

MINUTES

BE IT REMEMBERED, That on this 8th DAY of JANUARY, 2013, 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 December 18, 2012.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

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

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

4. Public Comments regarding the Agenda and Announcements.

No public comments or announcements.

5. **PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:**
- A. **Approval of replat: CVS Commercial Reserves "A" and "B" Replat No. 2, Precinct 3.**
 - B. **Acceptance for the traffic/safety study for Barbara Jordan Elementary School at West Oaks Village and Bellaire Boulevard to add a "No U-Turn" sign, Precinct 2.**
 - C. **Acceptance of the traffic control plan for Winfield Lakes, Section 8 and Section 16, Precinct 2.**
 - D. **Acceptance of the traffic/safety study for Garland McMeans Junior High School at Westheimer Parkway to add "No Left Turn" signs, 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 B-D.

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

Item 5A - no action.

CONSENT AGENDA ITEMS 6 - 20:

6. **OUT OF STATE TRAVEL: Record into Minutes the out of state travel for elected official:**
- County Judge:** County Judge Robert Hebert to Washington, D.C., January 8-10, 2013, to attend the quarterly Executive Committee Meetings of the National Council of Public Private Partnerships, and meet with legislators and the Corp of Engineers on Capital Hill. (Fund: Non-Departmental, Travel)
7. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
- A. **Agri-Life Extension Office:** Joe Mask to Overland Park, Kansas, May 5-10, 2013 to attend the National Urban Extension Conference. (Fund: Extension Office, Travel)
 - B. **Health & Human Services:** Mary desVignes-Kendrick, David Olinger, David Aaron, Jason Goetzman, Melanie Manville, Anthony Ryder, Mary Fuglaar, Anna Gonzales, and Sandra Preciado to Atlanta, Georgia, March 11-15, 2013, to attend the 2013 Public Health Preparedness Summit. (Fund: Public Health Emergency Preparedness Grant)
 - C. **Risk Management:** J. T. Pena to Las Vegas, Nevada, June 24-27, 2013, to attend the American Society of Safety Engineers Professional Development Conference. (Fund: Risk Management, Travel)
 - D. **Sheriff's Office:** Ratify travel by M. Kubricht and J. Harris to Cleveland, Ohio, January 8-9, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

8. COUNTY JUDGE:

- A. Record the approval of Bonds for County Commissioner Richard Morrison, Precinct 1, and County Commissioner W. A. "Andy" Meyers, Precinct 3, by County Judge Robert Hebert for the term of January 1, 2013 through December 31, 2016.**
- B. Approve and record Bonds for newly elected officials effective January 1, 2013 through December 31, 2016: County Attorney Roy L. Cordes, Jr.; Sheriff Troy E. Nehls; Tax Assessor/Collector Patsy Schultz; Justice of the Peace, Precinct 1, Place 1 Gary Janssen; Constable Precinct 1 A.J. Dorr; Constable, Precinct 2 Ruben G. Davis; Constable Precinct 3 Robert W. "Rob" Cook; and Constable Precinct 4 Trever Nehls.**
- C. Record into Minutes the Resolution by Texas Fire Marshal's Association recognizing the Fire Prevention Career of Fort Bend County Texas Fire Marshal Vance Cooper.**

9. COMMISSIONER, PCT. 1:

Approve renewal of Agreement for Fire Protection Services between Fort Bend County and Fresno Volunteer Fire Department in an amount not to exceed \$37,418 effective through September 30, 2013. (Fund: Fresno/Arcola Projects)

10. COMMISSIONER, PCT. 2:

Approve Interlocal Project Agreement between Fort Bend County and the City of Stafford to provide assistance with street repairs and road surface improvements to twenty (20) city-owned streets, County expenditure not to exceed \$49,310. (Fund: Road & Bridge)

11. BUDGET & FINANCE:

- A. Approve and adopt the 2013 Fort Bend County Investment Policy and Investment Strategy, as presented by the Director of Finance and Investments, pursuant to Government Code Section 2256.005(e).**
- B. Record into Minutes the Fort Bend County Budget Calendar for FY 2014.**
- C. BUDGET TRANSFERS**
 - 1. 268th District Court: Approve FY 2013 transfer in the amount of \$645 from Operating Supplies into Capital Acquisitions to allocate funds for purchase of scanning software for the copier.**
 - 2. Auditor: Approve FY 2012 transfer in the amount of \$94,945 as detailed on Auditor's form dated January 3, 2013, to reallocate matching funds into a project account for the University of Texas Fifth Street Study, as authorized by Commissioners Court on September 25, 2012.**
 - 3. Engineering: Approve FY 2013 transfer in the amount of \$1,800 as detailed on County Engineer's form dated January 2, 2013, to allocate funds into Mail Center account for FY 2013 postage.**
 - 4. Facilities Management & Planning: Approve FY 2012 transfer in the amount of \$1,100,000 as detailed on Auditor's form dated January 2, 2013 to allocate additional funds needed for the courthouse preservation project.**

11C continued - Budget Transfers:

5. **Facilities Management & Planning:** Approve FY 2012 transfer in the amount of \$1,219,801 as detailed on Auditor's form dated January 2, 2013, to amend the budget pursuant to Local Government Code 111.0707 and allocate revenue received from the University of Houston for construction of University Library.

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

Approve Lease Renewal Agreement between Fort Bend County and Willowridge Commons, LLC to extend the lease of office space at 7133 W. Fuqua, Missouri City, effective December 1, 2012 through November 30, 2013. (Fund: Constable, Pct. 2, Rental)

13. **ENGINEERING:**

- A. Approve payment of Invoice No. 7129 in the amount of \$3,784.33 to Othon, Inc. regarding the expansion of Ransom Road, from River Park to Main Street FBC and Richmond, Texas, Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 459301/13/II in the amount of \$181,080.55 to Dannenbaum Engineering Corporation regarding Phase I design extension of FM 1093, from State Highway 99 to West of FM 359, Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 12-11-023 in the amount of \$16,398.00 to Kelly R. Kaluza & Associates, Inc. regarding Harlem Road, Mobility Bond Project #726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- D. Approve payment of Invoice No. 1112037 in the amount of \$2,380.00 to Klotz Associates for administrative support regarding Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)
- E. Approve payment of Invoice No. 1212022 in the amount of \$3,908.32 to Klotz Associates for administrative support regarding Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)
- F. Approve payment of Invoice No. 5 in the amount of \$122,025.63 to Mar-Con Services, LLC regarding drainage and paving improvements for West Bellfort Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)
- G. Approve payment of Invoice No. 12-11-000037 in the amount of \$3,972.41 to Associated Testing Laboratories, Inc. regarding Burney Road, from Old Richmond to Voss Road, Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- H. Approve application from Comcast, LLC to bore under Sienna Springs Blvd. and bury coax cable along Creek Crossing, Precinct 2.
- I. Approve application from AT&T Texas to bore under Grand Parkway (Highway 99) at Farmer Road, Precinct 4.
- J. Approve application from TAS Commercial Concrete Construction, LLC/Hawkins Construction to construct a driveway tie-in onto Cinco Ranch Blvd., Precinct 3.

Item 13 continued - Engineering:

- K. Approve application from M Street Homes to construct a driveway tie-in onto Mirandola Lane, Precinct 3.**
- L. Approve application from M Street Homes, LLC to construct a driveway tie-in onto Carnaby Lane, Precinct 1.**
- M. Approve application from CenterPoint Entex to bore a 2-inch plastic gas line under Spring Green Blvd., Precinct 3.**
- N. Approve application from CenterPoint Entex to bore a 2-inch plastic gas line under Roesner Road, Precinct 3.**
- O. Approve construction from AR Turnkey Construction Company, Inc. to bore an 8-inch sanitary sewer under Greenbusch, Precinct 3.**
- P. Approve plat for the roads within Waterview Estates, Section 12, Precinct 4.**
- Q. Approve plat for the lots within Waterview Estates, Section 12, Precinct 4.**
- 14. 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. 5 in the amount of \$42,124.70 to Bailey Architects for architectural services regarding the Library Administration Building;**
 - B. Invoice No. 8 in the amount of \$9,861.90 to Bailey Architects for architectural services regarding the Courthouse Restoration Project.**
- 15. 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 regular meeting held on December 19, 2012, and makes the following recommendations to Commissioners Court:**
 - A. Approve Grant of Aerial Easement from Union Pacific Railroad Company to Fort Bend Grand Parkway Toll Road Authority.**
 - B. Approve Encroachment Agreement between Fort Bend Grand Parkway Toll Road Authority and Union Pacific Railroad Company.**
 - C. Approve Toll System Implementation Agreement between Fort Bend Grand Parkway Toll Road Authority and TransCore, LP.**
 - D. Approve Toll System Operations and Maintenance Agreement between Fort Bend Grand Parkway Toll Road Authority and TransCore, LP.**
- 16. HEALTH & HUMAN SERVICES:**

Approve and sign Amendment to Contract #2013-042335 between Fort Bend County and Texas Department of State Health Services to reduce the contract amount, decrease matching funds, and revise performance measures for the Tobacco Community Coalition program effective November 27, 2012 through August 31, 2013.

17. HUMAN RESOURCES:

- A. Approve and record into Minutes the application for Appointment of Deputy Constable, Bill G. Gonzales, by Constable Precinct 1, in accordance with Constable's form dated December 17, 2012 pursuant to Local Government Code §86.011.**
- B. Approve requests for withdrawal of hours from the Shared Sick Leave Pool as follows: employee of Sheriff's Office, Position No. 5601-0570, 96 hours; employee of Extension Office, Position No. 6651-0006, 60 hours; and employee of Risk Management, Position No. 4101-0001, 40 hours.**

18. PURCHASING:

- A. Authorize advertising for requests for proposals for lease of property.**
- B. Authorize advertising for requests for proposals for protective window covering for the Jane Long Building.**
- C. Authorize the renewal of terms for Vehicle 11 from Meador Dodge, pursuant to Bid 11-028 for Vehicles.**

19. SHERIFF'S OFFICE:

Approve renewal of Dispatch Agreement between Fort Bend County and City of Arcola.

20. TAX ASSESSOR/COLLECTOR:

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 2, 2013, for an amount totaling \$9,276.55 for the Office of Patsy Schultz.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-20.

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

Members of court acknowledged the Resolution recognizing the career of Fire Marshal Vance Cooper.

21. COUNTY JUDGE:

Take all appropriate action to ratify the Agreement for Professional Services Fort Bend County Interim Fire Marshal. (Fund: Fire Marshal, Fees)

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify the Agreement for Professional Services Fort Bend County Interim Fire Marshal. (Fund: Fire Marshal, Fees)

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

22. COMMISSIONER, PCT. 1:

A. Take all appropriate action on Resolution Supporting the Reserve at Arcola Senior Living.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Resolution Supporting the Reserve at Arcola Senior Living.

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

B. Take all appropriate action on Resolution stating the support of Fort Bend County Commissioners Court to apply for the Hog Out County Grant Program for 2013, with no cash match required by the County.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Resolution stating the support of Fort Bend County Commissioners Court to apply for the Hog Out County Grant Program for 2013, with no cash match required by the County.

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

23. BUDGET & FINANCE:

Take appropriate action to adopt the FY 2014 Budget Policy for Fort Bend County.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to adopt the FY 2014 Budget Policy for Fort Bend County.

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

24. COMMUNITY DEVELOPMENT:

Take all appropriate action on Agreement between Fort Bend County and Fred & Mabel Parks Youth Ranch, Inc. in the amount of \$39,000 to provide essential services to homeless families and individuals and supply necessary operations of the shelter; part of the FY 2012 Consolidated Action Plan approved by Commissioners Court on July 3, 2012; authorize County Judge to sign all documents pertaining to Agreement. (Fund: Emergency Solutions Grant Program)

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Fred & Mabel Parks Youth Ranch, Inc. in the amount of \$39,000 to provide essential services to homeless families and individuals and supply necessary operations of the shelter; part of the FY 2012 Consolidated Action Plan approved by Commissioners Court on July 3, 2012; authorize County Judge to sign all documents pertaining to Agreement. (Fund: Emergency Solutions Grant Program)

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

25. ENGINEERING:

- A. Take all appropriate action on the First Amendment to Interlocal Agreement for Expansion of Brand Lane between Fort Bend County and the City of Stafford, Mobility Bond Project No. 718, Precinct 2. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the First Amendment to Interlocal Agreement for Expansion of Brand Lane between Fort Bend County and the City of Stafford, Mobility Bond Project No. 718, Precinct 2. (Fund: 2007 Mobility Bonds)

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

- B. Take all appropriate action on request by Ross Duncan for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 C, to divide 2.000 acres out of a called 30.8194 acre tract situated in the Joseph Highland Survey, Abstract 204 recorded in official Fort Bend County Deed Records, Instrument # 2010062260, 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 Ross Duncan for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 C, to divide 2.000 acres out of a called 30.8194 acre tract situated in the Joseph Highland Survey, Abstract 204 recorded in official Fort Bend County Deed Records, Instrument # 2010062260, Fort Bend County, Texas, Precinct 1.

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

26. PURCHASING:

- A. Take all appropriate action on Bid 13-020 for the purchase of Vehicles.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid 13-020 for the purchase of Vehicles to low bidder per item except for vehicle #9 - award to Helfman Ford as local preference.

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

Item 26 continued - Purchasing:

- B. Take all appropriate action to purchase vehicles for various offices and departments as listed by Purchasing Agent on summary dated January 8, 2013, pursuant to Bid 13-020.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to purchase 30 vehicles for various offices and departments as listed by Purchasing Agent on summary dated Jan 8, 2013 pursuant to Bid 13-020.

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

Note: Vehicles are 25 replacements and 5 new.

- C. Take all appropriate action on the final Guaranteed Maximum Price (GMP) of \$5,008,133 from Construction Manager-at-Risk, Phoenix 1 Construction and Restoration, LTD., for the Courthouse Restoration Project. (Fund: Capital Improvement Project)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the final Guaranteed Maximum Price (GMP) of \$5,008,133 from Construction Manager-at-Risk, Phoenix 1 Construction and Restoration, LTD., for the Courthouse Restoration Project. (Fund: Capital Improvement Project)

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

Note: \$2 million is from a George Foundation grant payable over 2 years.

27. SHERIFF'S OFFICE:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$236.00 to Harris County Hospital District for exam services performed without a purchase order. (Fund: Sheriff, Enforcement, Professional Services)

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to pay by Invoice Transmittal the amount of \$236.00 to Harris County Hospital District for exam services 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

28. 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 \$13,912,661.39.

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

29. Authorize the release of time sensitive bills by Auditor on December 27, 2012, and January 3, 2013.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize the release of time sensitive bills by Auditor on December 27, 2012, and January 3, 2013 in the amount of \$1,958,422.26.

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

30. Adjournment.

Commissioners Court adjourned at 1:15 p.m. on Tuesday, January 8, 2013.