

## MINUTES

BE IT REMEMBERED, That on this 29th 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 1:01 p.m.

**2. Invocation and Pledge of Allegiance by Commissioner Patterson.**

Invocation and Pledge of Allegiance by Commissioner Patterson.

**3. Approve minutes of regular meeting held on January 15, 2013.**

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 January 15, 2013.

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

**4. Public Comments regarding the Agenda and Announcements.**

January Service Awards presented to county employees.

No public comments or announcements.

5. **PUBLIC HEARING: 1:00 p.m.: Conduct Public Hearing and take all appropriate action on the following matter:**

**Approval of replat: Sycamore Place Subdivision being a replat of Magnolia Place, Pct. 1.**

Public hearing held. No public comments.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve replat of Sycamore Place Subdivision being a replat of Magnolia Place, Pct. 1.

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. **Community Development:** Carol Borrego to Chicago, Illinois, April 12-18, 2013 to attend the American Planning Association 2013 National Planning Conference. (Fund: Community Development Block Grant)
  - B. **Public Transportation:** Oscar Estrada to Carlsbad, California, April 13-18, 2013, to attend 2013 Trapeze User Conference. (Fund: Public Transportation, Grants)
  - C. **Purchasing:** Gilbert Jalomo and Debbie Kaminski to Orlando, Florida, August 23-29, 2013, to attend the National Institute of Governmental Purchasing Annual Forum. (Fund: Purchasing, Travel)
  - D. **Sheriff's Office:** Ratify travel by R. Williamson and J. Delgado to Magnolia, Arkansas, January 22-23, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
7. **COMMISSIONER, PCT. 3:**
- Approve the appointment of Vickie Lynn Tonn and Rene' Lamb to the Fort Bend County Historical Commission, pursuant to Texas Local Government Code Sections 318.002-003, for a term of office effective through December 31, 2014.
8. **BUDGET & FINANCE/BUDGET TRANSFERS:**
- A. **434th District Court:** Approve transfer in the amount of \$1,340 as detailed on Judge's form dated January 23, 2013, to allocate funds for the purchase of an I-Pad and scanner.
  - B. **Auditor:** Approve transfer in the amount of \$1,384 from Office Supplies into Information Technology to allocate funds for the purchase of two replacement scanners and additional laptop batteries.

**Item 8 continued - Budget & Finance/Budget Transfers:**

- C. **Budget Office:** Approve transfer in the amount of \$1,103,753 as detailed on Budget Director's form dated January 24, 2013, to allocate funds for Law Enforcement Certification Pay that was not included in the FY 2013 budget.
  - D. **County Judge:** Approve transfer in the amount of \$645 from Property and Equipment into Capital Assets to allocate funds for upgrade of copier to include scanner capability.
  - E. **County Attorney:** Approve transfer in the amount of \$300 from Fees into Information Technology to allocate funds for purchase of replacement printer.
  - F. **Facilities Management & Planning:** Rescind approval of agenda item 10G on October 23, 2012, a transfer in the amount of \$92,434, due to error in account number.
  - G. **Facilities Management & Planning:** Approve transfer in the amount of \$76,748 as detailed on Budget Director's form dated January 22, 2013, to move two employees from Facilities Maintenance into Facilities Management & Planning.
  - H. **Library:** Approve transfer in the amount of \$24,987 from Information Technology into Capital Acquisitions to allocate funds into correct line item for the purchase of servers.
  - I. **Road & Bridge:** Approve transfer in the amount of \$97,630 as detailed on Budget Director's form dated January 23, 2013, pursuant to FY 2013 First Quarter salary audit.
  - J. **Sheriff's Office:** Approve transfer in the amount of \$1,235 from Sheriff, Forfeited Assets Federal, Fees into Capital Acquisitions to allocate funds to add one door to existing access control system.
9. **ENGINEERING:**
- A. Approve payment of Invoice No. 201207-114 (Pay Estimate No. 6 - Final) in the amount of \$141,670.33 to Durwood Greene Company regarding Harlem Road at US 90A, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
  - B. Approve payment of Invoice No. 047150 in the amount of \$21,746.88 to Paradigm Consultants, Inc. regarding improvements to Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)
  - C. Approve payment of Invoice No. 52315 (Final) in the amount of \$5,485.00 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #755, Precinct 2. (Fund: 2007 Mobility Bonds)
  - D. Approve payment of Invoice No. 779-001-12 in the amount of \$19,552.28 to TSC Engineering regarding improvements to West Bellfort Road, from SH 99 to Harlem Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)
  - E. Approve application from Harris Construction Company, LTD. to construct a driveway tie-in onto Wildwood Park Road, Precinct 1.
  - F. Approve application from Pro-Line Services, Inc. to bore under and bury a 1-inch water line on South Post Oak Blvd., Palm, Cleo, Jasmine, Emerald, and Sycamore, Precinct 1.

**Item 9 continued - Engineering:**

- G. Approve release of cashier's check #0038900362 in the amount of \$5,000.00 to Courtland Building Company, Inc. for completion of work on Lower Oxbow Trace, Permit #84253, Precinct 3.**
- H. Approve application from AT&T Texas to bore under and bury communication cable along Long Point Slough, Kingsford Trail Lane, Bellaire Blvd., and Mason Road, Precinct 3.**
- I. Approve application from AT&T Texas to bore under and bury fiber optic cable along Cottonwood School Road and Wehring Road, Precinct 1.**
- J. Approve application from CenterPoint Entex to bury a 4-inch plastic gas line along Binion Lane, Precinct 4.**
- K. Approve application from CenterPoint Entex to bore under and bury an 8-inch steel pipe gas line along Mason Road, Precinct 3.**
- L. Approve application from CenterPoint Entex to bore under and bury a 6-inch steel gas line along Keegans Bayou and Addicks Clodine Road, Precinct 3.**
- M. Approve application from Harris Construction Company, LTD to construct a driveway tie-in onto Beechnut Road, Precinct 3.**
- N. Approve the plat for Pecan Hill Lot 56B, Precinct 3.**
- O. Approve plat for the roads within Cinco Ranch Northwest, Section 5, Precinct 3.**
- P. Approve plat for the lots within Cinco Ranch Northwest, Section 5, Precinct 3.**
- Q. Approve plat for the roads within River Run at the Brazos, Section 3-A, Precinct 1.**
- R. Approve plat for the lots within River Run at the Brazos, Section 3-A, Precinct 1.**
- S. Accept the streets in Cinco Ranch Southwest, Section 37: Cinco Terrace Drive 589.91 LF; Natalie Bend Road 203.03 LF; Rebecca Meadow Falls Drive 782.06 LF; John Clyde Drive 212.37 LF; Ashley Hope Drive 748.98 LF; and Paul Oaks Drive 155.00 LF; for a total of 2,691.35 LF; and release bond #SB016000461 in the amount of \$210,490.00, Precinct 3.**
- T. Accept the streets in Cinco Ranch Southwest, Section 55: Radcliff Lake Drive 305.11 LF; Longleaf Valley Drive 1,610.82 LF; Eldarica Way 228.71 LF; Aristata Drive 322.77 LF; Montecola Pine Drive 273.04 LF; and Rochs Hill Court 243.62 LF; for a total of 2,984.07 LF; and release bond #SB016000404 in the amount of \$242,900.00, Precinct 3.**
- U. Accept the streets in Cinco Ranch Southwest, Section 56: St. Romain Drive 511.79 LF; Kessler Cove Lane 587.83 LF; Springfield Ridge Drive 667.02 LF; Pilibos Park Court 492.00 LF; Radcliff Lake Drive 555.69 LF; Pine Hills Drive 1,342.85 LF; Monticello Hill Drive 50.86 LF; and Latta Creek Drive 52.71 LF; for a total of 4,260.75 LF; and release bond #SB016000405 in the amount of \$334,250.00, Precinct 3.**

**Item 9 continued - Engineering:**

- V.      **Accept the streets in Cinco Ranch Southwest, Section 58: Radcliff Lake Drive 813.09 LF; Cedardale Pines Drive 851.61 LF; Latta Creek Drive 285.30 LF; and Valleyside Drive 405.17 LF; for a total of 2,355.17 LF; and release bond #SB16000456 in the amount of \$172,480.00, Precinct 3.**
- W.      **Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 37, Section 55, Section 56 and Section 58, Precinct 3. *(Tuesday, February 26, 2013, at 1:00 p.m.)***
- 10.      **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.      **Pay Application No. 17 from E E Reed Construction, LP in the amount of \$10,000.00 for Construction Services regarding University Branch Library in Sugar Land;**
  - B.      **Invoice No. 9 in the amount of \$1,671.33 to Bailey Architects for architectural services regarding the Courthouse Rehabilitation project;**
  - C.      **Invoice No. 5 in the amount of \$23,829.28 to Bailey Architects for Architectural Services regarding the Library Administration Building project.**
- 11.      **FORT BEND FLOOD CONTROL WATER SUPPLY CORPORATION: The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed these items at their regular meeting held on January 23, 2012, and makes the following recommendations to Commissioners Court:**
  - A.      **Approve proposal in the amount of \$6,196.00 for renewal of insurance policies for the Fort Bend Flood Control Water Supply Corporation with SIG/McDonald & Wessendorff Insurance for one year, effective February 12, 2013.**
  - B.      **Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated January 23, 2013 for an amount totaling \$20,901.50, for Big Creek. (Fund: Big Creek)**
- 12.      **FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the Authority) reviewed these items at their regular Board meeting held on January 16, 2013, and makes the following recommendations to Commissioners Court:**
  - A.      **Approve Joint Project Agreement for Toll System Implementation between Fort Bend County Toll Road Authority and Fort Bend Grand Parkway Toll Road Authority for Fort Bend Parkway, Segment B-1.**
  - B.      **Approval proposals by Fox & Bubela, Inc. for appraisal services for Fort Bend Parkway, Knight Road Outfall.**

13. **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 January 16, 2013, and makes the following recommendations to Commissioners Court:
  - A. Approve proposal by Fox & Bubela, Inc. for appraisal services regarding roadway improvements at Grand Parkway and FM 1093.
  - B. Approve Supplemental Agreement No. 1 to the Toll System Implementation Agreement between Fort Bend Grand Parkway Toll Road Authority and TransCore, LP.
  - C. Approve Joint Project Agreement for Toll System Implementation between Fort Bend Grand Parkway Toll Road Authority and Fort Bend County Toll Road Authority for Fort Bend Parkway, Segment B-1.
14. **HEALTH & HUMAN SERVICES:**

Emergency Medical Service: Approve renewal of Mutual Aid Agreement for Emergency Medical Services between Fort Bend County and the City of Pearland.
15. **HUMAN RESOURCES:**
  - A. Approve and record into Minutes the application for Appointment of Deputy Constable, Phillip W. Crowell, by Constable Precinct 3, in accordance with Constable's form dated January 29, 2013, pursuant to Local Government Code §86.011.
  - B. Approve requests for withdrawal of hours from the Shared Sick Leave Pool as follows: Employee of District Clerk's Office, Position #4501-0050 360 hours; Employee of District Clerk's Office, Position #4501-0030 148 hours; Employee of Risk Management, Position #4101-0001 8 hours; and Employee of Texas AgriLife Extension, Position #6651-0006 69 hours.
  - C. Approve reclassification of Position No. 5401-0068, in the Emergency Medical Service Department, from Paramedic I, Grade 9 of the Public Health Policy Group, to Paramedic II, Grade 10 of the Public Health Policy Group, effective February 2, 2013.
16. **PURCHASING:**
  - A. Authorize renewal of Bid 11-038, Term Contract for purchase of periodical subscriptions, with WT Cox Information Services.
  - B. Authorize renewal of Bid 11-035, Term Contract for HVAC repairs, with American Mechanical Services LLC.
  - C. Authorize renewal of Bid 11-040, Term Contract for purchase and printing of stationary, with Reflection Printing.
  - D. Authorize renewal of Bid 10-100, Term Contract for concrete curbs and gutters, with Durwood Greene Construction Company.
  - E. Authorize renewal of Bid 10-053, Term Contract for pavement marking on various roads, with Stripes and Stops Company, Inc.

**Item 16 continued - Purchasing:**

- F. Authorize renewal of Bid 09-068, Term Contract for fuel treatment program, with Certified Laboratories.**
- G. Authorize renewal of Bid 09-043, Term Contract for purchase and installation of carpet, with Gomez Floor Covering, Inc.**
- H. Authorize advertising for bids for mowing of pathways and tree trimming at various parks.**
- I. Authorize advertising for bids for the extension of Airport Avenue at FM 2218.**
- J. Authorize renewal of Bid 05-056, Term Contract for debris clearing, removal and disposal, and operation of temporary debris staging and reduction sites with Omni Pinnacle, LLC.**
- K. Authorize renewal of Bid 05-056, Term Contract for debris clearing, removal, and disposal, and operation of temporary debris staging and reduction sites, with TFR Enterprises, Inc.**
- L. Authorize renewal of Bid 05-056, Term Contract for debris clearing, removal, and disposal, and operation of temporary debris staging and reduction sites, with Crowder Gulf.**

**17. TAX ASSESSOR/COLLECTOR:**

- A. Record into Minutes the Summary Monthly Report of Property Taxes collected in December, 2012 as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
- B. Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 22, 2013, for an amount totaling \$25,325.88 for the Office of Patsy Schultz.**

**18. TREASURER:**

- A. Rescind Court's approval of Agenda Item 18 from Commissioners Court on January 15, 2013, due to error; 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.**
- B. Approve Monthly Report submitted by County Treasurer for December 2012, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.**

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Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 18.

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

**19. COMMISSIONER PCT 2:**

- A. Take all appropriate action on First Amendment to Agreement for Professional Energy Efficiency Technical Consulting Services between Fort Bend County and Lolalisa D. King d/b/a Architect for Life for an additional amount of \$48,700; total contract amount not to exceed \$355,518; and authorize transfer of additional funds from Commissioners Court Projects for completion of the Energy Efficiency Project.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to Agreement for Professional Energy Efficiency Technical Consulting Services between Fort Bend County and Lolalisa D. King d/b/a Architect for Life for an additional amount of \$48,700; total contract amount not to exceed \$355,518; and authorize transfer of additional funds from Commissioners Court Projects for completion of the Energy Efficiency Project.

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

- B. Take all appropriate action on request to transfer the amount of \$28,540 from Commissioners Court Projects into the Energy Efficiency Project to allocate additional funds for completion of the project.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$28,540 from Commissioners Court Projects into the Energy Efficiency Project to allocate additional funds for completion of the project.

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

**20. COMMISSIONER, PCT. 3:**

**Take all appropriate action on the Supplemental Interlocal Project Agreement between Fort Bend County and Willow Fork Drainage District in an amount not to exceed \$260,200 for Freedom Park Phase II Improvements.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve the Supplemental Interlocal Project Agreement between Fort Bend County and Willow Fork Drainage District in an amount not to exceed \$260,200 for Freedom Park Phase II Improvements.

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

**21. BUDGET OFFICE:**

**Take all appropriate action on request to transfer the amount of \$571,940 as detailed on Budget Director's form dated Jan. 24, 2013, pursuant to FY 2013 First Quarter salary audit.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$571,940 as detailed on Budget Director's form dated January 24, 2013, pursuant to FY 2013 First Quarter salary audit.

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

**22. BAIL BOND BOARD:**

**Take all appropriate action on request to transfer the amount of \$3,700 from Non-Departmental Contingency into Bail Bond Board salary line items, as detailed on Administrator's form dated January 29, 2013, to allocate funds for part-time assistance in the Bail Bond Office.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$3,700 from Non-Departmental Contingency into Bail Bond Board salary line items as detailed on Administrator's form dated Jan 29, 2013 to allocate funds for part-time assistance in Bail Bond Office.

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

**23. COMMUNITY DEVELOPMENT:**

**Take all appropriate action on Emergency Solutions Grant Program Agreement between Fort Bend County and Fort Bend County Women's Center, Inc. in the amount of \$37,216 to support the provision of essential services to homeless families and individuals for the period of January 1, 2013 through December 31, 2013. (Fund: Emergency Solutions Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Emergency Solutions Grant Program Agreement between Fort Bend County and Fort Bend County Women's Center, Inc. in the amount of \$37,216 to support the provision of essential services to homeless families and individuals for the period of January 1, 2013 through December 31, 2013. (Fund: Emergency Solutions Grant)

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

**24. CONSTABLE, PCT. 2:**

**Take all appropriate action on request to reimburse the amount of \$42.33 to Sharon Arnold for keys purchased without a purchase order. (Fund: Toll Road Law Enforcement Agreement, Operating Supplies)**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to reimburse the amount of \$42.33 to Sharon Arnold for keys purchased without a purchase order. (Fund: Toll Road Law Enforcement Agreement, Operating Supplies)

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

**25. CONSTABLE, PCT. 4:**

**Take all appropriate action on Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal Utility District No. 146, effective February 1, 2013 through September 30, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal Utility District No. 146, effective February 1, 2013 through September 30, 2013.

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

**26. ENGINEERING:**

- A. Take all appropriate action on the Standard Utility Agreement between Fort Bend County and CenterPoint Energy Texas Gas Operations in an amount not-to-exceed \$96,355.66 for the adjustment, removal and/or relocation of certain facilities for improvements to Golfview Drive from Ironwood Forest to Williams Way, Precinct 1. (Fund: Right of Way)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Standard Utility Agreement between Fort Bend County and CenterPoint Energy Texas Gas Operations in an amount not-to-exceed \$96,355.66 for the adjustment, removal and/or relocation of certain facilities for improvements to Golfview Drive from Ironwood Forest to Williams Way, Precinct 1. (Fund: Right of Way)

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

- B. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Durwood Greene Construction, to increase the scope of services in the amount of \$43,286.67 regarding construction of improvements to Harlem Road at US 90A, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 1 to the Agreement between Fort Bend County and Durwood Greene Construction, to increase the scope of services in the amount of \$43,286.67 regarding construction of improvements to Harlem Road at US 90A, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)

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

Note: This is the final payment to release retainage.

**27. FACILITIES MANAGEMENT & PLANNING:**

**Take all appropriate action on request to designate the 7.3 acre Archeological Reserve "B" identified in Plat No. 20070233 in the Fort Bend County Plat Records as the Mirabeau B. Lamar Homestead Park.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to designate the 7.3 acre Archeological Reserve "B" identified in Plat No. 20070233 in the Fort Bend County Plat Records as the Mirabeau B. Lamar Homestead Park.

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

**28. HEALTH & HUMAN SERVICES:**

**Emergency Medical Service: Take all appropriate action on participation in the Ambulance Supplemental Payment Program (ASPP) effective December 1, 2012.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to participate in the Ambulance Supplemental Payment Program (ASPP) effective December 1, 2012.

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

**29. HUMAN RESOURCES:**

- A. Take all appropriate action on request to reclassify Position Numbers 5031-0044 and 5031-0051, in the Information Technology Department, from Communications Specialist, Grade 10 of the Administrative Clerical Policy Group, to Network Engineer-Voice, Grade 12 of the Professional Management Policy Group, effective February 2, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reclassify Position Numbers 5031-0044 and 5031-0051, in the Information Technology Department, from Communications Specialist, Grade 10 of the Administrative Clerical Policy Group, to Network Engineer-Voice, Grade 12 of the Professional Management Policy Group, effective February 2, 2013.

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

- B. Take all appropriate action on request to create a new position, Fleet Manager, Grade 13 of the Professional Management Policy Group, in the Fleet Management Department, effective January 29, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to create a new position, Fleet Manager, Grade 13 of the Professional Management Policy Group, in the Fleet Management Department, effective January 29, 2013.

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

**Item 29 continued - Human Resources:**

- C. Take all appropriate action on request to eliminate Position Number 5601-0186, Captain, Grade 14 of the Law Enforcement Policy Group, in the Sheriff's Office, and add two new clerical positions, Administrative Assistant, Grade 8 of the Administrative Clerical Policy Group and Records Clerk, Grade 5 of the Administrative Clerical Policy Group, effective January 29, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to eliminate Position Number 5601-0186, Captain, Grade 14 of the Law Enforcement Policy Group, in the Sheriff's Office, and add two new clerical positions, Administrative Assistant, Grade 8 of the Administrative Clerical Policy Group and Records Clerk, Grade 5 of the Administrative Clerical Policy Group, effective January 29, 2013.

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

**30. JUSTICE OF THE PEACE, PCT. 4:**

**Take all appropriate action on request to pay by Invoice Transmittal the amount of \$185.00 to IES Systems, LLC for repairs to outdoor camera without a purchase order. (Fund: Courthouse Security, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to pay by Invoice Transmittal the amount of \$185.00 to IES Systems, LLC for repairs to outdoor camera without a purchase order. (Fund: Courthouse Security, Fees)

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

**31. OFFICE OF EMERGENCY MANAGEMENT:**

**A. Take all appropriate action on application for the Emergency Management Performance Grant.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve application for the Emergency Management Performance Grant.

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

**B. Take all appropriate action on Fort Bend County Multi Year Training and Exercise Plan (MTEP) for years 2013-2015.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Fort Bend County Multi Year Training and Exercise Plan (MTEP) for years 2013-2015.

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

**32. PARKS & RECREATION:**

**A. Take all appropriate action on request to pay by Invoice Transmittal the amount of \$97.50 to Jack's Lock & Safe for service provided without a purchase order. (Fund: Parks, Fees)**

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 \$97.50 to Jack's Lock & Safe for service provided without a purchase order. (Fund: Parks, Fees)

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

**Item 32 continued - Parks & Recreation:**

- B. Take all appropriate action on Application to the Texas Parks and Wildlife Department for grant funding in the amount of \$250,000 for development of an outdoor education and recreation camp at Bates Allen Park in Kendleton, Texas, with an in-kind match of twenty percent provided by Road & Bridge, and authorize County Judge to sign all documents pertaining to the Application.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve application to the Texas Parks and Wildlife Department for grant funding in the amount of \$250,000 for development of an outdoor education and recreation camp at Bates Allen Park in Kendleton, Texas, with an in-kind match of twenty percent provided by Road & Bridge, and authorize County Judge to sign all documents pertaining to the Application.

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

**33. PUBLIC TRANSPORTATION:**

**Take all appropriate action on request to pay by Invoice Transmittal the amount of \$82.11 to Ozarka for drinking water purchased without a purchase order. (Fund: Public Transportation, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to pay by Invoice Transmittal the amount of \$82.11 to Ozarka for drinking water purchased without a purchase order. (Fund: Public Transportation, Fees)

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

**34. PURCHASING:**

- A. Take all appropriate action on Fifth Amendment to Agreement between Fort Bend County and Fort Bend Regional Council on Substance Abuse, Inc., Inc. in the amount of \$84,000 for Tobacco Prevention and Control Programs, pursuant to RFP #08-052. (Fund: Tobacco Prevention & Control Grant)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the Fifth Amendment to Agreement between Fort Bend County and Fort Bend Regional Council on Substance Abuse, Inc., Inc. in the amount of \$84,000 for Tobacco Prevention and Control Programs, pursuant to RFP #08-052. (Fund: Tobacco Prevention & Control Grant)

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

- B. Take all appropriate action to authorize the purchase of vehicles for various offices and departments as listed by Purchasing Agent on summary dated January 29, 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 29, 2013, pursuant to Bid 13-020.

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

- C. Take all appropriate action on renewal of Agreement for Janitorial Services for the Justice Center between Fort Bend County and G & C Building Maintenance Services, Inc. in the amount of \$156,432 effective May 1, 2013. (Fund: Facilities)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve renewal of Agreement for Janitorial Services for the Justice Center between Fort Bend County and G & C Building Maintenance Services, Inc. in the amount of \$156,432 effective May 1, 2013. (Fund: Facilities)

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

**Item 34 continued - Purchasing:**

- D. Take all appropriate action on Seventh Amendment to Professional Engineering Services Agreement between Fort Bend County and Huitt-Zollars, Inc. regarding the expansion of Falcon Landing Blvd. in an amount not to exceed \$5,500, for a total Agreement amount not to exceed \$545,950; Mobility Bond Project #703B, Precinct 3. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve Seventh Amendment to Professional Engineering Services Agreement between Fort Bend County and Huitt-Zollars, Inc. regarding the expansion of Falcon Landing Blvd. in an amount not to exceed \$5,500, for a total Agreement amount not to exceed \$545,950; Mobility Bond Project #703B, Precinct 3. (Fund: 2007 Mobility Bonds)

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

- E. Take all appropriate action on Scope of Work and Network Service Agreement with Red Sky Technologies, Inc. for service regarding the Voice Over IP Upgrade from Datavox, Inc., approved by Commissioners Court on December 18, 2012.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Scope of Work and Network Service Agreement with Red Sky Technologies, Inc. for service regarding the Voice Over IP Upgrade from Datavox, Inc., approved by Commissioners Court on December 18, 2012.

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

**35. ROAD & BRIDGE - FLEET MANAGEMENT:**

- A. Take all appropriate action on request to transfer three vehicles from the Sheriff's Office to the Office of Constable, Pct. 2, specifically: Vehicle M108, a 2008 Ford Crown Victoria; Vehicle M097, a 2008 Ford Crown Victoria, and Vehicle N020, a 2009 Ford Crown Victoria.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer three vehicles from the Sheriff's Office to the Office of Constable, Pct. 2, specifically: Vehicle M108, a 2008 Ford Crown Victoria; Vehicle M097, a 2008 Ford Crown Victoria, and Vehicle N020, a 2009 Ford Crown Victoria.

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

- B. Take all appropriate action on request to transfer three vehicles from the Sheriff's Office to the Office of Constable, Pct. 4, specifically: Vehicle M140, a 2008 Ford Crown Victoria; Vehicle M111, a 2008 Ford Crown Victoria, and Vehicle N077, a 2009 Ford Crown Victoria.**

Moved by Commissioner Prestage Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer three vehicles from the Sheriff's Office to the Office of Constable, Pct. 4, specifically: Vehicle M140, a 2008 Ford Crown Victoria; Vehicle M111, a 2008 Ford Crown Victoria, and Vehicle N077, a 2009 Ford Crown Victoria.

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

**36. SHERIFF'S OFFICE:**

- A. Take all appropriate action on request to transfer the amount of \$85,582 from Non-Departmental Contingency into Sheriff, Detention, Repairs to Building, to allocate funds for completion of roof and building repairs, approved by Commissioners Court on August 7, 2012, but not completed until FY 2013.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$85,582 from Non-Departmental Contingency into Sheriff, Detention, Repairs to Building, to allocate funds for completion of roof and building repairs, approved by Commissioners Court on August 7, 2012, but not completed until FY 2013.

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

- B. Take all appropriate action on Organized Crime Drug Enforcement Task Forces (OCDETF) Agreement to accept grant funds in the amount of \$31,323.29 for the use of OCDETF strike force/strategic initiative program for the term of January 21, 2013 through September 30, 2013, to be administered by the Sheriff's Office, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Organized Crime Drug Enforcement Task Forces (OCDETF) Agreement to accept grant funds in the amount of \$31,323.29 for the use of OCDETF strike force/strategic initiative program for the term of January 21, 2013 through September 30, 2013, to be administered by the Sheriff's Office, with no cash match required by Fort Bend County.

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

**Item 36 continued - Sheriff's Office:**

- C. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding of the Truancy Abatement and Assistance Program, for the term of September 1, 2013 through August 31, 2014, for \$125,000 with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding of the Truancy Abatement and Assistance Program, for the term of September 1, 2013 through August 31, 2014, for \$125,000 with no cash match required by Fort Bend County.

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

- D. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Kids and Cops Program for the term of September 1, 2013 through August 31, 2014, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$125,000 for the Kids and Cops Program for the term of September 1, 2013 through August 31, 2014, with no cash match required by Fort Bend County.

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

**Item 36 continued - Sheriff's Office:**

- E. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funds in the amount of \$125,000 for a Gang Investigator for the term of September 1, 2013 through August 31, 2014, with no cash match required by Fort Bend County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution and Application to the Office of the Governor, Criminal Justice Division, for grant funds in the amount of \$125,000 for a Gang Investigator for the term of September 1, 2013 through August 31, 2014, with no cash match required by Fort Bend County.

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

- F. Take all appropriate action on request to pay by Invoice Transmittal an amount totaling \$2,521.75 to Sprint for upgrade to Motorola Photon cell phones without a purchase order. (Fund: Sheriff, Detention and Enforcement, Operating, Property and Equipment)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to pay by Invoice Transmittal an amount totaling \$2,521.75 to Sprint for upgrade to Motorola Photon cell phones without a purchase order. (Fund: Sheriff, Detention and Enforcement, Operating, Property and Equipment)

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

- G. Take all appropriate action on request to pay by Invoice Transmittal the amount of \$250.00 to The Jordan Team for CPR instruction received without a purchase order. (Fund: Sheriff, Enforcement, Travel)**

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 \$250.00 to The Jordan Team for CPR instruction received without a purchase order. (Fund: Sheriff, Enforcement, Travel)

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

**37. 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 \$13,597,324.34.

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

**38. Ratify the release of time sensitive bills by Auditor on January 24, 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to ratify the release of time sensitive bills by Auditor on January 24, 2013 in the amount of \$550,471.76.

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

**Recess:**

Recessed at 1:26 p.m.

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

- A. § 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.**
- 1. Cause No. 11-DCV-192887; Tamica Humphrey vs. Sherrie Gilbert Hester; In the 268th Judicial District Court of Fort Bend County, Texas.**
  - 2. Fort Bend County Risk Management File Number 3411P-116 / State Farm Mutual Automobile Insurance Company Claim Number 53-G622-720 (property damage subrogation lien claim vs. Sherrie Gilbert Hester re: loss dated March 4, 2011).**
- 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.**
- 1. Spur 10; Texas Department of Transportation 90/10 Reimbursement Project, Precinct 1.**
  - 2. Brand Lane, Precinct 2.**

**Closed Session:**

Convened at 1:38 p.m.  
Adjourned at 1:45 p.m.

**Reconvene:**

Reconvened at 1:47 p.m.

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

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

- 1. Cause No. 11-DCV-192887; Tamica Humphrey vs. Sherrie Gilbert Hester; In the 268th Judicial District Court of Fort Bend County, Texas.**
- 2. Fort Bend County Risk Management File Number 3411P-116 / State Farm Mutual Automobile Insurance Company Claim Number 53-G622-720 (property damage subrogation lien claim vs. Sherrie Gilbert Hester re: loss dated March 4, 2011).**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve and accept the proposal made by letter dated January 24, 2013 for the settlement of Fort Bend County's Worker's Compensation Subrogation Lien Claim against the personal injury claims asserted by Tamica Humphrey, arising from the accident on March 4, 2011 and also for the settlement of Fort Bend County's Property Damage Claim asserted against Sherrie Gilbert Hester (insured by State Farm Mutual Automobile Insurance Company), arising from the accident on March 4, 2011.

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

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

- 1. Spur 10; Texas Department of Transportation 90/10 Reimbursement Project, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 19 in the amount of \$33,407.00, Parcel 20A in the amount of \$65,000.00 and Parcel 43 in the amount of \$174,330.00 of the Spur 10 Mobility Project plus necessary costs not to exceed \$5,000.00 each with funds from Right of Way Fund and authorize the County Judge to execute all necessary documents.

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

**Item 40B continued - 551.072 Deliberation Regarding Real Property:**

**2. Brand Lane, Precinct 2.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 2 of the Brand Lane Mobility Project in the amount of \$3,795.00 plus necessary costs not to exceed \$5,000.00 with funds from Right of Way Fund and authorize the County Judge to execute all necessary documents.

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

**41. Adjournment.**

Commissioners Court adjourned at 1:50 p.m. on Tuesday, January 29, 2013.