

MINUTES

BE IT REMEMBERED, That on this 10th DAY of JULY, 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
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 July 3, 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 July 3, 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 announced that HGAC is seeking input on housing guidelines for the sub-regional disaster recovery housing program. This grant is for anyone who sustained damage from Hurricane Ike and did not get their house repaired under the first phase of the grant. The public hearing for Fort Bend County residents will be held on July 18 from 6:00-8:00 at the George Memorial Library. Information also available at www.HGAC.com

Commissioner Prestage announced the retirement of Ike Watkins, his staff director for 22 1/2 years.

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

- A. Creation of Fort Bend County Reinvestment Zone No. 15 for tax abatement purposes, pursuant to Chapter 312 of the Texas Property Tax Code.**
- B. Acceptance of the traffic control plan regarding Old Richmond Road (Mobility Bond Project #728), from FM 1464 to West Airport, Precinct 4.**
- C. Acceptance of the revised traffic control plan for Sienna Steep Bank Village, Section 3 at Sienna Crossing Elementary School, Precinct 1.**
- D. Acceptance of the traffic control plan for Firethorne, Section 5, Precinct 3.**
- E. Acceptance of the traffic control plan for Sienna Village of Anderson Springs, Section 10B, Section 11B, Section 13B, Section 14, Section 17A, and Section 18A, Precinct 2.**
- F. Acceptance of the revised traffic control plan for Scanlan Oaks Elementary School, Pct. 1.**
- G. Acceptance of the revised Traffic/Safety Study for Katy ISD Elementary School No. 32 at Cinco Terrace and Fiona Sky Lane Extension and Reserves, Precinct 3.**
- H. Approval of plat: Long Meadow Farms Commercial Reserve, Section 1, Partial Replat No. 1, Precinct 4.**

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

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

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

Item 5A - see agenda item 16A. Item 5H - no action.

CONSENT AGENDA ITEMS 6 - 15:

6. **OUT OF STATE TRAVEL: Record into Minutes the out of state travel for elected official:**
Commissioner, Pct. 2: Commissioner Grady Prestage to Washington, DC, September 19-22, 2012, to attend the Congressional Black Caucus Foundation (CBCF) 42nd Annual Legislative Conference. (Fund: Commissioner Pct. 2, Travel)
7. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Office of Emergency Management: Jason Holloway to Atlanta, Georgia, August 18-25, 2012, to attend the 2012 GFirst National Conference. (Fund: Office of Emergency Management, UASI Regional Planning Grant)**
 - B. **Sheriff's Office: Ratify out of state travel for J. Hernandez and J. Harris to Trinidad, Colorado, July 5 - 6, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
8. **COUNTY JUDGE:**
Authorize annual payment in the amount of \$4,000 by purchase order to Fort Bend County Historical Commission, representing authorized budget amount for committee operations in accordance with Local Government Code Section 318.009. (Fund: Non-Departmental, Fees)
9. **BUDGET & FINANCE/BUDGET TRANSFERS:**
 - A. **Commissioner, Pct. 2: Approve transfer in the amount of \$200 from Fees into Information Technology to allocate funds for the purchase of a printer.**
 - B. **Auditor: Approve transfer in the amount of \$1,611 as detailed on Auditor's form dated July 3, 2012, to amend the budget pursuant to Local Government Code 111.07075 and allocate revenue received from the County Auditor for payment of cell phone services while out of the country.**
 - C. **Sheriff's Office: Approve transfer in the amount of \$42,998 from Sheriff, Forfeited Assets, State, Contingency into Fees to allocate funds for maintenance of Integrated Ballistic Identification System.**
10. **COMMUNITY DEVELOPMENT:**
 - A. **Authorize County Judge to sign Resolution Authorizing Signators on Texas Community Development lock Grant Program form for the Texas General Land Office for the Hurricane Ike Non Housing 2.1 program.**
 - B. **Approve the Fourth Modification of Agreement between Fort Bend County and Fort Bend Community Revitalization Projects (CORPS), to extend the term until August 15, 2012, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Neighborhood Stabilization Program)**

11. ENGINEERING:

- A. Accept Utility Easement for 0.0081 acre tract of land for traffic signalization at Falcon Landing Blvd. and Bay Hill Blvd., Precinct 3.**
- B. Approve payment of Invoice No. 90027423 in the amount of \$4,410.92 to Union Pacific Railroad Company regarding Harlem Road traffic signalization, Mobility Bond Project #725A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 2 (Pay Estimate No. 2) in the amount of \$390,230.46 to Conrad Construction Company regarding Burney Road (Voss Road to Old Richmond), Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 237607R in the amount of \$5,250.00 to Cobb-Fendley & Associates, Inc. regarding improvements to Gaston Road, Mobility Bond Project #733, Precinct 3. (Fund: Mobility Bonds)**
- E. Approve payment of Invoice No. 4050 in the amount of \$24,125.00 to Property Acquisition Services, Inc. (PAS) for various Right of Way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- F. Approve payment of Invoice No. 779-001-05 to TSC Engineering regarding improvements to West Belfort (from SH 99 to Harlem Road), Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 201206-118 (Pay Estimate No. 3) in the amount of \$179,559.75 to Durwood Greene Construction Company regarding Harlem Road at US 90A, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- H. Approve release of Performance Bond #022038874 in the amount of \$5,000.00 to Transcontinental Gas Pipe Line Company, LLC for completion of work on Katy-Gaston Road, Permit #84072, Precinct 3.**
- I. Approve application from Hurtado Construction Company to cross over Binion Lane, Precinct 4.**
- J. Approve application from Debo Homes, LLC to construct a driveway tie-in onto April Drive, Precinct 1.**
- K. Approve application from CenterPoint Entex to bore under and bury a 2-inch plastic gas line along Plantation Meadows Drive and Hughes Road, Precinct 3.**
- L. Approve application from CenterPoint Entex to bury a 4-inch gas line along Mason Road, Precincts 1 and 3.**

Item 11 continued - Engineering:

- M. Approve application from Center Point Entex to bore a 2-inch plastic gas line under Mason Road, Precincts 1 and 3.**
- N. Approve application from Center Point Entex to bury a 4-inch plastic gas line along Skinner Lane, Precinct 3.**
- O. Approve application from Center Point Entex to bore a 1-inch plastic gas line under Farmer Road, Precinct 3.**
- P. Approve application from Center Point Entex to bury a 2-inch plastic gas line along Spring Green Blvd., Precinct 3.**
- Q. Approve plat for the roads within Fieldstone, Section 5, Precinct 4.**
- R. Approve plat for the lots within Fieldstone, Section 5, Precinct 4.**
- S. Accept the bond endorsement (rider) for Auburn Manor at Riverstone, Section 1 reducing the bond from \$180,530.00 to \$90,265.00, Precinct 4.**
- T. Set public hearing for acceptance of the traffic control plan regarding Katy-Flewellen Road (Mobility Bond Project #734), from Katy-Gaston to Pin Oak Road, Precinct 3. *(Tuesday, August 7, 2012, at 1:00 p.m.)***
- U. Set public hearing for acceptance of the traffic control plan regarding West Belfort, from Eldridge Road (FM 1876) to Harlem Road, Precinct 4. *(Tuesday, August 7, 2012, at 1:00 p.m.)***

12. FACILITIES MANAGEMENT & PLANNING:

Approve the Lease Extension Agreement between Fort Bend County and the Texas Alcoholic Beverage Commission (TABC) to continue the lease of office space in the Gus George Law Enforcement Academy for the extended time period of September 1, 2012 through August 31, 2013.

13. OFFICE OF EMERGENCY MANAGEMENT:

Ratify update to the Fort Bend County Emergency Operations Plan, specifically, Annex M, Resource Management, effective July 3, 2012.

14. PURCHASING:

Authorize advertising for bids for hard hats and safety glasses.

15. TAX ASSESSOR/COLLECTOR:

Approve refund in the amount of \$22.84 to Tracy and Clerenda McGrady for refund of taxes due to duplicate payment.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-11P and 11S-15 with corrections to 11F- invoice amount of \$23,681.20, 11L-Precinct 3 only and 11M-Precinct 3 only.

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

Items 11Q and 11R pulled.

16. COUNTY JUDGE:

A. Take all appropriate action to create Fort Bend County Reinvestment Zone No. 15, located in Precinct 3, pursuant to Chapter 312 of the Texas Property Tax Code.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to create Fort Bend County Reinvestment Zone No. 15, located in Precinct 3, pursuant to Chapter 312 of the Texas Property Tax Code.

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

B. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County, Mission Entrust Investors, L.P, as Owner, and Entrust, Inc., as Lessee.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County, Mission Entrust Investors, L.P, as Owner, and Entrust, Inc., as Lessee.

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

17. COMMISSIONER, PCT. 1:

- A. **Take all appropriate action to ratify Application to the Texas Water Development Board for Phase II, a drainage study of Gapps Bayou (Slough) Watershed project, and approve the Agreement between Texas Water Development Board and Fort Bend County to accept grant funds in the amount of \$42,000 with a cash match of \$42,000 by Fort Bend County Drainage District for a total project amount of \$84,000 for Phase II of the study. (Fund: Drainage District, Gapps Slough Project)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify Application to the Texas Water Development Board for Phase II, a drainage study of Gapps Bayou (Slough) Watershed project, and approve the Agreement between Texas Water Development Board and Fort Bend County to accept grant funds in the amount of \$42,000 with a cash match of \$42,000 by Fort Bend County Drainage District for a total project amount of \$84,000 for Phase II of the study. (Fund: Drainage District, Gapps Slough Project)

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

- B. **Take all appropriate action on Interlocal Project Agreement between Fort Bend County and Lamar Consolidated Independent School District to provide playground equipment, fencing, and a covered area for use by the Head Start program at the Juan Seguin Early Childhood Center. (Fund: Head Start Program)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Project Agreement between Fort Bend County and Lamar Consolidated Independent School District to provide playground equipment, fencing, and a covered area for use by the Head Start program at the Juan Seguin Early Childhood Center. (Fund: Head Start Program)

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

18. COMMISSIONER, PCT. 4:

Take all appropriate action to reappoint Jeffrey Anderson, Herb Krog, and David Shaw to the Fort Bend County Levee Improvement District No. 14 Board of Directors for a four year term or until their successor is appointed.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and carried (4-0-1), it is ordered to reappoint Jeffrey Anderson, Herb Krog, and David Shaw to the Fort Bend County Levee Improvement District No. 14 Board of Directors for a four year term or until their successor is appointed.

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

19. CONSTABLE, PCT. 2:

Take all appropriate action on request to transfer the amount of \$27,305 from Non-Departmental Contingency into Constable, Pct. 2, Capital Acquisitions, to allocate funds for purchase of 2012 Tahoe Vehicle with equipment to replace Vehicle L032, which was totaled in accident on May 22, 2012.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$27,305 from Non-Departmental Contingency into Constable, Pct. 2, Capital Acquisitions, to allocate funds for purchase of 2012 Tahoe Vehicle with equipment to replace Vehicle L032, which was totaled in accident on May 22, 2012.

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

20. ENGINEERING:

Take all appropriate action on the Agreement to Contribute Right-of-Way funds between Fort Bend County and the Texas Department of Transportation for improvements to FM 2234 in an amount not-to-exceed \$669,500, Precinct 2. (Fund: Right of Way)

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Agreement to Contribute Right-of-Way funds between Fort Bend County and the Texas Department of Transportation for improvements to FM 2234 in an amount not-to-exceed \$669,500, Precinct 2. (Fund: Right of Way)

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

21. PURCHASING:

A. Take all appropriate action on Bid #12-057, a Wastewater Treatment Plant for the City of Richmond.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid #12-057, a Wastewater Treatment Plant for the City of Richmond to IES Commercial.

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

Item 21 continued - Purchasing:

- B. Take all appropriate action on Second Amendment to Inmate Health Services Agreement between Fort Bend County and Correction Healthcare Companies, Inc. (CHC) pursuant to Bid #09-099, in an amount not to exceed \$3,211,587.60 annually; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office, Detention)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Second Amendment to Inmate Health Services Agreement between Fort Bend County and Correction Healthcare Companies, Inc. (CHC) pursuant to Bid #09-099, in an amount not to exceed \$3,211,587.60 annually; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office, Detention)

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 cleaning supplies for the Jail from Team Systems, in an amount not to exceed \$12,968.92; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff, Detention, Operating)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of cleaning supplies for the Jail from Team Systems, in an amount not to exceed \$12,968.92; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff, Detention, Operating)

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

Item 21 continued - Purchasing:

- D. Take all appropriate action on Change Order 1 to the Agreement between Fort Bend County and P2MG, for additional services in an amount not to exceed \$8,032 regarding the Arcola Community Center, pursuant to SOQ 12-037. (Fund: Community Development Block Grant)**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Change Order 1 to the Agreement between Fort Bend County and P2MG, for additional services in an amount not to exceed \$8,032 regarding the Arcola Community Center, pursuant to SOQ 12-037. (Fund: Community Development Block Grant)

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

- E. Take all appropriate action on Change Order 2 to the Agreement between Fort Bend County and P2MG, for additional services in an amount not to exceed \$4,830 regarding the Arcola Community Center, pursuant to SOQ 12-037. (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 Change Order 2 to the Agreement between Fort Bend County and P2MG, for additional services in an amount not to exceed \$4,830 regarding the Arcola Community Center, pursuant to SOQ 12-037. (Fund: Community Development Block Grant)

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

Item 21 continued - Purchasing:

- F. Take all appropriate action to purchase one (1) Tahoe, Vehicle 13, replacement to fleet, for Constable Pct. 2, pursuant to Bid #11-028, in an amount not to exceed \$24,834. (Fund: Risk Management insurance and Constable Pct. 2)**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase one (1) Tahoe, Vehicle 13, replacement to fleet, for Constable Pct. 2, pursuant to Bid #11-028, in an amount not to exceed \$24,834. (Fund: Risk Management insurance and Constable Pct. 2)

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

22. SHERIFF'S OFFICE:

- A. Take all appropriate action on Agreement between Fort Bend County and the Organized Crime Drug Enforcement Task Forces (OCDETF) to accept grant funds in the amount of \$21,789.15 to participate in the strike force/strategic initiative programs for the term of July 2, 2012 and September 30, 2012, 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 Agreement between Fort Bend County and the Organized Crime Drug Enforcement Task Forces (OCDETF) to accept grant funds in the amount of \$21,789.15 to participate in the strike force/strategic initiative programs for the term of July 2, 2012 and September 30, 2012, with no cash match required by Fort Bend County.

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

Item 22 continued - Sheriff's Office:

- B. Take all appropriate action to ratify electronic submission of the State Criminal Alien Assistance Program (SCAAP) grant application submitted by the County Auditor on July 5, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to ratify electronic submission of the State Criminal Alien Assistance Program (SCAAP) grant application submitted by the County Auditor on July 5, 2012.

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

- 23. Approve Bills pursuant to Section 130.908 of the Texas Local Government Code.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Bills pursuant to Section 130.908 of the Texas Local Government Code.

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

- 24. 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 \$2,842,708.76.

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

- 25. Authorize County Auditor to pay and release time sensitive bills on July 19, 2012, to be ratified by Commissioners Court on July 24, 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 July 19, 2012, to be ratified by Commissioners Court on July 24, 2012.

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

Recess:

Recessed at 1:18 p.m.

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

§ 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 Human Resources.

Closed Session:

Convened at 1:28 p.m.
Adjourned at 1:47 p.m.

Reconvene:

Reconvened at 1:48 p.m.

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

§ 551.074. Personnel Matters.

Annual Evaluation - Director of Human Resources.

Annual review conducted.

- 28. Adjournment.**

Commissioners Court adjourned at 1:49 p.m. on Tuesday, July 10, 2012.