

August 11, 2009

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, AUGUST 11, 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 August 4, 2009.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARING: 1:00 p.m.: Conduct Public Hearing on the replat of Shops at Grand Parkway Partial Replat No. 1, being a replat of a portion of restricted reserve "A" of Shops at Grand Parkway, Pct. 3.

CONSENT AGENDA ITEMS 6 - 20:

6. OUT-OF-STATE TRAVEL:

A. Record into Minutes the out-of-state travel by elected official:

Constable, Pct. 2: Constable Ruben Davis to Denver, Colorado, October 2-8, 2009, to attend the 116th Annual International Association of Chiefs of Police (IACP) Conference for Law Enforcement Education and Technology. (Fund: Constable, Pct. 2, Travel)

B. Approve out-of-state travel requests for County personnel:

- 1) **Juvenile Probation: Approve travel by two of the listed Detention Officers: Frankie Hill, Tariq Muhammed, Terrance Woodard, Melvin Phynon, to Richmond, Virginia between August 27, 2009 and September 5, 2009, for extradition of juvenile back to Fort Bend County. There will be two round trips: Officers going to Virginia to pick up juvenile and return him to Fort Bend County; then Officers taking juvenile back to Virginia, and their return to Fort Bend County. (Fund: Juvenile, Travel)**
- 2) **Public Transportation: Randall Bond and Cindy Sumrall to St Louis, Missouri, September 14-16, 2009, to attend the National Transit Database training. (Fund: Transportation Grants)**
- 3) **Sheriff's Office: Ratify travel by Chris Carlson to Lake Charles, Louisiana, July 28, 2009, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

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7. **COMMISSIONER, PCT. 1:**
 - A. **Approve Project Agreement between Fort Bend County and City of Beasley to provide assistance with asphalt on North 2nd Street, a city-owned street, County expenditure not to exceed \$1,775. (Fund: Road & Bridge, Multi)**
 - B. **Approve Project Agreement between Fort Bend County and City of Richmond to provide assistance with cutting tree limbs growing into the city right of way, County expenditure not to exceed \$1,350. (Fund: Road & Bridge, Multi)**

8. **COMMISSIONER, PCT. 4: Accept and record donation deed from H.E.B. conveying 1.095 acres to Fort Bend County for right of way along Harlem Road from SH 99 to Madden Road.**

9. **BUDGET TRANSFERS:**
 - A. **Associate County Court-at-Law: Approve transfer in the amount of \$1,850 from Travel into Information Technology to allocate funds for purchase of laptop computer.**
 - B. **Courthouse Security: Approve transfer in the amount of \$400 from Property and Equipment into Information Technology to allocate funds for replacement monitors for security camera viewing.**
 - C. **Emergency Management: Approve transfer in the amount of \$3,100 from Fees into Information Technology to allocate funds into correct line item for purchase of computer equipment.**
 - D. **Health & Human Services – Clinical Health: Approve transfer in the amount of \$25,910 as detailed on Auditor’s form dated July 31, 2009, to reallocate benefit funds into Non-Departmental Contingency.**
 - E. **Justice of the Peace, Pct. 1, Pl. 2: Approve transfer in the amount of \$1,432 from JP Technology Fund into JP 1-2, Information Technology, to amend the budget pursuant to Local Government Code §111.0706 and allocate funds for replacement of two computers.**
 - F. **Public Transportation: Approve transfer in the amount of \$173,001 as detailed on Director’s form dated August 5, 2009, to allocate local County match for FY 2009 federal grant.**
 - G. **Road & Bridge: Approve transfer in the amount of \$350,000 from Road & Bridge, Contingency, into Operating Supplies, to allocate funds for road building materials.**

10. **COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT: Record into Minutes the Community Supervision & Corrections Department State budgets for FY 2010 and FY 2011, pursuant to Local Government Code §140.004, pending approval by the Board of Judges at their next meeting.**

11. **CONSTABLE, PCT. 2:** Approve Amendment to Lease Agreement between Fort Bend County and Willowridge Commons, LLC, extending the lease of office space at 7133 W. Fuqua, Missouri City, effective October 1, 2009 through September 30, 2010, at the same rate of \$1,300 per month. (Fund: Constable, Pct. 2, Rental)
12. **DISTRICT ATTORNEY:** Record into Minutes the District Attorney's Amended Worthless Check Fund: Account Line 260480102 budget being amended in the amount of \$8,000 for a total budget amount of \$48,425.
13. **ENGINEERING:**
 - A. Approve payment of Invoice No. 3269 in the amount of \$32,891.25 to Property Acquisition Services (PAS) for various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)
 - B. Approve payment of Invoice No. 200907-129 (Pay Estimate No. 3) in the amount of \$560,217.74 to Durwood Green Construction Company regarding West Belfort Paving and Drainage Project, Mobility Bond Project #731, Precinct 4.
 - C. Approve payment of Invoice No. 200907-144 (Pay Estimate No. 1) in the amount of \$129,410.46 to Durwood Green Construction Company regarding Greenbusch Paving and Drainage, Mobility Bond Project #732, Precinct 3.
 - D. Approve application from Royal Valley Utilities, Inc. to bore under Gapps Slough and Royal Crest Lane with 12-inch water line, Precinct 1.
 - E. Approve application from Consolidated Communications to bore and bury cable along Big Island, Precinct 1.
 - F. Approve the plat for Long Meadow Farms Commercial Reserve, Section 4, Precinct 3.
 - G. Accept Amendment Letter of Credit #SC5929 for Falcon Park Drive Street Dedication, reducing it from \$47,880.00 to \$23,940.00, Pct. 3.
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 Bonds and/or Capital Projects:
 - A. Invoice No. 12 in the amount of \$7,689.00 to AutoArch Architects LLC for architectural services regarding the Missouri City Annex;
 - B. Pay Application No. 08-00900012 in the amount of \$589,030.40 to Bass Construction for construction services regarding the Gus George Academy;
 - C. Pay Application No. 4 in the amount of \$490,343.18 to Crain Zamora LLC for professional services regarding the Missouri City Annex;
 - D. Pay Application No. 5 in the amount of \$1,314,524.50 to Crain Zamora LLC for professional services regarding the Parking Garage; and
 - E. Invoice No. 09-6-000036 in the amount of \$4,235.70 to Paradigm Consultants, Inc. for materials testing regarding the Sienna Library.

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15. **FIRE MARSHAL:** Approve and record Official Bond and Oath for Jeffrey Wayne Brownson, Fire Investigator, effective through April 28, 2010.
 16. **GRANTS ADMINISTRATION:** Accept grant funds from the Bureau of Justice Assistance for the FY 2009 Recovery Act Justice Assistance Grant (JAG) in the amount of \$349,610 for personnel and contract services, with no cash match or continued employment required.
 17. **HEALTH & HUMAN SERVICES – CLINICAL HEALTH:** Accept and sign Contract No. 2010-031694 between Fort Bend County and the Texas Department of State Health Services to receive grant funding in the amount of \$258,365 for local immunizations, with no cash match required by Fort Bend County.
 18. **PUBLIC TRANSPORTATION:**
 - A. Approve and execute Contract Amendment No. 4 for Section 5311 Rural Transportation Program Contract No 51812F7098, State Project No RPT 0803(12)31, to extend contract expiration through November 30, 2009 to allow sufficient time for vehicle delivery.
 - B. Approve and execute Contract Amendment No. 2 for Section 5311 Rural Transportation Program Contract No. 51812F7259, State Project No. RPT 0805(12)30, to extend contract expiration through November 30, 2009 to allow sufficient time for vehicle delivery.
 19. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on August 4, 2009, for an amount totaling \$10,518.96.
 20. **TREASURER:** Approve Monthly Report submitted by County Treasurer for June, 2009, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.
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21. **COUNTY JUDGE:** Take all appropriate action on the collection of optional fees for calendar year 2010, pursuant to Transportation Code §502.172-173, commencing January 1, 2010.

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22. COMMISSIONER, PCT. 3:
 - A. Take all appropriate action to appoint Robert Anthony and Russell Peck to the Height and Hazard Ordinance Committee for the Joint Airport Safety Board for Houston Executive Airport.
 - B. Take all appropriate action to appoint Robert Anthony to the Board of Adjustments Committee for the Joint Airport Safety Board for Houston Executive Airport.
23. AUDITOR: Take all appropriate action on FY 2009 Formula Grant from the Texas Task Force on Indigent Defense in the amount of \$231,589, with no cash match required by Fort Bend County.
24. COMMUNITY DEVELOPMENT:
 - A. Take all appropriate action on the Funding Approval/Agreement between Fort Bend County and U. S. Department of Housing and Urban Development, to receive funds in the amount of \$508,804 under the American Recovery and Reinvestment Act of 2009, and authorize County Judge to sign all documents pertaining to the program, which is part of the Substantial Amendment to the 2008 Consolidated Action Plan approved by Commissioners Court on June 23, 2009.
 - B. Take all appropriate action on the Interlocal Agreement for the CDBG Disaster Recovery Program (CDBG IKE) between Fort Bend County and City of Richmond, and authorize County Judge to sign all documents pertaining to the Agreement, which is part of the application approved by Commissioners Court on June 23, 2009.
 - C. Take all appropriate action on the Interlocal Agreement for CDBG Disaster Recovery Program (CDBG IKE) between Fort Bend County and City of Rosenberg, and authorize County Judge to sign all documents pertaining to the Agreement, which is part of the application approved by Commissioners Court on June 23, 2009.
 - D. Take all appropriate action on the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Grant Agreement between Fort Bend County and United States of America, to receive funds in the amount of \$777,971 for a three-year program, and authorize County Judge to sign all documents pertaining to the agreement, which is part of the Substantial Amendment to the 2008 Consolidated Action Plan approved by Commissioners Court on May 12, 2009.
25. COUNTY CLERK AND DISTRICT CLERK:
 - A. Take all appropriate action on the collection of a County and District Court Technology Fee in the amount of \$4.00 as a cost of court for a defendant convicted of a criminal offense, pursuant to Code of Criminal Procedure 102.0169, commencing January 1, 2010.
 - B. Take all appropriate action on the collection of an additional filing fee in the amount of \$10.00 for civil cases in certain courts (County Court, Statutory Court, or District Court), pursuant to Government Code §51.708, commencing January 1, 2010.

26. ENGINEERING:

- A. Take all appropriate action on Change Order No. 1 in the amount of \$10,526.90 (increase) to Durwood Green Construction Company regarding West Bellfort Paving and Drainage, Mobility Bond Project #731, Precinct 4.
- B. Take all appropriate action on Standard Utility Agreement between Fort Bend County, the State of Texas, and Kinder Morgan Texas Pipeline, LLC regarding Greenbush (from Mills Manor Drive to Falcon Landing Blvd.,) County expenditure not to exceed \$168,139; Mobility Bond Project #732, Precinct 3. (Fund: Right of Way)
- C. Take all appropriate action on the Amended and Restated Resolution requesting Waiver of Local Match Fund Participation Requirement on Federal Off-System Bridge Program Project, Pct. 1.
- D. Take all appropriate action on request to authorize additional funding from Right of Way for the following properties:
 - 1) Parcel No. 5, FM 1464, 2000 Mobility Bond Project No. 59, the purchase of which approved by Commissioners Court on April 24, 2007, Agenda Item 41(E), amount required: \$1,194.95, Precincts 3 and 4;
 - 2) Parcel No. 9 (Parts 1 and 2), FM 1464, 2000 Mobility Bond Project No. 59; approved by Commissioners Court on February 27, 2007, Agenda Item No. 39 B 2), amount required \$9,263.95, Precinct 3;
 - 3) Parcel No. 11 and No. 13 of Harlem Road, Mobility Bond Project No. 727, approved by Commissioners Court on May 12, 2009, Agenda Item No. 26 B 2), amount required \$1,631.95, Precinct 3; and
 - 4) Parcel No. 14 (b), FM 1464, 2000 Mobility Bond Project No. 59, approved by Commissioners Court on January 6, 2009, Agenda Item No.35 A 2), amount required \$4,032.95, Precinct 4.

27. FACILITIES MANAGEMENT & PLANNING:

- A. Take all appropriate action on Facilities Extension Agreement between Fort Bend County and CenterPoint Energy Houston Electric, LLC, to extend electric service to the location of Sienna Springs Boulevard and Sienna Parkway in Missouri City, Texas, for the Sienna Library. (Fund: Facility Bond Project)
- B. Take all appropriate action on Addendum to Terms and Conditions to Underground Electric Service between Fort Bend County and CenterPoint Houston Electric, LLC for the Sienna Library.

28. HUMAN RESOURCES: Take all appropriate action on revisions to the Employee Information Manual Section 301, Drug and Alcohol Detection and Deterrence.

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29. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on request to approve and authorize County Judge to sign the Fiscal Year 2010 Application Part I, and authorize the Transit Director to submit application to Texas Department of Transportation for FY10 Rural Transportation funds to be received from Texas Department of Transportation.
- B. Take all appropriate action on request to approve and authorize County Judge to sign the Section 5310 Elderly and Persons with Disabilities Supplement Form to FY10 Application Part I, and authorize Transit Director to submit application to Texas Department of Transportation for FY10 Elderly and Disabled Program funds in the amount of \$366,691 with a local match not to exceed \$91,672. (Fund: FY10 Transportation Grant Allocation)

30. PURCHASING:

- A. Take all appropriate action on renewal of Agreement between Fort Bend County and Homeland Preparedness Project, pursuant to SOQ #07-038, for an amount not to exceed \$79,000. (Fund: Health and Human Services, Grant)
- B. Take all appropriate action on Software License and Professional Services Agreement and Amendment to the Tyler Technologies, Inc. software maintenance agreement for an amount not to exceed \$3,060. (Fund: Project Rawhide)
- C. 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 configuration and set-up of Anthem Courts, pursuant to master agreement, for an amount not to exceed \$6,920. (Fund: District Clerk, Fees)
- D. Take all appropriate action to authorize the purchase of tractor and mower utilizing the Houston Galveston Area Council Buy Contract GR01-08 for an amount not to exceed \$110,000. (Fund: Road and Bridge)
- E. Take all appropriate action on trade package submissions from J. E. Dunn for the Justice Center Project.
- F. Take all appropriate action on Disadvantaged Business Enterprise (DBE) Program.

31. SHERIFF'S OFFICE: Take all appropriate action to reclassify Position No. 5601-0639 from Deputy Sheriff, Grade 9 of the Law Enforcement Policy Group to Sergeant, Grade 12 of the Law Enforcement Policy Group, effective August 11, 2009.

32. Approve Bills.

33. Authorize County Auditor to pay and release time sensitive bills on August 20, 2009, to be ratified by Commissioners Court on August 25, 2009.

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34. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
§ 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 Risk Management.
35. Reconvene Open Session and consider taking action on the following matters:
§ 551.074. Personnel Matters.
Executive Manager Evaluation – Director of Risk Management.
36. 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, August 7, 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 under Commissioners Court.

NOTICE

Policy of Non-Discrimination on the Basis of Disability

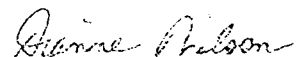
Fort Bend County does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. The County's ADA Coordinator is the Director of Facilities Management & Planning, located at 1402 Band Road, Suite 100, in Rosenberg, Texas, 77471, 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 1:33 ^{A.M.} _{P.M.} SA
AUG 7 2009



County Clerk Fort Bend Co. Tex.