

MINUTES

BE IT REMEMBERED, That on this 15th 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
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 regular meeting held on January 8, 2013.

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 January 8, 2013.

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. **Acceptance of the traffic control plan for King Lakes, Section 5, Section 10 and Section 11, and Section 12, Precinct 3.**
 - B. **Acceptance of the traffic control plan for Riverpark West, Section 13, Precinct 1.**
 - C. **Acceptance of traffic control plan prohibiting overnight parking of commercial motor vehicles in the Mission Glen Subdivision, pursuant to Texas Transportation Code Ann. §545.307, Precinct 2.**
 - D. **Acceptance for the street name change in the Del Webb-Richmond Development from Buroak Court to Mission Olive Cove, within the Del Webb-Richmond, Section 4 plat, Fort Bend County plat records instrument #20120212, Precinct 1.**

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Prestage

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 - 18

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
- A. **Elections Administration: John Oldham, Robin Heiman and Julie Kassab to New Orleans, Louisiana, February 27 through March 3, 2013, to attend Special Workshop and continuing education classes at the Election Center. (Fund: Elections Contract)**
 - B. **Information Technology: Ray Webb to Orlando, Florida, October 6-11, 2013, to attend the 2013 Gartner Symposium. (Fund: Information Technology, Travel)**
7. **COUNTY JUDGE:**
- Approve the reappointment of Directors to the Fort Bend Subsidence District for two year terms effective January 31, 2013 through January 31, 2015 as follows: Harvey Ludwig, on behalf of Precinct 1; James Clark on behalf of Precinct 2; Jon Strange on behalf of Precinct 3; and Morris Mitchell on behalf of Precinct 4.**
8. **AUDITOR:**
- Accept Monthly Financial Report prepared by the County Auditor for twelve months ending September 30, 2012 pursuant to Local Government Code Section 114.023.**

9. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. **Auditor:** Approve FY 2012 transfer in the amount of \$3,135,445 as detailed on Auditor's form dated January 9, 2013 to reallocate funds within the general fund.
- B. **Fire Marshal:** Approve FY 2013 transfer in the amount of \$6,240 from Salaries into Fees to allocate funds for estimated cost of Fire Marshal Agreement.
- C. **Health & Human Services - Clinical Health:** Approve FY 2013 transfer in the amount of \$350 from Professional Services into Information Technology to allocate funds for the purchase of software.
- D. **Health & Human Services - Social Services:** Approve FY 2013 transfer in the amount of \$10,000 from Temporary/Part-Time into Overtime to allocate funds for non-exempt employee overtime necessary to meet the demands of the Emergency Food & Shelter Grant program.
- E. **Juvenile Detention & Probation:** Approve FY 2012 transfer in the amount of \$238,928 as detailed on Auditor's form dated January 9, 2013, to reallocate funds within various budgets for Juvenile Department.
- F. **Public Transportation:** Approve FY 2012 transfer in the amount of \$223,630 as detailed on form dated January 10, 2013, to allocate funds for the local match of FY2012 and FY2013 Federal/State 5311 Rural Transportation grants.

10. DISTRICT ATTORNEY:

Approve the award to Celena Vinson of her District Attorney Office Badge upon her resignation, in appreciation of her ten years of dedicated service to the citizens of Fort Bend County.

11. ENGINEERING:

- A. Approve FY13 Program Contract Number 13-16-G10 between Fort Bend County and Houston-Galveston Area Council to accept grant funding in the amount of \$19,453 for the Recycle Center, with in kind services provided by Fort Bend County, and authorize the County Judge to sign all documents pertaining to the Contract.
- B. Approve payment of Invoice No. 4116 in the amount of \$22,697.50 to Property Acquisitions Services, Inc. (PAS) for various right of way acquisition services within Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- C. Approve payment of Invoice No. 4136 in the amount of \$15,895.00 to Property Acquisition Services, Inc. regarding various right of way acquisition services within Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- D. Approve payment of Invoice No. 28224 in the amount of \$73,871.37 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)

Item 11 continued - Engineering:

- E. Approve payment of Invoice No. 12-11-009 in the amount of \$21,800.00 to Kelly R. Kaluza & Associates, Inc. regarding Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 12-11-010 in the amount of \$12,494.00 to Kelly R. Kaluza & Associates, Inc. regarding Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 1212-40 in the amount of \$11,770.00 to JNS Engineers, LLC regarding Falcon Landing-Katy Gaston Roadway Improvements, from Willowfork Bayou to Spring Green and Katy Gaston), Mobility Bond Project #709, Precinct 3. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 8 (Pay Estimate No. 8) in the amount of \$349,590.60 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)**
- I. Approve payment of Invoice No. 12-12-000010 in the amount of \$10,313.80 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)**
- J. Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$896,831.56 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)**
- K. Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$295,108.63 to Allgood Construction Company, Inc. regarding Falcon Landing Boulevard, from Spring Green to Gaston Road, Mobility Bond Project #703D. (Fund: 2007 Mobility Bonds)**
- L. Approve payment of Invoice No. 5 (Pay Estimate No. 5) in the amount of \$353,147.25 to Allgood Construction Company, Inc. regarding the extension of Falcon Landing Boulevard Road, Mobility Bond Project #703B, Precinct 3. (Fund: 2007 Mobility Bonds)**
- M. Approve application from CenterPoint Energy Entex to bore under and bury a 4-inch plastic gas line along Alametos Drive and abandon a 4-inch galvanize steel line over Brays Bayou, Precinct 3.**
- N. Approve application from Ronny Carroll Homes, Inc. to construct a driveway tie-in onto Harris Woods Trace, Precinct 3.**
- O. Approve application from Devon Street Homes to construct five driveway tie-ins onto Honeysuckle Vine Drive, Precinct 1.**
- P. Approve application from Devon Street Homes to construct a driveway tie-in onto Jay Thrush Drive, Precinct 3.**
- Q. Approve application from Devon Street Homes to construct three driveway tie-ins onto Quill Rush Way, Precinct 3.**

Item 11 continued - Engineering:

- R. Approve application from Phonoscope, LLC. to set one pole in Beechnut Road right of way, Precinct 3.**
- S. Approve application from Phonoscope, LLC to bore under and install fiber optic cable crossing on Beechnut Road, Permit #84275, Precinct 3.**
- T. Approve application from Phonoscope, LLC to bore under and install fiber optic cable along Baldwin Elm Street, Precinct 3.**
- U. Approve application from AT&T Texas to bore under and bury fiber optic cable along Bella Terra Parkway, Precinct 3.**
- V. Approve application from AT&T Texas to install a pedestal on Grand Parkway (South-Highway 99) between Mason Road and Farmer Road, Precinct 4.**
- W. Approve release of perpetual bond #105563885 in the amount of \$50,000.00 to Dyad Construction, L.P. for completion of work on Fry Road, Permit #84153, Precinct 3.**
- X. Approve release of bond #1071727 in the amount of \$203,385.00 for Cinco Ranch Southwest, Section 54. The streets are private, and will be maintained by the Homeowners Association, Precinct 3.**
- Y. Approve release of bond #61BCSFK7080 in the amount of \$174,624.80 to Allgood Construction Company, Inc. for Red Canyon Park Drive and Wooded Canyon Drive, Precinct 3.**
- Z. Accept replacement bond #SU1119000 in the amount of \$174,624.80 for Red Canyon Park Drive and Wooded Canyon Drive, Precinct 3.**
- AA. Approve request for Fort Bend County to sponsor a Texas Department of Transportation Project on behalf of Taylor Morrison Texas, Inc. to expedite the construction of a tie-in paving connection at proposed Winston Ridge Lane at FM 1463 within Churchill Farms Development, at no cost to the County, Precinct 3.**
- BB. Approve the plat for the Fort Bend ISD Elementary School No. 46, Precinct 4.**
- CC. Approve the plat for Long Meadow Farms Retail Center, Section 1, Precinct 4.**
- DD. Approve the plat for Westridge Creek Lane Street Dedication, Precinct 3.**
- EE. Approve plat for the roads within Canyon Lakes at Cardiff Ranch, Section 2, Precinct 3.**
- FF. Approve plat for the lots within Canyon Lakes at Cardiff Ranch, Section 2, Pct. 3.**
- GG. Approve plat for the roads within Canyon Lakes at Cardiff Ranch, Section 3, Precinct 3.**
- HH. Approve plat for the lots within Canyon Lakes at Cardiff Ranch, Section 3, Pct. 3.**
- II. Approve plat for the roads within Cinco Ranch Northwest, Section 7, Precinct 3.**

Item 11 continued - Engineering:

JJ. Approve plat for the lots within Cinco Ranch Northwest, Section 7, Precinct 3.

KK. Set public hearing for replat of Autumn Leaves Cinco Ranch Subdivision, being a replat of a portion of Restricted Reserve "A", Block 1 of Redeemer Community Church, Precinct 3. (Tuesday, February 26, 2013, at 1:00 p.m.)

12. FACILITIES MANAGEMENT & PLANNING:

Approve payment of Pay Application No. 3 in the amount of \$49,361.12 to Phoenix 1 Restoration and Construction, Ltd., for construction services regarding the Courthouse Restoration. (Fund: Capital Improvement Project)

13. HEALTH & HUMAN SERVICES:

Approve funding the out of state travel by Cornelia Jammer and Christine Manson de Rabe to Atlanta, Georgia, March 11-15, 2013, to attend the 2013 Public Health Preparedness Summit. (Fund: Public Health Emergency Preparedness Grant)

14. HUMAN RESOURCES:

A. Approve and record into Minutes the application for Appointment of Deputy Constables John G. Hermann and Ruben Valencia by Constable Precinct 4, in accordance with Constable's form dated January 9, 2013, pursuant to Local Government Code §86.011.

B. Approve request for withdrawal of hours from the Shared Sick Leave Pool as follows: Employee of Indigent Health Care, Position #6401-0008, 120 hours; and Employee of County Attorney's Office, Position #4751-0018, 184 hours.

15. PURCHASING:

A. Authorize advertising for statements of qualification for investment broker dealers.

B. Authorize advertising for bids for septic system for Kitty Hollow Park for Parks Department.

16. RISK MANAGEMENT:

Approve Release from State Farm in the amount of \$163.75 for settlement of Claim 53-095J-348 for incident that occurred January 15, 2012.

17. TAX ASSESSOR/COLLECTOR:

A. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 8, 2013, for an amount totaling \$7,081.86 for the Office of Patsy Schultz.

B. Record into Minutes the disposal of miscellaneous Tax Office documentation dated October 16, 2012 through December 11, 2012, scanned as Box #1216-1228, and described on correspondence dated January 7, 2013, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.

Item 17 continued - Tax Assessor Collector:

- C. Record into Minutes the disposal of Tax Office accounting documentation dated 2007 through 2011 as submitted on January 8, 2013, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- D. Record into Minutes the 2012 Tax Abatement Report as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**

18. TREASURER:

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

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-18 with corrections to 11D-Project 735 and 11G-Project 703.

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

19. AUDITOR:

- A. Take all appropriate action to direct the County Auditor on disposition of County Assets that were not located during the exit inventory audit of the 387th District Court, as presented to Commissioners Court in report dated January 15, 2013.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to direct the County Auditor to dispose of County Assets that were not located during the exit inventory audit of the 387th District Court, as presented to Commissioners Court in report dated January 15, 2013.

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

Item 19 continued - Auditor:

- B. Take all appropriate action to direct the County Auditor on disposition of County Assets that were not located during the exit inventory audit of the Fire Marshal's Office, as presented to Commissioners Court in report dated January 15, 2013.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to direct the County Auditor to dispose of County Assets that were not located during the exit inventory audit of the Fire Marshal's Office, as presented to Commissioners Court in report dated January 15, 2013.

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

20. FIRE MARSHAL:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$50.00 to Guardian Fire Protection for reimbursement of exempted fees, and the amount of \$1.00 to Thelma Campbell for overpayment of fees. (Fund: Fire Marshal, Fees)

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to pay by Invoice Transmittal the amount of \$50.00 to Guardian Fire Protection for reimbursement of exempted fees, and the amount of \$1.00 to Thelma Campbell for overpayment of fees. (Fund: Fire Marshal, Fees)

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

21. HEALTH & HUMAN SERVICES:

Take all appropriate action to ratify submission on December 31, 2012, of the following project for the Pass 3 1115 Waiver Program and authorize funding for four years: Expand Primary Care Capacity.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify submission on December 31, 2012, of the following project for the Pass 3 1115 Waiver Program and authorize funding for four years: Expand Primary Care Capacity.

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

22. PURCHASING:

A. Take all appropriate action on Bid 13-019 for a Septic System for Freedom Park.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid 13-019 for septic system for Freedom Park to Brown Aerobic Service Company.

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

B. Take all appropriate action on Addendum to Technical Service Support Agreement between Fort Bend County and Physio-Control in the amount of \$3,068.91 to cover additional equipment, for a total contract amount not to exceed \$63,128.91. (Fund: Emergency Medical Service, Fees)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Addendum to Technical Service Support Agreement between Fort Bend County and Physio-Control in the amount of \$3,068.91 to cover additional equipment, for a total contract amount not to exceed \$63,128.91. (Fund: Emergency Medical Service, Fees)

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

Item 22 continued - Purchasing:

- C. Take all appropriate action to authorize the purchase of vehicles for various offices and departments as listed by Purchasing Agent on summary dated January 15, 2013, pursuant to Bid 13-020.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of vehicles for various offices and departments as listed by Purchasing Agent on summary dated January 15, 2013, pursuant to Bid 13-020.

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

- D. Take all appropriate action on Agreement for Switcher/Rack Upgrade Services between Fort Bend County and Audio Visual Technologies Group, Inc. for Office of Emergency Management, pursuant to RFP 13-016 in an amount not to exceed \$75,814.81. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Switcher/Rack Upgrade Services between Fort Bend County and Audio Visual Technologies Group, Inc. for Office of Emergency Management, pursuant to RFP 13-016 in an amount not to exceed \$75,814.81. (Fund: Office of Emergency Management, UASI Grant)

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

Item 22 continued - Purchasing:

- 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 renewal of license agreement for Reference USA databases from Infogroup in an amount not to exceed \$42,900 annually. (Fund: Library Office Supplies)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), 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 renewal of license agreement for Reference USA databases from Infogroup in an amount not to exceed \$42,900 annually. (Fund: Library Office Supplies)

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

- F. Take all appropriate action to authorize purchase of equipment and maintenance for replacement core switch from NWN Corporation utilizing the State of Texas Department of Information Resources contract DIR-SDD-1366, for an amount not to exceed \$112,600.15. (Fund: Information Technology Infrastructure)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize purchase of equipment and maintenance for replacement core switch from NWN Corporation utilizing the State of Texas Department of Information Resources contract DIR-SDD-1366, for an amount not to exceed \$112,600.15. (Fund: Information Technology Infrastructure)

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

Item 22 continued - Purchasing:

G. Take all appropriate action on RFP 13-018 for No Notice Exercise for the Office of Emergency Management.

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to enter into contract negotiations with Science Applications International Corporation on RFP 13-018 for No Notice Exercise for the Office of Emergency Management.

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

23. SHERIFF'S OFFICE:

Take all appropriate action on request to reimburse the amount of \$20.28 to Jarret Netherly for keys purchased without a purchase order. (Fund: Sheriff, Enforcement, Operating Supplies)

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to reimburse the amount of \$20.28 to Jarret Netherly for keys purchased without a purchase order. (Fund: Sheriff, Enforcement, Operating Supplies)

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

24. 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 \$5,880,619.01.

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

- 25. Authorize Auditor to pay and release time sensitive bills on January 24, 2013, to be ratified by Commissioners Court on January 29, 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize Auditor to pay and release time sensitive bills on January 24, 2013, to be ratified by Commissioners Court on January 29, 2013.

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

- 26. Adjournment.**

Commissioners Court adjourned at 1:13 p.m. on Tuesday, January 15, 2013.