

September 1, 2009

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, SEPTEMBER 1, 2009**

**AGENDA**

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Meyers.
3. Approve minutes of regular meeting held on August 25, 2009 and August 26, 2009.
4. Present Emergency Management Certificates to Water Utility Operators for completion of the National Incident Management System (NIMS) training hosted by the Office of Emergency Management.
5. Public Comments regarding the Agenda and Announcements.
6. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearing and take all appropriate action on the following matters:
  - A. **Acceptance of the traffic control plan for Meridian Park at Riverstone, Crescent View Estates at Riverstone, Hartford Landing at Riverstone, and Senova at Riverstone, Precinct 4.**
  - B. **Acceptance of the traffic control plan for Pine Mill Ranch Drive No. 2 Street Dedication, Pine Mill Ranch, Section 8 and Pine Mill Ranch, Section 11, Precinct 3.**
  - C. **Acceptance of the traffic control plan for Waterview Estates, Section 10, Precinct 3.**
  - D. **Acceptance of the traffic control plan for Lakes at Bella Terra, Section 4, Precinct 3.**

**CONSENT AGENDA ITEMS 7-18:**

7. **OUT OF STATE TRAVEL:** Approve out-of-state travel requests for County personnel:
  - Elections:**
    - A. **Ratify change in travel dates for John Oldham to San Diego, California for Election Center Annual Conference & Training to include August 5-16 to accommodate personal schedule with no additional County expenses.**
    - B. **Ratify change in travel dates for Julie Kassab to San Diego, California for Election Center Annual Conference & Training to include August 6-15 to accommodate personal schedule with no additional County expenses.**

**8. COUNTY JUDGE:**

- A. Approve renewal of the Agreement between Fort Bend County and Abundant Life Source, Inc. in the amount of \$1,000 for FY10 for home delivered meals for homebound or elderly in the County. (Fund: Non-Departmental, Fees)**
- B. Approve renewal of Agreement between Fort Bend County and Mental Health America of Fort Bend County for mental health services for FY10 in the amount of \$30,000. (Fund: Non-departmental, Fees)**

**9. CHILD PROTECTIVE SERVICES:**

- A. Approve renewal of the Agreement between Fort Bend County and Texas Department of Family and Protective Service for Title IV-E staffing for the period of September 1, 2009 through August 31, 2010, Contract Number 23380558 in the amount of \$47,683**
- B. Approve renewal of the Agreement between Fort Bend County and Texas Department of Family and Protective Services for Concrete Services for the period September 1, 2009 through August 31, 2010, Contract Number 2362051 in the amount of \$4,630.**

**10. BUDGET TRANSFERS:**

- A. Commissioner, Precinct 1: Approve transfer in the amount of \$600,000 as detailed on Auditor's report dated August 27, 2009 to allocate funds for professional services for widening Crabb River Road.**
- B. Constable, Precinct 2: Approve transfer in the amount of \$2,973 as detailed on Constable's form dated August 21, 2009 to allocate funds for part-time deputy through end of fiscal year.**
- C. District Attorney: Approve transfer in the amount of \$141 from IT into Fees to allocate funds for remainder of year.**
- D. Elections:**
  - 1) Approve transfer in the amount of \$6,125 from Election Contract Fund, IT into Capital Assets to correct accounting line.**
  - 2) Approve transfer in the amount of \$6,125 from Elections, IT into Capital Assets to correct accounting line.**
- E. Sheriff - Detention: Approve transfer in the amount of \$5,050 from Property & Equipment into Capital Acquisitions for kitchen equipment.**
- F. Sheriff - State Forfeited Assets: Approve transfer in the amount of \$1,743 from Cash Account to Property & Equipment to amend the budget pursuant to LGC §111.0706 for funds received from abandoned vehicle escrow.**

**11. ENGINEERING:**

- A. Approve Payment of Invoice No. T060840 (Pay Estimate No. 1) in the amount of \$9,323.25 to Terracon regarding Greenbusch Road, Phase I, (from Katy Flewellen Road to Shadow Forest), Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve Payment of Invoice No. 16 (Pay Estimate No. 16) in the amount of \$46,157.35 to Cobb Fendley & Associates, Inc. regarding the expansion of Greenbusch Rod, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve Payment of Invoice No. 09-07-013 (Pay Estimate No. 16) in the amount of \$19,110.00 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&4. (Fund: 2007 Mobility Bonds)**
- D. Approve Payment of Invoice No. 5841 (Pay Estimate No.12) in the amount of \$95,523.81 to Othon, Inc. regarding the expansion of Ransom Road (from River Park to Main Street in FBC and Richmond, Texas), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- E. Approve Payment of Invoice No. 9493 (Estimate No.9) in the amount of \$8,441.00 to IDCUS, Inc. dba IDC,Inc. regarding the expansion of Harlem Road, Mobility Bond Project #725, Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. Approve releasing Performance Bond #5030468 in the amount of \$5,000.00 to Flocon Services, Ltd. Company for completion of work on Delamer Drive, Permit #83587, Precinct 3.**
- G. Approve application from CenterPoint Energy Entex to bury a 2-inch gas main along Pecan Creek Drive, Precinct 3.**
- H. Approve application from CenterPoint Entex to bore a 2-inch plastic main under Fry Road, Precinct 3.**
- I. Approve application from Embree Construction Group, Inc. to construct a driveway tie-in onto Sanbury Boulevard, Precinct 1.**
- J. Approve application from PMSV Airport, LP to construct a driveway tie-in onto West Bellfort Blvd, Precinct 3.**
- K. Approve application from Devon Street Homes to construct a driveway tie-in onto Millwood Pass Circle, Precinct 3.**
- L. Accept Oversize, Overweight Bond No. RSB2004692 in the amount of \$50,000 from Tejano Trucking for any and all damages that may be sustained to any roads or bridges while operating equipment in Fort Bend County, Precinct 1.**
- M. Set public hearing for acceptance of the revised traffic control plans for Lamar Elementary School #16 at the intersection of Skinner Lane & Farmer Road to establish "No Parking" zone, Precinct 3. (Tuesday, October 6, 2009 at 1:00 p.m.)**
- N. Set public hearing for acceptance of the traffic/safety study for Fry Road to establish "No U Turn" at the intersection of Fry Road and Center Village Drive, Precinct 3. (Tuesday, October 6, 2009 at 1:00 p.m.)**
- O. Set public hearing for acceptance of the traffic/safety study for Blake Road to establish "No Parking" along roadway, Precinct 3. (Tuesday, October 6, 2009 at 1:00 p.m.)**

- 12. 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. 093726 in the amount of \$54,821 to Gowan Inc. for professional services for the Jail Expansion;**
  - B. Invoice No. 083-349841 in the amount of \$499.20 from National Seating & Mobility for furniture, fixtures and equipment costs associated with Jail Expansion;**
  - C. Invoice No. 2865598-0 and 2858603-0 in the amount of \$1,346.90 from Jones & Cook Stationers for the furniture, fixtures and equipment costs associated with the Jail Expansion;**
  - D. Invoice No. 1703 in the amount of \$48,996.25 to Carter Goble Lee, LLC for professional services for the Jail Expansion;**
  - E. Invoice No. TMG-473 in the amount of \$5,341.25 to The Maddox Group, Inc. for professional services for the Sienna Library;**
  - F. Invoice Nos. 2003-003-CA6, 2003-003-CA7, 2003-003-CA8 and 2003-003CA9 for amount not to exceed \$34,096.96 from STOA Architectural Services for the Sienna Library;**
  - G. Pay Application No. 11 in the amount of \$652,744.60 to Brookstone, L.P. for construction services performed on the Sienna Library;**
  - H. Invoice No. 09-7-000032 in the amount of \$2,013.15 from Paradigm Consultants, Inc. for materials testing on the Sienna Library;**
  - I. Invoice No. EH313-2 in the amount of \$1,400 from Weisser Engineering Co., Inc. for professional services performed for the Precinct 3 Annex;**
  - J. Invoice No. 002 in the amount of \$5,649.84 from Brian Smith Construction Inspection, Inc. (BSCI) for professional services for the Missouri City Annex;**
  - K. Invoice No. 09-31234 in the amount of \$1,609.50 from QC Labs, Inc. for materials testing for the Precinct 2, Missouri City Annex;**
  - L. Pay Application No. 2 in the amount of \$844,486.65 to JE Dunn South Central, Inc. for construction services rendered for the Justice Center;**
  - M. Invoice No. 09-31256 in the amount of \$4,818 from QC Laboratories, Inc. for materials testing for the Justice Center;**
  - N. Invoice No. 09-31241 in the amount of \$12,780 from QC Laboratories, Inc. for materials testing for the Parking Garage;**
  - O. Invoice No. 09-0215 in the amount of \$175 from Accessible Design Solutions for professional services for the South Post Oak Expansion;**
  - P. Invoice No. 92156908 in the amount of \$7,118.32 from Tremco Weatherproofing Technologies, Inc. for professional services for the George Memorial Library Renovations.**
  - Q. Pay Application No. 08-00100012 in the amount of \$87,223.50 to Bass Construction for services provided for the Tax Assessor/Collector facility.**
  - R. Pay Application No. 07-00200012 in the amount of \$75,161.14 as final payment to Bass Construction for serviced provided for the Precinct 1 Facility.**
  - S. Pay Application No. 08-00300012 in the amount of \$265,116.47 to Bass Construction for services provided for the Needville Facility.**

13. **GRANTS and RECORDS MANAGEMENT:** Accept the 2009 Edward Byrne Justice Assistance Grant in the amount of \$85,043 with no cash match for law enforcement equipment for various County offices.
  14. **HEALTH & HUMAN SERVICES-CLINICAL HEALTH:** Accept grant award from Department State Health Services for Tuberculosis Control, Grant Number 2010-032855 in the amount of \$174,826 for FY10 with no cash match required.
  15. **PUBLIC TRANSPORTATION:** Ratify the electronic submission of executed grant agreement to accept Section 5340, Project No. TX-96-X034 of the Federal Transit Administration grant by the Director of Public Transportation.
  16. **PURCHASING:** Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:
    - 1) Edgewood Bridge Project
    - 2) Generators for Sheriff's Office Patrol
  17. **TREASURER:** Approve the monthly report for the term of July 2009 and advertisement of same according to Texas Local Government Code §114.026 as submitted by the County Treasurer.
  18. **TAX ASSESSOR/COLLECTOR:** Approve over \$500 refunds as noted on Tax Assessor/Collector report dated September 1, 2009, in the amount of \$59,941.62.
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19. **COUNTY JUDGE:**
    - A. Take all appropriate action to approve Resolutions certifying to the Texas Department of Agriculture that Fort Bend County has provided grants to Abundant Life Source, Inc. and the Fort Bend County Meals on Wheels Program to provide home-delivered meals.
    - B. Take all appropriate action on the recommendations of the Bond Project Implementation Team for Program Management Services for the Fort Bend County Justice Center, SOQ# 09-101.
  20. **COMMISSIONER, PCT. 1:**
    - A. Take all appropriate action to purchase the Taylor House located at 12837 Old Highway 59, Kendleton, Texas for an amount of \$11,500 plus prorated taxes for Tax Year 2009. (Fund: Taylor House)

**Commissioner, Pct. 1: (cont'd)**

- B. Take all appropriate action to approve transfer in the amount of \$60,000 from Commissioners Court Projects to a multi-year fund for the purchase, moving and renovation of the Taylor House to be located in Bates Allen Park.
  - C. Take all appropriate action on request by Gary W. and Carole J. Allen to waive penalty and interest, including legal fees, on property taxes for Tax Year 2007.
  - D. Take all appropriate action on Professional Services Agreement between Fort Bend County and IDC Inc. for an amount not to exceed \$600,000; \$25,000 of which is for the preparation of the grant application for the Transportation Investment General Economic Recovery (TIGER) funding; and \$575,000 to provide engineering and environmental services regarding the widening of Crabb River Road (FM 2759) and FM 762. (Fund: 2007 Road & Bridge Projects)
  - E. Take all appropriate action to accept and approve the Partial Release of Easement from CenterPoint Energy Resources Corporation, dba CenterPoint Energy Texas Gas Operations in lieu of a utility agreement for an area near the intersection of Golfview and Williams Way, also known as Ransom Road.
  - F. Take all appropriate action on evaluation of proposals for Program Management Services for the Fort Bend County Justice Center, SOQ# 09-101.
21. COMMISSIONER, PCT. 2: Take all appropriate action to authorize the solicitation of statements of qualifications for consultant services for the administration of the Energy Efficiency Conservation Block grant program. (Fund: EECB grant)
22. COMMISSIONER, PCT. 4: Take all appropriate action on request by Robert Li to waive penalty and interest, including legal fees on property taxes for Tax Year 2008.
23. ELECTIONS: Take all appropriate action to establish Early Voting locations for the November 3, 2009 election.
24. ENGINEERING: Take all appropriate action to approve the Professional Engineering Services Agreement between Fort Bend County and CLR, Inc. regarding Burney Road in an amount not to exceed \$465,000, Mobility Bond Project #719, Precinct 3. (Fund: 2007 Mobility Bonds)
25. FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on Change Order No. 1 to Turner Construction Company in the amount of \$212,338 with a total amount not to exceed \$66,585,198 for the Jail Expansion Project. (Fund: Facility Bond Project)

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26. HUMAN RESOURCES: Take all appropriate action to reclassify Position 5401-0031, 5401-0050, 5401-0085 from EMT-Intermediate/Cadet, Grade 8 Public Health Policy Group to Paramedic I, Grade 9 of the Public Health Policy Group, effective September 5, 2009.
27. INFORMATION TECHNOLOGY: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$130 to Mainline Information Systems, Inc. for emergency mainframe repairs incurred without a purchase order.
28. PARKS DEPARTMENT: Take all appropriate action to transfer funds in the amount of \$113,813 from Non-Departmental Contingency into Budget AC Transfers to cover expenditures for the Summer Food Program for 2008 and 2009 as State Reimbursements did not cover the costs of the program.
29. PURCHASING:
  - A. Take all appropriate action to authorize contract negotiations with Govolution for Third Party Credit Card Services for Transportation Department pursuant to RFP#09-073.
  - B. Take all appropriate action to authorize the purchase of radio communication equipment in an amount not to exceed \$51,000 from Motorola utilizing Houston Galveston Area Council contract. (Fund: Sheriff)
30. ROAD & BRIDGE: Take all appropriate action to authorize Road & Bridge to execute original Stipulation, Agreed Settlement and Consent Order and authorize payment of administrative penalty in the amount of \$300 to Railroad Commission of Texas (Fund: Road & Bridge, Fees)
31. SHERIFF OFFICE:
  - A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$100 to MetroPCS, Inc. for research for investigation done without a purchase order. (Fund: Sheriff-Enforcement, Fees)
  - B. Take all appropriate action to authorize payment by Invoice Transmittals totaling \$402 to Schoenmann Produce Co. for produce ordered from vendor not on bid. (fund: Sheriff-Detention, Operating Supplies)
  - C. Take all appropriate action to declare an emergency pursuant to Local Government Code §111.070 and amend the budget to increase by \$1,339,358 the line item of Sheriff, Detention, Professional Services to allocated funds for out-of-county prisoner housing and inmate medical supplies through end of FY09.
  - D. Take all appropriate action on the Turnkey Facility Maintenance Repair and Replacement Services Agreement between Fort Bend County and CGL Engineers, Inc. for services provided at the jail RFP 09-093 in an amount not to exceed \$1,250,000. (Fund: Sheriff-Detention, Fees)

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32. SPECIAL PROJECTS: Take all appropriate action to establish a Mental Health Public Defender Advisory Board to provide recommendations to Commissioners Court on the operations of the department and appoint the following members to the Board: District Courts Administrative Judge-Thomas R. Culver, III, County Court-at-Law Administrative Judge-Sandy Bielstein, Commissioner Richard Morrison, Commissioner James Patterson, Criminal Defense Attorney Pat McCann, Criminal Defense Attorney Maggie Perez-Jaramillo, and mental health advocate Dr. Connie Almeida as required under the terms of the Criminal Justice/Mental Health Initiative Grant.
33. TAX ASSESSOR/COLLECTOR: Take all appropriate action to approve contract between Fort Bend County and Certified Payments, Inc. a ACH Processing Service Provider to accept third party payments.
34. WORKSHOP: Discuss County's options for residential inspection notification under 81<sup>st</sup> Legislature, House Bill 2833.
35. Approve Bills.
36. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
  - A. § 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.

Crabb River Road, Precinct 1.
  - B. § 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) Jail Expansion Project
    - 2) Bill Heard Enterprises, Inc. et al., Case No. 08-83029-JAC-11 (Bank, N.D. Ala, September 28, 2008
  - C. § 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 Finance & Investments.

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37. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.072. Deliberation Regarding Real Property.  
Crabb River Road, Precinct 1.
  - B. § 551.071. Consultation With Attorney
    - 1) Jail Expansion Project
    - 2) Bill Heard Enterprises, Inc. et al., Case No. 08-83029-JAC-11 (Bank, N.D. Ala, September 28, 2008
  - C. § 551.074. Personnel Matters.  
Executive Manager Evaluation – Director of Finance & Investments.
38. 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 28, 2009, by Ann Weckler. 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.

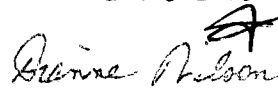
NOTICE

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 1:41 A.M.  
P.M.

AUG 28 2009

  
County Clerk Fort Bend Co. Tex.