

**MINUTES**

BE IT REMEMBERED, That on this 25th 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
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 Meyers.**

Invocation and Pledge of Allegiance by Commissioner Meyers.

**3. Approve minutes of special meetings held on September 10 and September 18, 2012, and regular meeting held on September 11, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of special meetings held on September 10 and September 18, 2012, and regular meeting held on September 11, 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.

September Service Awards presented to county employees.

All county offices closed Friday Sept. 28 for the County Fair holiday.

Judge Hebert recognized Darryl Humphrey, Mayor of Kendleton.

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

- A. Acceptance of the traffic control plan for Teal Run, Section 10, Precinct 1.**
- B. Acceptance of the revised traffic control plans for Cinco Ranch South Lake Village, Section 4, Precinct 3.**
- C. Acceptance of the revised traffic control plans for Hidden Lakes Estates, Precinct 4.**
- D. Acceptance of the traffic control plan regarding Greenbusch Road, Mobility Bond Project #732, (changed to Westheimer Parkway), from Falcon Landing Boulevard to Pin Oak Road, Precinct 3.**

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 A-D.

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

**CONSENT AGENDA ITEMS 6 - 24:**

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

- A. Health & Human Services: Melanie Manville to Emmitsburg, Maryland, October 14-19, 2012, to attend the FEMA Master Exercise Practitioner Program. (Fund: Public Health Preparedness Grant and FEMA)**
- B. Sheriff's Office: Ratify travel by A. Zarosky and J. Murray to San Francisco, California, September 18-19, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Forfeited Assets, Travel)**

**7. COUNTY JUDGE:**

- A. Approve renewal of Agreement between Fort Bend County and Debbie Leavey, Facilitator for the Choices and Consequences Program, along with Agreements for four Assistant Facilitators for an amount totaling \$48,640 for FY 2013. (Fund: Choices and Consequences, Fees)**
- B. Approve renewal of agreement with Brazos Bend Guardianship Services for FY 13 to perform local guardianship services for an amount not to exceed fees collected under Chapter 101 of the Texas Government Code for the year ending September 30, 2012.**
- C. Approve renewal of Agreement between Fort Bend County and Greater Fort Bend Economic Development Council in the amount of \$300,000 for business development activities effective October 1, 2012 through September 30, 2013. (Fund: Non-Departmental, Fees)**
- D. Accept financial assistance award in the amount of \$1,250,000 from the U.S. Department of Commerce, Economic Development Administration for infrastructure development in the City of Kendleton, Fort Bend County, Texas with an adjusted cash match by Fort Bend County in the amount of \$1,577,000 from 2007 Mobility Bond Funds and in-kind work to be performed by Fort Bend County Road and Bridge for a total project amount of \$2,827,000.**

**8. COMMISSIONER, PCT. 3:**

**Approve Interlocal Project Agreement between Fort Bend County and City of Simonton to provide roadway repair assistance at specified locations and to apply herbicide to the road shoulders, County expenditure not to exceed \$63,980. (Fund: Road & Bridge)**

**9. AUDITOR:**

- A. Accept Monthly Financial Report prepared by the County Auditor for ten months ending July 31, 2012 pursuant to Local Government Code Section 114.023.**
- B. Approve amendment to FY2012 Formula Grant from the Texas Indigent Defense Commission for an estimated amount \$254,747.**
- C. Approve reclassification of over expenditure of interest in the amount of \$6,359.61 from July 20, 2000 from the registry of the County Court for Cause #15683.**
- D. Authorize County Auditor to eliminate liability and recognize revenue in the amount of \$515,870.23 as described in the Auditor's letter dated September 19, 2012.**

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

- A. **County Judge:** Approve transfer in the amount of \$94,945 from Non-Departmental Fees into Community Development Block Grant Administration to allocate funds for the Agreement with University of Texas to study the Fifth Street Area, as authorized by Commissioners Court on August 28, 2012.
- B. **Behavioral Health Services:** Approve transfer in the amount of \$28 from Travel into Information Technology to allocate funds for purchase of flash drives.
- C. **District Attorney:** Approve transfer in the amount of \$12,711 from Information Technology into line items detailed on District Attorney's form dated September 7, 2012, to allocate funds for salary supplements and related line items through September 30, 2012.
- D. **Fire Marshal:** Approve transfer in the amount of \$1,291 as detailed on Auditor's form dated September 19, 2012 to amend the budget pursuant to Local Government Code Section 111.07075 and allocate revenue received from various entities to supplement equipment purchases.
- E. **Sheriff's Office:** Approve transfer in the amount of \$9,389 as detailed on Auditor's form dated September 14, 2012 to allocate matching funds for the FY2012 Victim Coordinator Liaison Grant.
- F. **Sheriff's Office:** Approve transfer in the amount of \$79,659 from Forfeited Assets, State, into Capital Acquisitions to allocate funds for purchase of incinerator.
- G. **Sheriff's Office:** Approve transfer in the amount of \$499 from Forfeited Assets, Federal, into Information Technology to allocate funds into correct line item for purchase of printer.

**11. CONSTABLE, PCT. 1:**

- A. Approve renewal of Motorcycle Lease Agreement between Fort Bend County and Shepard H. Werlein Jr.; effective October 1, 2012 through September 30, 2013. (Fund: Constable, Pct. 1, Greatwood Law Enforcement Agreement)
- B. Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County, Fort Bend County Municipal Utility District No. 23, and Fort Bend County Municipal Utility District No. 24; effective through September 30, 2013.

**12. CONSTABLE, PCT. 2:**

Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Briar Villa Homeowners Association effective through Sept. 30, 2013.

**13. DISTRICT ATTORNEY:**

**Accept Grant Awards from the Office of the Governor, Criminal Justice Division, Grant No. 151714 in the amount of \$46,945.87 for the Violence Against Women Investigator Program, with a cash match by Fort Bend County in the amount of \$36,813.13 for a total of \$83,759; and Grant No. 1344715 in the amount of \$79,625.01 for the Violence Against Women Prosecutor Program, with a cash match by Fort Bend County in the amount of \$44,974.99, for a total of \$124,600; program terms effective September 1, 2012 through August 31, 2013. (Fund: District Attorney)**

**14. ELECTIONS ADMINISTRATION:**

**Accept grant award in the amount of \$50,000 from the Office of the Secretary of State, State of Texas for the Help America Vote Act (HAVA) Polling Place Accessibility 2012 toward the total estimated project cost of \$193,336.**

**15. ENGINEERING:**

- A. Accept Donation Deed for a 0.269 acre tract of land from John D. & Janice W. McCann for James Lane Bridge over Bessie's Creek project and record same into the County property records, Precinct 3.**
- B. Accept Donation Deed for a 0.2274 acre tract of land from Kenneth G. McCann, Gerald W. McCann, and John D. McCann for James Lane Bridge over Bessie's Creek project, and record same into the County property records, Precinct 3.**
- C. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$312,987.02 to Mar-Con Services, LLC regarding drainage and paving improvements for West Bellfort Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 4 (Pay Estimate No. 4) in the amount of \$369,362.32 to Conrad Construction Company regarding Burney Road, from Voss Road to Old Richmond, Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 90028939 in the amount of \$2,705.21 to Union Pacific Railroad Company regarding crossing improvements at Harlem Road, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 211560126 in the amount of \$498.96 to Huitt-Zollars, Inc. regarding Falcon Landing, from Greenbusch to Katy-Gaston, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 57 in the amount of \$15,805.06 to Schaumburg & Polk, Inc. regarding Administrative Support for the 2007 Mobility Bonds Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 779-001-09 to TSC Engineering in the amount of \$14,058.00 regarding improvements to West Bellfort, from SH 99 to Harlem Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**

**Item 15 continued - Engineering:**

- I. Approve payment of Invoice No. 20121235 in the amount of \$10,826.76 to TEDSI Infrastructure Group regarding traffic signal design at Falcon Landing Boulevard and Gaston Road, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- J. Approve payment of Invoice No. 20952 in the amount of \$14,319.00 to Geotest Engineering, Inc. regarding the extension of Falcon Landing Boulevard, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- K. Approve payment of Invoice No. 238219 in the amount of \$10,911.88 to Cobb-Fendley & Associates, Inc. regarding improvements to Gaston Road, Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)**
- L. Approve application from Tribble & Stevens Construction, Ltd. to bore a sanitary sewer and construct two left turn lanes, and to construct one driveway tie-in onto Commercial Center Blvd., Precinct 3.**
- M. Approve application from Devon Street Homes to construct three driveway tie-ins, two on Jay Thrush Drive and one on Brookwood Hollow, Precinct 3.**
- N. Approve release of performance bond #5116146 in the amount of \$5,000.00 to The Plazas at Spring Green, Ltd. for completion of work on Cinco Ranch Blvd. and Spring Green Blvd., Permit #83970, Precinct 3.**
- O. Approve release of cashier's check #4867843712 in the amount of \$5,000.00 to Cypress E&P Corporation for completion of work on Katy-Gaston, Permit #83235, Precinct 3.**
- P. Approve application from Center Point Entex to bore a 2-inch plastic gas line under Mimosa Lane and bury a 2-inch plastic gas line along Linden Lane, Precinct 3.**
- Q. Approve application from Center Point Entex to bury a 2-inch plastic gas line along Hoyt Lane, Precinct 3.**
- R. Approve application from Center Point Entex to bury a 4-inch plastic gas line along Cinco Trace Drive, Precinct 3.**
- S. Approve application from Center Point Entex to bore a 4-inch plastic gas line under Roesner Road, Precinct 3.**
- T. Approve release of cashier's check #4867274598 in the amount of \$5,000.00 to Cypress E&P Corporation for completion of work on Baker Road, Permit #83019, Precinct 1.**
- U. Approve the plat for Katy Gaston Reserve Subdivision, Precinct 3.**
- V. Approve the plat for Grand Lakes Marketplace, Precinct 3.**

**Item 15 continued - Engineering:**

- W. Accept the streets in Hawks Landing, Section 1: Karen Lane 912.14 LF; Wild Peregrine Circle 539.15 LF; Red Wren Circle 648.42 LF; Snowy Egret Drive 1,786.88 LF; Grey Peregrine Drive 50.00 LF; Harrier Court 101.97 LF; and Horned Owl Drive 1,189.75 LF; for a total of 5,228.31 LF; and release bond #8219-41-95 in the amount of \$406,980.00, Precinct 3.
- X. Accept the street in Hawks Prairie Boulevard Extension North of Spring Green Boulevard STD: Hawks Prairie Boulevard 713.03 LF; and release bond # 8219-95-67 in the amount of \$57,050.00, Precinct 3.
- Y. Accept the street in Hawks Prairie Boulevard North of Spring Green Boulevard to Katy Gaston Road STD: Hawks Prairie Boulevard 2,560.35 LF; and release bond #8219-95-66 in the amount of \$199,150.00, Precinct 3.
- Z. Set public hearing for acceptance of the traffic/safety study for Katy ISD, Griffin Elementary (Fry Road), to extend the school zone on to Courtney Manor Lane, Precinct 3. *(Tuesday, October 23, 2012, at 1:00 p.m.)*
- AA. Set public hearing for acceptance of the traffic/safety study for Katy ISD No. 17, Roosevelt Alexander Elementary (South Fry Road at Peek Road), to prohibit turning at the median cut between the driveway on the west side of the school at Center Village Drive, Precinct 3. *(Tuesday, October 23, 2012, at 1:00 p.m.)*
- BB. Set public hearing for acceptance of the traffic/safety study for Katy ISD No. 31, (Holland Elementary at Seven Meadows Parkway), to extend the school zone on Seven Meadows Parkway East to past Windhurst Road, Precinct 3. *(Tuesday, Oct. 23, 2012, at 1:00 p.m.)*
- CC. Set public hearing for acceptance of the traffic control plan for Hawks Landing, Section 1, Hawks Prairie Boulevard Extension North of Spring Green Boulevard STD, and Hawks Prairie Boulevard North of Spring Green Boulevard to Katy Gaston Road STD, Precinct 3. *(Tuesday, October 23, 2012, at 1:00 p.m.)*
- 16. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend County Toll Road Authority (the Authority) reviewed these items at their meeting dates indicated below, and makes the following recommendations to Commissioners Court:
  - A. **August 28, 2012:** Approve Service Agreement between Fort Bend County Toll Road Authority and Roy Jorgensen Associates, Inc. for road and right-of-way maintenance services for the Fort County Toll Road System.
  - B. **August 28, 2012:** Approve Supplement to Service Agreement (Exhibit B) between Fort Bend County Toll Road Authority and Bio Landscape and Maintenance, Inc. for mowing and landscape maintenance services for Segment D.
  - C. **September 19, 2012:** Approve the engagement of Sandersen Knox & Co., LLP by Fort Bend County Toll Road Authority to conduct audit for fiscal year ending Sept. 30, 2012.

**Item 16 continued - Fort Bend County Toll Road Authority:**

- D. **September 19, 2012:** Approve proposal from Berg-Oliver Associates, Inc. for environmental services for the Fort Bend Parkway.
  - E. **September 19, 2012:** Approve Fort Bend County Toll Road Authority Operations and Maintenance Budget for fiscal year ending September 30, 2013.
17. **FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed these items at their meeting dates indicated below, and makes the following recommendations to Commissioners Court:
- A. **August 15, 2012:** Approve Joint Project Agreement Covering New Railroad Bridge as Part of SH99/Grand Parkway Project between Fort Bend Grand Parkway Toll Road Authority and Union Pacific Railroad Company related to the construction of Sections 2 and 3, New Territory Blvd. and US 90A/FM 1464 overpasses for Segment D.
  - B. **August 28, 2012:** Approve Service Agreement between Fort Bend Grand Parkway Toll Road Authority and Roy Jorgensen Associates, Inc. for road and right-of-way maintenance services for Segment D.
  - C. **August 28, 2012:** Approve Supplement to Service Agreement (Exhibit B) between Fort Bend Grand Parkway Toll Road Authority and Bio Landscape and Maintenance, Inc. for mowing and landscape maintenance services for Segment D.
  - D. **August 28, 2012:** Approve Contract between Fort Bend Grand Parkway Toll Road Authority and Williams Brothers Construction Company (“Williams Brothers”) for construction of Sections 5, 6, and 7, Harlem Road, Mason Road, and West Bellfort (Morton Road) overpasses, of the Grand Parkway Segment D Project in the amount of \$25,978,009.59, subject to satisfactory payment and performance bonds from Williams Brothers for the construction contract.
  - E. **September 19, 2012:** Approve the engagement of Sandersen Knox & Co., LLP by Fort Bend Grand Parkway Toll Road Authority to conduct audit for fiscal year ending September 30, 2012.
  - F. **September 19, 2012:** Approve Contract between Fort Bend Grand Parkway Toll Road Authority and Gexa Energy to provide electricity services for November 1, 2013, through May 1, 2015.
  - G. **September 19, 2012:** Approve Fort Bend Grand Parkway Toll Road Authority Operations and Maintenance Budget for fiscal year ending September 30, 2013.
18. **HUMAN RESOURCES:**
- Approve request for withdrawal of 168 hours from the Shared Sick Leave Pool for employee of the District Clerk's Office, Position No. 4501-0005.

**19. JUVENILE PROBATION DEPARTMENT:**

- A. Approve renewal of the Agreement between Fort Bend County and Marsha Carden - Facilitator of "The Parent Project" Training Program for amount not to exceed \$43,080 effective October 1, 2012 through September 30, 2013. (Fund: Juvenile Probation Department, Fees)**
- B. Approve renewal of the Agreement between Fort Bend County and Priscilla Costello - Facilitator of "The Parent Project" Parent Training Program, for amount not to exceed \$49,536 effective October 1, 2012 through September 30, 2013. (Fund: Juvenile Probation Department, Fees)**

**20. OFFICE OF EMERGENCY MANAGEMENT:**

- A. Approve and sign the 2010 State Homeland Security Program (SHSP) Grant Adjustment Notice (GAN) between Fort Bend County and the State of Texas, to close out the 2010 State Homeland Security Grant Program performance year.**
- B. Approve the FY 2012 Fort Bend County Hazard Mitigation Plan, with changes made to Base Plan approved by FEMA.**

**21. PARKS & RECREATION:**

- A. Approve renewal of Agreements between Fort Bend County and the Fort Bend YMCA to provide programs and services at the following locations from October 1, 2012 through September 30, 2013: Mustang Community Center; Barbara Jordan Community Center; Powell Point Community Center. (Fund: Parks Department)**
- B. Approve renewal of Agreement between Fort Bend County and Boys & Girls Clubs of Greater Houston, Inc. to provide services at Fifth Street Community Center from October 1, 2012 through September 30, 2013. (Fund: Parks Department)**
- C. Approve Aerial Grant Easement to CenterPoint Energy Houston Electric LLC for electrical service in Kitty Hollow Park as part of the Park Expansion Project.**

**22. PURCHASING:**

- A. Authorize advertising for requests for proposals for water softener project for Justice Center.**
- B. Authorize renewal of Fort Bend County Property and Casualty Insurance Program.**
- C. Authorize advertising for bids for septic system for Freedom Park.**

**23. ROAD & BRIDGE:**

**Approve payment of Invoice No. TX2168-00-03 in the amount of \$5,650.00 to AIA Engineers, Ltd. for traffic signal design at the intersection of Fry Road and Gaston Road. (Fund: Road & Bridge, Traffic Signals)**

**24. TAX ASSESSOR/COLLECTOR:**

- A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on September 11, 2012, for an amount totaling \$11,428.89 for the Office of Patsy Schultz.**
  - B. Approve refund in the amount of \$164.26 to Stacy Meza due to homestead exemption from tax year 2007.**
  - C. Record into Minutes the Summary Monthly Report of Property Taxes Collected in August, 2012, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
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Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 24 with correction to 21A-remove the agreement with Powell Point Community Center.

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

**25. COUNTY JUDGE:**

**Take all appropriate action on Order Setting Fees for the Offices of Fort Bend County Sheriff and Constables effective January 1, 2013, per the Exhibit dated August 29, 2012, pursuant to Local Government Code Section 118.131.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Order Setting Fees for the Offices of Fort Bend County Sheriff and Constables effective January 1, 2013, per the Exhibit dated August 29, 2012, pursuant to Local Government Code Section 118.131.

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

Note: No changes to fees.

**26. COMMISSIONER, PCT. 4:**

**Take all appropriate action to reappoint Scott Jacobson and Richard Sherrill to the First Colony Levee Improvement District, 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 unanimously carried (5-0), it is ordered to reappoint Scott Jacobson and Richard Sherrill to the First Colony Levee Improvement District, Board of Directors, for a four year term or until their successor is appointed.

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

**27. BUDGET & FINANCE:**

**A. Take all appropriate action to rescind approval of Agenda Item 17A from Commissioners Court on September 11, 2012, approval of FY2013 Proposed Positions for Fort Bend County, due to revisions.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to rescind approval of Agenda Item 17A from Commissioners Court on September 11, 2012, approval of FY2013 Proposed Positions for Fort Bend County, due to revisions.

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

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

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve FY 2013 Proposed Positions for Fort Bend County.

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

Note: To correct clerical error in grade on two positions.

**28. COMMUNITY DEVELOPMENT:**

**Take all appropriate action on the following agreements between Fort Bend County and U.S. Department of H.U.D. for FY 2012 funding, all of which are part of the FY 2012 Consolidated Action Plan approved by Commissioners Court July 3, 2012, and authorize County Judge to sign all documents pertaining to the Agreements:**

- **Community Development Block Grant (CDBG) in the amount of \$1,906,927;**
- **HOME Investment Partnerships Program (HOME) in the amount of \$363,631; and**
- **Emergency Solutions Grant (ESG) in the amount of \$157,399.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the following agreements between Fort Bend County and U.S. Department of H.U.D. for FY 2012 funding, all of which are part of the FY 2012 Consolidated Action Plan approved by Commissioners Court July 3, 2012, and authorize County Judge to sign all documents pertaining to the Agreements:

Community Development Block Grant (CDBG) in the amount of \$1,906,927;  
HOME Investment Partnerships Program (HOME) in the amount of \$363,631; and  
Emergency Solutions Grant (ESG) in the amount of \$157,399.

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

**29. ELECTIONS ADMINISTRATION:**

- A. Take all appropriate action on the list of Polling Locations for use in the November 6, 2012 General Election, as presented by Elections Administrator.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the list of Polling Locations for use in the November 6, 2012 General Election, as presented by Elections Administrator.

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

**Item 29 continued - Elections Administration:**

- B. Take all action to approve Joint Election Agreements between Fort Bend County and the following political subdivisions for the November 6, 2012 General Election: City of Houston, Houston METRO, and Fort Bend County Water Control and Improvement District No. 10.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Joint Election Agreements between Fort Bend County and the following political subdivisions for the November 6, 2012 General Election: City of Houston, Houston METRO, and Fort Bend County Water Control and Improvement District No. 10.

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

**30. ENGINEERING:**

- A. Take all appropriate action on the First Amendment to the Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 185 for construction of a storm sewer for the improvements to Falcon Landing Blvd., Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the First Amendment to the Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 185 for construction of a storm sewer for the improvements to Falcon Landing Blvd., Pct 3.

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

**Item 30 continued - Engineering:**

- B. Take all appropriate action on request by Cheryl McNeese, for a variance to the Fort Bend County Regulations of Subdivision, Section 2.2 I, to allow 2.00 acres to be divided out of a 6.00 acre tract of land situated Sarah Kennedy League, Abstract 45, Section 22, as described in Instrument #2005081935 of the Deed Records of 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 Cheryl McNeese, for a variance to the Fort Bend County Regulations of Subdivision, Section 2.2 I, to allow 2.00 acres to be divided out of a 6.00 acre tract of land situated Sarah Kennedy League, Abstract 45, Section 22, as described in Instrument #2005081935 of the Deed Records of Fort Bend County, Texas, Precinct 1.

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

- 31. FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority reviewed this item at their regular Board meeting held on September 19, 2012, and makes the following recommendation to Commissioners Court:**

**Take all appropriate action on Amendment to Agreements for the Joint Construction, Maintenance and Operation of the Fort Bend County Parkway Toll Road and Fort Bend Westpark Extension Toll Road between Harris County and Fort Bend County.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Amendment to Agreements for the Joint Construction, Maintenance and Operation of the Fort Bend County Parkway Toll Road and Fort Bend Westpark Extension Toll Road between Harris County and Fort Bend County.

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

32. **FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority reviewed this item at their regular meeting held on August 15, 2012, and makes the following recommendation to Commissioners Court:**

**Take all appropriate action on Public Highway Overpass Agreement between Union Pacific Railroad Company, Fort Bend Grand Parkway Toll Road Authority, and Fort Bend County related to the construction of Sections 2 and 3, New Territory Blvd. and US 90A/FM 1464 overpasses for Segment D.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Public Highway Overpass Agreement between Union Pacific Railroad Company, Fort Bend Grand Parkway Toll Road Authority, and Fort Bend County related to the construction of Sections 2 and 3, New Territory Blvd. and US 90A/FM 1464 overpasses for Segment D.

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

33. **HEALTH & HUMAN SERVICES:**

- A. **Take all appropriate action on the submission of a Fort Bend County Plan for participation in the 1115 Medicaid Waiver Program and authorize local funding in the amount of \$5,442,726.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the submission of a Fort Bend County Plan for participation in the 1115 Medicaid Waiver Program and authorize local funding in the amount of \$5,442,726.

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

Judge Hebert explained how the program will add value to services within the county and save the county money. Workshop was held Sept. 18 to discuss this program. Commissioner Meyers pointed out that the county will be reimbursed and local health care providers will benefit also. Commissioner Morrison stated that the \$5,442,726 was for four years, not one year.

**Item 33 continued - Health & Human Services:**

- B. Social Services: Take all appropriate action on the letter of understanding to the Houston Food Bank for Fort Bend County to provide education-outreach and/or application assistance for all State benefit programs at Social Services locations in Rosenberg and Missouri City effective October 1, 2012.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the letter of understanding to the Houston Food Bank for Fort Bend County to provide education-outreach and/or application assistance for all State benefit programs at Social Services locations in Rosenberg and Missouri City effective October 1, 2012.

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

**34. INFORMATION TECHNOLOGY:**

**Take all appropriate action to authorize payment by Invoice Transmittal in an amount totaling \$195.00 to CX2, Inc., for work done that was not covered by the warranty, without a purchase order. (Fund: Information Technology, Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize payment by Invoice Transmittal in an amount totaling \$195.00 to CX2, Inc., for work done that was not covered by the warranty, without a purchase order. (Fund: Information Technology, Fees)

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

**35. PUBLIC TRANSPORTATION:**

- A. Take all appropriate action on Agreement between Fort Bend County and Fort Bend Seniors Meal on Wheels to provide senior transportation services, with no local match required.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Fort Bend Seniors Meal on Wheels to provide senior transportation services, with no local match required.

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

- B. Take all appropriate action on Amendment #1 to Texas Department of Transportation Project Grant Agreement #51212F7164 for Section 5310, Elderly and Disabled Program, to modify the federal allocation from \$129,931 to \$305,332 and transportation development credits from 25,986 to 61,198 in lieu of local match, and authorize County Judge to sign all documents pertaining to the Amendment.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Amendment #1 to Texas Department of Transportation Project Grant Agreement #51212F7164 for Section 5310, Elderly and Disabled Program, to modify the federal allocation from \$129,931 to \$305,332 and transportation development credits from 25,986 to 61,198 in lieu of local match, and authorize County Judge to sign all documents pertaining to the Amendment.

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

**Item 35 continued - Public Transportation:**

- C. **Take all appropriate action on request for a variance to Fort Bend County Travel Policy, to consider authorizing payment on the County Procurement Card in the amount of \$1,462.80 for hotel expenses that were not within the guidelines detailed in the Fort Bend County Travel Policy for attendance at a Disadvantaged Business Enterprise Conference by Twila Mouttet and Maya Thornton from August 20-25, 2012. (Fund: Public Transportation)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve request for a variance to Fort Bend County Travel Policy, to consider authorizing payment on the County Procurement Card in the amount of \$1,462.80 for hotel expenses that were not within the guidelines detailed in the Fort Bend County Travel Policy for attendance at a Disadvantaged Business Enterprise Conference by Twila Mouttet and Maya Thornton from August 20-25, 2012. (Fund: Public Transportation)

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

**36. PURCHASING:**

- A. **Take all appropriate action on request to terminate agreement between Fort Bend County and United Behavioral Health Group for Employee Assistance Program services effective November 30, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to terminate agreement between Fort Bend County and United Behavioral Health Group for Employee Assistance Program services effective November 30, 2012.

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

**Item 36 continued - Purchasing:**

- B. Take all appropriate action on Agreement between Fort Bend County and Deer Oaks EAP Services for employee EAP/work-life services utilizing Montgomery County Project #2006-0133 through December 31, 2013.**

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 Deer Oaks EAP Services for employee EAP/work-life services utilizing Montgomery County Project #2006-0133 through December 31, 2013.

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

- C. Take all appropriate action on renewal of the Turnkey Facility Maintenance Agreement pursuant to RFP 09-093 between Fort Bend County and CGL Engineering, Inc. in an amount not to exceed \$1,300,160 (which includes \$100,000 for County's Contingency); in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office, Fees)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve renewal of the Turnkey Facility Maintenance Agreement pursuant to RFP 09-093 between Fort Bend County and CGL Engineering, Inc. in an amount not to exceed \$1,300,160 (which includes \$100,000 for County's Contingency); in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office, Fees)

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

**Item 36 continued - Purchasing:**

**D. Take all appropriate action on Bid 12-061 to Provide and Install an Incinerator System for Sheriff's Office.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid 12-061 to Provide and Install an Incinerator System for Sheriff's Office to Bass Construction for \$79,659.00.

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

**E. Take all appropriate action on Agreement between Fort Bend County and STOA International Architects, Inc. in an amount not to exceed \$244,300 for architectural and engineering services for the addition to the Central Appraisal District facility. (Fund: Capital Improvement Project, Central Appraisal District)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and STOA International Architects, Inc. in an amount not to exceed \$244,300 for architectural and engineering services for the addition to the Central Appraisal District facility. (Fund: Capital Improvement Project, Central Appraisal District)

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

**F. Take all appropriate action on Agreement between Fort Bend County and Boyer, Inc. for design/build services for City of Kendleton sanitary sewer improvements, pursuant to Q12-038, for an amount not to exceed \$299,283. (Fund: Community Devel. Block Grant)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Boyer, Inc. for design/build services for City of Kendleton sanitary sewer improvements, pursuant to Q12-038, for an amount not to exceed \$299,283. (Fund: Community Development Block Grant)

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

**Item 36 continued - Purchasing:**

- G. Take all appropriate action on Agreement between Fort Bend County and Percheron Acquisitions, LLC in an amount not to exceed \$121,000 for professional property acquisition services. (Fund: Engineering, Right-of-Way)**

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 Percheron Acquisitions, LLC in an amount not to exceed \$121,000 for professional property acquisition services. (Fund: Engineering, Right-of-Way)

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

- H. Take all appropriate action to cease negotiations with Brookstone for failure to reach an agreement, and authorize negotiations with the second highest evaluated firm, Crain Group, pursuant to Q12-040, for Design/Build of Renovations to the George Memorial Library.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to cease negotiations with Brookstone for failure to reach an agreement and authorize negotiations with the second highest evaluated firm, Crain Group, pursuant to Q12-040 for Design/Build of Renovations to the George Mem. Library.

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

- I. Take all appropriate action on Zoll Data Systems, Inc. Statement of Work for interface with Tiburon and Master Software License Agreement in an amount not to exceed \$16,000. (Fund: Sheriff, Forfeited Assets, State, Capital Acquisitions)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Zoll Data Systems, Inc. Statement of Work for interface with Tiburon and Master Software License Agreement in an amount not to exceed \$16,000. (Fund: Sheriff, Forfeited Assets, State, Capital Acquisitions)

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

**Item 36 continued - Purchasing:**

**J. Take all appropriate action on Bid 13-007 for Traffic Signs, Posts and Supplies.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid 13-007 for Traffic Signs, Posts and Supplies to low bidder per section as indicated on bid tabulation.

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

**K. Take all appropriate action on Component Change Order #2 in the amount of \$40,330 for the Courthouse Restoration project, pursuant to SOQ 12-050, from Construction Manager-at-Risk Phoenix 1 Restoration and Construction, Ltd. (Fund: Courthouse Restoration Project)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Component Change Order #2 in the amount of \$40,330 for the Courthouse Restoration project, pursuant to SOQ 12-050, from Construction Manager-at-Risk Phoenix 1 Restoration and Construction, Ltd. (Fund: Courthouse Restoration Project)

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

**L. Take all appropriate action on Cabling Agreement between Fort Bend County and MCA Communications, Inc., utilizing Texas Department of Information Resources Agreement DIR-SDD-1533, for various cabling projects for Budget Year 2013 as approved by Information Technology.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Cabling Agreement between Fort Bend County and MCA Communications, Inc., utilizing Texas Department of Information Resources Agreement DIR-SDD-1533, for various cabling projects for Budget Year 2013 as approved by Information Technology.

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

**Item 36 continued - Purchasing:**

- M. Take all appropriate action to authorize the purchase of Adobe software from PC Mall utilizing State of Texas Department of Information Resources Contract DIR-SDD-1023 for various County departments, following approval by Information Technology, effective with the start of the FY2013 budget year.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of Adobe software from PC Mall utilizing State of Texas Department of Information Resources Contract DIR-SDD-1023 for various County departments, following approval by Information Technology, effective with the start of the FY2013 budget year.

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

- N. Take all appropriate action to authorize the purchase of computer equipment from Dell Marketing utilizing State of Texas Department of Information Resources Contract DIR-SDD-890 for various County departments, following approval by Information Technology, effective with the start of the FY2013 budget year.**

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 Marketing utilizing State of Texas Department of Information Resources Contract DIR-SDD-890 for various County departments, following approval by Information Technology, effective with the start of the FY2013 budget year.

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

**Item 36 continued - Purchasing:**

- O. Take all appropriate action to authorize the purchase of computer software from Dell Marketing utilizing State of Texas Department of Information Resources Contract DIR-SDD-1014 for various County departments, following approval by Information Technology, effective with the start of the FY2013 budget year.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of computer software from Dell Marketing utilizing State of Texas Department of Information Resources Contract DIR-SDD-1014 for various County departments, following approval by Information Technology, effective with the start of the FY2013 budget year.

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

**37. RISK MANAGEMENT:**

**Take all appropriate action on the Fort Bend County Employee Benefit Medical Plan Document and Fort Bend County Employee Benefit Dental Plan Document effective January 1, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Fort Bend County Employee Benefit Medical Plan Document and Fort Bend County Employee Benefit Dental Plan Document effective January 1, 2012.

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

**38. SHERIFF'S OFFICE:**

- A. Take all appropriate action on Interlocal Agreement between Fort Bend County and Lamar Consolidated Independent School District for use of the County's Public Safety Radio System effective through September 30, 2012.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and Lamar Consolidated Independent School District for use of the County's Public Safety Radio System effective through September 30, 2012.

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

- B. Take all appropriate action for the County Judge to electronically accept funds in the amount of \$54,215 from the Department of Justice, for the Edward Byrne Memorial Justice Grant Program, Special Crimes Detective, Grant # DJ-10-A10-20180-05, effective September 1, 2012 through August 31, 2013, with no cash match required by Fort Bend County.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered for the County Judge to electronically accept funds in the amount of \$54,215 from the Department of Justice, for the Edward Byrne Memorial Justice Grant Program, Special Crimes Detective, Grant # DJ-10-A10-20180-05, effective September 1, 2012 through August 31, 2013, 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 38 continued - Sheriff's Office:**

- C. Take all appropriate action on two (2) Organized Drug Enforcement Task Force Agreements for use of the state and local overtime and authorized expense/strategic initiative program.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve two (2) Organized Drug Enforcement Task Force Agreements for use of the state and local overtime and authorized expense/strategic initiative program.

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

Note: These agreements are no cost to the county.

- D. Take all appropriate action on two Organized Drug Enforcement Task Forces Agreements for the use of the OCDETF strike force/strategic initiative program effective October 1, 2012 through September 30, 2013; one with Billy Davis in the amount of \$13,085.28; and one with Patrick Gasser in the amount of \$9,761.76; any expenditure of funds to be reimbursed as allowed under AFF statute, Section 524(c)(1)(1) of Title 28, United States Code.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve two Organized Drug Enforcement Task Forces Agreements for the use of the OCDETF strike force/strategic initiative program effective October 1, 2012 through September 30, 2013; one with Billy Davis in the amount of \$13,085.28; and one with Patrick Gasser in the amount of \$9,761.76; any expenditure of funds to be reimbursed as allowed under AFF statute, Section 524(c)(1)(1) of Title 28, United States Code.

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

Note: These agreements are no cost to the county.

**Item 38 continued - Sheriff's Office:**

- E. Take all appropriate action on Modification Number 1 to Grant G12HN0010A, to accept additional funds in the amount of \$100,000 for the High Intensity Drug Trafficking Area (HIDTA) program, for a total grant award of \$515,083 for use by law enforcement through December 31, 2013, 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 Modification Number 1 to Grant G12HN0010A, to accept additional funds in the amount of \$100,000 for the High Intensity Drug Trafficking Area (HIDTA) program, for a total grant award of \$515,083 for use by law enforcement through December 31, 2013, with no cash match required by Fort Bend County.

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

- 39. 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

- 40. 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 \$7,349,256.90.

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

**41. Ratify the release of time-sensitive bills by Auditor on September 20, 2012.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to ratify the release of time-sensitive bills by Auditor on September 20, 2012 in the amount of \$73,117.43.

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

**Recess:**

Recessed at 1:33 p.m.

**42. 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. Cause No. 04-CCV-025407; Fort Bend County, Texas vs. Doris H. Groom, et al.; in the County Court at Law Number Three (3), Fort Bend County, Texas.**
  - 2. Fuglaar, Robert Hallesen regarding Demand Letter dated September 10, 2012.**
  - 3. Civil Action No. 4:12-cv-01073; Yvonne Grovey vs Milton Wright, Fort Bend County Sheriff; In the United States District Court for the Southern District of Texas, Houston Division.**
  - 4. Medical Subrogation Lien Claim: Bell, Anthony, Date of Incident June 17, 2010.**
- 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.**

**Spur 10: 90/10 Reimbursement from Texas Department of Transportation, Precinct 1.**

**Closed Session:**

Convened at 1:46 p.m.  
Adjourned at 2:01 p.m.

**Reconvene:**

Reconvened at 2:04 p.m.

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

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

**1. Cause No. 04-CCV-025407; Fort Bend County, Texas vs. Doris H. Groom, et al.; in the County Court at Law Number Three (3), Fort Bend County, Texas.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay a negotiated settlement in the matter of Cause No. 04-CCV-025407; Fort Bend County, Texas vs. Doris H. Groom and Barbara Ann Reed, et al and authorize the County Judge to execute and deliver any settlement agreement and related settlement documents recommended by the County Attorney and to accept deeds and to approve terms and provisions for the full and final settlement of all claims with settlement funds from 100685888-64500-P685-06ROWPURCH-32000.

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

**2. Fuglaar, Robert Hallesen regarding Demand Letter dated September 10, 2012.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate the complete terms and provisions for the full and final settlement of all claims made by Robert Hallesen Fuglaar Jr. in his letter dated September 10, 2012 and authorize the County Judge to execute and deliver the settlement agreement recommended for approval by the County Attorney.

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

**Item 43A continued - 551.071 Consultation with Attorney:**

**3. Civil Action No. 4:12-cv-01073; Yvonne Grovey vs Milton Wright, Fort Bend County Sheriff; In the United States District Court for the Southern District of Texas, Houston Division.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in an amount not to exceed \$5,000.00 for Civil Action No. 4:12-cv-01073; Yvonne Grovey vs Milton Wright, Fort Bend County Sheriff; In the United States District Court for the Southern District of Texas, Houston Division.

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

**4. Medical Subrogation Lien Claim: Bell, Anthony, Date of Incident June 17, 2010.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve and accept the proposal made by letter dated September 6, 2012 for the settlement of the County health care plan's subrogation lien against the personal injury claims asserted by Anthony Bell (insured employee) arising from the accident on 6/17/2010 and authorize the County Judge to execute all necessary documents.

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

**Item 43 continued - Reconvene Open Session and consider taking action on the following matters:**

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

Spur 10: 90/10 Reimbursement from Texas Department of Transportation, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 40 parts 1 & 2 in the amount of \$86,801.00, Parcel 3 in the amount of \$89,706.00 and Parcel 4 in the amount of \$81,289.00 of the Spur 10 Mobility Project plus necessary costs not to exceed \$5,000.00 each with funds from Right of Way Fund and authorize the County Judge to execute all necessary documents.

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

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve relocation expense for reimbursement on Parcel 31 for \$25,818.56 which is 100% reimbursable from TXDOT.

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

**44. Adjournment.**

Commissioners Court adjourned at 2:10 p.m. on Tuesday, September 25, 2012.