

May 5, 2009

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, MAY 5, 2009  
1:00 O'CLOCK P.M.**

**AGENDA**

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Prestage.
3. Approve minutes of regular meeting held on April 28, 2009.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings and take all appropriate action on the following matters:
  - A. Acceptance of the traffic control plan for Andover Farms, Section 6, Pct. 1.
  - B. Acceptance of the traffic control plan for Sienna Village of Shipman's Landing, Section 24, Pct. 1.
  - C. Acceptance of the traffic control plan for Cinco Terrace Drive to Fry Road and Cinco Rose Drive to FM 1093 St. Ded., Cinco Ranch Southwest, Section 7, Section 8, Section 12, Section 13, Section 15, Section 20, Section 22, Section 24, Pct. 3.
  - D. Acceptance of the traffic control plan prohibiting overnight parking of commercial motor vehicles, in Townewest Subdivision, pursuant to Texas Transportation Code Ann. 545.307, Pct. 3.

**CONSENT AGENDA ITEMS 6 - 14:**

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **Juvenile Probation: Ratify change in travel for Cynthia Albarado and Matthew Kyle Dobbs to Orlando, Florida, March 10-14, 2009, to attend the National Conference on Juvenile Justice (NCJJ). (Fund: Juvenile Probation, Travel)**
  - B. **Sheriff's Office:**
    - 1) **Ratify travel by J. L. Martin to Cairo, Georgia, April 5-7, 2009, for interview of capital murder suspect and extradition of same back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
    - 2) **Ratify travel by Chris Carlson to Shreveport, Louisiana, April 27, 2009, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

7. **COUNTY JUDGE: Reappoint by Resolution Richard McCarter to serve as the Fort Bend County Representative on the Gulf Coast Water Authority Committee.**
  
8. **BUDGET TRANSFERS:**
  - A. **Commissioner, Pct. 1:** Approve transfer in the amount of \$500 from Rental into Property & Equipment to allocate funds for purchase of chairs for reception area.
  - B. **Commissioner, Pct. 2:** Approve transfer in the amount of \$75,000 as detailed on Commissioner's form dated April 27, 2009, to allocate additional funds required for completion of the Dew House Renovation, authorized by Commissioners Court on April 28, 2009.
  - C. **Department of Public Safety:** Approve transfer in the amount of \$312 from Office Supplies into Information Technology to allocate funds for purchase of flash drives.
  - D. **Information Technology:** Approve transfer in the amount of \$200 from Property & Equipment into Facilities, Utilities, to allocate funds for addition of 100 DID numbers.
  - E. **Office of Emergency Management:** Approve transfer in the amount of \$1,315 from Operating Supplies into Information Technology to allocate funds for purchase of replacement computer.
  - F. **Vehicle Maintenance:** Approve transfer in the amount of \$3,200 from Operating into Capital Acquisitions to allocate funds for purchase of new fuel pumps at the 230 Legion Drive location.
  
9. **ENGINEERING:**
  - A. Approve payment of Invoice No. 09-03-025 (Pay Estimate No. 13) in the amount of \$6,880.00 to Kelly Kaluza & Associates, Inc. regarding Professional Engineering and Surveying Services related to West Bellfort Paving and Drainage Project (from Martinez Street to Farm Market 1464), Precincts 3 and 4. (Fund: Construction in Progress)
  - B. Approve payment of Invoice No. 409130 (Pay Estimate No. 14) in the amount of \$19,700.34 to Klotz Associates regarding labor rates for Fort Bend County Mobility Bond Projects, Precincts 1, 2, 3, and 4. (Fund: Mobility Bonds)
  - C. Approve request for Fort Bend County to sponsor a Texas Department of Transportation project on behalf of LRI Investment Group, Ltd. to expedite the construction of two tie-in paving connections and two south-bound deceleration lanes and one north-bound left turn lane at proposed Lismer Road at FM 1464 and proposed Newcroft Boulevard at FM 1464 within The Cloisters Development, at no cost to the County, Pct. 4.

**ENGINEERING (Continued)**

- D. Approve the plat for Kingbell Shopping Center Replat No. 1, Pct. 3.
- E. Approve application from AT&T Texas to perform an aerial crossing over Canel Road and bury Cable along Canel Road and Skinner Lane, Precinct 3.
- F. Accept the streets in Fairpark Village, Section 1 and release bond #104887246 in the amount of \$209,519.10, Pct. 1.
  - Amber Point 193.00 LF
  - Cardinal Sky Way 350.79 LF
  - Dogwood Knoll Trail 908.29 LF
  - Elm Hollow Way 526.33 LF
  - Fern Brook Lane 688.01 LF
  - Birch Bark Court 127.17 LF
  - TOTAL: 2,793.59 LF
- G. Accept the streets in Fairpark Village, Section 2 and release bond #104887247 in the amount of \$203,829.50, Pct. 1.
  - Grove Hill Street 170.00 LF
  - Indian Clearing Trail 906.08 LF
  - Keystone Square Lane 420.39 LF
  - Holly Glen Lane 270.11 LF
  - Juniper Dale Drive 900.55 LF
  - TOTAL: 2,667.13 LF
- H. Set public hearing for acceptance of the traffic control plan for Fairpark Village, Section 1, and Section 2, Pct. 1. *(Tuesday, June 2, 2009, at 1:00 p.m.)*
- I. Set public hearing for acceptance of the traffic control plan for Bob White Lane, Pct. 1. *(Tuesday, June 2, 2009, at 1:00 p.m.)*

10. **FACILITIES MANAGEMENT & PLANNING:** The Director of Facilities Management & Planning submits these invoices for approval of payment for projects that have been budgeted and funded by Facility Bonds and/or Capital Projects:
- A. Pay Application No. 07-01500007 in the amount of \$72,145.61 to Bass Construction for services regarding the vehicle maintenance expansion;
  - B. Invoice No. 05042384 in the amount of \$31.02 to AC Plumbing Supply for supplies required for the vehicle maintenance expansion;
  - C. Pay Application No. 1 in the amount of \$200,300.34 to Crain Zamora, L.L.C. for professional services regarding the Missouri City Annex Building;
  - D. Invoice No. 28-495-2 in the amount of \$324,101.44 to Access Distributors, Inc. for furniture, fixture and equipment costs associated with the Jail Expansion; and
  - E. Invoice No. UT1000110949 and UT1000110950 for an amount totaling \$47,352.96 to Bob Barker Company, Inc. for furniture, fixture and equipment costs associated with the Jail Expansion.

May 5, 2009

11. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed this item at their regular meeting held on April 15, 2009, and makes the following recommendation to Commissioners Court:  
**Administration/Engineering:** Approve contract with Knudson, LP for landscape planting and maintenance for the Fort Bend Parkway, Project A.
  
  12. **HUMAN RESOURCES:** Approve request for withdrawal of 160 hours from the Shared Sick Leave Pool for employee of Juvenile Probation, Position No. 5751-0153, to be ratified by the Juvenile Board at their next meeting.
  
  13. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on April 28, 2009, for an amount totaling \$49,294.31.
  
  14. **TREASURER:** Approve Monthly Report submitted by County Treasurer for February 2009, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.
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15. **COMMISSIONER, PCT. 1:** Take all appropriate action on the employment application of John Kendziora for a position in the Road & Bridge Department.
  
  16. **COMMISSIONER, PCT. 3:** Take all appropriate action on request by Gladys Busby to waive penalty and interest totaling \$28.69 on property taxes for Tax Years 2004 through 2007.
  
  17. **AUDITOR:** Take all appropriate action on request to revise the weekend/holiday magistrate policy to set the daily rate at sixty-five percent (65%) of the daily rate of a District Judge, effective May 5, 2009. (Fund: Indigent Defense Program)

May 5, 2009

18. CONSTABLE, PCT. 4:
  - A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$17.50 to Harris County for repairs to patrol vehicle camera done without a purchase order. (Fund: Westpark Tollway Law Enforcement Agreement)
  - B. Take all appropriate action to authorize reimbursement in the amount of \$74.99 to Wayne Coleman for auto repairs performed without a purchase order. (Fund: New Territory Law Enforcement Agreement)
  
19. ENGINEERING: Take all appropriate action on Change Order No. 2 to increase by \$60,856.81 the Agreement with Texas Sterling Construction regarding SH 99 to northbound frontage road from FM 1093 to Fry Road, Mobility Bond Project #79, Pct. 3. (Fund: Mobility Bonds)
  
20. HEALTH & HUMAN SERVICES
  - A. Clinical Health: Take all appropriate action to ratify application to the Department of State Health Services for FY 2010 Immunization Grant funds in the amount of \$258,364, with no cash match required by Fort Bend County.
  - B. Emergency Medical Service: Take all appropriate action on request to reclassify Position Nos. 5401-0092 and 5401-0093 from EMT-Basic, Grade 6 and Position Nos. 5401-0039 and 5401-0051 from Paramedic II, Grade 10, Public Health Policy Group, to Paramedic I, Grade 9, Public Health Policy Group, effective May 16, 2009.
  
21. HUMAN RESOURCES: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$367.70 to Seewee's Travel By Jackie for airfare purchased without a purchase order. (Fund: Human Resources, Travel)
  
22. INFORMATION TECHNOLOGY: Take all appropriate action to authorize reimbursement in the amount of \$13.05 to Connie Heinecke for postal charges incurred without a purchase order. (Fund: Information Technology, Fees)

May 5, 2009

23. PURCHASING:
  - A. Take all appropriate action to authorize contract negotiations with Bass Construction for design/build services on Medic 1 Facility, pursuant to SOQ #09-069.
  - B. Take all appropriate action on request from Town of Thompsons to purchase one (1) 1998 Ford F150 pickup truck as authorized by Local Government Code §263.152 (a)(1).
  - C. Take all appropriate action on request from City of Arcola to purchase the following equipment as authorized by Local Government Code §263.152 (a)(1):
    - 1) 1997 Ford F150 Pickup;
    - 2) 1995 Ford 5640 MFD Tractor; and
    - 3) 2002 Rhino FL 15-Foot Shredder.
  
24. SHERIFF'S OFFICE:
  - A. Take all appropriate action on request to temporarily reclassify Position No. 5601-0711, Detention Officer, Civilian, Grade 7 of the Law Enforcement Policy Group to Bonding Clerk, Grade 5 of the Administrative/Clerical Policy Group for the term of May 16 through July 31, 2009, and authorize reclassification back to Detention Officer, Civilian, Grade 7 effective August 1, 2009.
  - B. Take all appropriate action on request to apply for State Criminal Alien Assistance Program (SCAAP) to Department of Justice, with no required match from Fort Bend County.
  
25. Approve Bills.
  
26. 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.

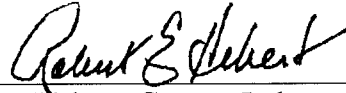
Cause No. 35,194; Fort Bend County, Texas vs. Gloria Lewis, Linda Duckworth, Cathy White, Carline Bradley, Shirie White, et al.; In the County Court at Law Number Two (2) of Fort Bend County, Texas.
  - B. § 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the 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.

Executive Manager Evaluation – Director, Facilities Management & Planning.

May 5, 2009

27. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.  
Cause No. 35,194; Fort Bend County, Texas vs. Gloria Lewis, Linda Duckworth, Cathy White, Carline Bradley, Shirie White, et al.; In the County Court at Law Number Two (2) of Fort Bend County, Texas.
  - B. § 551.074. Personnel Matters.  
Executive Manager Evaluation – Director, Facilities Management & Planning.
28. Adjournment.

In the event any of the foregoing items are not covered in the time allocated on the date of this agenda, the County may order a continuance for the next day until the discussion is completed on all items.



Robert E. Hebert, County Judge

Notice of meeting/agenda posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, May 1, 2009, by Donna Ospina. An electronic version of this notice is also posted on the Fort Bend County website: [www.co.fort-bend.tx.us](http://www.co.fort-bend.tx.us) under Commissioners Court.

**NOTICE**

**Policy of Non-Discrimination on the Basis of Disability**

Fort Bend County does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. The County's ADA Coordinator is the Director of Facilities Management & Planning, located at 1402 Band Road, Suite 100, in Rosenberg, Texas, 77471, and can be reached at telephone number 281-633-7045. The Director of Facilities Management & Planning is designated to coordinate compliance with the non-discrimination requirements in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

**NOTICE**

The County Commissioners Court of Fort Bend County reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

FILED FOR RECORD  
NO. \_\_\_\_\_ TIME 2:07 P.M.

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Shirine Wilson  
County Clerk Fort Bend Co. Tex.