

May 12, 2009

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, MAY 12, 2009  
1:00 O’CLOCK P.M.**

**AGENDA**

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Meyers.
3. Approve minutes of regular meeting held on May 5, 2009 and special meeting held on May 7, 2009.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARINGS: 1:00 p.m.:
  - A. Grants Administration: Conduct Public Hearing to receive public comments regarding the proposed application to U. S. Department of Justice for 2009 Justice Assistance Grant (JAG) funds.
  - B. Engineering:
    - 1) Conduct Public Hearings and take all appropriate action on acceptance of the traffic control plans for:
      - a) Riverside Ranch, Section 2, Pct. 1.
      - b) Long Meadow Farms, Section 21, Pct. 3.
      - c) Canyon Village at Westheimer Lakes, Section 2, Pct. 3.
    - 2) Conduct Public Hearings and take all appropriate action on changes to road names as shown below:
      - a) From Ransom Rd. to Williams Way Blvd. from Hillcrest Dr. to existing Ransom Rd./Williams Way Blvd. intersection, Key Map pages 605H, 606E, F, and K, Precinct 1.
      - b) From School Rd. to South Post Oak Blvd. from Sycamore Rd. to Trammel Fresno Rd., Key Map page 611Y and 651C, Precinct 1.
      - c) From Colorado St. to South Post Oak Blvd. from Trammel Fresno Rd. to 2,600 feet north of Evergreen Rd., Key Map page 611U and Y, Precincts 1 and 2.
      - d) From Farmer Rd. to Mason Rd. from FM 359 to Skinner Ln., Key Map page 566E and J, Precincts 1 and 3.
      - e) From Katy Gaston Rd. to Gaston Rd. from Katy Flewellen Rd. to Falcon Landing Blvd. (future thoroughfare), Key Map page 484K, P, Q and U, Precinct 3.

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**PUBLIC HEARINGS: Engineering**

Conduct Public Hearings and take all appropriate action on changes to road names as shown below (Continued)

- f) From Morton Rd. to West Bellfort from SH 99 (Grand Parkway) to 2,800 feet west of Harlem Rd., Key Map page 526W and X, Precinct 3.
- g) From Katy Gaston Rd. to Falcon Landing Blvd. from the proposed Spring Green Blvd. to the northwesterly projection of Gaston Rd. to the existing Katy Gaston Rd. (proposed Gaston Rd.), Key Map page 484U and Y, Precinct 3.
- h) From Katy Gaston Rd. to Cinco Ranch Blvd. from Katy Gaston Rd. (south) to Katy Gaston Rd. (north), Key Map page 524C, Precinct 3.
- i) From Madden Rd. to West Bellfort from Madden Rd. curve at West Bellfort intersection to Harlem Rd., Key Map page 526Y and Z, Precincts 3 and 4.
- j) From Boss Gaston Rd. to West Bellfort from 700 feet south of Blake Rd. to curve 200 feet south of Sam Brookins St., Key Map page 527T and U, Precincts 3 and 4.

**CONSENT AGENDA ITEMS 6 - 13:**

**6. OUT-OF-STATE TRAVEL:**

- A. **Enter into record the out-of-state travel of elected official:**  
**Commissioner Pct 2: Commissioner Grady Prestage to Washington, DC, September 23-26, 2009, to attend the Congressional Black Caucus Annual Legislative Conference. (Fund: Commissioner Pct. 2, Travel)**
- B. **Approve out-of-state travel request by County personnel:**  
**AgriLife Extension Office: Sandra Fry to Birmingham, Alabama, September 14-18, 2009, to attend the 75<sup>th</sup> Annual NEAFCS Conference, Celebrating our Heritage, Embracing our Future. (Fund: Extension Office, Travel)**

**7. BUDGET TRANSFERS:**

- A. **District Attorney: Rescind Court's approval of Agenda Item 9 E 3) on April 28, 2009, a transfer in the amount of \$37,749, due to duplication.**
- B. **District Clerk: Approve transfer in the amount of \$13,850 as detailed on Clerk's form dated May 7, 2009, to allocate funds for replacement of two copiers.**
- C. **Sheriff's Office: Approve transfer in the amount of \$10,000 from Sheriff, Narcotics Task Force, State, Contingency, into Information Technology to allocate funds for purchase of eight laptop computers for the Narcotics Task Force.**

**8. ENGINEERING:**

- A. Approve payment of Invoice No. 3192 in the amount of \$28,281.25 to Property Acquisition Services (PAS) for various right-of-way acquisition services, Precincts 1, 2, 3 and 4. (Fund: Right of Way)
- B. Approve payment of Invoice No. 12 (Pay Estimate No. 12) in the amount of \$10,088.97 to Cobb-Fendley & Associates, Inc. regarding the expansion of Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: Mobility Bonds)
- C. Approve payment of Invoice No. 5663 (Pay Estimate No. 8) in the amount of \$119,210.00 to Othon, Inc. regarding the expansion of Ransom Road (from River Park to Main Street in Fort Bend County and Richmond, Texas), Mobility Bond Project #747, Precinct 1.
- D. Approve payment of Invoice No. 06-106926 (Pay Estimate No. 26) in the amount of \$325,131.94 to Triple B Services, L.L.P. regarding Paving and Drainage Improvements for Fifth Street, Mobility Bond Project #17, Precinct 2. (Fund: Mobility Funds)
- E. Approve application from Riverway Services, LLC to bore under and bury water line, sanitary sewer and storm sewer along Fulshear Gaston, Precinct 3.
- F. Approve application from AT&T Texas to bore under Belle Terra Parkway and bury cable along Canal Road, Precinct 3.
- G. Approve application from AT&T Texas to install aerial cable along Canal Road, Precinct 3.
- H. Approve application from AT&T Texas to bore under Farmer Road, Precinct 3.
- I. Approve application from Woodscore 3, dba American Site Development to construct a driveway tie-in onto Farmer Road, Precinct 3.
- J. Approve the plat for Prosperity Estates Subdivision, Pct. 1.
- K. Release bond #765572S in the amount of \$394,100.00 for Retreat at Sovereign Shores, Section 1. The streets are PRIVATE and will be maintained by the Homeowners Association, Pct. 1.
- L. Set public hearing for acceptance of the traffic control plan to install multi-way stops at Trammel Fresno Road and Winfield Lakes Trail/Liberty Square Trail and Trammel Fresno Road and Chimney Rock Road/Teal Bend Blvd., Precincts 1 and 2. *(Tuesday, June 9, 2009, at 1:00 p.m.)*

**9. 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. 2 in the amount of \$279,757.20 to Crain Zamora, LLC, for professional services regarding the Parking Garage;
- B. Invoice No. 29649 in the amount of \$779.40 to 2M Business Products for furniture, fixture, and equipment costs regarding the Office of Commissioner, Pct. 1;
- C. Pay Application No. 08-00900009 in the amount of \$845,778.35 to Bass Construction for construction services regarding the Gus George Academy;

**FACILITIES MANAGEMENT & PLANNING (Continued)**

- D. Invoice Nos. 44326, 44360, and 44527 for an amount totaling \$7,999.90 to Paradigm Consultants, Inc. for professional services regarding the Jail Expansion Project;
  - E. Invoice No. 30080498 in the amount of \$1,366.20 to Intensa, Inc. for furniture, fixture, and equipment costs associated with the Jail Expansion Project;
  - F. Invoice No. 4044 in the amount of \$33,838.58 to Total Technologies for voice/data cabling provided for the Tax Assessor/Collector Facility;
  - G. Invoice Nos. 10025425B, 10025425A, 10025782, 10025787, 10025784, 10025788, 10025786, and 10025792 for an amount totaling \$363,421.34 to PGAL for architectural services regarding the Justice Center;
  - H. Invoice No. 88809 in the amount of \$29,251.12 to Rosser International, Inc. for professional services regarding the Jail Expansion Project; and
  - I. Invoice No. 4013 in the amount of \$8,870.01 to Total Technologies for voice/data cabling services for the Needville Service Center.
10. **FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1:** The Board of Directors of the Fort Bend County Fresh Water Supply District No. 1 reviewed these items at a regular meeting held on March 19, 2009, and makes the following recommendation to Commissioners Court: Authorize payment of Invoice No. 24 in the amount of \$21,109.00 to Carter Burgess for final design of water and sewer system. (Fund: Fort Bend County Fresh Water Supply District No. 1, Fees)
11. **FORT BEND FLOOD CONTROL WATER SUPPLY CORPORATION:** The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed this item at their regular meeting on April 29, 2009, and made the following recommendation to Commissioners Court: Authorize payment of invoices for work performed by consultants and/or contractors and listed on Board Report for an amount totaling \$8,511.91 for Big Creek. (Fund: Big Creek, Fees)
12. **PARKS DEPARTMENT:** Approve payment of Invoice No. 21825 in the amount of \$37,692.00 to Wellington Electric, Inc. for electrical services regarding the Mustang Park Lighting Project.
13. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 5, 2009, for an amount totaling \$8,848.83.
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14. COUNTY JUDGE: Take all appropriate action to appoint Underwriters for the proposed sale of Unlimited Tax Road Bonds Series 2009.
  
15. COMMUNITY DEVELOPMENT: Take all appropriate action on Substantial Amendment to the 2008 Consolidated Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) in the amount of \$777,971, and authorize County Judge to sign all documents pertaining to the program.
  
16. ENGINEERING:
  - A. Take all appropriate action on Interlocal Agreement between Fort Bend County and the City of Rosenberg for improvements to Bamore Road between FM 1640 and US 59 for an amount not to exceed \$1,300,000; Mobility Bond Project No. 6. (Fund: 2000 Mobility Bonds)
  - B. Take all appropriate action on Professional Engineering Services Agreement between Fort Bend County and Lina T. Ramey & Associates, Inc. regarding Signalization for Trammel Fresno at Chimney Rock Road/Teal Bend Blvd., for an amount not to exceed \$34,471.30, Precincts 1 and 2. (Fund: Road and Bridge)
  - C. Take all appropriate action on Agreement between Fort Bend County and Amani Engineering, Inc. to provide professional engineering services regarding signalization for Trammel Fresno at Winfield Lakes Trail/Liberty Square Trail, for an amount not to exceed \$33,792, Precincts 1 and 2. (Fund: Road & Bridge)
  
17. FACILITIES MANAGEMENT & PLANNING:
  - A. Take all appropriate action on Utility Commitment Letter between Fort Bend County and Grand Lakes Municipal Utility District No. 4 regarding availability of water and sanitary sewer service for the 6.486-acre tract located at 22333 Grand Corner Drive, Katy, Texas, Precinct 3.
  - B. Take all appropriate action on request for new additional position, Receptionist/Billing Clerk, Grade 6 of the Administrative/Clerical Policy Group, effective May 16, 2009. (Fund: Facilities)

18. GRANTS ADMINISTRATION:

- A. Take all appropriate action to authorize application to the U. S. Department of Justice for the 2009 Justice Assistance Grant/Recovery Act Program in the amount of \$349,610 for personnel and contract services, with no match or continued employment required by Fort Bend County.
- B. Take all appropriate action to authorize application to the Office of the Governor, Criminal Justice Division, for Byrne Justice Assistance Grant (JAG) Stimulus competitive grant funds for law enforcement equipment with no cash match required by Fort Bend County, and adopt Resolution for same.

19. HEALTH & HUMAN SERVICES – SOCIAL SERVICES:

- A. Take all appropriate action to ratify acceptance of additional funds in the amount of \$21,859 from the Texas State Set-Aside (SSA) Award under Phase 27 of the Emergency Food and Shelter Grant for use in the following categories: Rent/Mortgage \$13,500; Utilities \$7,200; and Other Food \$1,159, with no match required by Fort Bend County.
- B. Take all appropriate action to authorize Social Services to apply for a percentage of the American Recovery and Reinvestment Act of 2009 (ARRA) funds of which \$1,120,060 has been designated for Harris and Fort Bend Counties to supplement and extend food and shelter services, not as a substitute for other program funds.

20. PARKS DEPARTMENT:

- A. Take all appropriate action to accept conveyance of Barbara Jordan Park from Barbara Jordan Youth Center, Inc., a Texas Non-Profit Corporation, to Fort Bend County, said park being an approximate 7.19-acre tract out of Section No. 26, H. & T.C RR Co. Survey in Fort Bend County, Precinct 1, Texas.
- B. Take all appropriate action to approve an Interlocal Agreement between Fort Bend County and Fort Bend County Drainage District for construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail.
- C. Take all appropriate action on Interlocal Agreement between Fort Bend County and Harris County for construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.
- D. Take all appropriate action on Interlocal Agreement(s) between Fort Bend County and Cinco Ranch Municipal Utility District(s) for Provision of Funds for Acquisition and Construction of Recreational Facilities in the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.
- E. Take all appropriate action on Recreational Easements and Conveyances from Terrabrook/Newland Communities and Cinco Ranch Residential Property Association, Inc. regarding the proposed Fort Bend/Harris County Regional Park and Trail, pending review by County Attorney.

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21. PURCHASING 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 available from only one source for Supplemental Agreement between Fort Bend County and Manatron for Phase 1 Remote Vaulting Services in an amount not to exceed \$68,000, pursuant to Master Agreement. (Fund: County Clerk)
  
22. Approve Bills.
  
23. Authorize County Auditor to pay and release time sensitive bills on May 21, 2009, to be ratified by Commissioners Court on May 26, 2009.
  
24. COMMISSIONER, PCT. 1: Workshop to receive and approve Annual Report for Fiscal Year ending December 31, 2008, for Tax Increment Reinvestment Zone No. 2, City of Pearland, Texas (Shadow Creek Ranch).
  
25. 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) Broussard, Jessica, Date of Incident: February 11, 2008.
    - 2) Chapter 551, Texas Government Code.
  
  - 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) Acquisition of property, Ransom Road, Mobility Bond Project No. 747, Pct. 1.
    - 2) Acquisition of property, Harlem Road, Mobility Bond Project No. 727, Pct. 3.

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FILED FOR RECORD

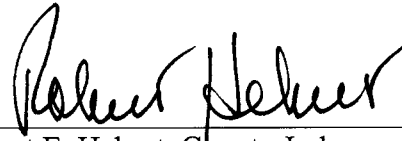
NO. \_\_\_\_\_ TIME 1:39 A.M.  
P.M.

MAY 08 2009 CAH

*Quinn Nelson*  
County Clerk For Bend Co. Tex.

26. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
    - 1) Broussard, Jessica, Date of Incident: February 11, 2008.
    - 2) Chapter 551, Texas Government Code.
  
  - B. § 551.072. Deliberation Regarding Real Property.
    - 1) Acquisition of property, Ransom Road, Mobility Bond Project No. 747, Pct. 1.
    - 2) Acquisition of property, Harlem Road, Mobility Bond Project No. 727, Pct. 3.
27. 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 8, 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.

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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.

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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).

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