

**MINUTES**

BE IT REMEMBERED, That on this 8th DAY of MAY, 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 1:00 p.m.

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

Invocation and Pledge of Allegiance by Commissioner Prestage.

**3. Approve minutes of regular meeting held on May 1, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on May 1, 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.

Judge Hebert presented a Proclamation to Adult Protective Services and Fort Bend Senior Citizens Meals on Wheels and Much Much More that May 2012 is Older American Month.

**CONSENT AGENDA ITEMS 5 - 12:**

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

- A. **434th District Court: Karen Woolsey to Philadelphia, Pennsylvania, August 6 -12, 2012, to attend the National Court Reporters Association 2012 Annual Convention. (Fund: 434th District Court, Travel)**
- B. **County Attorney: Randy Morse to New Orleans, Louisiana, June 3-4, 2012, for Fifth Circuit Court of Appeals litigation matter. (Fund: County Attorney, Travel)**
- C. **Health & Human Services: Dr. Mary desVignes-Kendrick to Los Angeles, California, July 10-13, 2012, to attend the National Association of County and City Health Officials (NACCHO) Annual Conference 2012. (Fund: Health & Human Services, Travel)**

**6. COUNTY JUDGE:**

- A. **Approve the appointment of Richard Stolleis, County Engineer, to represent Fort Bend County as Primary Voting Member to the Houston-Galveston Area Council Technical Advisory Committee effective May 1, 2012.**
- B. **Approve renewal of Agreement between Fort Bend County and Fort Bend County Dispute Resolution Center in the amount of \$132,269 effective June 1, 2012 through May 31, 2013.**
- C. **Approve acceptance of grant funds in the amount of \$5,000 from The George Foundation provided as a match to the Sprint Waste Services Grant for supplies and equipment to update Four Corners Community Center, and authorize the County Judge to sign all documents pertaining to the Grant.**

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

- A. **Auditor: Approve transfer in the amount of \$1,615,000 as detailed on the Auditor's form dated April 30,2012 to allocate additional funds for court appointed services for County and District Courts.**
- B. **Facilities Management & Planning: Approve transfer in the amount of \$35,000 as detailed on Director's form dated May 2, 2012, to allocate additional funds into the Project Account for the Emergency Power System Expansion at the Jail.**
- C. **Office of Emergency Management: Approve transfer in the amount of \$414 as detailed on Director's form dated May 3, 2012, to allocate funds for computer related items and to cover cost of overtime pay.**

**Item 7 continued - Budget & Finance/Budget Transfers:**

- D. **Non-Departmental:** Approve transfer in the amount of \$177,022 as detailed on the Auditor's form dated May 1, 2012 to reimburse Contingency for capital mileage incurred by law enforcement agreements for the period October 1, 2011 through March 31, 2012.
  - E. **Road & Bridge:** Approve transfer in the amount of \$7,100 from Operating Supplies into Capital Acquisitions to allocate funds into correct line item to equip five new vehicles.
8. **ENGINEERING:**
- A. Approve payment of Invoice No. 90025829 (Pay Estimate No. 4) in the amount of \$29,935.62 to Union Pacific Railroad Company regarding improvements to the Harlem Road Crossing, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)
  - B. Approve payment of Invoice No. 201204-124 (Pay Estimate No. 1) in the amount of \$133,628.08 to Durwood Greene Construction Company regarding Harlem Road at US 90A, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
  - C. Approve payment of Invoice No. 2 (Pay Estimate No. 2) in the amount of \$74,775.78 to John Reed & Company, LLC regarding Knight Road Bridge over Coastal Water Authority Canal, Mobility Bond Project #100, Precinct 2. (Fund: 2000 Mobility Bonds)
  - D. Approve application from M Street Homes to construct a driveway tie-in onto Wickshire Drive, Precinct 1.
  - E. Approve application from Courtland Building Company, Inc. to construct a driveway tie-in onto Woodside Lane, Precinct 3.
  - F. Approve plat for the roads within Auburn Manor at Riverstone, Section 1, Pct. 4.
  - G. Approve plat for the lots within Auburn Manor at Riverstone, Section 1, Precinct 4.
  - H. Approve plat for the roads within Winfield Lakes, Section 18, Precinct 2.
  - I. Approve plat for the lots within Winfield Lakes, Section 18, Precinct 2.
  - J. Accept the streets in Cinco Ranch Southwest, Section 10: Cameo Falls Drive 210.98 LF; East Nightingale Hill Lane 1,107.16 LF; Crane Creek Court 202.18 LF; Owl Landing Lane 743.92 LF; and Hawks Harbor Court 274.22 LF; for a total of 2,538.46 LF; and release bond and bond endorsement #SB016000143 in the amount of \$201,670.00, Pct 3.
  - K. Accept the streets in Cinco Ranch Southwest, Section 44: Shortleaf Ridge Drive 978.23 LF; White Pines Drive 1,166.53 LF; Knobby Pines Drive 653.44 LF; Sandhill Pines Court 350.84 LF; and Western Pine Trail 581.92 LF; for a total of 3,702.96 LF; and release bond #SU1106898 in the amount of \$253,680.00, Precinct 3.
  - L. Accept the streets in Cinco Ranch Southwest, Section 47: Pine Hills Drive 901.71 LF; Hutton Park Drive 1,176.55 LF; Knobby Pines Drive 153.26 LF; Stafford Hill Cove 627.67 LF; and Springfield Ridge Drive 1,542.61 LF; for a total of 4,401.80 LF; and release bond #SU1106899 in the amount of \$307,160.00, Precinct 3.

**Item 8 continued - Engineering:**

- M. **Accept the streets in Cinco Ranch Southwest, Section 48: Jackson Park Lane 553.57 LF; Humboldt Park Drive 397.94 LF; Tyler Park Lane 919.97 LF; Franklin Park Drive 700.84 LF; and Park Place Drive 204.55 LF; for a total of 2,776.57 LF; and release bond #SB016000085 in the amount of \$193,340.00, Precinct 3.**
  - N. **Accept the streets in Cinco Ranch Southwest, Section 52: Hutton Park Drive 1,161.43 LF; St. Romain Drive 950.28 LF; Springfield Ridge Drive 785.00 LF; and Albrecht Drive 672.06 LF; for a total of 4,389.95 LF; and release bond #SB016000198 in the amount of \$303,100.00, Precinct 3.**
  - O. **Accept the street in Cinco Ranch Southwest, Section 53: Burgess Heights Lane 462.21 LF; and release bond #SB016000346 in the amount of \$35,350.00, Precinct 3.**
  - P. **Accept the streets in Cinco Ranch Boulevard West of Cinco Terrace Drive and before FM1463 STD: Cinco Ranch Boulevard 2,102.41 LF; Cinco Falls Drive 235.47 LF; and Cinco Forest Trail 143.93 LF; for a total of 2,481.81 LF; and release bond #SU1106579 in the amount of \$347,760.00, Precinct 3.**
  - Q. **Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 10, Section 44, Section 47, Section 48, Section 52, Section 53, and Cinco Ranch Boulevard West of Cinco Terrace Drive before FM 1463 STD, Pct. 3. (*Tuesday, June 5, 2012, at 1:00 p.m.*)**
9. **OFFICE OF EMERGENCY MANAGEMENT:**
- Approve and sign the 2009 Grant Adjustment Notice (GAN) between Fort Bend County and the State of Texas, to close out the 2009 Homeland Security Grant Program performance year.**
10. **RISK MANAGEMENT:**
- Approve Full Release, Indemnification, and Requirement for Liability Insurance between Fort Bend County and Aflac Incorporated for use of County parking lot at George Memorial Library on May 18, 2012.**
11. **SHERIFF'S OFFICE:**
- A. **Approve renewal of Interlocal Agreement between Fort Bend County and the City of Weston Lakes for use of the County's Public Safety Radio System effective through September 30, 2012.**
  - B. **Approve renewal of Agreement between Fort Bend County and City of Weston Lakes for Law Enforcement Services effective through September 30, 2012.**

**12. TAX ASSESSOR/COLLECTOR:**

**Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 1, 2012, for an amount totaling \$3,569.01 for the Office of Patsy Schultz.**

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Moved by Commissioner Prestage Seconded by Commissioner Patterson

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

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

**13. COUNTY JUDGE:**

**Take all appropriate action on application to the U.S. Department of Justice for the FY 2012 Justice Assistance Grant (JAG) funds in the amount of \$75,734 with no cash match required by Fort Bend County, and authorize the County Judge to sign all documents pertaining to the application.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve application to the U.S. Department of Justice for the FY 2012 Justice Assistance Grant (JAG) funds in the amount of \$75,734 with no cash match required by Fort Bend County, and authorize the 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

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

**Take all appropriate action to accept the resignation of Michael E. Stone from the Board of Directors of Fort Bend County Levee Improvement District No. 11 and appoint Justin Ring to fill the unexpired term, effective until June 14, 2014.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and carried (4-0-1), it is ordered to accept the resignation of Michael E. Stone from the Board of Directors of Fort Bend County Levee Improvement District No. 11 and appoint Justin Ring to fill the unexpired term, effective until June 14, 2014.

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

**15. COMMISSIONER, PCT. 4:**

**Take all appropriate action on Joint Participation Agreement between Fort Bend County Assistance District No. 2, Fort Bend County, and Fort Bend County Municipal Utility District No. 194.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and carried (3-2), it is ordered to approve Joint Participation Agreement between Fort Bend County Assistance District No. 2, Fort Bend County, and Fort Bend County Municipal Utility District No. 194.

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

**16. CONSTABLE, PCT. 3:**

**Take all appropriate action on request to authorize unmarked license plates for a total of two vehicles for the Office of Constable, Pct. 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize unmarked license plates for a total of two vehicles for the Office of Constable, Pct. 3.

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

**17. COUNTY ATTORNEY:**

**Take all appropriate action on the letter of engagement for Larry Dunbar, Dunbar Harder PLLC, to represent Fort Bend County/Drainage District in potential litigation.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the letter of engagement for Larry Dunbar, Dunbar Harder PLLC, to represent Fort Bend County/Drainage District in potential litigation.

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

**18. ENGINEERING:**

**Take all appropriate action on First Amendment to the Professional Engineering Services Agreement between Fort Bend County and Kelly R. Kaluza & Associates, Inc., in an additional amount not-to-exceed \$77,000 for improvements to Golfview Drive, total project cost not-to-exceed \$677,000; Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to the Professional Engineering Services Agreement between Fort Bend County and Kelly R. Kaluza & Associates, Inc., in an additional amount not-to-exceed \$77,000 for improvements to Golfview Drive, total project cost not-to-exceed \$677,000; Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)

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

**19. HUMAN RESOURCES:**

**A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$200.00 to The Language Factory for training services provided without a purchase order. (Fund: Human Resources, Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$200.00 to The Language Factory for training services provided without a purchase order. (Fund: Human Resources, Fees)

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

**Item 19 continued - Human Resources:**

- B. Take all appropriate action on request to reclassify Position Number 6501-0015 in the Library, from Library Manager -Needville, Grade 9 of the Professional Management Policy Group, to Librarian II, Grade 10, of the Professional Management Policy Group, effective June 2, 2012.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Number 6501-0015 in the Library, from Library Manager -Needville, Grade 9 of the Professional Management Policy Group, to Librarian II, Grade 10, of the Professional Management Policy Group, effective June 2, 2012.

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

**20. PUBLIC TRANSPORTATION:**

**Take all appropriate action on Amendment No. 1 to Work Authorization 2 between Fort Bend County and HDR Engineering, Inc., to extend the completion date for services regarding a Bus Facility until May 21, 2012, with no change in funding.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Amendment No. 1 to Work Authorization 2 between Fort Bend County and HDR Engineering, Inc., to extend the completion date for services regarding a Bus Facility until May 21, 2012, with no change in funding.

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

**21. PURCHASING:**

- A. Take all appropriate action on Agreement between Fort Bend County and Progressive Emergency Products for one (1) emergency communications trailer and one (1) incident support trailer pursuant to RFP 12-041, in an amount not to exceed \$754,298.81. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Progressive Emergency Products for one (1) emergency communications trailer and one (1) incident support trailer pursuant to RFP 12-041, in an amount not to exceed \$754,298.81. (Fund: Office of Emergency Management, UASI Grant)

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

- B. Take all appropriate action on Agreement between Fort Bend County and McDonald Electric to provide materials and labor pursuant to RFP #12-046, the Emergency Power System Expansion, in an amount not to exceed \$360,469.00 pertaining to the Jail Generator Study. (Fund: Capital Improvement Project)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and McDonald Electric to provide materials and labor pursuant to RFP #12-046, the Emergency Power System Expansion, in an amount not to exceed \$360,469.00 pertaining to the Jail Generator Study. (Fund: Capital Improvement Project)

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

**Item 21 continued - Purchasing:**

**C. Take all appropriate action to add Central Appraisal District facility to Bid #10-005 with Agape Cleaning Enterprise, Inc. for janitorial services. (Fund: Facilities)**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to add Central Appraisal District facility to Bid #10-005 with Agape Cleaning Enterprise, Inc. for janitorial services subject to approval of Interlocal Agreement with CAD. (Fund: Facilities)

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

**D. Take all appropriate action on Second Amendment to Agreement between Fort Bend County and Digna Corporation to extend the date of completion for design/build services for Kitty Hollow Park Pavilion to July 20, 2012, with no increase in amount.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Agreement between Fort Bend County and Digna Corporation to extend the date of completion for design/build services for Kitty Hollow Park Pavilion to July 20, 2012, with no increase in amount.

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

**E. Take all appropriate action on request by City of Needville, pursuant to Local Government Code Section 263.152(a)(1), to purchase one (1) 1996 Ford F250 truck from Fort Bend County for the amount of \$1,600.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by City of Needville, pursuant to Local Government Code Section 263.152(a)(1), to purchase one (1) 1996 Ford F250 truck from Fort Bend County for the amount of \$1,600.

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

**Item 21 continued - Purchasing:**

- F. Take all appropriate action on request by City of Needville, pursuant to Local Government Code Section 263.152(a)(1), to purchase one (1) 2003 Ford F150 truck from Fort Bend County for the amount of \$1,000.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by City of Needville, pursuant to Local Government Code Section 263.152(a)(1), to purchase one (1) 2003 Ford F150 truck from Fort Bend County for the amount of \$1,000.

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

- G. Take all appropriate action on SOQ #12-040 for Renovations to the George Memorial Library.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to enter into contract negotiations with Brookstone on SOQ #12-040 for Renovations to the George Memorial Library.

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

- H. Take all appropriate action to authorize purchase of first responder SWAT supplies from Federal Resources Supply Company utilizing GSA Contract #GS-07F-92875 in an amount not to exceed \$77,603.40. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize purchase of first responder SWAT supplies from Federal Resources Supply Company utilizing GSA Contract #GS-07F-92875 in an amount not to exceed \$77,603.40. (Fund: Office of Emergency Management, UASI Grant)

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

**22. SHERIFF'S OFFICE:**

**Take all appropriate action on Agreement between Fort Bend County and Bryan Smith dba BPS Professional Services for services as Deputy Director for the High Intensity Drug Trafficking Area (HIDTA) Program in an amount not to exceed \$158,724 for the term of July 1, 2012 through July 30, 2013, or until grant funds are depleted. (Fund: HIDTA Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Bryan Smith dba BPS Professional Services for services as Deputy Director for the High Intensity Drug Trafficking Area (HIDTA) Program in an amount not to exceed \$158,724 for the term of July 1, 2012 through July 30, 2013, or until grant funds are depleted. (Fund: HIDTA Grant)

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

**23. Approve Bills.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$5,330,317.71.

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

**24. Authorize County Auditor to pay and release time sensitive bills on May 17, 2012, to be ratified by Commissioners Court on May 22, 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 May 17, 2012, to be ratified by Commissioners Court on May 22, 2012.

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

**Recess:**

Recessed at 1:24 p.m.

- 25. 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. Replat of Lots 35 and 18, Robinsons Landing.**
    - 2. Big Creek Drop Structure.**
  - B. § 551.072. Deliberation Regarding Real Property. Commissioners Court will meet in Closed Session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**
    - 1. Acquisition of Property: Falcon Landing Blvd. Expansion Project; Precinct 3.**
    - 2. Acquisition of Property: Stafford Run Creek, Pct. 2.**
  - C. § 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.**

**Annual Evaluation - Director of Public Transportation.**

**Closed Session:**

Convened at 1:53 p.m.  
Adjourned at 2:42 p.m.

**Reconvene:**

Reconvened at 2:45 p.m.

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

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

**1. Replat of Lots 35 and 18, Robinsons Landing.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (4-0), it is ordered to authorize settlement of Liability Claim on Robinsons Landing section 1 replat, lot 35 and lot 18 with settlement funds from fund 100475100-69500.

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

**2. Big Creek Drop Structure.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (4-0), it is ordered to approve Order authorizing the County Attorney to file a lawsuit on behalf of Fort Bend County, Texas that will include the Fort Bend Flood Control Water Supply Corp. and the Fort Bend County Drainage District or take any other appropriate action against LJA Engineering Inc., NBG Constructors Inc., Terra-Mar Inc. and any other responsible parties for actual damages, interest, court costs and other appropriate legal and equitable relief due on account of the failure of the Big Creek Drop Structure.

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

**Item 26 continued - Reconvene Open Session and consider taking action on the following matters:**

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

**1. Acquisition of Property: Falcon Landing Blvd. Expansion Project; Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to purchase two temporary construction easements and one drainage easement (Parcels 1, 2 & 3) for the accepted offer of \$8,000.00 plus closing costs and authorize the County Judge to sign all necessary documents for the Falcon Landing Blvd. expansion project in Precinct 3 with funds from Right of Way.

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

**2. Acquisition of Property: Stafford Run Creek, Pct. 2.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (4-0), it is ordered to purchase approximately 31 acres in the Stafford Run Creek area in an amount not to exceed \$1,945,000.00 plus necessary costs not to exceed \$15,000.00 with funds from Right of Way Fund and authorize the County Judge to sign all necessary documents.

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

**C. § 551.074. Personnel Matters.**

**Annual Evaluation - Director of Public Transportation.**

Annual review conducted.

**27. Adjournment.**

Commissioners Court adjourned at 2:49 p.m. on Tuesday, May 8, 2012.