

MINUTES

BE IT REMEMBERED, That on this 11th DAY of SEPTEMBER, 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 Prestage.

Invocation and Pledge of Allegiance by Commissioner Prestage.

3. Approve minutes of regular meeting held on September 4, 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 September 4, 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 asked everyone to remember all those that died on September 11, 2001 and their families.

Pamela Gubbels and the Budget office is hosting a reception to celebrate the completion of the budget after court today.

5. PUBLIC HEARINGS: 1:00 p.m.

A. Conduct Public Hearing on the Proposed FY 2013 Budget for Fort Bend County, pursuant to Texas Local Government Code § 111.067.

Public hearing held. No public comments.

B. Conduct Public Hearings and take all appropriate action on the following matters:

- 1. Approval of replat: Avalon at Pine Mill, Section 1, being a partial replat of unrestricted Reserve "A" of Katy ISD High School, No. 7, Precinct 3.**
- 2. Approval of replat: Grand Corner Reserves, Partial Replat No. 2, Precinct 3.**
- 3. Approval of replat: Felro Subdivision, being a partial replat of Magnolia Place, Pct. 1**

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 5B 1-2.

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

Item 5B3 no action.

CONSENT AGENDA ITEMS 6 - 15:

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

Sheriff's Office: Ratify travel by T. Oxley and J. Harris to Live Oak, Florida, September 11-12, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Forfeited Assets, Travel)

7. **COMMISSIONER, PCT. 1:**

Approve renewal of Agreement Between Fort Bend County and FBC Heritage Unlimited Museum in an amount not to exceed \$12, 500 for FY2013. (Fund: Non-Departmental Fees)

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

- A. **District Clerk: Approve transfer in the amount of \$675 from Office Supplies into Information Technology to allocate funds into correct account for replacement of printer.**
- B. **Road & Bridge: Approve transfer in the amount of \$347,430 from Road & Bridge, Contingency, into Fuel Account to allocate additional funds for fuel through Sept. 30, 2012.**

9. **DISTRICT ATTORNEY:**

Accept Grant Award #1364513 from the Office of the Governor, Criminal Justice Division in the amount of \$73,198 for the Victim Witness Staff Expansion, with a cash match by Fort Bend County in the amount of \$43,533 for a total of \$116,731 for the term of September 1, 2012 through August 31, 2013. (Fund: District Attorney)

10. **ENGINEERING:**

- A. **Approve payment of Invoice No. 4078 in the amount of \$18,161.25 to Property Acquisition Services, Inc. (PAS) regarding various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- B. **Approve payment of Invoice No. 1207-40 in the amount of \$6,057.50 to JNS Engineers, Inc. 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)**
- C. **Approve payment of Invoice No. 12-07-004 in the amount of \$51,095.00 to Kelly R. Kaluza, Inc. regarding the expansion of Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. 12-07-005 in the amount of \$ 4,351.00 to Kelly R. Kaluza & Associates, Inc. regarding the expansion of Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 12-08-007 in the amount of \$6,645.00 to Kelly R. Kaluza & Associates, Inc. regarding improvements to Harlem Road, Mobility Bond Project #726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$240,915.01 to Allgood Construction Company, Inc. regarding the construction of Falcon Landing Blvd. road extension, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**

Item 10 continued - Engineering:

- G. Approve payment of Invoice No. FBC2012-1008 718 in the amount of \$58,989.02 to SES Horizon Consulting Engineers regarding improvements to Brand Lane, from Ludwig to US 90A, Mobility Bond Project #718 and Invoice No. FBC2012-1008 769 in the amount of \$54,451.39 to SES Consulting Engineers regarding improvements to Brand Land, from Avenue E to Ludwig, Mobility Bond Project #769, Precinct 2. (Fund: 2007 Mobility Bonds)
 - H. Approve payment of Invoice No. 20889 in the amount of \$231.00 to Geotest Engineering, Inc. regarding Falcon Landing Boulevard road extension, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)
 - I. Approve application from CenterPoint Energy Entex to bore a 2-inch plastic gas line under Mason Road, Precinct 3.
 - J. Approve application from Clearwater Utilities, Inc. obo Mission Mud No. 1 to bore a 12-inch water line under Long Point Slough, Precinct 3.
 - K. Set public hearing for acceptance of the traffic control plan for Fresno Ranchos Subdivision, Precinct 1. *(Tuesday, October 9, 2012, at 1:00 p.m.)*
 - L. Set public hearing for acceptance of the revised traffic control plan for Harlem Road, from FM 1093 to US 90A, Mobility Bond Project Nos. 725, 725A, 726, and 727, Precincts 3 and 4. *(Tuesday, October 9, 2012, at 1:00 p.m.)*
11. **FACILITIES MANAGEMENT & PLANNING:**
- Approve payment of Pay Application No. 16 in the amount of \$17,609.00 to EE Reed Construction, L.P. for construction services regarding the University Branch Library in Sugar Land. (Fund: Facility Bond Project)
12. **HUMAN RESOURCES:**
- Approve request for withdrawal of 80 hours from the Shared Sick Leave Pool for employee of Parks Department, Position #6601-0009.
13. **JUVENILE DETENTION & PROBATION DEPARTMENT:**
- Accept grant award in the amount of \$77,051 from the Office of the Governor, Criminal Justice Division, for expansion of the Transitions Work/Study Program, for the period of September 1, 2012 through August 31, 2013, with no cash match required by Fort Bend County, pending approval by the Juvenile Board at their next meeting.
14. **LIBRARY:**
- A. Approve FY2013 budget for the Sienna Branch Library prepared by the Sienna Library Operations Committee according to the Fort Bend County/Houston Community College System Library Cost Sharing/Joint Use Agreement; this budget is a component of Fort Bend Libraries overall 2013 budget.

Item 14 continued - Library:

- B. Approve Grant Contract between Fort Bend County and the Texas State Library & Archives Commission for the 2013 Impact Grant in the amount of \$9,986 for use through August 31, 2013, with no cash match required by Fort Bend County.**

15. TAX ASSESSOR/COLLECTOR:

Record into Minutes the disposal of miscellaneous Tax Office documentation, dated July 17, 2012 through August 14, 2012, which has been scanned as Box 1193 through 1200, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-15.

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

16. COMMISSIONER, PCT. 3:

- A. Take all appropriate action on request by Hilton Armstrong to waive penalty and interest totaling \$214.50 on property taxes for Tax Year 2011, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to deny request by Hilton Armstrong to waive penalty and interest totaling \$214.50 on property taxes for Tax Year 2011, Precinct 3.

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

Item 16 continued - Commissioner Pct. 3:

B. Take all appropriate action on request by Jerry Myers to waive penalty, interest and collection fees totaling \$84.84 on property taxes for Tax Year 2011, Precinct 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve request by Jerry Myers to waive penalty, interest and collection fees totaling \$84.84 on property taxes for Tax Year 2011, Precinct 3.

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

17. BUDGET & FINANCE:

A. Take all appropriate action on FY 2013 Proposed Positions for Fort Bend County.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve FY 2013 Proposed Positions for Fort Bend County as submitted on list dated August 30, 2012.

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

B. Take all appropriate action to set the FY2013 Salaries for Elected Officials of Fort Bend County, pursuant to Texas Local Government Code Section 152.011.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to set the FY2013 Salaries for Elected Officials of Fort Bend County, pursuant to Texas Local Government Code Section 152.011 as submitted on list dated August 14, 2012.

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

Item 17 continued - Budget & Finance:

C. Take all appropriate action on the FY 2013 Fleet Management Schedule for Fort Bend County.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the FY 2013 Fleet Management Schedule for Fort Bend County as submitted on list dated 9/6/12.

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

D. Take all appropriate action to adopt the 2012 Tax Rate for Fort Bend County as follows:

- **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 Prestage Seconded by Commissioner Patterson

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

Note: The tax rate has stayed the same since 2008.

Item 17 continued - Budget & Finance:

E. Take all appropriate action on the FY2013 Budget for Fort Bend County, pursuant to Texas Local Government Code Section 111.068.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the FY2013 Budget for Fort Bend County, pursuant to Texas Local Government Code Section 111.068 with first amendment to increase Non-Departmental Contingency by \$300,000 for a total of \$1.6 million.

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

Moved by Commissioner Prestage Seconded by Commissioner Morrison

To approve the FY2013 Budget for Fort Bend County, pursuant to Texas Local Government Code Section 111.068 with second amendment for District Attorney Prosecutor salary adjustment to take place mid-fiscal year in April 2013 in the amount of \$102,737.

MOTION FAILED.

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

Moved by Commissioner Prestage Seconded by Commissioner Morrison

To approve the FY2013 Budget for Fort Bend County, pursuant to Texas Local Government Code Section 111.068 with third amendment for Assistant County Attorney salary adjustment to take place mid-fiscal year in April 2013 in the amount of \$19,630.

MOTION WITHDRAWN.

Item 17E continued - Budget & Finance:

Commissioner Morrison stated reasons why the salary adjustments should have been approved. Judge Hebert gave reasons why they should not. Commissioner Prestage withdrew amendments for Sheriff positions due to possible legal issues.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the FY2013 Budget for Fort Bend County, pursuant to Texas Local Government Code Section 111.068 as amended for a total of \$250,277,339.00.

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

Note: Budget includes a 2.35% increase for full time and part time employees hired before July 1, 2012.

18. AGRI-LIFE EXTENSION OFFICE:

Take all appropriate action to authorize reimbursement in the amount of \$18.30 to Vincent Mannino for express mail postage without a purchase order. (Fund: Extension Office, Office Supplies)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize reimbursement in the amount of \$18.30 to Vincent Mannino for express mail postage without a purchase order. (Fund: Extension Office, Office Supplies)

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

19. ENGINEERING:

Take all appropriate action on applications to Houston-Galveston Area Council for recycle grant funding for the FY 2013 Solid Waste Grant Program, with in-kind services provided by Fort Bend County and authorize the County Judge to sign all documents pertaining to the application.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve applications to Houston-Galveston Area Council for recycle grant funding for the FY 2013 Solid Waste Grant Program, with in-kind services provided 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

20. OFFICE OF EMERGENCY MANAGEMENT:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$1,998.00 to Harris County Auditor for installation of radio equipment in the Communication on Wheels vehicle without a purchase order. (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 payment by Invoice Transmittal in the amount of \$1,998.00 to Harris County Auditor for installation of radio equipment in the Communication on Wheels vehicle without a purchase order. (Fund: Office of Emergency Management, UASI Grant)

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

21. PUBLIC TRANSPORTATION:

Take all appropriate action to authorize the Public Transportation Director to submit a grant application to the Houston Galveston Area Council for continuation of the Job Access and Reverse Commuter (JARC) and New Freedom Programs.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the Public Transportation Director to submit a grant application to the Houston Galveston Area Council for continuation of the Job Access and Reverse Commuter (JARC) and New Freedom Programs.

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

Commissioner Patterson thanked Paulette Shelton, Transportation Director, for securing grant funds.

22. PURCHASING:

A. Take all appropriate action on request to purchase four (4) Chevrolet Caprice vehicles for Juvenile from Classic Chevrolet, pursuant to Bid 11-028 as additions to fleet for \$23,987.63 each. (Fund: Juvenile Residual)

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and carried (4-1), it is ordered to purchase four (4) Chevrolet Caprice vehicles for Juvenile from Classic Chevrolet, pursuant to Bid 11-028 as additions to fleet for \$23,987.63 each. (Fund: Juvenile Residual)

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

Item 22 continued - Purchasing:

- B. Take all appropriate action on Agreement for Professional Materials Testing Engineering Services between Fort Bend County and Paradigm Consultants, Inc. to provide construction materials testing services for an amount not to exceed \$165,506.50 for improvements to Mason Road, Phase 1, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Professional Materials Testing Engineering Services between Fort Bend County and Paradigm Consultants, Inc. to provide construction materials testing services for an amount not to exceed \$165,506.50 for improvements to Mason Road, Phase 1, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)

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

- C. Take all appropriate action on Second Extension of Records Storage Services Agreement between Fort Bend County and Harris County Department of Education (HCDE) for records storage, pursuant to RFP #10-033, effective September 7, 2012. (Fund: Multiple County Departments, Records Management)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Second Extension of Records Storage Services Agreement between Fort Bend County and Harris County Department of Education (HCDE) for records storage, pursuant to RFP #10-033, effective September 7, 2012. (Fund: Multiple County Departments, Records Management)

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

Item 22 continued - Purchasing:

- D. Take all appropriate action on Voice Over IP Upgrade Scope of Work utilizing Department of Information Resources contract DIR-SDD-1513 with Datavox, Inc. in an amount not to exceed \$150,264.06. (Fund: Information Technology, Phone System Upgrade)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Voice Over IP Upgrade Scope of Work utilizing Department of Information Resources contract DIR-SDD-1513 with Datavox, Inc. in an amount not to exceed \$150,264.06. (Fund: Information Technology, Phone System Upgrade)

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

- E. Take all appropriate action to authorize the purchase of janitorial supplies for the Jail from Gulf Coast Paper Company, in an amount not to exceed \$5,859.40; 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 janitorial supplies for the Jail from Gulf Coast Paper Company, in an amount not to exceed \$5,859.40; 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 22 continued - Purchasing:

- F. Take all appropriate action on request to modify Purchase Orders to Performance Foods, Premium Foods, Oaks Farm Dairy, and Flowers Baking Company for the Sheriff's Office, in an amount not to exceed \$43,910.75; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code (Fund: Sheriff, Detention)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to modify Purchase Orders to Performance Foods, Premium Foods, Oak Farms Dairy, and Flowers Baking Company for the Sheriff's Office, in an amount not to exceed \$43,910.75; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code (Fund: Sheriff, Detention)

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

23. VEHICLE MAINTENANCE:

Take all appropriate action on Agreement between Fort Bend County and Helfman Ford for conditional, temporary delivery of a 2013 Ford Police Interceptor, at no cost to the 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 Helfman Ford for conditional, temporary delivery of a 2013 Ford Police Interceptor, at no cost to the County.

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

24. Approve Bills pursuant to Section 130.908 of the Texas Local Government Code.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

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

25. 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 \$5,147,594.20.

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

26. Authorize County Auditor to pay and release time sensitive bills on September 20, 2012, to be ratified by Commissioners Court on September 25, 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 September 20, 2012, to be ratified by Commissioners Court on September 25, 2012.

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

Recess:

Recessed at 1:38 p.m.

27. 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. 10-DCV-180443; Patricia Cantu vs. Fort Bend County, Texas; in the 240th Judicial District Court of Fort Bend County, Texas.

- 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.**

Cane Island Mobility Bond Project, Precinct 3.

Closed Session:

Convened at 1:49 p.m.
Adjourned at 2:09 p.m.

Reconvene:

Reconvened at 2:12 p.m.

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

A. § 551.071. Consultation With Attorney.

Cause No. 10-DCV-180443; Patricia Cantu vs. Fort Bend County, Texas; In the 240th Judicial District Court of Fort Bend County, Texas.

No action.

B. § 551.072. Deliberation Regarding Real Property.

Cane Island Mobility Bond Project, Precinct 3.

No action.

29. Adjournment.

Commissioners Court adjourned at 2:13 p.m. on Tuesday, September 11, 2012.