

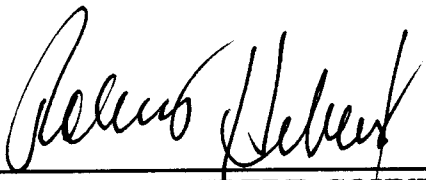
APPROVAL OF MINUTES  
COMMISSIONERS COURT  
FORT BEND COUNTY

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 14th day of August, 2012.



\_\_\_\_\_  
DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Prestage, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 28th day of August, 2012.



\_\_\_\_\_  
ROBERT E. HEBERT, COUNTY JUDGE

**MINUTES**

BE IT REMEMBERED, That on this 14th DAY of AUGUST, 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 Meyers.**

Invocation and Pledge of Allegiance by Commissioner Meyers.

**3. Approve minutes of regular meeting held on August 7, 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 August 7, 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 or announcements.

**CONSENT AGENDA ITEMS 5 -21**

5. **OUT OF STATE TRAVEL:** Approve out-of-state travel requests for County personnel:
  - A. **Agri-Life Extension Office:** Sandra Fry to Columbus, Ohio, September 22-30, 2012, to attend the NEAFCS Conference. (Fund: Extension Office, Travel)
  - B. **Health & Human Services:** Melanie Manville to Emmitsburg, Maryland, September 23-28, 2012, to attend the Advance Public Information Officer Course at the National Fire Academy and Emergency Management Institute. (Fund: FEMA and Public Health Emergency Preparedness Grant)
  - C. **Health & Human Services:** Kaye Reynolds to Lake George, Colorado, September 8-12, 2012, to attend the American Leadership Forum, at no expense to the County.
  
6. **COUNTY JUDGE:**
  - A. Record into Minutes the Comprehensive Financial Audits for the following Emergency Service Districts for the year ending December 31, 2011, pursuant to Health & Safety Code Section 775.082: Harris-Fort Bend Emergency Services District 100; Fort Bend County Emergency Services District No. 1; Fort Bend County Emergency Services District No. 2; Fort Bend County Emergency Services District No. 3; Fort Bend County Emergency Services District No. 4; and Fort Bend County Emergency Services District No. 5.
  - B. Record into Minutes the Final Transcript for Fort Bend County Bond Sale of Senior Lien Toll Road Revenue Bonds, Series 2012, in the amount of \$30,775,000.
  - C. Record into Minutes the Final Transcript for Fort Bend County Unlimited Tax and Subordinate Lien Toll Road Revenue Refunding Bonds, Series 2012, in the amount of \$116,940,000.
  
7. **COMMISSIONER, PCT. 1:**

Approve Interlocal Project Agreement between Fort Bend County and the City of Kendleton to construct a new asphalt roadway within the City of Kendleton King Kennedy Park, to provide access to Hilltop Road, County expenditure not to exceed \$17,100. (Fund: Road & Bridge)
  
8. **COMMISSIONER, PCT. 4:**

Approve Interlocal Project Agreement between Fort Bend County and the City of Missouri City to reconstruct and overlay the Golf Course Parking lot at the Missouri City Community Center, a city owned facility, County expenditure not to exceed \$39,240. (Fund: Road & Bridge)

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

- A. **County Judge:** Approve transfer in the amount of \$1,500 as detailed on County Judge's form dated August 3, 2012, to allocate funds into Commissioners Court Audio/Visual Project for streamline video recording services.
- B. **Commissioner, Pct. 2:** Approve transfer in the amount of \$1,945,000 as detailed on Auditor's form dated August 10, 2012 to allocate funds for the Stafford Run Project as approved by Commissioners Court on August 7, 2012.
- C. **Constable, Pct. 1:** Approve transfer in the amount of \$3,270 from Capital Acquisitions into Fees, Travel, and Office Supplies to allocate funds into correct accounts for training, cell phone upgrades and air cards, and office supplies through September 30, 2012.
- D. **Constable, Pct. 4:** Approve transfer in the amount of \$35 as detailed on Constable's form dated August 8, 2012, to allocate funds into correct line item for computer related supplies.
- E. **District Clerk:** Approve transfer in the amount of \$5,986 from Temporary/Part-Time into Office Supplies to allocate funds for office supplies through September 30, 2012.
- F. **Library:** Approve transfer in the amount of \$58,700 as detailed on County Librarian's form dated August 8, 2012 to allocate funds into Information Technology for the purchase of computer related hardware items through September 30, 2012.
- G. **Office of Emergency Management:** Approve transfer in the amount of \$1,110 from Travel into Information Technology to allocate funds for the purchase of computer related equipment and supplies.

10. **COUNTY ATTORNEY:**

Approve request for appraisal of property located on FM 359, Precinct 3 and authorize purchase order. (Fund: Non-Departmental, Fees)

11. **ENGINEERING:**

- A. **Ratify payment in the amount of \$38,196.00 to the City of Rosenberg regarding improvements to the intersection of FM 2218 and FM 1640, as approved by Commissioners Court on June 26, 2012, Mobility Bond Project No. 61, Precinct 1. (Fund: 2000 Mobility Bonds)**
- B. **Approve payment of Invoice No. 201207-114 (Pay Estimate No. 4) in the amount of \$103,299.14 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. 4068 in the amount of \$22,460.00 to Property Acquisitions Services, Inc. (PAS) regarding various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**

**Item 11 continued - Engineering:**

- D. Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$293,867.69 to Conrad Construction Company regarding Burney Road (Voss Road to Old Richmond), Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- E. Approve application from Ronny Carrol Homes, Inc. to construct a driveway tie-in onto Woodside Lane, Precinct 3.**
- F. Approve application from Center Point Entex to bore under and bury a 4-inch plastic gas line along Gaston Road, Precinct 3.**
- G. Approve application from Devon Street Homes to construct two driveway tie-ins, one on Persimmon Pass and one on Jay Thrush Drive, Precinct 3.**
- H. Approve application from Center Point Entex to bore under and bury a 2-inch plastic gas line along Cinco Ranch Boulevard and Gaston Road, Precinct 3.**
- I. Release Oversize, Overweight, Overlength... Bond #103611297 in the amount of \$50,000.00 from Etoco, Inc. for any and all damages that may have been sustained to any roads (Reinecke Road), or bridges while operating in Fort Bend County, Pct. 1.**
- J. Approve release of cashier's check #700602 in the amount of \$5,000.00 to Sendero Industries, LLC for completion of work along Ditch H, Permit #84135, Precinct 4.**
- K. Release Oversize, Overweight, Overlength... Bond #61S103817987BCM in the amount of \$20,000.00 from Etoco, Inc. for any and all damages that may have been sustained to any roads or bridges (Nail Road bridge crossing Mustang Bayou), in while operating equipment in Fort Bend County, Precinct 1.**
- L. Approve the plat for Stripes at Peek Road, Precinct 3.**
- M. Approve the plat for Cinco Trace Drive Extension No. 1, Precinct 3.**
- N. Approve plat for the roads within Cinco Ranch Northwest, Section 6, Precinct 3.**
- O. Approve plat for the lots within Cinco Ranch Northwest, Section 6, Precinct 3.**
- P. Approve plat for the roads within Lost Creek, Section 5, Precinct 3.**
- Q. Approve plat for the lots within Lost Creek, Section 5, Precinct 3.**

**12. FACILITIES MANAGEMENT & PLANNING:**

**Approve payment of Pay Application No. 3 in the amount of \$108,412.16 to C.F. McDonald Electric, Inc., for the expansion of the Jail Emergency Power System. (Fund: Capital Improvement Project)**

August 14, 2012

13. **FORT BEND FLOOD CONTROL WATER SUPPLY CORP.:** The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed this item at their regular meeting held on July 25, 2012, and makes the following recommendation to Commissioners Court:

Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated July 25, 2012, for an amount totaling \$13,384.35 regarding Big Creek. (Fund: Big Creek)

14. **HEALTH & HUMAN SERVICES:**

Emergency Medical Service: Approve First Responder Cooperation Agreement between Fort Bend County and Fort Bend County Emergency Services District #2 through September 30, 2012 with automatic one-year renewal.

15. **HUMAN RESOURCES:**

- A. Approve request for withdrawal of hours from the Shared Sick Leave Pool: Employee of District Clerk's Office, Position #4501-0005, 16 hours; Employee of Parks Department, Position #6601-0009, 127 hours.
- B. Approve request for withdrawal of 48 hours from the Shared Sick Leave Pool for Employee of Road and Bridge, Position # 6111-0025.

16. **OFFICE OF EMERGENCY MANAGEMENT:**

Approve and execute the 2009 Grant Adjustment Notice for Fort Bend County's participation in the Regional Catastrophic Preparedness Grant Program (RCPGP) to officially close the completed grant.

17. **PURCHASING:**

- A. Authorize advertising for bids for an Incinerator for Sheriff's Office.
- B. Authorize advertising for bids for Medical Supplies.
- C. Authorize advertising for bids for Traffic Signs, Posts and Supplies.

18. **RISK MANAGEMENT:**

- A. Rescind approval of Agenda Item 15 from Commissioners Court meeting on July 24, 2012, regarding full recovery of County's claim (Claim Number T0772494-1) and Property Damage Release of all claims against Fredy I. Amaya, Angela Amaya Rodriguez, ACCC Insurance Company, et al. for property damage sustained on July 13, 2011, due to error in amount.
- B. Approve the acceptance of \$18,699.00 for full recovery of County's claim (Claim Number T0772494-1) and authorize Risk Management Director Wyatt Scott to execute the Property Damage Release of all claims against Fredy I. Amaya, Angela Amaya Rodriguez, ACCC Insurance Company, et al. for property damage sustained on July 13, 2011.

**19. ROAD & BRIDGE:**

- A. Approve payment of Invoice No. 3566 in the amount of \$5,431.04 to Gunda Corporation for traffic signal design at the intersection of Bay Hill Blvd and Falcon Landing. (Fund: Road & Bridge, Traffic Signals)**
- B. Approve payment of Invoice No. TTI3317 in the amount of \$51,614.10 to Traf Tex, Inc. for traffic signal construction at the intersection of Westheimer Parkway and Saddle Spur. (Fund: Road & Bridge, Traffic Signals)**
- C. Approve payment of Invoice No. TTI3316 in the amount of \$59,875.34 to Traf Tex Inc. for traffic signal construction at the intersection of West Airport and Old Richmond Road. (Fund: Road & Bridge, Traffic Signals)**
- D. Approve payment of Invoice No. TTI3318 in the amount of \$7,443.40 to Traf Tex, Inc. for traffic signal construction at the intersection of Bay Hill and Falcon Landing Blvd. (Fund: Road & Bridge, Traffic Signals)**

**20. TAX ASSESSOR/COLLECTOR:**

- A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on August 7, 2012, for an amount totaling \$12,047.08 for the Office of Patsy Schultz.**
- B. Record in the minutes the disposal of miscellaneous Tax Office documentation dated June 8, 2012 through July 17, 2012, and scanned by Cogniserve as Box #1181 through 1192, in accordance with State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**

**21. TREASURER:**

**Approve Monthly Report submitted by County Treasurer for June, 2012, and authorize advertisement of Affidavit of same, in accordance with Local Government 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 5 - 21.

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

**22. COUNTY JUDGE:**

**Take all appropriate action on guidelines for payment of filing fees for out of county mental health commitment proceedings.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve proposed guidelines for payment of filing fees for out of county mental health commitment proceedings.

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

**23. COMMISSIONER, PCT. 1:**

**A. Take all appropriate action on request by Cary Hughes on behalf of Mastodon Resources, LLC, to waive penalty and interest fees totaling \$93.07 for Tax Year 2011, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to deny request by Cary Hughes on behalf of Mastodon Resources, LLC, to waive penalty and interest fees totaling \$93.07 for Tax Year 2011, Precinct 1.

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

**B. Take all appropriate action to appoint John P. Willmann to the Fort Bend County Children's Protective Services Child Welfare Board for a two year term to expire August 13, 2014.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to appoint John P. Willmann to the Fort Bend County Children's Protective Services Child Welfare Board for a two year term to expire August 13, 2014.

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

**24. BUDGET & FINANCE:**

**A. Take all appropriate action to propose the 2012 Tax Rate for Fort Bend County and take a record vote.**

- **Proposed General Fund Tax Rate \$0.37776**
- **Proposed Road & Bridge Fund Tax Rate \$0.02800**
- **Proposed Interest & Sinking Fund Tax Rate \$0.07500**
- **Total Proposed Tax Rate: \$0.48076**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered that the property tax rate be increased by the adoption of a tax rate of \$0.37776 for the General Fund, \$0.02800 for the Road & Bridge Fund and \$0.07500 for the Interest & Sinking Fund for a total Fort Bend County Tax Rate of \$0.48076 which is effectively a 0.4 percent increase in the tax rate.

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

**B. Take all appropriate action to propose the FY 2013 salaries for Fort Bend County Elected Officials.**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the FY 2013 salaries for Fort Bend County Elected Officials with a 2.35% increase excluding the District Attorney, County Court at Law Judges and District Judges.

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

**Item 24 continued - Budget & Finance:**

- C. Take all appropriate action to set Public Hearings on the proposal to increase the 2012 Tax Rate for Fort Bend County, to be conducted on Thursday, August 23, 2012, at 5:30 p.m. and on Tuesday, August 28, 2012, at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to set Public Hearings on the proposal to increase the 2012 Tax Rate for Fort Bend County, to be conducted on Thursday, August 23, 2012, at 5:30 p.m. and on Tuesday, August 28, 2012, at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.

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

- D. Take all appropriate action to set Public Hearings on the FY 2013 Proposed Budget for Fort Bend County to be conducted on Monday, September 10, 2012, at 5:30 p.m., and on Tuesday, September 11, 2012, at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to set Public Hearings on the FY 2013 Proposed Budget for Fort Bend County to be conducted on Monday, September 10, 2012, at 5:30 p.m., and on Tuesday, September 11, 2012, at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.

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

25. **CONSTABLE, PCT. 3:**

**Take all appropriate action on Interlocal Cooperation Contract from the Texas Comptroller of Public Accounts to receive funds in the amount of \$3,750 to assist in the enforcement of Health & Safety laws regarding the sale of tobacco to minors for the period of September 1, 2012 through August 31, 2013, with no cash match required by the County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Cooperation Contract from the Texas Comptroller of Public Accounts to receive funds in the amount of \$3,750 to assist in the enforcement of Health & Safety laws regarding the sale of tobacco to minors for the period of September 1, 2012 through August 31, 2013, with no cash match required by the County.

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

26. **COUNTY CLERK:**

**Take all appropriate action on Amendment 1 to the Customer Agreement between the State of Texas, Texas NICUSA, LLC, and Fort Bend County to extend eFiling service through Texas.gov for up to eighteen months, through February 28, 2014.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Amendment 1 to the Customer Agreement between the State of Texas, Texas NICUSA, LLC, and Fort Bend County to extend eFiling service through Texas.gov for up to eighteen months, through February 28, 2014.

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

**27. ELECTIONS ADMINISTRATION:**

**Take all appropriate action on the Schedule of Early Voting Locations and Times for the November 6, 2012 General Election, as presented in the Order of Election dated August 14, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Schedule of Early Voting Locations and Times for the November 6, 2012 General Election, as presented in the Order of Election dated August 14, 2012 including the addition of the City of Richmond water maintenance building.

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

**28. ENGINEERING:**

**Take all appropriate action on request by Billy Blackmon and Lora Pesek Blackmon for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to divide 1.000 acres out of a called 5.00 acre tract (conveyed from their daughter Catherine L. Wotipka), situated in the George H. Schley Survey, Abstract 391, recorded in official Fort Bend County Deed Records, Vol. 2654, Page 2085 and Instrument #2007063007, Fort Bend County, Texas, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request by Billy Blackmon and Lora Pesek Blackmon for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to divide 1.000 acres out of a called 5.00 acre tract (conveyed from their daughter Catherine L. Wotipka), situated in the George H. Schley Survey, Abstract 391, recorded in official Fort Bend County Deed Records, Vol. 2654, Page 2085 and Instrument #2007063007, Fort Bend County, Texas, Precinct 1.

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

**29. FACILITIES MANAGEMENT & PLANNING:**

**Take all appropriate action on the Second Amendment to the Architectural Agreement between Fort Bend County and Ray Bailey Architects for Construction Administration Services in the amount of \$140,500 for a total contract amount not to exceed \$656,000 regarding the Courthouse Restoration project. (Fund: Courthouse Preservation Project)**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the Second Amendment to the Architectural Agreement between Fort Bend County and Ray Bailey Architects for Construction Administration Services in the amount of \$140,500 for a total contract amount not to exceed \$656,000 regarding the Courthouse Restoration project. (Fund: Courthouse Preservation Project)

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

Note: After restorations the old courthouse will house the offices of the County Judge, County Attorney and Commissioners Court.

**30. HUMAN RESOURCES:**

**Take all appropriate action on Amendments to Administrative Services Agreements between Fort Bend County and Hartford Life Insurance Company (Edward Jones), Security Benefit (Dearborn & Creggs), and Nationwide Retirement Solutions, Inc. regarding the County's 457(b) Deferred Compensation Plan Agreements, to allow for the creation of Roth Contribution, Roth Rollover, and In-Plan Roth Conversion accounts.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Amendments to Administrative Services Agreements between Fort Bend County and Hartford Life Insurance Company (Edward Jones), Security Benefit (Dearborn & Creggs), and Nationwide Retirement Solutions, Inc. regarding the County's 457(b) Deferred Compensation Plan Agreements, to allow for the creation of Roth Contribution, Roth Rollover, and In-Plan Roth Conversion accounts.

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

**31. PARKS & RECREATION:**

**Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$400.00 to Fort Bend Subsidence District for a new water well application fee for the New Freedom Park in Precinct 3. (Fund: Parks, Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in the amount of \$400.00 to Fort Bend Subsidence District for a new water well application fee for the New Freedom Park in Precinct 3. (Fund: Parks, Fees)

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

**32. PUBLIC TRANSPORTATION:**

**Take all appropriate action to authorize the Public Transportation Director to submit a grant application to the Texas Department of Transportation for the 2010 Census Impact Call for Projects, with no local match required.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the Public Transportation Director to submit a grant application to the Texas Department of Transportation for the 2010 Census Impact Call for Projects, with no local match required.

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

**33. PURCHASING:**

- A. Take all appropriate action to authorize the purchase of one (1) equipped pick-up truck, a replacement vehicle for Environmental Health from Philpott Motors, utilizing Buy Board Agreement 358-10, for an amount not to exceed \$35,771.32. (Fund: Environmental Health Grant)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of one (1) equipped pick-up truck, a replacement vehicle for Environmental Health from Philpott Motors, utilizing Buy Board Agreement 358-10, for an amount not to exceed \$35,771.32. (Fund: Environmental Health Grant)

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

- B. Take all appropriate action to authorize the purchase computer equipment for Constable Pct. 4 from Public Safety Solutions, LLC, for an amount not to exceed \$5,941.95; in addition, authorize the payment pursuant to Texas Local Government Code Section 130.908. (Fund: Constable Pct. 4, Agreement for Additional Law Enforcement, Riverstone)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase computer equipment for Constable Pct. 4 from Public Safety Solutions, LLC, for an amount not to exceed \$5,941.95; in addition, authorize the payment pursuant to Texas Local Government Code Section 130.908. (Fund: Constable Pct. 4, Agreement for Additional Law Enforcement, Riverstone)

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

**Item 33 continued - Purchasing:**

- C. Take all appropriate action to authorize the purchase of computer equipment from Dell, Inc. for the Sheriff's Office, in an amount not to exceed \$11,653.35; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office, OCDETF Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of computer equipment from Dell, Inc. for the Sheriff's Office, in an amount not to exceed \$11,653.35; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office, OCDETF Grant)

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

- D. Take all appropriate action to authorize amending the purchase order to the City of Rosenberg for reimbursement of HIDTA overtime, in an amount not to exceed \$9,000; in addition, authorize the payment pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff, HIDTA Grant)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize amending the purchase order to the City of Rosenberg for reimbursement of HIDTA overtime, in an amount not to exceed \$9,000; in addition, authorize the payment pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff, HIDTA Grant)

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

**Item 33 continued - Purchasing:**

- E. Take all appropriate action on the Construction Management-At-Risk Agreement between Fort Bend County and JE Dunn Construction for construction of the Senior Center pursuant to RFQ 12-048, requesting expenditure of pre-construction costs in the amount of \$15,000. (Fund: Capital Improvement Project)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Construction Management-At-Risk Agreement between Fort Bend County and JE Dunn Construction for construction of the Senior Center pursuant to RFQ 12-048, requesting expenditure of pre-construction costs in the amount of \$15,000. (Fund: Capital Improvement Project)

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

- F. Take all appropriate action on Extension of Agreement between Fort Bend County and Homeland Preparedness Project pursuant to SOQ #07-038 for an amount not to exceed \$6,500. (Fund: Health & Human Services Grant)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Extension of Agreement between Fort Bend County and Homeland Preparedness Project pursuant to SOQ #07-038 for an amount not to exceed \$6,500. (Fund: Health & Human Services Grant)

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

**34. SHERIFF'S OFFICE:**

**Take all appropriate action to ratify Grant Contract between Fort Bend County and the Office of the Attorney General, OAG Contract 1333053, to accept funds for the Victim Coordinator and Liaison Grant Program for the period of September 1, 2012 through August 31, 2013.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to ratify Grant Contract between Fort Bend County and the Office of the Attorney General, OAG Contract 1333053, to accept funds for the Victim Coordinator and Liaison Grant Program for the period of September 1, 2012 through August 31, 2013.

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

**35. 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

**36. Approve Bills.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$8,282,169.03.

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

- 37. Authorize County Auditor to pay and release time-sensitive bills on August 23, 2012, to be ratified by Commissioners Court on August 28, 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 August 23, 2012, to be ratified by Commissioners Court on August 28, 2012.

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

**Recess:**

Recessed at 1:30 p.m.

- 38. 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.**

**Cause No. 12-DCV-198588; Rebecca Tate, Betty Riojas, and Sal Gomez, Individually and as Representatives of The Estate of San Juanita Hidalgo v. Fort Bend County Sheriff's Department; in the 240th Judicial District Court of Fort Bend County, Texas (Cause No. 2012-13119 in the 333rd Judicial District Court of Harris County, Texas).**

- B. § 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 - Information Technology Director.**

**Closed Session:**

Convened at 1:45 p.m.  
Adjourned at 2:09 p.m.

**Reconvene:**

Reconvened at 2:12 p.m.

August 14, 2012

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

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

**Cause No. 12-DCV-198588; Rebecca Tate, Betty Riojas, and Sal Gomez, Individually and as Representatives of The Estate of San Juanita Hidalgo v. Fort Bend County Sheriff's Department; in the 240th Judicial District Court of Fort Bend County, Texas (Cause No. 2012-13119 in the 333rd Judicial District Court of Harris County, Texas).**

No action.

**B. § 551.074. Personnel Matters.**

**Annual Evaluation - Information Technology Director.**

Annual review conducted.

**40. Adjournment.**

Commissioners Court adjourned at 2:13 p.m. on Tuesday, August 14, 2012.

August 14, 2012

**DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 14th DAY of AUGUST, 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
DIANNE WILSON	COUNTY CLERK
MARK VOGLER	DRAINAGE DISTRICT MANAGER

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

**1. Call to Order.**

Call to Order by Judge Hebert at 1:02 p.m.

**2. Take all appropriate action to propose the 2012 Tax Rate for Fort Bend County Drainage District and take a record vote:**

- **Proposed Drainage District Tax Rate: \$0.01900.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered that the property tax rate be increased by the adoption of a tax rate of \$0.01900, which is effectively a 1.6 percent increase in the tax rate.

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

3. **Take all appropriate action to set Public Hearings on the proposal to increase the 2012 Tax Rate for Fort Bend County Drainage District to be conducted on Thursday, August 23, 2012, at 5:30 p.m., and on Tuesday, August 28, 2012 at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to set Public Hearings on the proposal to increase the 2012 Tax Rate for Fort Bend County Drainage District to be conducted on Thursday, August 23, 2012, at 5:30 p.m., and on Tuesday, August 28, 2012 at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.

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

4. **Take all appropriate action to set Public Hearings on the FY 2013 Proposed Budget for Fort Bend County Drainage District to be conducted on Monday, September 10, 2012, at 5:30 p.m., and on Tuesday, September 11, 2012, at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to set Public Hearings on the FY 2013 Proposed Budget for Fort Bend County Drainage District to be conducted on Monday, September 10, 2012, at 5:30 p.m., and on Tuesday, September 11, 2012, at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.

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

5. **Adjournment.**


The Drainage District Board adjourned at 1:06 p.m. on Tuesday, August 14, 2012.

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 23rd day of August, 2012. (special meeting)

  
\_\_\_\_\_  
DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Prestage, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 28th day of August, 2012.

  
\_\_\_\_\_  
ROBERT E. HEBERT, COUNTY JUDGE

August 23, 2012

**MINUTES**

BE IT REMEMBERED, That on this 23rd DAY of AUGUST, 2012, Commissioners Court of Fort Bend County, Texas, met at a special meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK

Commissioners Prestage and Meyers absent.

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

**1. Call to Order.**

Call to Order by Judge Hebert at 5:30 p.m.

**2. Conduct a Public Hearing on the proposal to increase the 2012 Tax Rate for Fort Bend County.**

Public hearing held. No public comments.

**3. Adjournment.**

Commissioners Court adjourned at 5:31 p.m. on Thursday, August 23, 2012.

August 23, 2012

**DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 23rd DAY of AUGUST, 2012, The Drainage District Board of Fort Bend County, Texas, met at a special meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK

Commissioners Prestage and Meyers absent. Mark Vogler, Drainage District Manager, absent.

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

**1. Call to Order.**

Call to Order by Judge Hebert at 5:31 p.m.

**2. Conduct a Public Hearing on the proposal to increase the 2012 Tax Rate for Fort Bend County Drainage District.**

Public hearing held. No public comments.

**3. Adjournment.**

The Drainage District Board adjourned at 5:32 p.m. on Tuesday, August 23, 2012.