal of the Agreement between Fort Bend County and Tiburon, Inc. for software support and maintenance in an amount not to exceed \$189,494.00 effective through October 31, 2012. (Fund: Sheriff's Office)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve renewal of the Agreement between Fort Bend County and Tiburon, Inc. for software support and maintenance in an amount not to exceed \$189,494.00 effective through October 31, 2012. (Fund: Sheriff's Office)

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

**40. SHERIFF'S OFFICE:**

- A. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division for third year funding of the Special Crimes Detective program, Grant No. 2018005, in the amount of \$54,215, for the term of September 1, 2012 through August 31, 2013, and authorize the County Judge to electronically submit application, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Application to the Office of the Governor, Criminal Justice Division for third year funding of the Special Crimes Detective program, Grant No. 2018005, in the amount of \$54,215, for the term of September 1, 2012 through August 31, 2013, and authorize the County Judge to electronically submit application, with no cash match required by Fort Bend County.

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

- B. Take all appropriate action on Invoice Transmittal in the amount of \$94.17 to Avis for auto fuel purchase on rental vehicle, not in compliance with Fort Bend County travel policy and State rate. (Fund: Sheriff, Enforcement, Operating, Travel)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Invoice Transmittal in the amount of \$94.17 to Avis for auto fuel purchase on rental vehicle, not in compliance with Fort Bend County travel policy and State rate. (Fund: Sheriff, Enforcement, Operating, Travel)

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

**41. TREASURER:**

**Take all appropriate action on payment offered from the bankruptcy estate of AmCare Health Plans of Texas and authorize County Treasurer to sign the Provider Distribution Confirmation Form.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to accept payment offered from the bankruptcy estate of AmCare Health Plans of Texas and authorize County Treasurer to sign the Provider Distribution Confirmation Form.

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

**42. 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 \$11,548,907.94.

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

**43. Ratify the release of time-sensitive bills by Auditor on January 12, 2012.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify the release of time-sensitive bills by Auditor on January 12, 2012 in the amount of \$452,245.14.

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

- 44. Authorize County Auditor to pay and release time sensitive bills on February 2, 2012, to be ratified by Commissioners Court on February 7, 2012.**

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 February 2, 2012, to be ratified by Commissioners Court on February 7, 2012.

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

**Recess:**

Recessed at 1:34 p.m.

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

**§ 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.**

- A. Real property: 0.467-acre tract of land on Williams Way Blvd.; Precinct 1.**
- B. Spur 10 (90/10 reimbursement), Precinct 1; Burney Road, Mobility Bond Project #719, Precincts 3 and 4; and Old Richmond Road, Mobility Bond Project #729, Pcts 3 and 4.**
- C. Sugar Land Industrial Park Property, Precinct 3.**

**Closed Session:**

Convened at 1:53 p.m.  
Adjourned at 2:11 p.m.

**Reconvene:**

Reconvened at 2:13 p.m.

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

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

**A. Real property: 0.467-acre tract of land on Williams Way Blvd.; Precinct 1.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and carried (4-0-1), it is ordered to appoint Commissioner Morrison or his designated agent to sell real property being a 0.467 acre tract and structure located on Williams Way Blvd. to be sold through public auction, Precinct 1.

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

**Item 46 continued - Section 551.072 Deliberation Regarding Real Property:**

**B. Spur 10 (90/10 reimbursement), Precinct 1; Burney Road, Mobility Bond Project #719, Precincts 3 and 4; and Old Richmond Road, Mobility Bond Project #729, Pcts 3 and 4.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 24 for the accepted offer of \$14,531.00 plus closing costs and authorize the County Judge to sign all necessary documents for Spur 10 (90/10 reimbursement), Precinct 1 with funds from ROW.

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

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to purchase Drainage Easement from Fort Bend County MUD 119 for the accepted offer of \$50.00, Parcel 9 for the accepted offer of \$576.00 and Parcel 10 for the accepted offer of \$360.00 plus closing costs not to exceed \$3,000.00 each for the Burney Road Mobility Project #719 and authorize the County Judge to execute all necessary documents with funds from ROW.

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

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 1W for the accepted offer of \$10,278.00, Parcel 2W for the accepted offer of \$12,865.00 and Parcel 3W for the accepted offer of \$9,694.00 plus closing costs not to exceed \$3,000.00 each and authorize the County Judge to sign all necessary documents of the Old Richmond Road Mobility Bond Project #729 with funds from ROW.

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

January 24, 2012

**Item 46 continued - Section 551.072 Deliberation Regarding Real Property:**

**C. Sugar Land Industrial Park Property, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to obtain an appraisal on the Sugar Land Industrial Park Property, Pct. 3, with funds from Fees and Services.

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

**47. Adjournment.**

Commissioners Court adjourned at 2:20 p.m. on Tuesday, January 24, 2012.

**DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 24th DAY of JANUARY, 2012, 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
DWAYNE GRIGAR for 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 1:16 p.m.

**2. 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 Monday, February 6, 2012, at 6:30 p.m. in the 1st Floor Meeting Room at the George Memorial Library, 1001 Golfview Drive in Richmond, Texas.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to 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 Monday, February 6, 2012, at 6:30 p.m. in the 1st Floor Meeting Room at the George Memorial Library, 1001 Golfview Drive in Richmond, Texas.

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

**3. Approve transfer in the amount of \$27,525 from Repairs and Maintenance into Capital Acquisitions to reallocate funds into correct account for expenditure.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$27,525 from Repairs and Maintenance into Capital Acquisitions to reallocate funds into correct account for expenditure.

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

**4. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County Drainage District and Frito-Lay, Inc. for the expansion of the Rosenberg Facility, Fort Bend County Reinvestment Zone No. 14, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County Drainage District and Frito-Lay, Inc. for the expansion of the Rosenberg Facility, Fort Bend County Reinvestment Zone No. 14, Precinct 1.

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

**5. Adjournment.**

The Drainage District Board adjourned at 1:17p.m. on Tuesday, January 24, 2012.