

MINUTES

BE IT REMEMBERED, That on this 6th DAY of NOVEMBER, 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
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK

Commissioners Meyers absent.

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 Patterson.

3. Approve minutes of regular meeting held on October 23, 2012.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve the minutes of regular meeting held on October 23, 2012.

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

4. Public Comments regarding the Agenda and Announcements.

No public comments.

Condolences to Commissioner Meyers on the passing of his sister.

Monday November 12 is a county holiday for Veterans Day.

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 Long Meadow Farms, Section 19, Precinct 4.**
- B. Acceptance of the traffic/safety study for Firethorne, Section 7, to add a multi-way stop at the intersection of Stonestead Drive at Chalet Ridge Drive, Precinct 3.**
- C. Acceptance of the traffic/safety study for the Katy ISD No.22, Kilpatrick Elementary on Cinco Ranch Blvd. at Gaston Road for school zone modifications, Precinct 3.**
- D. Acceptance of the traffic/safety study for Katy ISD No. 23 Rylander Elementary on Westheimer Parkway at Falcon Landing Boulevard for school zone modifications, Pct. 3.**
- E. Acceptance of the traffic/safety study for Katy ISD Cinco Ranch High School driveway at Cinco Ranch Boulevard and Grand Parkway for school zone modifications, Precinct 3.**
- F. Acceptance of the traffic control plan for Meadow Ranch Parkway from West Bellfort Road Street Dedication and Meadow Ranch Parkway Extension Street Dedication, Precinct 4.**

Public hearing held. No public comments.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve agenda item 5 A-F.

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

CONSENT AGENDA ITEMS 6 - 25

6. OUT OF STATE TRAVEL: Record into Minutes the out of state travel for elected officials:

Constable, Pct. 2: Constable Ruben Davis to Pittsburgh, Pennsylvania, August 2-8, 2013, to attend the National Organization of Black Law Enforcement Executives Annual Training Conference. (Fund: Constable, Pct. 2, Travel)

7. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Human Resources: Kent Edwards to Chicago, Illinois, June 14-22, 2013, to attend Society for Human Resource Management 2013 Conference. (Fund: Human Resources, Travel)**
 - B. **Information Technology: Ray Webb to Washington, D.C., November 7-9, 2012, to attend workshop at the 2012 NWN Executive Advisory Council. (Fund: Information Technology, Travel)**
 - C. **Sheriff's Office: Ratify travel by J. Hernandez and W. Brewster to Omaha, Nebraska, October 29-30, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
 - D. **Sheriff's Office: Ratify travel by B. Schmitt and M. Cardenas to Charlotte, North Carolina, November 6-7, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
 - E. **Sheriff's Office: Ratify travel by W. Webber and L. Vaught to Dothan, Alabama, November 5-6, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
8. **COUNTY JUDGE:**
 - A. **Approve renewal of Agreement for Development of Public Parks and Recreational Lands between Fort Bend County and Fort Bend Green in the amount of \$75,000 for FY 13 effective through September 30, 2013. (Fund: Non-Departmental Fees)**
 - B. **Record into Minutes the final transcript for Fort Bend Grand Parkway Toll Road Authority Limited Contract Tax and Subordinate Lien Toll Road Revenue Bonds, \$155,085,000, Series 2012.**
 - C. **Approve setting the bond amounts at the maximum amount allowed by Statute for the following elected officials for the term beginning January 1, 2013: Sheriff, \$30,000 and Constables, \$1,500.**
 - D. **Approve collection of Christmas Toys at the request of the Fort Bend County Deputy Sheriff Association's Santa Behind the Badge program from November 19 through December 17, 2012 at the following Fort Bend County facilities: Travis Building and Justice Center.**
9. **COMMISSIONER, PCT. 3:**
 - A. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Seven Meadows Community Association, Inc., effective through September 30, 2013, with services to be provided by Constable, Pct. 3.**
 - B. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Weston Lakes Property Owners Association, effective through September 30, 2013, with services to be provided by Constable, Pct. 3.**

Item 9 continued - Commissioner Pct. 3:

- C. **Approve renewal of the Agreement for Additional Law Enforcement Services between Fort Bend County and Grand Lakes Community Association, effective through September 30, 2013, with services to be provided by the Sheriff's Office.**
- D. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Seven Meadows Community Association, Inc., effective through September 30, 2013, with services to be provided by Constable, Precinct 3.**

Duplicate of item 9A.

10. AUDITOR:

Accept Monthly Financial Report prepared by the County Auditor for eleven months ending August 31, 2012 pursuant to Local Government Code Section 114.023.

11. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. **Facilities Management & Planning: Approve FY2013 transfer in the amount of \$3,200 from Fees into Information Technology to allocate funds for purchase of two computers.**
- B. **Office of Emergency Management: Approve FY2013 transfer in the amount of \$350 from Fees into Information Technology to allocate funds into correct line item for purchase of software.**
- C. **Road & Bridge: Approve FY2013 transfer in the amount of \$7,500 from Operating into Capital Acquisitions to allocate funds for the purchase of a forklift.**

12. CONSTABLE, PCT. 2:

Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Quail Run Community Improvement Association effective through September 30, 2013.

13. COUNTY ATTORNEY:

Approve Full Release and Agreement for Usage of County Property by Scanlan Oaks Elementary School PTO in Sienna Plantation on December 1, 2012 or rain date of December 8, 2012 for their annual Reindeer Run.

14. ENGINEERING:

- A. **Approve payment of Invoice No. 90030345 in the amount of \$3,003.75 to Union Pacific Railroad Company regarding installation of signals at Harlem Road, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. **Approve application from Comcast of Houston, LLC c/o Jier, LLC to bore under and bury 1-1/2 inch conduit along Meadow Knoll Drive, Stafford Springs Avenue, and Avenue E, Precinct 2.**

Item 14 continued - Engineering:

- C. Approve application from Debo Homes, LLC to construct a driveway tie-in onto Dale Jean Drive, Precinct 1.**
- D. Approve release of performance bond #61BSBFP2626 in the amount of \$21,000.00 to Calco Contracting, Ltd. for completion of work on Canyon Fields Drive, Permit #84034, Precinct 3.**
- E. Approve application from M Street Homes, LLC to construct a driveway tie-in onto Mirandola Lane, Precinct 3.**
- F. Approve application from Alsay Incorporated to construct a driveway tie-in onto Hinesdale Lane, Precinct 3.**
- G. Approve application from CenterPoint Entex to bore under and bury a 4-inch steel casing along Fulshear Gaston Road, Precinct 3.**
- H. Approve release of Bond #61SUN316095 in the amount of \$297,375.00 for Canyon Gate Cinco Ranch, Section 1. The streets are private, and will be maintained by the Homeowners Association, Precinct 3.**
- I. Approve release of Bond #SUN202230 in the amount of \$533,750.00 for Canyon Gate Cinco Ranch, Section 2. The streets are private and will be maintained by the Homeowners Association, Precinct 3.**
- J. Approve release of Bond #61BCSAC2871 in the amount of \$165,000.00 for Canyon Gate Cinco Ranch, Section 5. The streets are private, and will be maintained by the Homeowners Association, Precinct 3.**
- K. Approve the release of Bond #61BCSAF4758 in the amount of \$100,700.00 for Canyon Gate Cinco Ranch, Section 6. The streets are private, and will be maintained by the Homeowners Association, Precinct 3.**
- L. Approve the release of Bond #61BCSAF4759 in the amount of \$210,450.00 for Canyon Gate Cinco Ranch, Section 7. The streets are private, and will be maintained by the Homeowners Association, Precinct 3.**
- M. Approve plat for Lakes of Williams Ranch, Section 1 Partial Replat No. 2, Precinct 1.**
- N. Approve plat for Winding Waters Lane, Precinct 4.**
- O. Approve plat for Sienna Village of Anderson Springs, Section 25 Amending Plat No. 1, Precinct 2.**
- P. Approve plat for the roads within Firethorne, Section 25, and Firethorne Section 19, partial replat, Precinct 3.**
- Q. Approve plat for the lots within Firethorne, Section 25 and Firethorne Section 19, Partial Replat, Precinct 3.**

Item 14 continued - Engineering:

- R. Approve plat for the roads within Riverpark West, Section 14, and accept check #5739 in the amount of \$143,476.35, and check #5754 in the amount of \$24,850.00 from Southwest 545 LP, for cash security deposit in lieu of bond, Precinct 1.**
- S. Approve plat for the lots within Riverpark West, Section 14, Precinct 1.**
- T. Approve plat for the roads within Riverpark West, Section 15, and accept check #5740 in the amount of \$116,410.00 from Southwest 545 LP, for cash security deposit in lieu of a bond, Precinct 1.**
- U. Approve plat for the lots within Riverpark West, Section 15, Precinct 1.**
- V. Approve plat for the roads within Firethorne West, Section 8, Precinct 3.**
- W. Approve plat for the lots within Firethorne West, Section 8, Precinct 3.**
- X. Approve plat for the roads within Fieldstone, Section 6, Precinct 3.**
- Y. Approve plat for the lots within Fieldstone, Section 6, Precinct 3.**
- Z. Approve plat for the roads within Bonbrook Plantation North, Section 5, Precinct 1.**
- AA. Approve plat for the lots within Bonbrook Plantation North, Section 5, Precinct 1.**
- BB. Approve plat for the roads within Avalon at Riverstone, Section 2, Precinct 4.**
- CC. Approve plat for the lots within Avalon at Riverstone, Section 2, Precinct 4.**
- DD. Approve plat for the roads within King Lakes, Section 8, Precinct 3.**
- EE. Approve plat for the lots within King Lakes, Section 8, Precinct 3.**
- FF. Accept the streets in Westheimer Lakes North, Section 5: Benson Arbor Lane 128.82 LF; Glenrock Hills Drive 1,433.47 LF; Hadley Rock Drive 223.69 LF; North Glenrock Hills Court 53.90 LF; South Glenrock Hills Court 53.89 LF; Bennington Springs Drive 551.74 LF; Trenton Reach Drive 177.16 LF; Grayson Bend Drive 334.84 LF; Bellwood Pines Drive 1,038.59 LF; Harwood Heights Drive 557.80 LF; Tolstin Lakes Lane 123.03 LF; and Linfield Bluff Lane 374.66 LF; for a total of 5,051.59 LF; and release bond #104729715 in the amount of \$358,563.10, Pct. 3.**
- GG. Accept the streets in Westheimer Lakes North, Section 6: Richwood Oaks Drive 1,445.07 LF; Calder Field Drive 493.12 LF; Vadini Shores Lane 549.88 LF; Lakenshire Falls Lane 374.31 LF; City Shores Lane 445.17 LF; and Coastal Grove Lane 426.51 LF; for a total of 3,734.06 LF; and release bond #6476378 in the amount of \$273,597.80, Precinct 3.**

Item 14 continued - Engineering:

- HH.** Accept the streets in Westheimer Lakes North, Section 9: Trenton Reach Drive 67.78 LF; Henson Falls Drive 1,926.14 LF; Papaya Bend Drive 246.82 LF; Sweet Orchid Lane 201.96 LF; Black Bamboo Lane 249.27 LF; Genet Drive 412.07 LF; Coquina Drive 249.17 LF; Tea Tree Drive 511.21 LF; and Ladies Tresses Drive 193.50 LF; for a total of 4,057.92 LF; and release bond #61BCSEK8789 in the amount of \$316,078.00, Precinct 3.
- II.** Set public hearing for Lakes of Williams Ranch, Section 1 Partial Replat No. 3, Precinct 1. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- JJ.** Set public hearing for Long Meadow Farms Retail Center Section 1, being a replat of Long Meadow Farms Commercial Reserve Sec.4 Amending Plat No. 1, Precinct 4. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- KK.** Set public hearing for Falcon Landing Blvd. and Gaston Road Reserve being a Partial Replat of Greenbusch Estates, Precinct 3. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- LL.** Set public hearing for Greenbusch Estates Partial Replat No. 1, Precinct 3. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- MM.** Set public hearing for King Lakes, Section 13 being a partial replat of Greenbusch Estates, Precinct 3. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- NN.** Set public hearing for Grand Corner Reserves Partial Replat No. 3, Precinct 3. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- OO.** Set public hearing for Cinco Village Center, Section 3 Partial Replat No. 7, Pct. 3. *(Tuesday, December 11, 2012, at 1:00 p.m.)*
- PP.** Set public hearing for acceptance of the traffic control plan for Westheimer Lakes North, Section 5, Section 6 and Section 9, Precinct 3. *(Tuesday, December 4, 2012, at 1:00 p.m.)*
- 15.** **FACILITIES MANAGEMENT & PLANNING:** The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by Facility Bond and/or Capital Projects:
 - A.** Invoice No. 3 in the amount of \$32,296.73 to Bailey Architects for Architectural Services regarding the Library Administration Building Project;
 - B.** Invoice No. 6 in the amount of \$7,359.40 to Bailey Architects for Architectural Services regarding the Courthouse Restoration project;
 - C.** Pay Application No. 4 in the amount of \$103,902.21 to C.F. McDonald Electric, Inc., for expansion of the Jail Emergency Power System;
 - D.** Pay Application No. 2 in the amount of \$156,762.72 to Phoenix 1 Restoration and Construction, Ltd., for Construction Services regarding the Courthouse Restoration.

16. 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 October 24, 2012, and recommends that Commissioners Court authorize payment of invoices for work performed by consultants and/or contractors as listed on the Board Report dated October 24, 2012, for an amount totaling \$551,951.30 regarding Big Creek. (Fund: Big Creek)

17. HEALTH & HUMAN SERVICES:

Social Services: Approve Vendor Agreements between Fort Bend County and the following Retail Energy Providers to authorize Social Services Department to make pledges on eligible customer accounts: Independence Energy and Pennywise Power LLC.

18. HUMAN RESOURCES:

Approve and record into Minutes the Application for Appointment of Deputy Constables by Constable Precinct 3: Benny M. Arriola, William R. Dading; William J. Fox; Russell A. Nobles; and Dennis J. Porrovecchio, in accordance with Constable's form dated October 25, 2012, pursuant to Local Government Code §86.011.

19. OFFICE OF EMERGENCY MANAGEMENT:

- A. Approve Addendum to Disaster Debris Management Plan (DDMP) between Fort Bend County and the following jurisdictions: City of Arcola; City of Beasley; City of Fulshear; City of Kendleton; City of Meadows Place; City of Needville; City of Orchard; City of Richmond; City of Rosenberg; City of Simonton; City of Stafford; City of Weston Lakes; Town of Thompsons; Village of Fairchilds; Village of Pleak.**
- B. Approve 2010 Grant Adjustment Notices for Agreements between Fort Bend County and the State of Texas to close out Department of Homeland Security UASI and UASI - LETPA grant funding for the 2010 Grant Performance period.**
- C. Approve update to Fort Bend County Emergency Operations Plan, Annex J, Recovery.**

20. PARKS DEPARTMENT:

Approve renewal of Agreement between Fort Bend County and the Fort Bend YMCA to provide programs and services at Kendleton Church of God, effective October 1, 2012 to September 30, 2013. (Fund: Parks Department)

21. PURCHASING:

- A. Approve purchase and modification of the following items for the Sheriff's Office: Portable Radios from Motorola in the amount of \$7,850.14; Janitorial supplies from Team Systems in the amount of \$5,988.69; renewal of the TCLEDDS subscription from Productivity Center in the amount of \$5,795.00; Maintenance Agreement from Perceptive Software in the amount of \$19,990.00; T1 Data Link from Sprint in the amount of \$8,430.00; authorize payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office)**

Item 21 continued - Purchasing:

- B. Authorize advertising for bids for traffic signal at Gaston Road and Falcon Landing Blvd.**
- C. Authorize advertising for bids for James Lane Bridge Replacement.**
- D. Authorize advertising for requests for proposals for switcher/rack upgrade for the Office of Emergency Management.**

22. ROAD & BRIDGE:

Approve payment of Invoice No. 1170 in the amount of \$7,895.25 to Epic Transportation Group, LP for traffic engineering study of the intersection of West Airport Blvd, and Highway 6. (Fund: Road & Bridge, Traffic Signals)

23. SHERIFF'S OFFICE:

Authorize County Judge to approve payment in the amount of \$200 and replacement of cell phone to Jorge Denes for property loss claim on or about August 29, 2012 and execute Release of All Claims against Fort Bend County. (Fund: Sheriff, Enforcement, Fees)

24. TAX ASSESSOR/COLLECTOR:

Record into Minutes the disposal of miscellaneous Tax Office documentation dated August 9, 2012 through October 16, 2012, which has been scanned by Cogniserve, labeled 1201 through 1215, and is described on correspondence dated October 26, 2012, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.

25. TREASURER:

Approve Monthly Report submitted by County Treasurer for September, 2012, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve consent agenda items 6-9C and 10-25.

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

Item 9D is a duplicate of 9A.

26. COUNTY JUDGE:

Take all appropriate action on the Memorandum of Understanding between Fort Bend County, Fort Bend County Drainage District, and Texas Instruments Incorporated regarding approximately seven acre tract of land located in the Telfair development at the northeast corner of the intersection of University Blvd. and Lexington Blvd. for construction of certain improvements to pursue negotiations for an ad valorem tax abatement agreement pursuant to Chapter 312 of the Texas Property Tax Code.

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve the Memorandum of Understanding between Fort Bend County, Fort Bend County Drainage District, and Texas Instruments Incorporated regarding an approximately seven acre tract of land located in the Telfair Development at the northeast corner of the intersection of University Blvd. and Lexington Blvd. for construction of certain improvements to pursue negotiations for an ad valorem tax abatement agreement pursuant to Chapter 312 of the Texas Property Tax Code.

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

27. AUDITOR:

- A. Take all appropriate action on Application to the Texas Indigent Defense Commission for the FY2013 Formula Grant; authorize electronic submission of the application, and adopt Resolution in support of the Application.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve application to the Texas Indigent Defense Commission for the FY2013 Formula Grant; authorize electronic submission of the application and adopt Resolution in support of the Application.

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

Item 27 continued - Auditor:

- B. Take all appropriate action on the Interlocal Agreement between Fort Bend County and the Fort Bend County Industrial Development Corporation for bookkeeping services provided by the County Auditor.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve the Interlocal Agreement between Fort Bend County and the Fort Bend County Industrial Development Corporation for bookkeeping services provided by the County Auditor.

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

28. COMMUNITY DEVELOPMENT:

Take all appropriate action on Agreement between Fort Bend County and Texana Center in the amount of \$80,000 to purchase a foreclosed home and redevelop into a primary residence and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Neighborhood Stabilization Program)

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve agreement between Fort Bend County and Texana Center in the amount of \$80,000 to purchase a foreclosed home and redevelop into a primary residence and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Neighborhood Stabilization Program)

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

29. COUNTY CLERK:

Take all appropriate action on request for variance to the Fort Bend County Travel Policy, and authorize payment on the procurement card in the amount of \$389.23 to Avis for vehicle rented that was not within the guidelines of the travel policy. (Fund: County Clerk and Information Technology, Travel)

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to grant a variance to the Fort Bend County Travel Policy, and authorize payment on the procurement card in the amount of \$389.23 to Avis for vehicle rented that was not within the guidelines of the travel policy. (Fund: County Clerk and Information Technology, Travel)

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

30. COUNTY COURT AT LAW NO. 3:

Take all appropriate action on longevity and benefit replacement pay to the applicable County court at Law Judges, pursuant to Government Code 25.0005(a) effective November 1, 2012.

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve longevity and benefit replacement pay to the applicable County Court at Law Judges, pursuant to Government Code 25.0005(a) effective November 1, 2012.

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

31. DISTRICT ATTORNEY:

- A. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Houston to participate in the Internet Crimes Against Children Task Force Program in the Houston Metropolitan Area.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Interlocal Agreement between Fort Bend County and City of Houston to participate in the Internet Crimes Against Children Task Force Program in the Houston Metropolitan Area.

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

- B. Take all appropriate action on request for a new position in the District Attorney's Office, Investigator, Grade 11 of the Law Enforcement Policy Group, effective November 6, 2012, funding stipulated in Interlocal agreement-Internet Crimes Against Children Task Force Program.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve a new position in the District Attorney's Office, Investigator, Grade 11 of the Law Enforcement Policy Group, effective November 6, 2012, funding stipulated in Interlocal agreement-Internet Crimes Against Children Task Force Program.

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

Note: Position ends when this grant ends.

Item 31 continued - District Attorney:

- C. **Take all appropriate action on request to transfer the amount of \$27,368 from Non-Departmental Allocations into District Attorney Grant Allocations to allocate funds for County portion of new Investigator Position for the Internet Crimes Against Children Task Force Program.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to transfer the amount of \$27,368 from Non-Departmental Contingency into District Attorney Grant Allocations to allocate funds for County portion of new Investigator Position for the Internet Crimes Against Children Task Force Program.

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

32. ELECTIONS ADMINISTRATION:

**Take all appropriate action on request to pay by Invoice Transmittal the amount of \$650.00 to Las Noticias de Fort Bend for publication of election notice without a purchase order.
(Fund: Elections Services, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to pay by Invoice Transmittal the amount of \$650.00 to Las Noticias de Fort Bend for publication of election notice without a purchase order.
(Fund: Elections Services, Fees)

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

33. ENGINEERING:

- A. Take all appropriate action on the Professional Engineering Services Agreement for Traffic Signal Design between Fort Bend County and TEDSI Infrastructure Group in an amount not to exceed \$139,090.00 for the intersections of Cinco Ranch Blvd. and Cinco Crossing, Greatwood Parkway and Sansbury Blvd., Fry Road and Cinco Crossing, and Cinco Ranch Blvd. and Katy-Gaston Road, Precincts 1 and 3. (Fund: Road & Bridge, Traffic Signalization)**
- B. Take all appropriate action on the Second Amendment to the Professional Engineering Services Agreement between Fort Bend County and JNS Engineers, Inc. for an additional amount not-to-exceed \$29,020 for services regarding the expansion of Falcon Landing Blvd., for a total project cost not-to-exceed \$119,520; Mobility Bond Project No. 703, Pct. 3. (Fund: 2007 Mobility Bonds)**
- C. Take all appropriate action on Joint Participation Agreement for Design and Construction of the Mason Road Extension, between Fort Bend County and Fort Bend County Municipal Utility District No. 194, Mobility Bond Project No. 735, Precinct 4.**
- D. Take all appropriate action on the Joint Participation Agreement for Design and Construction of the extension of West Bellfort, Phase A, between Fort Bend County and Fort Bend Municipal Utility District No. 194, Mobility Project No. 741, Precinct 4.**
- E. Take all appropriate action on Change Order No. 3 to the Agreement between Fort Bend County and Conrad Construction Company, Ltd., to increase the amount by \$1,289.56 regarding Burney Road, from Voss Road to Old Richmond, Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- F. Take all appropriate action on request by Todd and Misty Sherrill for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 B, to allow 30.00 acres to be divided out of 70.00 acres located in the H. & T.C. Ry. Co. Survey, Section 15, Abstract 213, recorded in official Fort Bend County Deed Records, Instrument #2011113365, Fort Bend County, Texas, Precinct 1.**
- G. Take all appropriate action on request by Dusty & Meagan Kroesche for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 C, to allow two tracts, Tract 1 10.149 acres and Tract 2 10.149 acres to be divided out of 79.004 acres located in the E.P. Davis Survey, Abstract 503 H. & T.C. Railroad Company Survey, Section 86, recorded in official Fort Bend County Deed Records Instrument #2011085057 Ft. Bend County, TX Pct 1.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve agenda item 33 A-G with correction to 33C - include a resolution to refund Fort Bend County out of CAD #2 before any money moves.

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

34. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on the Third Amendment to Agreement for Architectural and Engineering Services between Fort Bend County and Ray Bailey Architects for an additional amount of \$20,000 regarding the Courthouse Restoration project, for a total contract amount not to exceed \$676,000. (Fund: Capital Improvement Project)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve the Third Amendment to Agreement for Architectural and Engineering Services between Fort Bend County and Ray Bailey Architects for an additional amount of \$20,000 regarding the Courthouse Restoration project, for a total contract amount not to exceed \$676,000. (Fund: Capital Improvement Project)

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

35. HUMAN RESOURCES:

- A. Take all appropriate action on request for additional position in the 268th District Court, interim Court Coordinator, Grade 11 of the Professional/Management Policy Group effective November 6 through November 30, 2012.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve additional position in the 268th District Court, interim Court Coordinator, Grade 11 of the Professional/Management Policy Group effective November 6 through November 30, 2012.

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

- B. Take all appropriate action on request to reclassify Position Number 5503-0014, in the Office of Constable, Precinct 3, from Deputy Constable, Grade 9, of the Law Enforcement Policy Group, to Corporal, Grade 10, of the Law Enforcement Policy Group, effective November 10, 2012.**

Pulled.

36. JUVENILE PROBATION & DETENTION:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$4,128.00 to Priscilla Costello for Facilitator Services regarding the Parent Project Training Program provided without a purchase order. (Fund: FY2013 Juvenile Probation and 2009 Justice Assistance Grant)

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to pay by Invoice Transmittal the amount of \$4,128.00 to Priscilla Costello for Facilitator Services regarding the Parent Project Training Program provided without a purchase order. (Fund: FY2013 Juvenile Probation and 2009 Justice Assistance Grant)

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

37. LIBRARY:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$150.00 to American Elevator Inspections for annual elevator inspection completed without a purchase order. (Fund: Library, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to pay by Invoice Transmittal the amount of \$150.00 to American Elevator Inspections for annual elevator inspection completed without a purchase order. (Fund: Library, Fees)

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

38. OFFICE OF EMERGENCY MANAGEMENT:

- A. Take all appropriate action on Joint Project Agreement between the National Oceanic and Atmospheric Administration, National Weather Service, U.S. Department of Commerce and Fort Bend County for all parties to establish, equip, operate and maintain a Weather Radio All Hazards (NWR) tower/transmitter site in Fort Bend County for five years, with no financial obligation by Fort Bend County.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Joint Project Agreement between the National Oceanic and Atmospheric Administration, National Weather Service, U.S. Department of Commerce and Fort Bend County for all parties to establish, equip, operate and maintain a Weather Radio All Hazards (NWR) tower/transmitter site in Fort Bend County for five years, with no financial obligation by Fort Bend County.

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

- B. Take all appropriate action on the Assignment Agreement to transfer PIER Center property from Fort Bend County to Houston Downtown Management District.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve the Assignment Agreement to transfer PIER Center property from Fort Bend County to Houston Downtown Management District.

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

39. PARKS & RECREATION:

Take all appropriate action on request for variance to the Fort Bend County Travel Policy, and authorize payment on the procurement card in the amount of \$75.00 to Hertz Car Rental for insurance included in rental of vehicle for travel in Anaheim, California. (Fund: Parks, Travel)

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to grant a variance to the Fort Bend County Travel Policy, and authorize payment on the procurement card in the amount of \$75.00 to Hertz Car Rental for insurance included in rental of vehicle for travel in Anaheim, CA.(Fund: Parks, Travel)

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

40. PURCHASING:

A. Take all appropriate action on RFP 13-010 for Water Treatment - Softener for the Justice Center.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to reject all bids and re-advertise on RFP 13-010 for Water Treatment - Softener for the Justice Center.

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

B. Take all appropriate action on request by the City of Beasley, pursuant to Local Government Code Section 263.152 (a)(1), to purchase furniture from Fort Bend County as described in their letter dated October 26, 2012.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve request by the City of Beasley, pursuant to Local Government Code Section 263.152 (a)(1), to purchase furniture from Fort Bend County as described in their letter dated October 26, 2012.

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

Item 40 continued - Purchasing:

- C. Take all appropriate action on Component Change Order No. 2 to the Agreement between Fort Bend County and JE Dunn South Central in the amount of \$2,093,169 for the final GMP cost, with a construction total amount not to exceed \$3,033,000 regarding the Precinct 2 Senior Center Project. (Fund: Capital Improvement Project)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to approve Component Change Order No. 2 to the Agreement between Fort Bend County and JE Dunn South Central in the amount of \$2,093,169 for the final GMP cost, with a construction total amount not to exceed \$3,033,000 regarding the Precinct 2 Senior Center Project. (Fund: Capital Improvement Project)

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

- D. Take all appropriate action on RFP 11-039 for an Intelligent Transportation System for Public Transportation.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to reject all bids and re-advertise RFP 11-039 for an Intelligent Transportation System for Public Transportation.

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

- E. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source for audiovisual shelf ready materials from Midwest Tape for the Library System in an amount not to exceed \$250,000. (Fund: Library Office Supplies)**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) for the purchase of an item available from only one source for audiovisual shelf ready materials from Midwest Tape for the Library System in an amount not to exceed \$250,000. (Fund: Library Office Supplies)

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

Item 40 continued - Purchasing:

- F. Take all appropriate action on renewal of SmartNet support/maintenance from NWN Corporation utilizing the State of Texas Department of Information Resources Contract DIR-SDD-1366, for an amount not to exceed \$41,155.35. (Fund: Library)**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve renewal of SmartNet support/maintenance from NWN Corporation utilizing the State of Texas Department of Information Resources Contract DIR-SDD-1366, for an amount not to exceed \$41,155.35. (Fund: Library)

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

- G. Take all appropriate action on Amendment No. 6 to the Techshare Resource Sharing Addendum for the Common Integrated Justice System (CIJS) Court Administration System between Fort Bend County and the Texas Conference of Urban Counties effective through Sept. 30, 2013, for an amount not to exceed \$255,464. (Fund: Information Technology, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Amendment No. 6 to the Techshare Resource Sharing Addendum for the Common Integrated Justice System (CIJS) Court Administration System between Fort Bend County and the Texas Conference of Urban Counties effective through September 30, 2013, for an amount not to exceed \$255,464. (Fund: Information Technology, Fees)

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

- H. Take all appropriate action on Contract between Fort Bend County and P.F.A., Inc. for image/index conversion services pursuant to RFP 00-054, for an amount not to exceed \$20,000. (Fund: County Clerk)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (4-0), it is ordered to approve Contract between Fort Bend County and P.F.A., Inc. for image/index conversion services pursuant to RFP 00-054, for an amount not to exceed \$20,000. (Fund: County Clerk)

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

Item 40 continued - Purchasing:

- I. Take all appropriate action on Agreement between Fort Bend County and Kofile Preservation, Inc. for County Clerk document preservation services in an amount not to exceed \$55,000. (Fund: County Clerk)**

Pulled.

41. SHERIFF'S OFFICE:

- A. Take all appropriate action on request to pay by Invoice Transmittal the amount of \$185.00 to Karbon Arms for repair of bandit restraining device performed without a purchase order. (Fund: Sheriff, Bailiff, Fees)**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to pay by Invoice Transmittal the amount of \$185.00 to Karbon Arms for repair of bandit restraining device performed without a purchase order. (Fund: Sheriff, Bailiff, Fees)

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

- B. Take all appropriate action on Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council for participation in the Regional DWI Task Force Program effective December 1, 2012 through September 30, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council for participation in the Regional DWI Task Force Program effective December 1, 2012 through September 30, 2013.

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

Item 41 continued - Sheriff's Office:

- C. **Take all appropriate action on Modification 2 to accept additional funds for Grant Award Number G12HN0010A, total award amount of \$650,083 for use in the High Intensity Drug Trafficking Area (HIDTA) program for the period of January 1, 2012 through December 31, 2013, with no cash match required by Fort Bend County.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve Modification 2 to accept additional funds for Grant Award Number G12HN0010A, total award amount of \$650,083 for use in the High Intensity Drug Trafficking Area (HIDTA) program for the period of January 1, 2012 through December 31, 2013, with no cash match required by Fort Bend County.

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

42. 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 (4-0), 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	absent
Commissioner Patterson	Yes

43. Approve Bills.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve bills in the amount of \$15,448,178.01.

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

44. Ratify the release of time-sensitive bills by Auditor on November 1, 2012.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to ratify the release of time-sensitive bills by Auditor on November 1, 2012 in the amount of \$1,116,130.16.

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

Recess:

Recessed at 1:28 p.m.

45. 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.

Medical Subrogation Lien Claim: Spencer, Oshea; Date of Incident: September 19, 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, Precinct 1.

Closed Session:

Convened at 1:39 p.m.
Adjourned at 1:41 p.m.

Reconvene:

Reconvened at 1:42 p.m.

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

A. § 551.071. Consultation With Attorney.

Medical Subrogation Lien Claim: Spencer, Oshea; Date of Incident: September 19, 2010.

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (4-0), it is ordered to approve and accept the proposal made by letter dated October 24, 2012 for the settlement of the county health care plan's subrogation lien against the personal injury claims asserted by Oshea Spencer arising from the accident on 09-19-2010.

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

B. § 551.072. Deliberation Regarding Real Property.

Spur 10, Precinct 1.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (4-0), it is ordered to purchase Parcel 22A in the amount of \$134,905.00, Parcel 50 in the amount of \$74,027.00 and Parcel 47A in the amount of \$473,107.00 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	absent
Commissioner Patterson	Yes

47. Adjournment.

Commissioners Court adjourned at 1:45 p.m. on Tuesday, November 6, 2012.