

MINUTES

BE IT REMEMBERED, That on this 20th 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
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
DIANNE WILSON	COUNTY CLERK

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

1. Call to Order.

Call to Order by Judge Hebert at 1:00 p.m.

2. Invocation and Pledge of Allegiance by Commissioner Prestage.

Invocation and Pledge of Allegiance by Commissioner Prestage.

3. Approve minutes of regular meeting held on November 13, 2012, and special meeting held on November 19, 2012.

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on November 13, 2012, and special meeting held on November 19, 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.

November Service Awards presented to county employees.

County holiday for Thanksgiving November 22-23.

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

A. Acceptance for the street name change in the Pine Mill Ranch Development from Katy-Flewellen Road to the new name of Winding Point Lane, beginning at Roesner Road to Mesquite Creek Lane; and extending through to Cinco Ranch Southwest Development. Portions already platted are: Katy Flewellen Road Street Dedication No. 1, FBCPR #20080130, Pine Mill Ranch, Sec. 17 FBCPT #20110138, and Pine Mill Ranch Drive No. 2 St. Dedication, FBCPR #20070085 (small stub street portion only), Precinct 3.

B. Acceptance of the traffic control plan for Cinco Ranch Southwest, Section 57, Precinct 3.

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

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

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

CONSENT AGENDA ITEMS 6 - 16

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

A. County Attorney: Randall Morse to New Orleans, Louisiana, December 3-4, 2012, for United States Court of Appeals for the 5th Circuit, litigation matter. (Fund: Property, Casualty, Liability, Fees)

B. Sheriff's Office: Ratify travel by W. Webber and L. Vaught to Dothan, Alabama, November 6-7, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

C. Sheriff's Office: K. Oreskovich and J. Tabares to Jacksonville, Florida, December 2-8, 2012, to attend Crime Scene Reconstruction of Shooting Incident training. (Fund: Sheriff, Forfeited Assets, Federal, Travel)

D. Sheriff's Office: Ratify travel by J. Orlop to Farmersville, Louisiana, November 19, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

7. COUNTY JUDGE:

Approve designation of delegates to the Houston Galveston Area Council 2013 General Assembly and Board of Directors effective January 1, 2013: Andy Meyers, Representative, General Assembly, and Delegate to the Board of Directors; Robert Hebert, Representative, General Assembly, and Alternate, Board of Directors; Grady Prestage, Alternate, General Assembly; and Richard Morrison, Alternate, General Assembly.

8. COMMISSIONER, PCT. 1:

Approve recommendations made by the Fresno/Arcola Advisory Committee at their meeting held November 8, 2012, to fund the following projects for FY2013 utilizing revenue received from the BFI tipping fees: Fresno Volunteer Fire Department for Fire Protection Services in an amount not to exceed \$37,418; Fort Bend Community Revitalization Projects (CORPS) for home repair services in an amount not to exceed \$50,000; Fort Bend Seniors Meals on Wheels and Much Much More for senior meal services in an amount not to exceed \$32,239; and YMCA of Greater Houston for outreach services in an amount not to exceed \$64,731. (Fund: Fresno/Arcola Projects)

9. DISTRICT ATTORNEY:

Approve and record into Minutes the Federal FY 2012 Equitable Sharing Agreement and Certification for the Office of Fort Bend County District Attorney.

10. ELECTIONS ADMINISTRATION:

Record into Minutes the availability of funds in the amount of \$117,147 for FY 2012, pursuant to Chapter 19 of the Texas Election Code, for use by the Fort Bend County Department of Election Administration exclusively for activities to enhance voter registration and participation, as authorized by Texas Statue and Administrative Rules.

11. ENGINEERING:

- A. Approve payment of Invoice No. 12-10-000035 in the amount of \$12,661.15 to Associated Testing Laboratories, Inc. regarding the expansion of Burney Road (from Old Richmond to Voss Road), Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 21047 in the amount of \$12,615.00 to Geotest Engineering, Inc. for services provided regarding the widening of West Bellfort Road, Mobility Bond Project #741, Pct. 4. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$77,476.19 to Allgood Construction Company, Inc. regarding the extension of Falcon Landing Blvd., Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$141,250.59 to Allgood Construction Company, Inc. regarding improvements to Falcon Landing Blvd., from Spring Green to Gaston Road, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**

Item 11 continued - Engineering:

- E. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$770,168.93 to Allgood Construction Company, Inc. regarding Mason Road, from FM 359 to North of Skinner Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 1012048 in the amount of \$2,585.00 to Klotz Associates for administrative support regarding Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 6 (Pay Estimate No. 6) in the amount of \$327,914.88 to Conrad Construction Company regarding Burney Road (Voss Road to Old Richmond), Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- H. Approve application from Gonzalez Construction Enterprises, Inc. to open cut and bury 48 feet of 36-inch RCP under Lakemont Pointe Drive, Precinct 3.**
- I. Approve application from Gonzalez Construction Enterprises, Inc. to bore under and bury an 8-inch water line along Cardiff Rock Lane, Stone Spring Drive, Red Canyon Park Drive and Wooded Canyon Drive, Precinct 3.**
- J. Approve application from Hurtado Construction Company to bore under several streets (North Fort Bend Water Authority, Segment C) with a 24-inch and a 42-inch water line, Precinct 4.**
- K. Approve plat for the roads within River's Edge Section Sixteen, Precinct 1.**
- L. Approve plat for the lots within River's Edge Section Sixteen, Pct. 1.**
- M. Approve the plat for the Kingdom Heights Recreational Center, Precinct 1.**

12. FACILITIES MANAGEMENT & PLANNING:

Approve payment of Pay Application No. 11-013 009 in the amount of \$8,559.36 to Bass Construction Co., Inc. for construction services regarding the Employee Health Clinic. (Fund: Capital Improvement Project)

13. OFFICE OF EMERGENCY MANAGEMENT:

Approve Addendum to Disaster Debris Management Plan between Fort Bend County and City of Missouri City.

14. PURCHASING:

- A. Approve purchase of the following items for the Sheriff's Office: Towels, sheets, uniforms, smocks, etc. from Bob Barker for an amount not to exceed \$23,484.16; authorize payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff's Office)**
- B. Authorize advertising for proposals for construction of Library Administration Building.**

15. SHERIFF'S OFFICE:

- A. Approve and record into Minutes the State FY2012 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Sheriff's Office.**
- B. Approve and record into Minutes the Federal FY 2012 Equitable Sharing Agreement and Certification for the Office of Fort Bend County Sheriff.**
- C. Approve and record into Minutes the State FY2012 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fort Bend County Narcotics Task Force.**
- D. Approve and record into Minutes the Federal FY 2012 Equitable Sharing Agreement and Certification for the Fort Bend County Narcotics Task Force.**
- E. Approve renewal of the Fire Department Dispatch Agreement between Fort Bend County and Fairchilds Volunteer Fire Department.**
- F. Approve renewal of the Interlocal Agreement between Fort Bend County and Fairchilds Volunteer Fire Department for Use of the County's Public Safety Radio System effective through September 30, 2013.**
- G. Approve renewal of Interlocal Agreement between Fort Bend County and Northeast Fort Bend County Volunteer Fire Department for Use of the County's Public Safety Radio System effective through September 30, 2013.**
- H. Approve renewal of Interlocal Agreement between Fort Bend County and Beasley Volunteer Fire Department for Use of the County's Public Safety Radio System effective through September 30, 2013.**
- I. Approve renewal of the Dispatch Agreement between Fort Bend County and Needville Independent School District.**
- J. Approve renewal of the Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council to provide law enforcement training services at the Gus George Academy effective September 1, 2012 through August 31, 2013.**

16. TAX ASSESSOR/COLLECTOR:

- A. Record into Minutes the Annual Report of all Taxes Collected from October 2011 through September 2012, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
 - B. Record into Minutes the Summary Monthly Report of Property Taxes Collected in October 2012 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
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Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 16.

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

17. ENGINEERING:

- A. Take all appropriate action on request to authorize the County Engineer to negotiate an Agreement with Progressive Consulting Engineers, PLLC for Engineering Services related to Intersection Improvements in Cinco Ranch, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Engineer to negotiate an Agreement with Progressive Consulting Engineers, PLLC for Engineering Services related to Intersection Improvements in Cinco Ranch, Precinct 3.

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

Note: Funding will come from CAD #1.

Item 17 continued - Engineering:

- B. Take all appropriate action on request to authorize the County Engineer to negotiate an Agreement with Edminster, Hinshaw, Russ and Associates for Engineering Services related to Cane Island Boulevard, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Engineer to negotiate an Agreement with Edminster, Hinshaw, Russ and Associates for Engineering Services related to Cane Island Boulevard, Precinct 3.

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

18. HUMAN RESOURCES:

Take all appropriate action on revisions to the Employee Information Manual as submitted by the Director of Human Resources, specifically the following policies: Section 409: Pre-Placement Physical Assessments; Section 702: Citizenship Leave; and Section 710: Workers Compensation.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve revisions to the Employee Information Manual as submitted by the Director of Human Resources, specifically the following policies: Section 409: Pre-Placement Physical Assessments; Section 702: Citizenship Leave; and Section 710: Workers Compensation.

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

19. PURCHASING:

A. Take all appropriate action on request to authorize the sale of surplus property, vehicles, and equipment by auction on December 1, 2012.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the sale of surplus property, vehicles, and equipment as submitted on list by auction on December 1, 2012.

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

B. Take all appropriate action on Agreement for the Collection of Delinquent Ad Valorem Taxes between Fort Bend County and Linebarger Gogan Blair & Sampson, LLP effective January 1, 2013 through December 31, 2016.

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for the Collection of Delinquent Ad Valorem Taxes between Fort Bend County and Linebarger Gogan Blair & Sampson, LLP effective January 1, 2013 through December 31, 2016 and must advertise in the newspaper of record for the term of this contract.

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

C. Take all appropriate action on requests by the Fort Bend County Women's Center, Inc., and by the Morton Masonic Lodge 72 for donation of surplus property from Fort Bend County, as described in their correspondence dated November 13, 2012, and November 15, 2012, respectively, pursuant to Local Government Code Section 263.152 (a)(4).

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve requests by the Fort Bend County Women's Center, Inc., and by the Morton Masonic Lodge 72 for donation of surplus property from Fort Bend County, as described in their correspondence dated November 13, 2012, and November 15, 2012, respectively, pursuant to Local Government Code Section 263.152 (a)(4).

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

Item 19 continued - Purchasing:

- D. Take all appropriate action on Change Order 7 to the Agreement between Fort Bend County and Phonoscope per Request For Proposal 10-086 for Ethernet Service, in an additional amount not to exceed \$400.00 monthly. (Fund: Facilities Management & Planning)**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Change Order 7 to the Agreement between Fort Bend County and Phonoscope per Request For Proposal 10-086 for Ethernet Service, in an additional amount not to exceed \$400.00 monthly. (Fund: Facilities Management & Planning)

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

- E. Take all appropriate action on Component Changer Order No. 03 in the amount of \$40,000 from Construction Manager-at-Risk Phoenix 1 Restoration and Construction, Ltd. for the Courthouse Restoration project, pursuant to SOQ 12-050. (Fund: Capital Improvement Project)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Component Changer Order No. 03 in the amount of \$40,000 from Construction Manager-at-Risk Phoenix 1 Restoration and Construction, Ltd. for the Courthouse Restoration project, pursuant to SOQ 12-050. (Fund: Capital Improvement Project)

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

Item 19 continued - Purchasing:

- F. Take all appropriate action on Fifth Amendment to Agreement for Engineering Services between Fort Bend County and Landtech Consultants, Inc. for an amount not to exceed \$126,235 regarding Mason Road, Mobility Bond Project No. 735, Precinct 3. (Fund: 2007 Mobility Bond)**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Fifth Amendment to Agreement for Engineering Services between Fort Bend County and Landtech Consultants, Inc. for an amount not to exceed \$126,235 regarding Mason Road, Mobility Bond Project No. 735, Precinct 3. (Fund: 2007 Mobility Bond)

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

- G. Take all appropriate action on the Schematic Design for the Library Administration Building as prepared by Bailey Architects pursuant to SOQ 12-039.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Schematic Design for the Library Administration Building as prepared by Bailey Architects pursuant to SOQ 12-039.

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

Item 19 continued - Purchasing:

- H. Take all appropriate on Professional Materials Testing Engineering Services between Fort Bend County and Geotest Engineering, Inc. in an amount not to exceed \$69,151 regarding improvements to Falcon Landing Boulevard, Phase 4, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Professional Materials Testing Engineering Services between Fort Bend County and Geotest Engineering, Inc. in an amount not to exceed \$69,151 regarding improvements to Falcon Landing Boulevard, Phase 4, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)

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

20. SHERIFF'S OFFICE:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$912.00 to Harris County Children's Assessment Center for exams performed without a purchase order. (Fund: Sheriff, Enforcement, Professional Services)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to pay by Invoice Transmittal the amount of \$912.00 to Harris County Children's Assessment Center for exams performed without a purchase order. (Fund: Sheriff, Enforcement, Professional Services)

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

21. 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

22. Approve Bills.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$5,999.448.68.

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

23. Authorize County Auditor to pay and release time sensitive bills on November 29, 2012, to be ratified by Commissioners Court on December 4, 2012.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on November 29, 2012, to be ratified by Commissioners Court on Dec. 4, 2012.

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

Recess:

Recessed at 1:12 p.m.

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

§ 551.072. Deliberation Regarding Real Property. Commissioners Court will meet in Closed Session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Cane Island Mobility Project, Pct. 3.

Closed Session:

Convened at 1:21 p.m.
Adjourned at 1:23 p.m.

Reconvene:

Reconvened at 1:24 p.m.

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

§ 551.072. Deliberation Regarding Real Property.

Cane Island Mobility Project, Pct. 3.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Judge or his agents to negotiate the purchase of 1.17 acres, more or less, for the Cane Island Mobility Project and authorize the County Judge or County Judge's designee to sign all necessary documents to complete the purchase pending final approval of the Commissioners Court.

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

26. Adjournment.

Commissioners Court adjourned at 1:25 p.m. on Tuesday, November 20, 2012.