

APPROVAL OF MINUTES  
COMMISSIONERS COURT  
FORT BEND COUNTY

I, Dianne Wilson, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the 9th day of April, 2013.



DIANNE WILSON, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Patterson, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the 23rd day of April, 2013.



ROBERT E. HEBERT, COUNTY JUDGE

April 9, 2013

## MINUTES

BE IT REMEMBERED, That on this 9th DAY of APRIL, 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 Patterson.**

Invocation and Pledge of Allegiance by Commissioner Patterson.

**3. Approve minutes of regular meeting held on April 2, 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 April 2, 2013.

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

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

No public comments or announcements.

April 9, 2013

5. **PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:**
- A. **Approval of replat: Fort Bend County Municipal Utility District No. 58 Wastewater Treatment Plant No. 1, Replat and Ext. 1, Precinct 3.**
  - B. **Acceptance of the revised traffic study for Diamond Cove Lane at Lakemont Bend Drive to add "No Parking Any Time" signs located west of Katy ISD McNeil Elementary School, Precinct 3.**

Public hearing held. No public comments.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

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

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

**CONSENT AGENDA ITEMS 6 - 12:**

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
- A. **District Attorney: Employee to Hoover, Alabama, April 14-18, 2013, to attend the Mobile Devices for Prosecutors course at the National Computer Forensics Institute, with lodging and airfare sponsored by the sponsoring agency. (Fund: District Attorney, Travel)**
  - B. **Sheriff's Office: S. Hausler and W. Brewster to New Orleans, Louisiana, May 28-30, 2013, to attend Leadership Conference. (Fund: Sheriff, Enforcement, Travel)**
  - C. **Sheriff's Office: M. Kubricht and N. Mendoza to Alberta, Virginia, April 10-11, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
7. **COUNTY JUDGE:**
- A. **Approve request for Historic Site Property Tax Exemption for the Teague-Waddell House located at 1810 Avenue M in Rosenberg, Texas for tax year 2013.**
  - B. **Approve request for Historic Site Property Tax Exemption for The Morton Ferry Home, located at 402 North Second Street in Richmond, Texas for tax year 2013.**
  - C. **Approve request for Historic Site Property Tax Exemption for the Darst Home, located at 300 South 9th Street in Richmond, Texas for tax year 2013.**
8. **BUDGET & FINANCE/BUDGET TRANSFER:**
- Agri-Life Extension Office: Approve transfer in the amount of \$700 from Office Supplies into Information Technology to allocate funds for the purchase of two replacement printers.**

**9. ENGINEERING:**

- A. Approve payment of Invoice No. 313118 in the amount of \$1,904.38 to Klotz Associates for Administrative Support regarding Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 90033462 (final) in the amount of \$5,446.76 to Union Pacific Railroad regarding railroad crossing improvements at Harlem Road, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 90033580 in the amount of \$22,723.37 to Union Pacific Railroad Company regarding the installation of signals at Harlem Road, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 6 (Pay Estimate No. 6) in the amount of \$457,741.99 to Allgood Construction Company, Inc. regarding Mason Road, Phase I, from FM 359 to North of Skinner Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 6 (Pay Estimate No. 6) in the amount of \$424,152.84 to Allgood Construction Company, 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. 20131499 in the amount of \$661.11 to TEDSI Infrastructure Group for traffic signal design regarding Falcon Landing Boulevard at Gaston Road, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve release of cashier's check #7001467229 in the amount of \$5,000.00 to McKenna Constructing, Inc. for completion of work on Teal Bend Boulevard, Permit #84260, Precinct 1.**
- H. Approve application from CenterPoint Entex to bury a 2-inch plastic gas line along Bellagio Drive, Precinct 3.**
- I. Approve application from STI, LLC to construct two driveway tie-ins onto Grand Corner Drive, Precinct 3.**
- J. Approve application from Devon Street Homes to construct a driveway tie-in onto Persimmon Pass, Precinct 3.**
- K. Approve the plat for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.**

Item 9K moved to regular agenda after 21B.

- L. Approve the plat for British Private Prep School at Firethorne Ltd. Precinct 3.**

**Item 9 continued - Engineering:**

- M. Approve the plat for Parkway Lakes Shops, Section 5, Precinct 3.**
- N. Approve the plat for Alis Market, Precinct 1.**
- O. Approve the plat for Cardiff Ranch Commercial Plaza, Precinct 3.**
- P. Approve plat for the roads within Walnut Creek, Section 6, Precinct 1.**
- Q. Approve plat for the lots within Walnut Creek, Section 6, Precinct 1.**
- R. Approve plat for the roads within Churchill Farms, Section 5, Precinct 3.**
- S. Approve plat for the lots within Churchill Farms, Section 5, Precinct 3.**
- T. Approve plat for the roads within Churchill Farms, Section 6, Precinct 3.**
- U. Approve plat for the lots within Churchill Farms, Section 6, Precinct 3.**
- V. Approve plat for the roads within Churchill Farms, Section 8, Precinct 3.**
- W. Approve plat for the lots within Churchill Farms, Section 8, Precinct 3.**
- X. Approve plat for the road within Pine Mill Ranch Drive Reserve No. 1, Precinct 3.**
- Y. Approve plat for the reserve within Pine Mill Ranch Drive Reserve No. 1, Precinct 3.**
- Z. Set public hearing for replat of Fulbrook, Sec. 2D, Replat of Lots 6 and 7 of Block 2, Precinct 3. (Tuesday, May 14, 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. Invoice No.'s 10032793, 10033739, 10034024, and 10031319 for an amount totaling \$59,391.28 to PGAL for Professional Services regarding the Justice Center;**
  - B. Invoice No. 6 in the amount of \$9,460.00 to Archi\*Technics/3, Inc. for Architectural Services regarding the Senior Center.**
- 11. HUMAN RESOURCES:**

**Approve request for withdrawal of 56 hours from the Shared Sick Leave Pool for employee of the District Clerk's Office, Position No. 4501-0057.**

**12. ROAD & BRIDGE:**

**Approve payment of Invoice No. 1224 in the amount of \$1,039.50 to EPIC Transportation Group, LP for completion of the Traffic Engineering Study of the intersection at West Airport Boulevard and State Highway 6. (Fund: Road & Bridge)**

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Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6-9J and 9L-12.

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

Item 9K moved to regular agenda after 21B.

**13. COMMISSIONER, PCT. 1:**

**A. Take all appropriate action on request by Bradley Wright to waive penalty and interest totaling \$311.50 on property taxes for Tax Year 2012, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by Bradley Wright to waive penalty and interest totaling \$311.50 on property taxes for Tax Year 2012, Precinct 1.

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

**Item 13 continued - Commissioner Pct. 1:**

- B. Take all appropriate action on request to authorize negotiations with National Signs Plazas, Inc. to develop a directional sign or kiosk program for approval by the Texas Department of Transportation and administration by Fort Bend County.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize negotiations with National Signs Plazas, Inc. to develop a directional sign or kiosk program for approval by the Texas Department of Transportation and administration by Fort Bend County.

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

Assistant County Attorney Marcus Spencer discussed the proposed concept and answered questions from members of court.

**14. COMMISSIONER, PCT. 2:**

**Take all appropriate action on request by Zahara Hooda to waive penalty and interest totaling \$251.17 on property taxes for Tax Year 2012, Precinct 2.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve request by Zahara Hooda to waive penalty and interest totaling \$251.17 on property taxes for Tax Year 2012, Precinct 2.

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

**15. COMMISSIONER, PCT. 3:**

**Take all appropriate action on request by Zakir Azmi to waive penalty and interest totaling \$310.16 on property taxes for Tax Year 2012, Precinct 3.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve request by Zakir Azmi to waive penalty and interest totaling \$310.16 on property taxes for Tax Year 2012, Precinct 3.

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

**16. COMMISSIONER, PCT. 4:**

**Take all appropriate action on request by Antun Aneed to waive penalty and interest totaling \$375.00 on property taxes for Tax Year 2012, Precinct 4.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to deny request by Antun Aneed to waive penalty and interest totaling \$375.00 on property taxes for Tax Year 2012, Precinct 4.

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



**17. COMMUNITY DEVELOPMENT:**

- A. Take all appropriate action on the Agreement between Fort Bend County and The Salvation Army in the amount of \$61,879.00 to provide rapid homeless prevention, re-housing assistance, relocation and stabilization services; part of the FY 2012 Consolidated Action Plan approved by Commissioners Court July 3, 2012; and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Emergency Solutions Program)**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve the Agreement between Fort Bend County and The Salvation Army in the amount of \$61,879.00 to provide rapid homeless prevention, re-housing assistance, relocation and stabilization services; part of the FY 2012 Consolidated Action Plan approved by Commissioners Court July 3, 2012; and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Emergency Solutions Program)

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

- B. Take all appropriate action on Agreement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 2 in the amount of \$436,374.00 for the installation of sanitary sewer collection lines, lift stations, force mains and miscellaneous pavement repairs upon completion of project in the Martinez Block of the Four Corners area; part of the FY 2009 and FY 2010 Consolidated Action Plans approved by Commissioners Court on July 7, 2009 and July 6, 2010, respectively, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Community Development Block Grant)**

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 Fort Bend County Fresh Water Supply District No. 2 in the amount of \$436,374.00 for the installation of sanitary sewer collection lines, lift stations, force mains and miscellaneous pavement repairs upon completion of the project for the Martinez Block in the Four Corners area; part of the FY 2009 and FY 2010 Consolidated Action Plans approved by Commissioners Court on July 7, 2009 and July 6, 2010, respectively, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Community Development Block Grant)

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

**Item 17 continued - Community Development:**

- C. **Take all appropriate action on First Modification of Agreement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 1 to increase the amount of the Agreement by \$25,000 for a total amount not to exceed \$275,000 for the installation of water service lines and connections for eligible housing units within the District, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block Grant)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve First Modification of Agreement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 1 to increase the amount of the Agreement by \$25,000 for a total amount not to exceed \$275,000 for the installation of water service lines and connections for eligible housing units within the District, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block Grant)

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

**18. CONSTABLE, PCT. 1**

**Take all appropriate action on request to transfer the amount of \$140,889 from Non-Departmental Contingency into line items detailed on Auditor's form dated April 3, 2013, to allocate funds for the purchase of replacement vehicles and equipment regarding the Agreements for Additional Law Enforcement Services with Fort Bend Municipal Utility District No. 2 and Greatwood.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$140,889 from Non-Departmental Contingency into line items detailed on Auditor's form dated April 3, 2013, to allocate funds for the purchase of replacement vehicles and equipment regarding the Agreements for Additional Law Enforcement Services with Fort Bend Municipal Utility District No. 23 and Greatwood.

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

**19. CONSTABLE, PCT. 3:**

**Take all appropriate action on request to transfer the amount of \$82,760 from Non-Departmental Contingency into line items detailed on Auditor's form dated April 3, 2013, to allocate funds for the purchase of two vehicles and equipment, additions to fleet, regarding the Agreements for Additional Law Enforcement Services with Fort Bend Municipal Utility Districts No. 34 and 25.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$82,760 from Non-Departmental Contingency into line items detailed on Auditor's form dated April 3, 2013, to allocate funds for the purchase of two vehicles and equipment, additions to fleet, regarding the Agreements for Additional Law Enforcement Services with Fort Bend Municipal Utility Districts No. 34 and 25.

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

**20. ELECTIONS ADMINISTRATION:**

**Take all appropriate action on request to pay by Invoice Transmittal the amount of \$2,361.00 to the City of Simonton for refund of the deposit made for an election on May 11, 2013, which has been cancelled. (Fund: Elections Contract)**

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 \$2,361.00 to the City of Simonton for refund of the deposit made for an election on May 11, 2013, which has been cancelled. (Fund: Elections Contract)

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

**21. ENGINEERING:**

- A. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Allgood Construction Company, Inc. to lengthen the time of completion until May 28, 2013 regarding the extension of Falcon Landing Boulevard, with no change in the amount, Mobility Bond Project #703, Precinct 3.**

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 Allgood Construction Company, Inc. to lengthen the time of completion until May 28, 2013 regarding the extension of Falcon Landing Boulevard, with no change in the amount, Mobility Bond Project #703, Precinct 3.

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

- B. Take all appropriate action on request for a variance to the subdivision paving bond requirement, (Section 3.9 F of the Fort Bend County Regulations of Subdivisions) for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.**

Moved by Commissioner Prestage Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve request for a variance to the subdivision paving bond requirement, (Section 3.9 F of the Fort Bend County Regulations of Subdivisions) for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.

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

**9K. Approve the plat for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.**

Moved by Commissioner Prestage Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve the plat for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.

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

**Item 21 continued - Engineering:**

- C. Take all appropriate action on request by Bonnie Trilicek for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to divide 8.000 acres out of a called 118.68 acre tract situated in the Samuel Pharr 1/4 League, Abstract 69 recorded in official Fort Bend County Deed Records, Volume 158, Page 367, Fort Bend County, Texas, Pct. 1.**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve request by Bonnie Trilicek for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to divide 8.000 acres out of a called 118.68 acre tract situated in the Samuel Pharr 1/4 League, Abstract 69 recorded in official Fort Bend County Deed Records, Volume 158, Page 367, Fort Bend County, Texas, Pct. 1.

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

- D. Take all appropriate action on request to correct the road name from Foster School Road to Foerster School Road, located from Vincik Ehlert Road to SH 36, Precinct 1.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to correct the road name from Foster School Road to Foerster School Road, located from Vincik Ehlert Road to SH 36, Precinct 1.

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

**22. HUMAN RESOURCES:**

**Take all appropriate action on revisions to the Employee Information Manual as submitted by the Director of Human Resources, specifically Section 301: Drug and Alcohol Detection and Deterrence, including Appendix 301-B; and Section 704: Family and Medical Leave Act (FMLA).**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve revisions to the Employee Information Manual as submitted by the Director of Human Resources, specifically Section 301: Drug and Alcohol Detection and Deterrence, including Appendix 301-B; and Section 704: Family and Medical Leave Act (FMLA).

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

**23. LIBRARY:**

**Take all appropriate action on request to transfer the amount of \$14,200 from Non-Departmental Contingency into Library, Building Repairs and Maintenance, to allocate funds for replacement of chiller and compressor at the Sugar Land Branch.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$14,200 from Non-Departmental Contingency into Library, Building Repairs and Maintenance, to allocate funds for replacement of chiller and compressor at the Sugar Land Branch.

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

**24. MENTAL HEALTH PUBLIC DEFENDER:**

**Take all appropriate action on Application and Resolution to Texas Indigent Defense Commission for renewal of grant funding of the Mental Health Public Defender Program in the amount of \$36,685 for the first quarter of FY 2014.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Application and Resolution to Texas Indigent Defense Commission for renewal of grant funding of the Mental Health Public Defender Program in the amount of \$36,685 for the first quarter of FY 2014.

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

**25. PARKS & RECREATION:**

**Take all appropriate action on request to participate in the FY 2013 Summer Food Service Program and authorize electronic submission of the Summer Food Special Nutrition Program Agreement for Fort Bend County.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve participation in the FY 2013 Summer Food Service Program and authorize electronic submission of the Summer Food Special Nutrition Program Agreement for Fort Bend County.

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

**26. PURCHASING:**

- A. Take all appropriate action on renewal of Contract between Fort Bend County and Educational Catering, ECI Management Group with price increase, pursuant to Bid 10-090 for the Summer Food Program. (Fund: Parks)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve renewal of Contract between Fort Bend County and Educational Catering, ECI Management Group with price increase of 4 cents per breakfast and 8 cents per lunch, pursuant to Bid 10-090 for the Summer Food Program. (Fund: Parks)

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

- B. Take all appropriate action on request to add 16.5 oz bottled water for emergency use only, to Bid 13-029, the Term Contract for Bottled Drinking Water.**

Moved by Commissioner Patterson Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to add 16.9 oz bottled water for emergency use only, to Bid 13-029, the Term Contract for Bottled Drinking Water.

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

- C. Take all appropriate action on Agreement between Fort Bend County and Audio Visual Technologies Group in an amount not to exceed \$95,934.13 for displays at the alternate emergency operation center. (Fund: Office of Emergency Management, UASI Grant)**

Moved by Commissioner Morrison Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Audio Visual Technologies Group in an amount not to exceed \$95,934.13 for displays at the alternate emergency operation center. (Fund: Office of Emergency Management, UASI Grant)

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



**27. ROAD & BRIDGE:**

**Take all appropriate action on Interlocal Agreement between Fort Bend County and Brazoria County concerning construction of Replacement Bridge at Armstrong Road (County Road 522) over Cedar Creek, County expenditure not to exceed \$280,000. (Fund: Road & Bridge)**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve Interlocal Agreement between Fort Bend County and Brazoria County concerning construction of Replacement Bridge at Armstrong Road (County Road 522) over Cedar Creek, County expenditure not to exceed \$280,000. (Fund: Road & Bridge)

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

**28. Approve Bills.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve bills in the amount of \$10,455,268.71.

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

**29. Authorize County Auditor to pay and release time sensitive bills on April 18, 2013, to be ratified by Commissioners Court on April 23, 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to authorize County Auditor to pay and release time sensitive bills on April 18, 2013, to be ratified by Commissioners Court on April 23, 2013.

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

**Recess:**

Recessed at 1:43 p.m.

April 9, 2013

**30. 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.**

**Potential litigation - U. S. Department of Labor Inquiry.**

- 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 2:04 p.m.  
Adjourned at 2:14 p.m.

**Reconvene:**

Reconvened at 2:17 p.m.

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

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

**Potential litigation - U. S. Department of Labor Inquiry.**

No action.

**Item 31 continued - Reconvene Open Session and consider taking action on the following matters:**

**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 Meyers

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to pay a negotiated settlement in the matter of Cause No. 13-CCV-050304; State of Texas and Fort Bend County, Texas vs. Dean L Henning and Linda Henning, et al; in the County Court at Law #3 of Fort Bend County, Texas and authorize the County Judge to execute and deliver the Settlement Agreement recommended for approval by the County Attorney, to accept Deeds and to approve such terms and provisions for the full and final settlement of all claims set forth therein with settlement funds from fund: 100685888-64500-P685-06ROWPURCH-32000.

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

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to purchase Parcel 36 for \$10,219.00, Parcel 38 part 1 and 2 for \$3,994.00 and Parcel 47B for \$37,997.00 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

Moved by Commissioner Morrison Seconded by Commissioner Meyers

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 8, Parcel 26, Parcel 28 and Parcel 37 part 1 and 2 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

April 9, 2013

**Item 31B 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 1 of the Brand Lane Mobility Project in the amount of \$1,783.00 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

**32. Adjournment.**

Commissioners Court adjourned at 2:20 p.m. on Tuesday, April 9, 2013.

April 9, 2013

## **DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 9th DAY of April, 2013, The Drainage District Board of Fort Bend County, Texas, met at a scheduled 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
MARK VOGLER	DRAINAGE DISTRICT MANAGER

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

**1. Call to Order.**

Call to Order by Judge Hebert at 1:03 p.m.

**2. Approve out-of-state travel for Marc Gadway and Kenneth Witte to Lititz, Pennsylvania, April 23-25, 2013, to inspect and test a rebuilt dragline. (Fund: Drainage District, Travel)**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve out-of-state travel for Marc Gadway and Kenneth Witte to Lititz, Pennsylvania, April 23-25, 2013, to inspect and test a rebuilt dragline. (Fund: Drainage District, Travel)

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

**3. Approve out-of-state travel for Juling Bao to Hartford, Connecticut, June 8-17, 2013, to attend the American Society of Flood Plain Managers Conference. (Fund: Drainage District, Travel)**

Moved by Commissioner Patterson Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to approve out-of-state travel for Juling Bao to Hartford, Connecticut, June 8-17, 2013, to attend the American Society of Flood Plain Managers Conference. (Fund: Drainage District, Travel)

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

**4. Accept Monthly Reports for January and February 2013.**

Moved by Commissioner Meyers Seconded by Commissioner Morrison

Duly put and unanimously carried (5-0), it is ordered to accept Monthly Reports for January and February 2013.

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

**5. Approve request for Historic Site Property Tax Exemption from the Drainage District for the Teague-Waddell House located at 1810 Avenue M in Rosenberg, Texas for tax year 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request for Historic Site Property Tax Exemption from the Drainage District for the Teague-Waddell House located at 1810 Avenue M in Rosenberg, Texas for tax year 2013.

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

April 9, 2013

**6. Approve request for Historic Site Property Tax Exemption from the Drainage District for The Morton Ferry Home, located at 402 North Second Street in Richmond, Texas for tax year 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request for Historic Site Property Tax Exemption from the Drainage District for The Morton Ferry Home, located at 402 North Second Street in Richmond, Texas for tax year 2013.

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

**7. Approve request for Historic Site Property Tax Exemption from the Drainage District for the Darst Home, located at 300 South 9th Street in Richmond, Texas for tax year 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request for Historic Site Property Tax Exemption from the Drainage District for the Darst Home, located at 300 South 9th Street in Richmond, Texas for tax year 2013.

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

**8. Approve request for Historic Site Property Tax Exemption from the Drainage District for The George Ranch Historical Park located in Richmond, Texas for tax year 2013.**

Moved by Commissioner Morrison Seconded by Commissioner Prestage

Duly put and unanimously carried (5-0), it is ordered to approve request for Historic Site Property Tax Exemption from the Drainage District for The George Ranch Historical Park located in Richmond, Texas for tax year 2013.

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

**9. Adjournment.**

The Drainage District Board adjourned at 1:06 p.m. on Tuesday, April 9, 2013.