

MINUTES

BE IT REMEMBERED, That on this 26th DAY of FEBRUARY, 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 Meyers.

Invocation and Pledge of Allegiance by Commissioner Meyers.

3. Approve minutes of regular meeting held on February 12, 2013.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on February 12, 2013.

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

4. Public Comments regarding the Agenda and Announcements.

February Service Awards presented to county employees.

Commissioner Morrison announced the passing of long time county resident Jack Wendt. Services are Thursday February 28. County flags are flying half staff in honor of Mr. Wendt.

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 Cinco Ranch Southwest, Section 37, Section 55, Section 56, and Section 58, Precinct 3.**
- B. Approval of replat: Autumn Leaves Cinco Ranch Subdivision, being a replat of a portion of Restricted Reserve "A", Block 1 of Redeemer Community Church, 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 item 5A and no action on 5B.

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

CONSENT AGENDA ITEMS 6 - 26

6. OUT OF STATE TRAVEL: Record into Minutes the out of state travel by Elected Official:

Sheriff's Office: Sheriff T. Nehls to Charlotte, North Carolina, June 22-25, 2013, to attend the 2013 National Sheriffs' Association Conference. (Fund: Sheriff, Enforcement, Travel)

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

- A. Commissioner, Pct. 2: Felecia Evans-Smith and Katie L. Herrington to Detroit, Michigan, May 15-19, 2013 to attend the National Organization of Black County Officials (NOBCO) Conference. (Fund: Commissioner Precinct 2, Travel)**
- B. District Attorney: Mike Hartman and Matthew Gray to Atlanta, Georgia, May 19-23, 2013, to attend 2013 National Law Enforcement Training program. (Fund: District Attorney, State Forfeited Assets)**
- C. Public Transportation: Amanda Salazar to Boise, Idaho, April 22-26, 2013, to attend training by the National Transit Institute. (Fund: Public Transportation, Grants)**
- D. Public Transportation: James Hoss to Seattle, Washington, May 20-24, 2013, to attend Bus Procurement Workshop by the National Transit Institute. (Fund: Public Transportation, Grants)**

Item 7 continued - Out of State Travel:

- E. **Sheriff's Office:** Ratify travel by J. Orlop to Lake Charles, Louisiana, February 13, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- F. **Sheriff's Office:** Ratify travel by R. Williamson and B. Marcus to Charlotte, North Carolina, February 19-20, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- G. **Sheriff's Office:** J. Hernandez and K. Barrett to Springfield, Missouri, February 26-27, 2013, to return prisoner back to Federal custody. (Fund: Sheriff, Enforcement, Travel)
- H. **Sheriff's Office:** S. Rader, M. Carter, W. Stark and K. Rader to Alexander, Louisiana, March 3-7, 2013, to attend training, Trauma in Law Enforcement. (Fund: Sheriff, Enforcement, Travel)
- I. **Sheriff's Office:** T. Goodfellow to Charlotte, North Carolina, June 22-25, 2013, to attend the 2013 National Sheriffs' Association Conference. (Fund: Sheriff, Enforcement, Travel)

8. COUNTY JUDGE:

- A. Approve the appointment of S. Qaisar Imam to represent Fort Bend County on the Board of Directors for Greater 288 Partnership for an undefined term or until a successor is named.
- B. Record into Minutes the Public Official Bond for John Steffes as Treasurer for the Fort Bend County Emergency Services District No. 1 effective through February 11, 2014.
- C. Approve annual payment to Harris County Treasurer in the amount of \$77,088.00 for Fort Bend County's proportionate share of the total expenses of the 1st and 14th Appellate Courts for fiscal year ending February 29, 2012, pursuant to Section 22.202 of the Government Code. (Fund: Non-Departmental, Fees)

9. COMMISSIONER, PCT. 1:

- A. Approve Interlocal Project Agreement between Fort Bend County and Needville Independent School District to provide assistance with the construction of a parking area at the Agriculture Facility on the High School Campus, County expenditure not to exceed \$5,920. (Fund: Road & Bridge)
- B. Approve Interlocal Project Agreement between Fort Bend County and the Town of Thompsons to provide assistance with drainage improvements on Blidel Road, County expenditure not to exceed \$900. (Fund: Road & Bridge)

10. COMMISSIONER, PCT. 3:

Approve the re-appointment of Commissioners Greg Nady and Hank Wenzler to Fort Bend County Emergency Services District No. 1 for the term beginning January 1, 2013 through December 31, 2014.

11. AUDITOR:

Accept Monthly Financial Report prepared by the County Auditor for one month ending October 31, 2012 pursuant to Local Government Code Section 114.023.

12. BUDGET & FINANCE:

A. Approve the Quarterly County Investment Report for the First Quarter of Fiscal Year 2013 in accordance with Texas Government Code §2256.023.

B. BUDGET TRANSFERS

- 1. Facilities Management & Planning: Approve transfer in the amount of \$55 from Repairs and Maintenance into Information Technology to allocate funds for purchase of replacement keyboard.**
- 2. Parks Department: Approve transfer in the amount of \$3,500 from Repairs and Maintenance into Information Technology to allocate funds for the purchase of computer equipment for remote staffing area for supervisor.**
- 3. Purchasing: Approve transfer in the amount of \$72 from Office Supplies into Information Technology to allocate funds into correct line item for purchase of computer related equipment and supplies.**
- 4. Road & Bridge: Approve transfer in the amount of \$230,000 as detailed on Auditor's form dated February 21, 2013 to allocate funds for environmental and preliminary engineering services for the Crabb River Road Expansion Project.**
- 5. Sheriff's Office: Approve transfer in the amount of \$190,048 as detailed on Auditor's form dated February 20, 2013, to amend the budget pursuant to Local Government Code Section 111.0707 and allocate revenue received from State Forfeited Assets into Sheriff's Office budget.**
- 6. Sheriff's Office: Approve transfer in the amount of \$43,744 as detailed on Auditor's form dated February 20, 2013 to amend the budget pursuant to Local Government Code Section 111.0707 and allocate State Task Forfeiture funds received into Sheriff's budget.**
- 7. Sheriff's Office: Approve transfer in the amount of \$33,995 as detailed on Sheriff's form dated February 14, 2013, to reallocate funds within the Enforcement budget for various operational items.**

13. AGRI LIFE EXTENSION OFFICE:

Approve renewal of Memorandum of Agreement between Fort Bend County and Texas A&M AgriLife Extension Service for supplemental pay to Extension Office Agents for the term of October 1, 2012 through September 30, 2013.

14. CONSTABLE, PCT. 1:

Approve Agreement between Fort Bend County and Texas Department of Public Safety for use of Crime Records Services, National Data Exchange User/Equipment, at no cost to the County.

15. CONSTABLE, PCT. 2:

Record into Minutes the 2012 Racial Profiling Report, Tier 2, for the Office of Constable, Pct. 2, pursuant to Code of Criminal Procedure, Articles 2.131-2.138.

16. CONSTABLE, PCT. 3:

Record into Minutes the 2012 Racial Profiling Report, Tier 2, for the Office of Constable, Pct. 3, pursuant to Code of Criminal Procedure, Articles 2.131-2.138.

17. DISTRICT ATTORNEY:

Approve bi-weekly salary supplement in the amount of \$95.79 for Position No. 4801-0072 in the Office of District Attorney effective February 26, 2013. (Fund: District Attorney, State Asset Forfeiture Account)

18. ENGINEERING:

- A. Approve payment of Invoice No. 779-001-13 in the amount of \$1,999.36 to TSC Engineering regarding improvements to West Bellfort Road, Phase B, from SH 99 to Harlem Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 047208 in the amount of \$2,615.00 to Paradigm Consultants, Inc. regarding improvements to Mason Road, Phase I, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 62 in the amount of \$12,355.00 to Schaumburg & Polk, Inc. regarding Administrative Support for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 21208 in the amount of \$700.00 to Geotest Engineering, Inc. regarding Falcon Landing Boulevard road extension, Phase 2, Mobility Bond Project #703 (B), Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 21209 in the amount of \$3,570.00 to Geotest Engineering, Inc. regarding Falcon Landing Boulevard, Phase 4, from Spring Green to Gaston Road, Mobility Bond Project # 703(D), Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 20121435 in the amount of \$1,101.85 to TEDSI Infrastructure Group regarding Falcon Landing Boulevard, Phase 4 at Gaston Road for traffic signal design, Mobility Bond Project #703(D), Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve payment of Invoice No. 4166 in the amount of \$19,053.75 to Property Acquisition Services, Inc. (PAS) for various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- H. Approve payment of Invoice No. 13-1-000022 in the amount of \$16,036.68 to Associated Testing Laboratories, Inc. regarding Burney Road, Phase I, from Old Richmond to Voss Road, Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- I. Approve application from U.S. Builders, L.P. to construct a driveway and a left turn lane unto West Bellfort, Precinct 4.**

Item 18 continued - Engineering:

- J. Approve application from Liftwater Construction, Inc. to bore under Meadow Ranch Parkway, Precinct 3.**
- K. Approve application from Dan L. Harris/Sprint Sand and Clay, LLC to construct and add on to an existing driveway on Old Richmond Road, Precinct 4.**
- L. Approve application from Denbury Resources / Alcott, Inc. dba TCH to bore under Thompson Oilfield Road, Precinct 1.**
- M. Approve application from Devon Street Homes to construct a driveway tie-in onto Persimmon Pass, Precinct 3.**
- N. Approve application from Tejas Underground Utilities, LLC to bore an 8-inch sanitary sewer line under Grand Corner Drive, Precinct 3.**
- O. Approve release of Performance Bond # 105100313 in the amount of \$5,000.00 to BOPCO, L.P. for completion of work on Dry Creek and Smithers Lake, Permit # 82474, Precinct 1.**
- P. Approve the plat for LNB Sugar Land Replat No. 1, Precinct 4.**
- Q. Approve the plat for Goddard School Subdivision, Precinct 3.**
- R. Approve plat for the roads within Lakes of Bella Terra, Section 23, Precinct 3.**
- S. Approve plat for the lots within Lakes of Bella Terra, Section 23, Precinct 3.**
- T. Approve plat for the roads within Lakes of Bella Terra, Section 24, Precinct 3.**
- U. Approve plat for the lots within Lakes of Bella Terra, Section 24, Precinct 3.**
- V. Approve plat for the roads within Firethorne, Section 26, Precinct 3.**
- W. Approve plat for the lots within Firethorne, Section 26, Precinct 3.**
- X. Approve plat for roads within Grand Mission Estates, Section 11, Precinct 3.**
- Y. Approve plat for the lots within Grand Mission Estates, Section 11, Precinct 3.**
- Z. Set public hearing for replat of Auburn Manor at Riverstone, Section 2, being a replat of Restricted Reserve "A" of Lake Riverstone Drive plat, Precinct 4. *(Tuesday, April 2, 2013, at 1:00 p.m.)***
- AA. Set public hearing for River Forest Replat No. 2, being a replat of River Forest-Replat No. 1, Precinct 1. *(Tuesday, April 2, 2013, at 1:00 p.m.)***
- BB. Set public hearing for the street name change in the Avalon at Pine Mill Ranch Development from Nottingham Bluff Lane to Nottingham Bluff Lane, within the Avalon at Pine Mill Ranch, Section 1 plat, FBC plat records instrument #20120188, Precinct 3. *(Tuesday, March 26, 2013, at 1:00 p.m.)***

19. **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. 1 (pre-construction), Pay Application No. 1 and Pay Application No. 2 for an amount totaling \$158,510.00 to JE Dunn for construction services regarding the Senior Citizens Center;
 - B. Pay Application No. 4 in the amount of \$132,615.44 to Phoenix 1 Restoration and Construction, Ltd., for construction services regarding the Courthouse Restoration project;
 - C. Invoice No. 7 in the amount of \$24,142.77 to Bailey Architects for architectural services regarding the Library Administration Building project;
 - D. Invoice No. 10 in the amount of \$4,227.35 to Bailey Architects for architectural services regarding the Courthouse Restoration project.
20. **HEALTH & HUMAN SERVICES:**
- Social Services: Approve renewal of Vendor Agreement between Fort Bend County and Green Mountain Energy Company to participate in the Bill Payment Assistance Program from January 1, 2013 through December 31, 2013.
21. **HUMAN RESOURCES:**
- Approve request for withdrawal of 88 hours from the Shared Sick Leave Pool for employee of Road & Bridge, Position #6111-0063.
22. **PURCHASING:**
- A. Authorize advertising for requests for proposals for inmate medical program.
 - B. Authorize advertising for proposals for Phase II Technology Upgrade to Sheriff's Office Emergency Operations Center.
 - C. Authorize advertising for requests for proposals for inmate phone system.
 - D. Approve renewal of phone system maintenance and upgrade for the County Libraries from WalkerCom Inc. utilizing Department of Information Resources Contract DIR-SDD-1499, for an amount not to exceed \$26,207.10. (Fund: Library Fees)
23. **ROAD & BRIDGE:**
- Approve payment of Invoice No. 20121410 in the amount of \$10,796.50 to TEDSI Infrastructure Group for work done on the design of traffic signals at the intersections of Cinco Ranch Blvd at Cinco Crossing; Greatwood Parkway at Sansbury Blvd.; Fry Road at Cinco Crossing; and Cinco Ranch Blvd. at Katy Gaston Road. (Fund: Road & Bridge, Traffic Signals)

24. SHERIFF'S OFFICE:

Record into Minutes the appointment of Stephen Brady by Sheriff Troy E. Nehls to serve as a member of the Civil Service Commission to administer the Fort Bend County Sheriff's Department (Office) Civil Service System, pursuant to Texas Local Government Code Sec. 158.034, for a two-year term commencing February 15, 2013.

25. TAX ASSESSOR/COLLECTOR:

- A. Record into Minutes the Summary Monthly Report of Property Taxes Collected in January, 2013, 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 February 19, 2013, for an amount totaling \$30,825.33 for the Office of Patsy Schultz.**

26. TREASURER:

Approve Monthly Report submitted by County Treasurer for January 2013, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 26.

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

27. COUNTY JUDGE:

- A. Take all appropriate action on request to adopt a Resolution Approving Petition for an Emergency Services District Seeking to Create Fort Bend County Emergency Services District No. 6, in Precinct 1; as authorized in Texas Health and Safety Code Sec. 775.017.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to adopt a Resolution Approving Petition for an Emergency Services District Seeking to Create Fort Bend County Emergency Services District No. 6, in Precinct 1; as authorized in Texas Health and Safety Code Sec. 775.017.

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

Michelle Rangel, Assistant County Attorney, discussed the statute affecting the creation.

Howard Katz, representing the petitioners, addressed questions by court members regarding the election results.

John Oldham, Elections Administrator, discussed the election precincts.

- B. Take all appropriate action as authorized in Texas Health and Safety Code Sec. 775.018 to order an election to confirm the creation of Fort Bend County Emergency Services District No. 6, in Precinct 1 and authorize the imposition of a tax not to exceed the rate allowed by Section 48-e, Article III, Texas Constitution.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize as per Texas Health and Safety Code Sec. 775.018 to order an election to confirm the creation of Fort Bend County Emergency Services District No. 6, in Precinct 1 and authorize the imposition of a tax not to exceed the rate allowed by Section 48-e, Article III, Texas Constitution.

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

Item 27 continued - County Judge:

- C. Take all appropriate action on the Guidelines and Criteria for Granting Tax Abatement Agreements in Reinvestment Zones in Fort Bend County, pursuant to Section 312.002 of the Texas Property Tax Code.**

Moved by Commissioner Patterson Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Guidelines and Criteria as currently exists for Granting Tax Abatement Agreements in Reinvestment Zones in Fort Bend County, pursuant to Section 312.002 of the Texas Property Tax Code.

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

- D. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County and Texas Instruments Incorporated.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the Tax Abatement Agreement between Fort Bend County and Texas Instruments Incorporated.

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

- E. Take all appropriate action on Agreement for Direct Services for the Prevention of Family Violence or Abuse/Neglect of a Child between Fort Bend County and the Fort Bend County Women's Center pursuant to Section 51.961 of the Texas Government Code in the amount of \$148,800 for services through December 31, 2013. (Fund: Family Protection Fund)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Direct Services for the Prevention of Family Violence or Abuse/Neglect of a Child between Fort Bend County and the Fort Bend County Women's Center pursuant to Section 51.961 of the Texas Government Code in the amount of \$148,800 for services through December 31, 2013. (Fund: Family Protection Fund)

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

Item 27 continued - County Judge:

- F. Take all appropriate action on Agreement for Direct Services for the Prevention of Family Violence or Abuse/Neglect of a Child between Fort Bend County and the Fort Bend Child Advocates pursuant to Section 51.961 of the Texas Government Code in the amount of \$148,800 for services through December 31, 2013. (Fund: Family Protection Fund)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement for Direct Services for the Prevention of Family Violence or Abuse/Neglect of a Child between Fort Bend County and the Fort Bend Child Advocates pursuant to Section 51.961 of the Texas Government Code in the amount of \$148,800 for services through December 31, 2013. (Fund: Family Protection Fund)

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

28. COMMISSIONER, PCT. 1:

- A. Take all appropriate action to accept a certain two tracts of land, being 0.338 and 0.386 of an acre near the Travis Building, conveyed by Special Warranty Deed from the City of Richmond, Texas, Precinct 1, in exchange for a certain parcel being conveyed to the City of Richmond by Fort Bend County by deed of the same date.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to accept a certain two tracts of land, being 0.338 and 0.386 of an acre near the Travis Building, conveyed by Special Warranty Deed from the City of Richmond, Texas, Precinct 1, in exchange for a certain parcel being conveyed to the City of Richmond by Fort Bend County by deed of the same date.

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

Item 28 continued - Commissioner Pct. 1:

- B. Take all appropriate action on Special Warranty Deed conveying a certain 0.904 acre tract of land near the Travis Building to the City of Richmond, Texas, Precinct 1; and relinquish all easement rights referenced in said deed as additional consideration for property being conveyed to Fort Bend County by the City of Richmond by deed of the same date.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Special Warranty Deed conveying a certain 0.904 acre tract of land near the Travis Building to the City of Richmond, Texas, Precinct 1; and relinquish all easement rights referenced in said deed as additional consideration for property being conveyed to Fort Bend County by the City of Richmond by deed of the same date.

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

29. CONSTABLE, PCT. 1

Take all appropriate action on request to transfer the amount of \$77,629 from Non-Departmental Contingency into Fleet Management to allocate funds for the purchase of two Tahoe vehicles plus equipment to replace vehicles J053 and M067.

Pulled.

30. DISTRICT ATTORNEY:

- A. Take all appropriate action on Grant Application and Resolution to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$79,625 for the Violence Against Women Prosecutor program for FY 2014, with a cash match by the County in the amount of \$47,624, for a total program budget of \$126,889. (Fund: District Attorney)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Grant Application and Resolution to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$79,625 for the Violence Against Women Prosecutor program for FY 2014, with a cash match by the County in the amount of \$47,624, for a total program budget of \$126,889. (Fund: District Attorney)

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

Item 30 continued - District Attorney:

- B. Take all appropriate action on Grant Application and Resolution to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$47,000 for the Violence Against Women Investigator program for FY 2014, with a cash match by the County in the amount of \$34,975, for a total program budget of \$81,975. (Fund: District Attorney)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Grant Application and Resolution to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$47,000 for the Violence Against Women Investigator program for FY 2014, with a cash match by the County in the amount of \$34,975, for a total program budget of \$81,975. (Fund: District Attorney)

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

31. ENGINEERING:

- A. Take all appropriate action on Easement from Fort Bend County to Fort Bend County Drainage District for a certain 2.140 acre tract of land for regional detention for Golfview Drive Project and, record same in the Official Public Records of Fort Bend County, Texas, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Easement from Fort Bend County to Fort Bend County Drainage District for a certain 2.140 acre tract of land for regional detention for Golfview Drive Project and, record same in the Official Public Records of Fort Bend County, Texas, Precinct 1.

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

Item 31 continued - Engineering:

- B. Take all appropriate action of dedication of Public Easement by Fort Bend County for a certain 0.323, 0.037 and 0.166 acre tracts of land for Golfview Drive Project and, record same in the Official Public Records of 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 dedication of Public Easement by Fort Bend County for a certain 0.323, 0.037 and 0.166 acre tracts of land for Golfview Drive Project and, record same in the Official Public Records of Fort Bend County, Texas, Precinct 1.

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

- C. Take all appropriate action on Easement from Fort Bend County to CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations for Golfview Drive Project and, record same in the Official Public Records of 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 Easement from Fort Bend County to CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations for Golfview Drive Project and, record same in the Official Public Records of Fort Bend County, Texas, Precinct 1.

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

- D. Take all appropriate action on the request from City of Houston for Major Thoroughfare Project updates and approve the Amendment Application for Cane Island (from FM 1463 to IH 10) to submit to the City of Houston, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request from City of Houston for Major Thoroughfare Project updates and approve the Amendment Application for Cane Island (from FM 1463 to IH 10) to submit to the City of Houston, Precinct 3.

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

Item 31 continued - Engineering:

- E. Take all appropriate action on request by Enrique Nava for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 I, to divide a 5.00 acre tract (Tract 12B) out of a called 10.00 acre tract (Lot 12), situated in Minnequa Garden Subdivision, in the I. & G.N.R. Co. Survey, Section 1, Abstract 352, recorded in official deed records of Fort Bend County, Instrument #2000106083, and conveyance instrument #2013008355 to Enrique Nava, Fort Bend County, Texas, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by Enrique Nava for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 I, to divide a 5.00 acre tract (Tract 12B) out of a called 10.00 acre tract (Lot 12), situated in Minnequa Garden Subdivision, in the I. & G.N.R. Co. Survey, Section 1, Abstract 352, recorded in official deed records of Fort Bend County, Instrument #2000106083, and conveyance instrument #2013008355 to Enrique Nava, Fort Bend County, Texas, Precinct 1.

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

- F. Take all appropriate action on Change Order No. 2 to the Agreement between Fort Bend County and Mar-Con Services, to decrease the amount of contract by \$47,923.10 regarding the widening of West Bellfort Road, Phase A, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Change Order No. 2 to the Agreement between Fort Bend County and Mar-Con Services, to decrease the amount of contract by \$47,923.10 regarding the widening of West Bellfort Road, Phase A, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)

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

Item 31 continued - Engineering:

- G. Take all appropriate action to authorize submission of an online application to the Coca-Cola/Keep America Beautiful Recycling Bin Grant Program to receive recycling bins for use at County facilities for implementation of an aluminum, glass and plastic container recycling program.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize submission of an online application to the Coca-Cola/Keep America Beautiful Recycling Bin Grant Program to receive recycling bins for use at County facilities for implementation of an aluminum, glass and plastic container recycling program.

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

32. HEALTH & HUMAN SERVICES:

Clinical Health: Take all appropriate action on request for variance to the Fort Bend County Fuel Card Policy, and authorize payment by Invoice Transmittal in the amount of \$18.83 to Comdata for fuel purchased without a purchase order. (Fund: Clinical Health)

Moved by Commissioner Meyers Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to grant a variance to the Fort Bend County Fuel Card Policy, and authorize payment by Invoice Transmittal in the amount of \$18.83 to Comdata for fuel purchased without a purchase order. (Fund: Clinical Health)

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

33. HUMAN RESOURCES:

- A. Take all appropriate action on request to reclassify vacant Position Numbers 5601-0415 and 5601-0648, in the Sheriff's Office, from Telecommunications Officer II, Grade 11 of the Administrative Clerical Policy Group to Telecommunications Officer I, Grade 9 of the Administrative Clerical Policy Group, effective February 26, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position Numbers 5601-0415 and 5601-0648, in the Sheriff's Office, from Telecommunications Officer II, Grade 11 of the Administrative Clerical Policy Group to Telecommunications Officer I, Grade 9 of the Administrative Clerical Policy Group, effective February 26, 2013.

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

- B. Take all appropriate action on request to reclassify vacant Position Number 5601-0783 in the Sheriff's Office, from TCO Trainee, Grade 4 of the Administrative Clerical Policy Group to Telecommunications Officer I, Grade 9 of the Administrative Clerical Policy Group, effective February 26, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position Number 5601-0783 in the Sheriff's Office, from TCO Trainee, Grade 4 of the Administrative Clerical Policy Group to Telecommunications Officer I, Grade 9 of the Administrative Clerical Policy Group, effective February 26, 2013.

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

Item 33 continued - Human Resources:

- C. **Take all appropriate action on request to reclassify vacant Position Numbers 5601-0774, 5601-0775 and 5601-0776, in the Sheriff's Office from Jail Trainee, Grade 4 of the Administrative Clerical Policy Group to Detention Officer-Civilian II, Grade 8 of the Civilian Detention Policy Group, effective February 26, 2013.**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to reclassify vacant Position Numbers 5601-0774, 5601-0775 and 5601-0776, in the Sheriff's Office from Jail Trainee, Grade 4 of the Administrative Clerical Policy Group to Detention Officer-Civilian II, Grade 8 of the Civilian Detention Policy Group, effective February 26, 2013.

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

34. LIBRARY:

Take all appropriate action on request to transfer the amount of \$27,542 from Non-Departmental Contingency into Library, Repairs/Maintenance to allocate funds for chiller compressor replacement equipment needed at the George Memorial branch.

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$27,542 from Non-Departmental Contingency into Library, Repairs/Maintenance to allocate funds for chiller compressor replacement equipment needed at the George Memorial branch.

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

35. OFFICE OF EMERGENCY MANAGEMENT:

- A. Take all appropriate action on Property Transfer Record Agreement between Fort Bend County and City of Missouri City to transfer a cargo trailer purchased as part of the Homeland Security Grant Program to the City of Missouri City Fire Department.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Property Transfer Record Agreement between Fort Bend County and City of Missouri City to transfer a cargo trailer purchased as part of the Homeland Security Grant Program to the City of Missouri City Fire Department.

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

- B. Take all appropriate action on Property Transfer Record Agreement between Fort Bend County and Harris County to transfer a laptop computer purchased as part of the Homeland Security Grant Program to Harris County.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Property Transfer Record Agreement between Fort Bend County and Harris County to transfer a laptop computer purchased as part of the Homeland Security Grant Program to Harris County.

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

36. PURCHASING:

- A. Take all appropriate action to authorize the expenditure of \$52,000 for radio system maintenance utilizing the Harris County Radio Services Agreement. (Fund: Sheriff's Office, Fees)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the expenditure of \$52,000 for radio system maintenance utilizing the Harris County Radio Services Agreement. (Fund: Sheriff's Office, Fees)

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

Item 36 continued - Purchasing:

- B. Take all appropriate action to purchase vehicle equipment from Fleet Safety Equipment, Inc. utilizing Buy Board Agreement 363-10, in an amount not to exceed \$113,000. (Fund: Fleet Management)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to purchase vehicle equipment from Fleet Safety Equipment, Inc. utilizing Buy Board Agreement 363-10, in an amount not to exceed \$113,000. (Fund: Fleet Management)

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

- C. Take all appropriate action on renewal of help desk software licensing with SHI utilizing BuyBoard Contract 331-09 in an amount not to exceed \$9,193. (Fund: Information Technology and Library)**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve renewal of help desk software licensing with SHI utilizing BuyBoard Contract 331-09 in an amount not to exceed \$9,193. (Fund: Information Technology and Library)

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

Item 36 continued - Purchasing:

- D. Take all appropriate action on the Professional Environmental and Preliminary Engineering Services Agreement between Fort Bend County and IDC, Inc., in an amount not-to-exceed \$280,007.42 for improvements to Crabb River Road. (Fund: Road & Bridge, Crabb River Road Expansion Project)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve the Professional Environmental and Preliminary Engineering Services Agreement between Fort Bend County and IDC, Inc., in an amount not-to-exceed \$280,007.42 for improvements to Crabb River Road. (Fund: Road & Bridge, Crabb River Road Expansion Project)

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

Commissioner Morrison thanked the Engineering Department, IDC and Klotz Associates for their help on this project.

- E. Take all appropriate action on Agreement between Fort Bend County and Percheron Field Services, LLC, in amount not to exceed \$158,500 for professional property acquisition services for FM 1093 Westpark Extension project. (Fund: General Fund)**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Percheron Field Services, LLC, in amount not to exceed \$158,500 for professional property acquisition services for FM 1093 Westpark Extension project. (Fund: General Fund)

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

Item 36 continued - Purchasing:

- F. Take all appropriate action on Agreement between Fort Bend County and Science Applications International Corporation in an amount not to exceed \$116,211 to provide terrorism incident exercise, pursuant to RFP 13-018. (Fund: Office of Emergency Management, UASI Homeland Security Grant)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Science Applications International Corporation in an amount not to exceed \$116,211 to provide terrorism incident exercise, pursuant to RFP 13-018. (Fund: Office of Emergency Management, UASI Homeland Security Grant)

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

- G. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item from only one source, for repairs parts for Naztec signal components from Naztec, Inc. ATMS Solutions.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Govt Code §262.024 (a)(7) for the purchase of an item from only one source, for repairs parts for Naztec signal components from Naztec, Inc. ATMS Solutions.

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

- H. Take all appropriate action on Dell Department of Information Resources Agreement #DIR-SDD-1014 for Year 3 of 3 project to migrate to Microsoft Outlook Software in an amount not to exceed \$63,140. (Fund: Capital Improvement Project)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Dell Department of Information Resources Agreement #DIR-SDD-1014 for Year 3 of 3 project to migrate to Microsoft Outlook Software in an amount not to exceed \$63,140. (Fund: Capital Improvement Project)

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

Item 36 continued - Purchasing:

I. Take all appropriate action on Agreement between Fort Bend County and Lowery Transit Consultant, LLC in an amount not to exceed \$300,000 for financial planning services for Public Transportation, pursuant to RFP 13-021. (Fund: Public Transportation, Grants)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Lowery Transit Consultant, LLC in an amount not to exceed \$300,000 for financial planning services for Public Transportation, pursuant to RFP 13-021. (Fund: Public Transportation, Grants)

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

J. Take all appropriate action on Work Authorization No. 1 to Lowery Transit Services, LLC. regarding financial planning services for Public Transportation. (Fund: Public Transportation, Grants)

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Work Authorization No. 1 to Lowery Transit Services, LLC. regarding financial planning services for Public Transportation. (Fund: Public Transportation, Grants)

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

K. Take all appropriate action on Agreement between Fort Bend County and Nancy R. Edmonson Transportation Consulting in the amount of \$300,000 for financial planning services for Public Transportation, pursuant to RFP 13-021. (Fund: Public Transp., Grants)

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 Nancy R. Edmonson Transportation Consulting in the amount of \$300,000 for financial planning services for Public Transportation, pursuant to RFP 13-021. (Fund: Public Transportation, Grants)

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

Note: This is a five year agreement.

Item 36 continued - Purchasing:

L. Take all appropriate action on Bid 13-028 for a Septic System for Kitty Hollow Park.

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to award Bid 13-028 for a Septic System for Kitty Hollow Park to Brown Aerobic Service Company for \$48,000.00.

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

M. Take all appropriate action to award Bid 13-025 for vehicles and authorize the purchase of one (1) van for the Sheriff's Office, two (2) ambulance cab and chassis for Emergency Medical Service, and one (1) Tahoe for Constable Pct. 2, all replacements to fleet. (Fund: Fleet Management)

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid 13-025 for vehicles and authorize the purchase of one (1) van for the Sheriff's Office from Helfman Ford, two (2) ambulance cab and chassis for Emergency Medical Service from Helfman Dodge, and one (1) Tahoe for Constable Pct. 2 from Caldwell Country Chevrolet, all replacements to fleet. (Fund: Fleet Management)

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

Note: Bid 13-025 for Ford Police Inceptor is awarded to Helfman Ford, but not purchased at this time.

N. Take all appropriate action on Bid 13-024, a Term Contract for mowing pathways and tree trimming for Cinco Ranch Trail System.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to award Bid 13-024, a Term Contract for mowing pathways and tree trimming for Cinco Ranch Trail System to Bio Landscape & Maintenance.

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

37. SHERIFF'S OFFICE:

- A. Take all appropriate action on Grant Agreement to accept funds from the Office of the National Drug Council Policy for the High Intensity Drug Trafficking Area (HIDTA) program in the amount of \$214,013 to be administered by the Sheriff's Office, with no cash match required by Fort Bend County.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Grant Agreement to accept funds from the Office of the National Drug Council Policy for the High Intensity Drug Trafficking Area (HIDTA) program in the amount of \$214,013 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

- B. Take all appropriate action on Organized Crime Drug Enforcement Task Forces (OCDETF) Agreement to accept grant funds in the amount of \$4,499.25 for use of the OCDETF Strike Force/Strategic Initiative Programs from February 11, 2013 through September 30, 2013, with no cash match required by Fort Bend County.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

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 \$4,499.25 for use of the OCDETF Strike Force/Strategic Initiative Programs from February 11, 2013 through September 30, 2013, with no cash match required by Fort Bend County.

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

38. 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 \$5,622,841.84.

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

39. Ratify the release of time sensitive bills by Auditor on February 21, 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 February 21, 2013 in the amount of \$766,094.78.

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

Recess:

Recessed at 1:37 p.m.

40. 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. 12-DCV-202469; John Font v. The Fort Bend County Sheriff's Office Civil Service Commission; In the 434th Judicial District Court of Fort Bend County, Texas.**
 - 2. Patsy Schultz, CPA Hearing No. 103,241.**
 - 3. Medical Subrogation Lien Claim: Deleon, Efrain Jr.; Date of Incident: October 21, 2011.**
 - 4. Civil Action No. 4:12-CV-01073; Yvonne Grovey vs Milton Wright, Fort Bend County Sheriff; In the United States District Court for the Southern District of Texas, Houston Division.**
 - 5. Potential Litigation: Koonce, Stephen Foster.**
- B. § 551.072. Deliberation Regarding Real Property. Commissioners Court will meet in Closed Session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

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

Closed Session:

Convened at 1:51 p.m.
Adjourned at 2:33 p.m.

Reconvene:

Reconvened at 2:35 p.m.

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

A. § 551.071. Consultation With Attorney.

1. Cause No. 12-DCV-202469; John Font v. The Fort Bend County Sheriff's Office Civil Service Commission; In the 434th Judicial District Court of Fort Bend County, Texas.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Judge to execute and deliver the settlement agreement that is recommended for approval by the County Attorney in reference to the lawsuit under cause No. 12-DCV-202469 and all related claims made by John Font as set forth in his letter dated February 7, 2013 and to approve such terms and provisions for the full and final settlement of all claims therein.

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

2. Patsy Schultz, CPA Hearing No. 103,241.

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur additional litigation expenses of \$4,000.00 to assist in defending CPA Hearing No. 103,241 and transfer funds from Contingency into the County Attorney budget for fees and services.

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

Item 41A continued - 551.071 Consultation with Attorney:

3. Medical Subrogation Lien Claim: Deleon, Efrain Jr.; Date of Incident: October 21, 2011.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve and accept the proposal made by letter dated February 17, 2013 for the settlement of the County health care plan's Subrogation Lien against the personal injury claims asserted by Efrain Deleon Jr. (an insured dependant) arising from the accident on October 21, 2011.

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

4. Civil Action No. 4:12-CV-01073; Yvonne Grovey vs Milton Wright, Fort Bend County Sheriff; In the United States District Court for the Southern District of Texas, Houston Division.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate the complete terms and provisions for the full and final settlement of the lawsuit Civil Action No. 4:12-CV-01073 and all related claims made by Yvonne M. Grovey and authorize the County Judge to execute and deliver the settlement agreement that is recommended for approval by the County Attorney and all related claims made by Yvonne M Grovey and to approve such terms and provisions for the full and final settlement.

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

5. Potential Litigation: Koonce, Stephen Foster.

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to negotiate the complete terms and provisions for the full and final settlement of the claims asserted by Stephen Foster Koonce against the Fort Bend County Sheriff's Office and others in the claimant's affidavit dated February 12, 2013, complaining of events on or about February 1, 2013 and authorize the County Judge to execute and deliver any settlement agreement recommended for approval by the County Attorney for the full and final settlement of all claims.

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

Item 41 continued - Reconvene Open Session and consider taking action on the following matters:

B. § 551.072. Deliberation Regarding Real Property.

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 refer to the County Attorney as per prior Resolution dated October 9, 2012 on Right to Take plus litigation expenses not to exceed \$5,000.00 each to acquire by Eminent Domain Parcel 13, Parcel 22B, Parcel 24, Parcel 30, Parcel 32, Parcel 41 and Parcel 48 of the Spur 10 Mobility Project with funds from Right of Way fund.

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

42. Adjournment.

Commissioners Court adjourned at 2:40 p.m. on Tuesday, February 26, 2013.