

June 2, 2009

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, JUNE 2, 2009  
1:00 O'CLOCK P.M.**

**AGENDA**

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Morrison.
3. Approve minutes of regular meeting held on May 26, 2009, and Budget Workshop held on May 27, 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 Fairpark Village, Section 1, and Section 2, Precinct 1.
  - B. Acceptance of the traffic control plan for Bob White Lane, Precinct 1.

**CONSENT AGENDA ITEMS 6 - 18:**

6. **OUT-OF-STATE TRAVEL:**
  - A. **Enter into record the out-of-state travel by elected official:**  
**268<sup>th</sup> District Court: Judge Brady Elliott to Reno, Nevada, July 6-30, 2009, to attend two judicial courses at the National Judicial College. (Fund: 268<sup>th</sup> District Court, Travel)**
  - B. **Approve out-of-state travel request for County personnel:**  
**Sheriff's Office: Ratify travel by Aramis Gonzales to New Orleans, Louisiana, May 29, 2009, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
7. **COUNTY JUDGE:** Approve the appointment of Commissioner Grady Prestage as Fort Bend County's Designated Delegate to the 2009 National Association of Counties (NACo) Annual Conference.

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8. **COMMISSIONER, PCT. 1: Approve Project Agreement between Fort Bend County and City of Kendleton to provide assistance with construction of approximately 500 feet of road and overlay of asphalt from Spur 541 through King Kennedy Memorial Park (a city-owned park) to Ben Williams, excluding the portion in Railroad right-of-way, County expenditure note to exceed \$19,888.80. (Fund: Road & Bridge, Multi)**
  
9. **COMMISSIONER, PCT. 3: Accept the resignation of Chuck Davis as Commissioner for Fort Bend County Emergency Services District No. 4, and approve the appointment of Richard McCormack to fill the vacancy through the unexpired term of December 31, 2009.**
  
10. **BUDGET TRANSFERS:**
  - A. **County Court at Law No. 1: Approve transfer in the amount of \$100 from Property and Equipment into Information Technology to allocate funds for purchase of monitor cable.**
  - B. **Public Transportation: Approve transfer in the amount of \$17,301 as detailed on Director's form dated May 27, 2009, to allocate match for FTA Section 5307 Urban Grant.**
  
11. **ENGINEERING:**
  - A. **Approve payment of Invoice No. 25767 (Pay Estimate No. 6) in the amount of \$3,403.00 to Landtech regarding expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: Mobility Bonds)**
  - B. **Approve payment of Invoice No. C3X41400-09 (Pay Estimate No. 8) in the amount of \$55,253.03 to Jacobs Engineering Group, Inc. regarding Katy-Gaston Road (from Cinco Ranch to FM 1093), Mobility Bond Project #733, Precinct 3. (Fund: Mobility Bonds)**
  - C. **Approve payment of Invoice No. 19 (Pay Estimate No. 19) in the amount of \$30,305.96 to Schaumburg & Polk, Inc. regarding Management and Administrative Support Services for the 2007 Mobility Bond Project Program, Precincts 1, 2, 3 and 4. (Fund: Mobility Bonds)**
  - D. **Approve application from AT&T Texas to bury cable along Klauke Road, Precinct 1.**
  - E. **Approve application form CenterPoint Entex to bury 4-inch plastic gas main on North Firethorne, Precinct 3.**
  - F. **Approve release of Performance Bond #22019119 in the amount of \$5,000.00 to Brookstone L.P. for completion of work on Evergreen and Chimney Rock, Permit #83356, Precinct 2.**
  - G. **Approve plat for the roads within Cinco Ranch Southwest, Section 36, Pct. 3.**
  - H. **Approve plat for the lots within Cinco Ranch Southwest, Section 36, Pct. 3.**

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12. **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. Invoice No. W29209-2 in the amount of \$85,050.00 to McDonald Electric for professional services regarding the South Post Oak Ball Park; and
    - B. Pay Application No. 3 in the amount of \$822,268.70 to Crain Zamora LLC for professional services regarding the Parking Garage.
  13. **HEALTH & HUMAN SERVICES:** Accept and sign Department of State Health Services Grant No. 2009-031276 award in the amount of \$42,846.00, with no cash match required by the County, the content of which is covered by the Texas Government Code § 418.183(f).
  14. **PARKS DEPARTMENT:** Approve renewal of Lease Agreement between Fort Bend County and Fort Bend Regional Council on Substance Abuse Inc. for use of space at the Bud O'Shieles Community Center at specified times effective through September 30, 2009.
  15. **PUBLIC TRANSPORTATION:** Authorize the Director of Public Transportation to electronically execute document for Section 5307 Project Number TX-90-X847-00 of the Federal Transit Administration, as approved by Commissioners Court on April 28, 2009.
  16. **PURCHASING:** Authorize advertising for Statements of Qualification (SOQs) and/or Request for Proposals (RFPs) for the following:
    - A. Materials testing services required during construction of the Justice Center; and
    - B. Helpdesk software for Facilities Management & Planning Department.
  17. **SHERIFF'S OFFICE:**
    - A. Approve Renewal Agreement between Fort Bend County and Harold Anderson to provide services as Intelligence Coordinator for the HIDTA Program for the term of May 1, 2009 through April 30, 2010. (Fund: HIDTA 2009 Grant)
    - B. Approve Renewal Agreement between Fort Bend County and David Knight, dba Amadis Consultants, to provide services as Deputy Director of the HIDTA Program for the term of May 1, 2009 through April 30, 2010. (Fund: HIDTA 2009 Grant)
  18. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 26, 2009, for an amount totaling \$12,702.66.
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19. COUNTY JUDGE:

- A. Take all appropriate action to consider change in the regular meeting schedule of Commissioners Court for the month of July, 2009, to meet July 7, 14, and 21, 2009.
- B. Take all appropriate action to adopt Local Option Exemptions from the Fort Bend County General Fund property taxes for the 2009 tax year as follows, pursuant to Section 11.13(n) of the Texas Property Tax Code:
  - Homestead Exemption: \$5,000 or 20 Percent (whichever is greater); and
  - Over Age 65 Exemption: \$100,000; or
  - Disabled Person Exemption: \$100,000.

20. COMMISSIONER, PCT. 2: Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Houston for use of Blue Ridge Park for County to provide, maintain, construct, equip, and operate playgrounds, recreation centers, athletic fields, swimming pools, and other park or recreational facilities located on property owned by the City.

21. COMMUNITY DEVELOPMENT:

- A. Take all appropriate action on Substantial Amendment to the 2008 Consolidated Action Plan for the Community Development Block Grant (CDBG) Program Funding under the American Recovery and Reinvestment Act of 2009 to receive additional funding in the amount of \$508,804 and authorize County Judge to sign all documents pertaining to the Amendment.
- B. Take all appropriate action on Resolution by Fort Bend County on the Method of Distribution for Disaster Recovery funds.

22. COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT:

- A. Take all appropriate action to authorize reimbursement in the amount of \$132.41 to Judge Ross Sears for award incentives purchased without a purchase order for Drug Court participants. (Fund: Drug Court Incentive Fund)
- B. Take all appropriate action to authorize reimbursement in the amount of \$182.12 to Judge Ross Sears for purchase of refreshments provided to Drug Court Staff during training on February 27, 2009. (Fund: CSCD State Funds)

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23. CONSTABLE, PCT. 3: Take all appropriate action on Agreement for Additional Law Enforcement Services between Fort Bend County and Waterview Estates Owner's Association, Inc. effective for a four-month period from June 1, 2009 through September 30, 2009.
  
24. ENGINEERING:
  - A. Take all appropriate action on First Amendment to Professional Services Agreement between Fort Bend County and Pate Engineers, Inc. for the widening of Old Richmond Road (from West Airport Blvd. to Boss Gaston Road for an amount not to exceed \$24,000 for a total agreement amount of \$209,200.00, Mobility Bond Project #729, Precinct 4.
  - B. Take all appropriate action on the Professional Materials Testing Agreement between Fort Bend County and Terracon Consultants, Inc. in an amount not to exceed \$274,824 for Greenbusch Road Improvements (from Katy Flewellen Road to Falcon Landing Blvd.), Phases 1 & 2, Mobility Bond Project #732, Precinct 3.
  
25. FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on Guaranteed Maximum Price (GMP) Change Order as presented by JE Dunn Construction in the amount of \$58,485,991 for the Fort Bend County Justice Center. (Fund: Facility Bonds)
  
26. GRANTS ADMINISTRATION:
  - A. Take all appropriate action to assign the Justice Assistance Grant (JAG) Review Committee to review on behalf of Fort Bend County the proposed application for the 2009 Justice Assistance Grant (JAG) in the amount of \$85,043, with no cash match required by Fort Bend County.
  - B. Take all appropriate action to set a Public Hearing to receive public comments on how to spend 2009 JAG funds, to be conducted Tuesday, July 7, 2009, at 1:00 p.m. in the Commissioners Courtroom of the Wm. B. Travis Building in Richmond, Texas, and publish notice of hearing on Fort Bend County website.
  
27. PARKS DEPARTMENT: Take all appropriate action on Supplemental Agreement No. 1 between Fort Bend County and Galveston District, Corps of Engineers to renew Park and Recreation Lease No. DACW64-1-87-34, Cinco Ranch Park, Buffalo Bayou, and Tributaries Flood Control Project, Barker Dam, Texas, to extend term of the lease until November 30, 2037.

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28. PURCHASING:
  - A. Take all appropriate action on Addendum No. 2 to the Software License and Maintenance Agreement between Fort Bend County and Trapeze Software Group, Inc. in the amount of \$10,500 for additional software services. (Fund: Transportation)
  - B. Take all appropriate action on the following:
    - 1) Bid #09-067 for the Summer Food Program;
    - 2) Bid #09-081 for Lime and Gravel Road Material; and
    - 3) Bid #09-082 for Tank Culverts.
  
29. SHERIFF'S OFFICE:
  - A. Take all appropriate action on request to transfer the amount of \$250,000 from Non-Departmental Contingency into Indigent Health Care, Professional Services, to allocate funds needed for prisoner medical expenses for FY 09.
  - B. Take all appropriate action to approve the purchase of two (2) full size automobiles for the Sheriff's Office utilizing the Houston Galveston Area Council contract. (Fund: Sheriff, Narcotics, Capital Acquisitions)
  
30. Approve Bills.
  
31. 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.

Medical Subrogation Lien Claim: Luedeke, Kathleen; Date of Incident November 8, 2008.
  - 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 of Public Transportation.

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32. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.  
Medical Subrogation Lien Claim: Luedeke, Kathleen; Date of Incident November 8, 2008.
  - B. § 551.074. Personnel Matters.  
Executive Manager Evaluation – Director of Public Transportation.
33. 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.

  
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Robert E. Hebert, County Judge

Notice of meeting/agenda posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, May 29, 2009, by Donna Copina. 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 12:43 P.M. A.M.  
MAY 29 2009  
  
County Clerk Fort Bend Co. Tex.