

**MINUTES**

BE IT REMEMBERED, That on this 10th DAY of SEPTEMBER, 2013, Commissioners Court of Fort Bend County, Texas, met at a regular meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK

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

**1. Call to Order.**

Call to Order by Judge Hebert at 1:00 p.m.

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

Invocation and Pledge of Allegiance by Commissioner Prestage.

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

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve the minutes of regular meeting held on September 3, 2013.

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

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

No public comments or announcements.

**5. PUBLIC HEARINGS: 1:00 p.m.:**

**A. Conduct Public Hearing on the Proposed FY 2014 Budget for Fort Bend County, pursuant to Texas Local Government Code § 111.067.**

Public hearing held. No public comments.

**B. Conduct Public Hearings and take all appropriate action on the following matters:**

- 1. Replat: Peek Plaza, being a replat of a portion of Unrestricted Reserve "B" Stripes at Peek Road, Precinct 3.**
- 2. Acceptance of the traffic control plan for Waterview Estates, Section 9, Precinct 4.**

Public hearing held. No public comments.

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve item 5B2.

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

No action item 5B1.

**CONSENT AGENDA ITEMS 6-19:**

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

- A. Behavioral Health : Dr. M. Connie Almeida to Hartford, Connecticut, October 14-16, 2013, to attend the Crisis Intervention Team (CIT) International Conference. (Fund: 1115 Waiver)**
- B. Sheriff's Office : Ratify travel by B. Whichard and K. Oreskovich to Raleigh, North Carolina, September 3-6, 2013, to testify at the General Superior Court, with travel expenses to be paid by the General Superior Court of Raleigh. (Fund: Sheriff, Enforcement, Travel)**
- C. Truancy Court : Approve travel for Judge Ruby Shaw to Baltimore, Maryland, October 12-19, 2013, to attend the 103rd Annual Conference of the International Association for Truancy and Dropout Prevention. (Fund: Truancy Court, Travel)**

**7. COUNTY JUDGE:**

Record into Minutes the Public Official Bond for John B. Hazel, II as Treasurer for Fort Bend County Emergency Services District No. 2 in the amount of \$100,000 (as approved by County Judge) effective April 3, 2013 through April 3, 2014.

**8. COMMISSIONER, PCT. 3:**

**Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Grand Lakes Community Association with services provided by the Sheriff's Office effective through September 30, 2014.**

**9. COMMISSIONER, PCT. 4:**

**Approve the appointment of Janet Pearson to the Fort Bend County Children's Protective Services Welfare Board of Directors.**

**10. BUDGET & FINANCE/BUDGET TRANSFERS:**

- A. Auditor: Approve transfer in the amount of \$2,519,190 as detailed on Auditor's form dated August 29, 2013, to amend the budget pursuant to Local Government Code 111.0707 and allocate revenue received for right of way reimbursement.**
- B. Facilities Management & Planning : Approve transfer in the amount of \$75,000 from Facilities Project Completion into Courthouse Restoration Project to allocate additional funds needed due to unforeseen circumstances that occurred during the renovation process.**

**11. CONSTABLE, PCT. 1:**

- A. Approve renewal of Motorcycle Lease Agreement between Fort Bend County and Sheppard H. Werlein Jr. effective October 1, 2013 through September 30, 2014. (Fund: Constable, Pct. 1, Greatwood Law Enforcement Agreement)**
- B. Approve renewal of Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County, Fort Bend County Municipal Utility District No. 23, and Fort Bend County Municipal Utility District No. 24, effective October 1, 2013 through September 30, 2014.**

**12. ELECTIONS ADMINISTRATION:**

- A. Record into Minutes the Continuation Certificate for the Official Bond and Oath by John Oldham, Fort Bend County Elections Administrator, in the amount of \$20,000 effective June 18, 2013 through June 18, 2014.**
- B. Approve appointment of the following individuals to the Fort Bend County Spanish Language Advisory Committee for a term ending December 31, 2014: Thelma Shelton and Alicia Casias on behalf of the County Judge; Patricia Garcia-Burk on behalf of Commissioner, Precinct 1; Johanna Compean, on behalf of Commissioner, Precinct 2; Sylvia Garza and Laura Munoz on behalf of Commissioner, Precinct 4; Ted Garcia and Robert Jimenez, on behalf of the Elections Administrator; and Dan Martinez, on behalf of the Chairman of Fort Bend County Republican Party.**

**13. ENGINEERING:**

- A. Accept Easement from Cinco Residential Property Association, Inc. conveying two (2) 10-foot by 10-foot tracts of land to Fort Bend County for signal poles regarding the Cinco Ranch Boulevard at Cinco Crossing Lane Project, Precinct 3, and record same in Official Public Records of Fort Bend County, Texas.**

**Item 13 continued - Engineering:**

- B. Accept Right-of-Way Easement from Cinco Residential Property Association, Inc. conveying a 2,916 square foot tract of land to Fort Bend County for right-of-way widening regarding the Cinco Ranch Boulevard at Cinco Crossing Lane Project, Precinct 3, and record same in Official Public Records of Fort Bend County, Texas.**
- C. Approve payment of Invoice No. 10 (Pay Estimate No. 10) in the amount of \$183,804.50 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)**
- D. Approve payment of Invoice No. 4338 in the amount of \$10,293.75 to Property Acquisition Services, Inc. regarding various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- E. Approve payment of Invoice No. 4339 in the amount of \$8,098.75 to Property Acquisition Services, Inc. regarding various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- F. Approve payment of Invoice No. 4340 in the amount of \$7,891.25 to Property Acquisition Services, Inc. regarding various right of way acquisition services within Precincts 1, 2, 3 and 4. (Fund: Right of Way)**
- G. Approve payment of Invoice No. E0813358 in the amount of \$467,871.72 to Houston Pipe Line Company regarding Burney Road, Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 130301 in the amount of \$274,798.80 to Hassell Construction Company, Inc. regarding Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- I. Approve application from JDM Designs, Inc. to construct a monument sign on Pheasant Creek Drive, Precinct 3.**
- J. Approve application from AT&T Texas to bore under and bury cable under Meadow Ranch Parkway, Precinct 3.**
- K. Approve the plat for Landmark at Grand Parkway, Precinct 4.**
- L. Approve plat for the roads within Aliana, Section 11, Precinct 4.**
- M. Approve plat for the lots within Aliana, Section 11, Precinct 4.**
- N. Set public hearing for replat of Del-Webb Richmond, Section 17, Replat No. 1, Precinct 1. (Tuesday, October 22, 2013, at 1:00 p.m.)**
- 14. FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that have been budgeted and funded by Facility Bond and/or Capital Projects:**
  - A. Invoice No. 130204 in the amount of \$36,783.90 to Hassell Construction Company, Inc. regarding the extension of Airport Avenue to FM 2218;**

**Item 14 continued - Facilities Management & Planning:**

- B. Invoice No. 170-10760-000-4 in the amount of \$1,537.00 to Lockwood, Andrews, and Newnam, Inc., for professional services regarding renovations to the Grand Hall at the Sheriff's Office:**
- C. Invoice No. 31420 in the amount of \$27,612.12 to Fort Bend Mechanical, Ltd., for mechanical services regarding renovations to the Grand Hall at the Sheriff's Office;**
- D. Invoice No. 170-10673-001-4, in the amount of \$16,892.00 from Lockwood, Andrews, and Newnam, Inc., for professional services regarding the combined heat and power (CHP) plan for the Jail.**

**15. LIBRARY:**

**Approve FY 2014 budget for the Sienna Branch Library prepared by the Sienna Library Operations Committee according to the Fort Bend County/Houston Community College System Library Cost Sharing/Joint Use Agreement, which is a component of Fort Bend County Libraries overall FY 2014 budget.**

**16. MENTAL HEALTH PUBLIC DEFENDER:**

**Accept award from the Texas Indigent Defense Commission in the amount of \$36,685 for the Mental Health Defender Program, with a cash match by the County of \$146,741.33 for the grant period of October 1, 2013 through January 31, 2014, and designate County Judge as Authorized Official to sign all documents pertaining to the grant award. (Fund: FY 2014 Mental Health Public Defender)**

**17. OFFICE OF EMERGENCY MANAGEMENT:**

**Approve and sign the FY 2013 Emergency Management Performance Grant (EMPG) in the amount of \$101,932.54 for the grant period of October 1, 2012 through March 31, 2014, with no cash match required by Fort Bend County, and authorize County Judge to sign all documents pertaining to the award.**

**18. PURCHASING:**

- A. Authorize advertising for Statements of Qualification for Document Management Consultant.**
- B. Approve Amendment #1 to Memorandum of Understanding between Fort Bend County and Global Tel\*Link Corporation.**
- C. Approve Amendment #3 to Inmate Telephone Service Agreement between Fort Bend County and Global Tel\*Link Corporation to extend the Agreement for no more than 90 days.**

**19. ROAD & BRIDGE:**

**Approve payment of Invoice No. 20131637 in the amount of \$11,389.72 to TEDSI Infrastructure Group for traffic signal design at the intersections of Cinco Ranch Boulevard and Cinco Crossing; Greatwood Parkway and Sansbury Boulevard; Fry Road and Cinco Crossing; and Cinco Ranch Boulevard and Katy Gaston Road. (Fund: Road & Bridge, Traffic Signals)**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve consent agenda items 6 - 19.

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

**20. COUNTY JUDGE:**

**A. Take all appropriate action on Order Setting Fees for the Offices of Fort Bend County Sheriff and Constables effective January 1, 2014, per the Exhibit dated September 4, 2013, pursuant to Local Government Code Section 118.131.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve Order Setting Fees for the Offices of Fort Bend County Sheriff and Constables effective January 1, 2014, per the Exhibit dated September 4, 2013, pursuant to Local Government Code Section 118.131.

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

**B. Take all appropriate action on Agreements of Collaboration between Fort Bend County and various cities within the Republic of Turkey to encourage economic, educational, and cultural exchange, with no financial obligation to Fort Bend County.**

Moved by Commissioner Prestage, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Agreements of Collaboration between Fort Bend County and various cities within the Republic of Turkey to encourage economic, educational, and cultural exchange, with no financial obligation to Fort Bend County.

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

**21. COMMISSIONER, PCT. 2:**

**Take all appropriate action on request to transfer the amount of \$35,000 from the Head Start Project and Commissioners Court projects to allocate funds into account for preliminary work on an Annex to be located in Sienna Plantation, Pct. 2.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$35,000 from the Head Start Project and Commissioners Court projects to allocate funds into account for preliminary work on an Annex to be located in Sienna Plantation, Pct. 2.

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

**22. BUDGET & FINANCE:**

**A. Take all appropriate action on FY 2014 Proposed Positions for Fort Bend County.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve FY 2014 Proposed Positions for Fort Bend County per list provided by Budget Office with correction to add an additional Associate Judge and District Clerk, Clerk III position effective April 1, 2014.

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

**B. Take all appropriate action to set the FY 2014 Salaries for Elected Officials of Fort Bend County, pursuant to Texas Local Government Code Section 152.011.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to set the FY 2014 Salaries for Elected Officials of Fort Bend County as presented by the Budget Office, pursuant to Texas Local Government Code Section 152.011.

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

**Item 22 continued - Budget & Finance:**

**C. Take all appropriate action to adopt the 2013 Tax Rate for Fort Bend County as follows:**

• Proposed General Fund Tax Rate	<b>\$0.38076</b>
• Proposed Road & Bridge Fund Tax Rate	<b>\$0.03100</b>
• Proposed Interest & Sinking Fund Tax Rate	<b><u>\$0.07300</u></b>
• Total Proposed Tax Rate	<b>\$0.48476</b>

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to set Public Hearings on the proposal to increase the 2013 Tax Rate for Fort Bend County to be conducted on Wednesday, September 18, 2013 at 5:30 p.m. and on Monday, September 23, 2013 at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, William B. Travis Building in Richmond, Texas.

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

Note: No action taken today due to error by newspaper publisher. A special meeting of Commissioners Court has been scheduled for Thursday, September 26, 2013, at 2:00 p.m. for the court to vote on the 2013 Tax Rate.

**D. Take all appropriate action on the FY 2014 Budget for Fort Bend County and take a record vote, pursuant to Texas Local Government Code Section 111.068.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage to approve the amended FY 2014 Budget for Fort Bend County as presented by the Budget Office including \$167,317 added to budget filed Sept. 3, 2013 for a total budget of \$271,328,104 including two positions approved earlier.

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and carried (3-2), it is ordered to amend the previous motion to vote on 7 proposed changes as separate motions prior to voting on the budget.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	No
Commissioner Meyers	No
Commissioner Patterson	Yes



**Item 22D continued - Take all appropriate action on the FY 2014 Budget for Fort Bend County and take a record vote, pursuant to Texas Local Government Code Section 111.068.**

**1. 100575100-Juvenile** - Reduce by \$16,046 and add to Non-Departmental - Contingency. Reduction is based on the action by Commissioners Court on September 3, 2013 to adopt the Juvenile Budget for FY2014 at \$11,289,502.

Moved by Commissioner Morrison, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve 100575100-Juvenile - Reduce by \$16,046 and add to Non-Departmental - Contingency. Reduction is based on the action by Commissioners Court on September 3, 2013 to adopt the Juvenile Budget for FY2014 at \$11,289,502.

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

**2. 100409100 - Non-Departmental** - Transfer \$159,200 from Operating & Training Costs (Contingency) to Salaries & Personnel Costs (Insurance-Retirees) due to a miscalculation in the number of retirees.

Moved by Commissioner Morrison, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve 100409100 - Non-Departmental - Transfer \$159,200 from Operating & Training Costs (Contingency) to Salaries & Personnel Costs (Insurance-Retirees) due to a miscalculation in the number of retirees.

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

**3. 100401200 - Commissioner Pct. 2** - Increase Salaries & Personnel Costs by \$15,711 for two reclassifications in staff.

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and carried (4-1), it is ordered to approve 100401200 - Commissioner Pct. 2 - Increase Salaries & Personnel Costs by \$15,711 for two reclassifications in staff.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	No

**Item 22D continued - Take all appropriate action on the FY 2014 Budget for Fort Bend County and take a record vote, pursuant to Texas Local Government Code Section 111.068.**

- 4. 100401300 - Commissioner Pct. 3** - Increase Salaries & Personnel Costs by \$13,177 for reclassification of staff member.

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and carried (4-1), it is ordered to approve 100401300 - Commissioner Pct. 3 - Increase Salaries & Personnel Costs by \$13,177 for reclassification of staff member.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	No

- 5. 100635100 - Health & Human Services** - Transfer Autopsy services in the amount of \$352,870 to Health & Human Services Operating & Training Costs from Social Services 100645100 Operating & Training Costs.

Moved by Commissioner Morrison, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve 100635100 - Health & Human Services - Transfer Autopsy services in the amount of \$352,870 to Health & Human Services Operating & Training Costs from Social Services 100645100 Operating & Training Costs.

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

- 6. 100505100 - Purchasing** - Increase Salaries & Personnel Costs by \$13,429 to accomodate the Purchasing Agent's salary as set by the Purchasing Board September 9, 2013.

Moved by Commissioner Patterson, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to approve 100505100 - Purchasing - Increase Salaries & Personnel Costs by \$13,429 to accomodate the Purchasing Agent's salary as set by the Purchasing Board September 9, 2013.

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

**Item 22D continued - Take all appropriate action on the FY 2014 Budget for Fort Bend County and take a record vote, pursuant to Texas Local Government Code Section 111.068.**

**7. New Associate Judge** - Add one new Associate Judge to Courts Administration and one Clerk III in the District Clerk's Office to begin April 1, 2014 for a total amount of \$125,000.00.

Moved by Commissioner Prestage, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve New Associate Judge - Add one new Associate Judge to Courts Administration and one Clerk III in the District Clerk's Office to begin April 1, 2014 for a total amount of \$125,000.00.

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

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), by a verbal vote, it is ordered to adopt the amended FY 2014 Budget for Fort Bend County including changes of \$167,317 for a total of \$271,328,104 pursuant to Texas Local Government Code Section 111.068.

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

**23. INDIGENT HEALTH CARE:**

**Take all appropriate action on Agreement between Fort Bend County and Oak Bend Medical Group, Inc. to provide primary care medical services to qualifying Fort Bend County indigent clients for an amount not to exceed \$52,800 effective through August 31, 2015. (Fund: Indigent Health Care, Professional Services)**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve Agreement between Fort Bend County and Oak Bend Medical Group, Inc. to provide primary care medical services to qualifying Fort Bend County indigent clients for an amount not to exceed \$52,800 effective through August 31, 2015. (Fund: Indigent Health Care, Professional Services)

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

Commissioner Patterson thanked the staff of the Auditor, Budget Office, Risk Management and Oakbend for a year and a half of discussions, negotiations and hard work.

**24. PURCHASING:**

**A. Take all appropriate action on Master Services Agreement between Fort Bend County and Securus Technologies, Inc. for inmate phone system pursuant to RFP 13-058.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Master Services Agreement between Fort Bend County and Securus Technologies, Inc. for inmate phone system pursuant to RFP 13-058.

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

**B. Take all appropriate action on request to donate two (2) surplus property vehicles to Pecan Grove Volunteer Fire Department, pursuant to Texas Local Government Code Section 352.002.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to donate two (2) surplus property vehicles to Pecan Grove Volunteer Fire Department, pursuant to Texas Local Government Code Section 352.002.

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

**C. Take all appropriate action on request to transfer the amount of \$1,313 from Non-Departmental Contingency into Purchasing, Information Technology, to allocate funds for the purchase of five licenses for Adobe Pro 11 for compatibility with upgrade to Microsoft 10 software.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to transfer the amount of \$1,313 from Non-Departmental Contingency into Purchasing, Information Technology, to allocate funds for the purchase of five licenses for Adobe Pro 11 for compatibility with upgrade to Microsoft 10 software.

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

**Item 24 continued - Purchasing:**

**D. Take all appropriate action on RFP 13-078, General Contractor Services for 2218 Office Building.**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to enter into contract negotiations with Turner Construction on RFP 13-078, General Contractor Services for 2218 Office Building.

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

**E. Take all appropriate action on Bid 13-079 for Reconstruction of West Bellfort, from SH 99 to Harlem Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**

Moved by Commissioner Prestage, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to award Bid 13-079 for Reconstruction of West Bellfort, from SH 99 to Harlem Road, to Allgood Construction for \$4,540,218.45, 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

Note: Project is reconstruction and new construction.

**F. Take all appropriate action on Bid 13-083 for Paving, Water, Sanitary and Drainage Utility Expansions for Road and Bridge Beechnut Location.**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to reject all bids on Bid 13-083 for Paving, Water, Sanitary and Drainage Utility Expansions for Road and Bridge Beechnut Location.

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

**Item 24 continued - Purchasing:**

**G. Take all appropriate action on Bid 13-084 for Printing and Mailing of Voter Registration Cards.**

Moved by Commissioner Meyers, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to award Bid 13-084 for Printing and Mailing of Voter Registration Cards to Horizon Concepts.

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

**H. Take all appropriate action on Bid 14-004 for Weed, Brush and Insect Control Chemicals.**

Note: Several items have bidders with same price, so lots were drawn by Judge Hebert during Court.  
See results below.

Item 3	1 case	Target Specialty
Item 19	1 quart	Winfield Solutions
Item 19	2 1/2 gallon	Helena Chemical
Item 39	10 lbs.	Red River Specialty
Item 42	1.25 lbs.	VM Distributors
Item 42	5 lbs.	Winfield Solutions
Item 43	3 lbs.	Helena Chemical
Item 43	20 lbs.	Red River Specialty
Item 49	15 gallon	Winfield Solutions
Item 49	110 gallon	Target Specialty

Moved by Judge Hebert, Seconded by Commissioner Prestage  
Duly put and unanimously carried (5-0), it is ordered to award Bid 14-004 for Weed, Brush and Insect Control Chemicals to bidders listed above and to low bidder on all other sections.

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

**Item 24 continued - Purchasing:**

- I. Take all appropriate action on request to purchase patrol vehicle equipment (sirens, cages, radars, etc.) for Fleet Maintenance from Caldwell Country Chevrolet, utilizing Buy Board Agreement 358-10 for the remainder of FY 2013 and FY 2014. (Fund: Fleet Management)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to purchase patrol vehicle equipment (sirens, cages, radars, etc.) for Fleet Maintenance from Caldwell Country Chevrolet, utilizing Buy Board Agreement 358-10 for the remainder of FY 2013 and FY 2014. (Fund: Fleet Management)

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

- J. 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 Caterpillar repairs parts from Mustang Cat for FY 2014. (Fund: Various Departments)**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to grant an exemption to the competitive bid process as authorized by Local Government Code §262.024 (a)(7) for the purchase of an item from only one source, for Caterpillar repairs parts from Mustang Cat for FY 2014. (Fund: Various Departments)

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

- K. Take all appropriate action to authorize the purchase of computer equipment, software and peripherals from Dell Marketing utilizing State of Texas Department of Information Resources Contract DIR-SDD-1951 for various County departments from their FY 2014 budget, following review by Information Technology Department.**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to authorize the purchase of computer equipment, software and peripherals from Dell Marketing utilizing State of Texas Department of Information Resources Contract DIR-SDD-1951 for various County departments from their FY 2014 budget, following review by Information Technology Department.

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

**Item 24 continued - Purchasing:**

- L. Take all appropriate action on request to purchase computer software from PCMG, Inc. dba PCM Gov, utilizing State of Texas Department of Information Resources Contract DIR-SDD-2504 for various County departments from their FY 2014 budget, following review by Information Technology Department.**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to purchase computer software from PCMG, Inc. dba PCM Gov, utilizing State of Texas Department of Information Resources Contract DIR-SDD-2504 for various County departments from their FY 2014 budget, following review by Information Technology Department.

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

- M. Take all appropriate action on request to purchase in-car video systems, cameras, and accessories from L3 Communications utilizing Houston Galveston Area Council Contract EF04-13 for Fleet Management for FY 2014. (Fund: Fleet Management)**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to purchase in-car video systems, cameras, and accessories from L3 Communications utilizing Houston Galveston Area Council Contract EF04-13 for Fleet Management for FY 2014. (Fund: Fleet Management)

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

- N. Take all appropriate action on request to purchase Panasonic Toughbook mobile computers and accessories for Fleet Management from ARC, utilizing Department of Information Resources Agreements DIR-SDD-1365 and DIR-SDD-1934 for FY 2014. (Fund: Fleet Management)**

Moved by Commissioner Meyers, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to purchase Panasonic Toughbook mobile computers and accessories for Fleet Management from ARC, utilizing Department of Information Resources Agreements DIR-SDD-1365 and DIR-SDD-1934 for FY 2014. (Fund: Fleet Management)

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



**Item 24 continued - Purchasing:**

- O. Take all appropriate action on Component Change Order No. 04 in the amount of \$75,000 from Construction Manager-at-Risk Phoenix 1 Restoration and Construction, Ltd. regarding restoration of the historic Courthouse, pursuant to SOQ 12-050.**

Moved by Commissioner Prestage, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to approve Component Change Order No. 04 in the amount of \$75,000 from Construction Manager-at-Risk Phoenix 1 Restoration and Construction, Ltd. regarding restoration of the historic Courthouse, pursuant to SOQ 12-050.

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

- P. Take all appropriate action to rescind award of Bid 14-008 for traffic signs, posts and supplies, approved September 3, 2013, Agenda Item 21K due to mathematical error by a vendor.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to rescind award of Bid 14-008 for traffic signs, posts and supplies, approved September 3, 2013, Agenda Item 21K due to mathematical error by a vendor.

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

- Q. Take all appropriate action on Bid 14-008 for Traffic Signs, Posts and Supplies.**

Moved by Commissioner Patterson, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to award Bid 14-008 for Traffic Signs, Posts and Supplies to low bidder per section.

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

**Item 24 continued - Purchasing:**

- R. Take all appropriate action on renewals with the following benefit vendors for the year 2014 with no increases in rates or administration fees: Boon Chapman (administrative fees); Deer Oaks EAP Services (employee assistance program); Humana, Inc.(CompDent and VisionCare); MaxorPlus (pharmacy mail service); Unum (long term care, long term disability, voluntary life/accidental death and dismemberment coverage).**

Moved by Commissioner Meyers, Seconded by Commissioner Patterson  
Duly put and unanimously carried (5-0), it is ordered to approve renewals with the following benefit vendors for the year 2014 with no increases in rates or administration fees: Boon Chapman (administrative fees); Deer Oaks EAP Services (employee assistance program); Humana, Inc.(CompDent and VisionCare); MaxorPlus (pharmacy mail service); Unum (long term care, long term disability, voluntary life/accidental death and dismemberment coverage).

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

**25. 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 \$6,866,560.55.

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

**26. Authorize County Auditor to pay and release time sensitive bills on September 19, 2013, to be ratified by Commissioners Court on September 24, 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 September 19, 2013, to be ratified by Commissioners Court on September 24, 2013.

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

**Recess:**

Recessed at 1:45 p.m.

- 27. 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. 13-CCV-050809, The State of Texas and Fort Bend County, Texas vs. John B. Wilson, et al; In the County Court at Law Number One (1) of Fort Bend County, Texas (SPUR 10 - Parcel 29).**
  - 2. Civil Action No. 2:12-CV-00131; Nueces County, Texas v. MERSCORP Holdings, Inc., Mortgage Electronic Registration Systems, Inc., and Bank of America, N.A.; In the United States District Court for the Southern District of Texas, Corpus Christi Division.**
- B. § 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.**

**Annual Evaluation - County Engineer.**

**Closed Session:**

Convened at 2:01 p.m.

Adjourned at 2:22 p.m.

**Reconvene:**

Reconvened at 2:24 p.m.

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

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

- 1. Cause No. 13-CCV-050809, The State of Texas and Fort Bend County, Texas vs. John B. Wilson, et al; In the County Court at Law Number One (1) of Fort Bend County, Texas (SPUR 10 - Parcel 29).**

Moved by Commissioner Morrison, Seconded by Commissioner Meyers  
Duly put and unanimously carried (5-0), it is ordered to approve litigation expenses for any and all costs of pre-trial, trial and appeal, including, but not limited to, discovery costs; court reporter fees; out of county travel, lodging and meals; parking fees; expert witness consultation and testimony fees; subpoenas; investigation expenses; printing costs for briefs; appeal and removal bonds; plus incidental costs for Cause No. 13-CCV-050809, The State of Texas and Fort Bend County, Texas vs. John B. Wilson, et al; In the County Court at Law Number One (1) of Fort Bend County, Texas (SPUR 10 - Parcel 29) in an amount not to exceed an additional \$5,000.00.

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

- 2. Civil Action No. 2:12-CV-00131; Nueces County, Texas v. MERSCORP Holdings, Inc., Mortgage Electronic Registration Systems, Inc., and Bank of America, N.A.; In the United States District Court for the Southern District of Texas, Corpus Christi Division.**

Moved by Commissioner Patterson, Seconded by Commissioner Morrison  
Duly put and unanimously carried (5-0), it is ordered to adopt and approve the written Order executed this date by the County Judge and approve the terms and provisions of the proposed alternative contingent fee Agreements as amended, revised or modified by the County Attorney and as further amended, revised or modified by the County Attorney upon recommendation by the State of Texas Comptroller's Office and authorize execution of same by the County Judge and County Attorney.

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

**B. § 551.074. Personnel Matters.**

**Annual Evaluation - County Engineer.**

Annual review conducted.

**29. Adjournment.**

Commissioners Court adjourned at 2:27 p.m. on Tuesday, September 10, 2013.