

October 20, 2009

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, OCTOBER 20, 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 October 13, 2009.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARINGS: 1:00 p.m.:
 - A. Conduct Public Hearing on the Proposed FY 2010 Budget for Fort Bend County, pursuant to Local Government Code §111.067.
 - B. Conduct Public Hearings and take all appropriate action on the following matters:
 - 1) Acceptance of the traffic control plan for River's Edge, Section 5 and River's Edge, Section 6, Pct. 1.
 - 2) Acceptance of the traffic control plan for Sienna Village of Waters Lake, Section 12B, Sienna Village of Waters Lake, Section 13A, Sienna Village of Waters Lake, Section 13B, Sienna Village of Waters Lake, Section 16, Sienna Village of Waters Lake, Section 19, Sienna Village of Waters Lake, Section 27, Sienna Steep Bank Village, Section 16, and Sienna Portion of Scanlan Trace and Sequoia Pass Street Dedication, Pct. 1.
 - 3) Acceptance of the traffic control plan for Sienna Village of Anderson Springs, Section 7, Sienna Village of Anderson Springs, Section 9, Sienna Village of Anderson Springs, Section 21 and Fort Bend Independent School District Elementary School No. 43, Pct. 2.

CONSENT AGENDA ITEMS 6 - 19:

6. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel requests for County personnel:
 - A. **Emergency Management:**
 - 1) Ratify change in travel dates for Janette Walker and Terrance Harris to Atlanta, Georgia from October 19-23, 2009 to attend ESI University training. (Fund: Emergency Management, UASI Grant)
 - 2) Janette Walker to Emmitsburg, Maryland, November 29 through December 4, 2009, to attend training at the Emergency Management Institute. (Fund: Emergency Management, Travel)

OUT-OF-STATE TRAVEL (Continued)

B. Sheriff's Office:

- 1) Ratify travel by Michael Kubricht to Marksville, Louisiana on October 13, 2009, for extradition of prisoner back to Fort Bend County. (Sheriff, Enforcement, Travel)
 - 2) Scott Soland to Washington, D. C., October 20-23, 2009, to testify in Federal Court; travel expenses to be reimbursed by U. S. Department of Justice. (Fund: Sheriff, Enforcement, Travel)
 - 3) Brian Schmitt and Jose Hernandez to Coleman, Florida, November 30 through December 1, 2009, to transport prisoner back to Fort Bend County from federal prison on bench warrant (Fund: Sheriff, Enforcement, Travel)
 - 4) Dominic Sodolak and Craig Crabtree to Largo, Florida, December 12-19, 2009, to attend ballistics training course. (Fund: Sheriff, Enforcement, Travel)
7. **COUNTY JUDGE:** Approve Addendum to Agreement between Fort Bend County and the Fort Bend County Museum Association (to include Heritage Unlimited Museum and Dewalt Heritage Center), in the amount of \$137,500 for the term of October 1, 2009 through September 30, 2010. (Fund: Non-Departmental, Fees)
8. **COMMISSIONER, PCT. 1:** Approve Full Release and Authorization for Use of County Property for the Convoy of Hope Event, a public event, to be held on November 21, 2009, at the Fort Bend County Fairgrounds.
9. **CONSTABLE, PCT. 1:**
 - A. Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County Municipal Utility District No. 23, Fort Bend County Municipal Utility District No. 23, and Newpoint Estates Homeowners Association effective October 1, 2009 through September 30, 2010.
 - B. Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 1.
10. **CONSTABLE, PCT. 3:** Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 3
11. **CONSTABLE, PCT. 4:** Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of Constable, Precinct 4.
12. **COUNTY ATTORNEY:** Approve and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report for the Office of County Attorney.
13. **EMERGENCY MANAGEMENT:** Approve the Addendum to Debris Management Plan for Collection and Disposal between Fort Bend County and City of Weston Lakes.

14. ENGINEERING:

- A. Approve release of Performance Bond #6556027 in the amount of \$5,000.00 to Sprint Sand and Clay, LLC for completion of work on Koeblen Road, Permit #83597, Pct. 1.
- B. Approve release of Performance Bond #6666938 in the amount of \$5,000.00 to Christian Ashibuogwu / dba Fiest Investors/Peoples Club of Nigeria Int. Houston for completion of work on Kroesche Road, Permit # 83682, Pct.1.
- C. Approve plat for the roads within Cinco Ranch Southwest, Section 40, Pct. 3.
- D. Approve plat for the lots within Cinco Ranch Southwest, Section 40, Pct. 3.
- E. Approve the plat for Lakemont Cove, Section 1 Amending Plat No. 1, Pct. 3.
- F. Approve the plat for Avalon at Seven Meadows, Section 3 Amending Plat No. 1, Precinct 3.
- G. Approve plat for the roads within Silver Ranch, Section 3, Pct. 3.
- H. Approve plat for the lots within Silver Ranch, Section 3, Pct. 3.
- I. Approve the plat for Southwest Properties, Pct. 3.
- J. Approve the plat for Villas at Grand Parkway Apartments, Pct. 3.
- K. Approve the plat for Word of Restoration Christian Fellowship Church, Precinct 1.
- L. Accept the streets in Grand Mission, Section 12 and release bond #82038383 in the amount of \$208,880.00, Pct. 3.
- | | |
|------------------------|------------------|
| Breton Falls Lane | 510.55 LF |
| Drybrook Crossing Lane | 247.85 LF |
| Mustang Pointe Lane | 687.62 LF |
| Thorncroft Manor Lane | 734.28 LF |
| Canyon Ferry Lane | 278.20 LF |
| Saragosa Blue Lane | <u>511.63 LF</u> |
| TOTAL: | 2,970.13 LF |
- M. Accept the streets in Grand Mission, Section 14 and release bond #81960028 in the amount of \$451,339.00, Pct. 3.
- | | |
|----------------------|-----------------|
| Breton Falls Lane | 1,294.26 LF |
| Harpers Landing Lane | 771.95 LF |
| Feather Mill Lane | 195.00 LF |
| Quarry Lakes Lane | 782.66 LF |
| Dusty Canyon Lane | 790.62 LF |
| Logan Star Court | 217.09 LF |
| Saragosa Blue Lane | 694.51 LF |
| Opul Trails Court | 275.05 LF |
| Coyote Bridge Lane | 294.17 LF |
| Garrett Knolls Lane | 300.39 LF |
| Haven Bend Lane | 649.59 LF |
| Loma Lago Lane | <u>53.03 LF</u> |
| TOTAL: | 6,318.32 LF |
- N. Accept the streets in Grand Mission, Section 15 and release bond #82038382 in the amount of \$172,620.00, Pct. 3.
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|------------------------|-----------|
| Drybrook Crossing Lane | 142.15 LF |
| Edge Manor Lane | 627.36 LF |

ENGINEERING (Continued)

	Foster Brook Lane	303.12 LF
	Merchant Mark Lane	1,012.45 LF
	Iris Glen Lane	<u>390.49 LF</u>
	TOTAL:	2,475.57 LF
O.	Accept the streets in Grand Mission Estates, Section 2 and release bond #81960027 in the amount of \$470,867.00, Pct. 3.	
	Bellaire Boulevard	1,469.67 LF
	Lakehead Lane	883.95 LF
	Desert Brook Lane	283.45 LF
	Turtle Brook Lane	981.66 LF
	Norwood Point Lane	918.59 LF
	Norwood Point Court	133.89 LF
	Swan Ranch Lane	272.21 LF
	Rain Drop Court	341.31 LF
	Winston Cove Court	<u>192.44 LF</u>
	TOTAL:	5,477.17 LF
P.	Accept the streets in Riverpark, Section 7 and release bond #134030 in the amount of \$278,050.00, Pct. 1.	
	Wimberly Canyon Drive	1,472.74 LF
	Gable Meadows Drive	1,312.50 LF
	Sparrow Branch Court	395.03 LF
	Linden Grove Court	722.63 LF
	Raypointe Drive	<u>145.44 LF</u>
	TOTAL:	4,048.34 LF
Q.	Accept the streets in Riverpark, Section 9 and release bond #153011 in the amount of \$515,850.00, Pct. 1.	
	Wimberly Canyon Drive	1,095.03 LF
	Brazos Springs Drive	900.09 LF
	Meadow Canyon Drive	851.30 LF
	Willow Springs Lane	992.81 LF
	Riverhollow Lane	1,083.17 LF
	Riverhollow Court	100.12 LF
	Rosehaven Court	325.04 LF
	Parkstone Court	284.58 LF
	Raypointe Drive	144.56 LF
	Timberpark Lane	295.00 LF
	Park Springs Lane	430.52 LF
	Gatesprings Lane	398.02 LF
	Stone River Lane	612.89 LF
	River Gable Court	452.89 LF
	Manorfield Court	174.12 LF
	Crestbrook Court	<u>330.38 LF</u>
	TOTAL:	8,470.52 LF

ENGINEERING (Continued)

- R. Accept the streets in Riverpark, Section 10 and release bond #B21856877 in the amount of \$393,300.00, Pct. 1.**

Summit Creek Drive	693.68 LF
Oak Place Drive	1,372.40 LF
Barton Grove Court	113.01 LF
Branchport Court	208.53 LF
Adlerspoint Lane	464.91 LF
Baron Hill Lane	793.29 LF
Indian Plains Lane	312.57 LF
Stonebury Lane	1,546.96 LF
Park Field Court	90.49 LF
Stonebury Court	72.51 LF
Hampton Park Lane	<u>277.06 LF</u>
TOTAL:	5,945.41 LF

- S. Accept the streets in Riverpark, Section 11 and release bond #BE937759 in the amount of \$586,800.00, Pct. 1.**

Wimberly Canyon Drive	2,428.15 LF
River Falls Drive	425.54 LF
Meadow Canyon Drive	1,547.12 LF
Park Springs Lane	664.41 LF
Stone River Lane	130.32 LF
Richland Spring Lane	2,153.69 LF
Hillbrook Court	399.83 LF
Breezy Point Lane	317.99 LF
Fall Forest Lane	<u>314.35 LF</u>
TOTAL:	8,381.40 LF

- T. Accept the streets in Riverpark, Section 12 and release bond #B21843440 in the amount of \$584,500.00, Pct. 1.**

Wimberly Canyon Drive	753.95 LF
Indigo River Lane	1,360.11 LF
Lark Creek Court	290.04 LF
Brush Field Lane	422.21 LF
Brannon Hill Lane	1,831.18 LF
Hearth Hollow Lane	526.89 LF
Misty Park Lane	655.22 LF
Brannon Hill Court	86.05 LF
Aspen Hollow Lane	973.80 LF
Thistlecroft Lane	214.13 LF
Brook Harbor Lane	<u>611.70 LF</u>
TOTAL:	7,725.28 LF

ENGINEERING (Continued)

- U. Accept the streets in West Riverpark Drive Street Dedication and release bond #109756 in the amount of \$85,000.00, Pct. 1.
 - West Riverpark Drive 700.00 LF
 - Wimberly Canyon Drive 140.25 LF
 - TOTAL: 840.25 LF
- V. Set public hearing for acceptance of the traffic control plan for Grand Mission, Section 12, Section 14, Section 15 and Grand Mission Estates, Section 2, Pct. 3. *(Tuesday, November 17, 2009, at 1:00 p.m.)*
- W. Set public hearing for acceptance of the traffic control plan for Riverpark, Section 7, Section 9, Section 10, Section 11, Section 12 and West Riverpark Drive Street Dedication, Pct. 1. *(Tuesday, November 17, 2009, at 1:00 p.m.)*
- X. Set public hearing for Okene Court Subdivision being a replat of Reserve "C" Mission West, Section 3, Precinct 3. *(Tuesday, November 24, 2009, at 1:00 p.m.)*

15. 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. 004 in the amount of \$4,979.52 to Brian Smith Construction Inspection, Inc. for professional services regarding the Missouri City Annex Building;
- B. Invoice No. 9974323 in the amount of \$2,540.00 to The Home Depot for furniture, fixture, and equipment costs associated with the South Post Oak Ball Park;
- C. Pay Application No. 4 in the amount of \$2,071,679.00 to J E Dunn South Central, Inc. for construction services regarding the Justice Center;
- D. Invoice No. 44984 in the amount of \$3,200.00 to Paradigm Consultants, Inc. for professional services regarding the Medic One Facility;
- E. Invoice No. 09-31449 in the amount of \$38,369.00 to QC Laboratories, Inc. for professional services regarding the Justice Center;
- F. Invoice No. 09-31639 in the amount of \$407.50 to QC Laboratories, Inc. for materials testing regarding the Precinct Two Missouri City Annex Building;
- G. Pay Application No. 10 (Final) in the amount of \$31,269.08 to ROCA Construction for professional services regarding the South Post Oak Ball Park; and
- H. Invoice No. 2003-003-CA10; Invoice No. 2003-003-CA11, and Invoice No. 2003-003-CA12 for an amount totaling \$25,067.38 to STOA for architectural services regarding the Sienna Library.

16. PURCHASING: Approve renewal of Interlocal Agreements between Fort Bend County and the following entities for the purchase of goods and services: City of Missouri City and City of Rosenberg.

17. **ROAD & BRIDGE:** Approve renewal of Agreements between Fort Bend County and the following entities for the Purchase of Fuel, effective October 1, 2009 through September 30, 2010 with automatic one-year renewals: City of Sugar Land, Town of Thompsons, Village of Pleak, and Texana Center.
 18. **SHERIFF'S OFFICE:**
 - A. Approve Amendment to Agreement between Fort Bend County and Seth W. Silverman, M.D., P.A. to continue providing psychiatric forensic services to inmates of the Fort Bend County Jail on a month-to-month basis. (Fund: Sheriff, Detention, Professional Services)
 - B. Approve Amendment to Interlocal Cooperation Agreement between Fort Bend County and Limestone to continue providing Jail Services on a month-to-month basis. (Fund: Sheriff, Detention)
 19. **TAX ASSESSOR/COLLECTOR:**
 - A. Record into Minutes the Summary Monthly Report of Property Taxes Collected in September, 2009, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.
 - B. Record into Minutes the Summary Yearly Report of Property Taxes Collected from October 1, 2008 through September 30, 2009, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.
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20. **COUNTY JUDGE:**
 - A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$247.50 to DA Mid South for service call without a purchase order. (Fund: Courthouse Security, Fees)
 - B. Take all appropriate action on Agreement between Fort Bend County and Allison, Bass & Associates, LLP for professional assistance with the upcoming redistricting plan. (Fund: Non-Departmental, Fees)
 - C. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County and Lufkin Industries, Inc.
 21. **COMMISSIONER, PCT. 1:** Take all appropriate action on request by David Luedeke representing 360 Short Stop, Inc. to waive penalty and interest, including attorney fees, totaling \$2,457.78 for Tax Years 2007 and 2008.
 22. **COMMISSIONER, PCT. 2:** Take all appropriate action on request by Sandra Barb to waive penalty and interest, including attorney fees, totaling \$205.18 for Tax Year 2008.

23. COMMISSIONER, PCT. 3: Discuss and consider taking action on Agreement with Texas Department of Transportation on FM 1093 Mobility Project.
24. COMMISSIONER, PCT. 4: Take all appropriate action on the Schematic Design from Bailey Architects for Library at University of Houston Sugar Land.
25. AUDITOR: Take all appropriate action on proposed Fort Bend County Travel Policy, effective October 21, 2009.
26. BUDGET OFFICE:
 - A. Take all appropriate action to adopt the 2009 Tax Rate for Fort Bend County as follows:

Proposed General Fund Tax Rate:	\$0.38620
Proposed Road & Bridge Fund Tax Rate:	\$0.03100
Proposed Interest & Sinking Fund Tax Rate:	<u>\$0.06180</u>
Total Proposed Tax Rate:	\$0.47900
 - B. Take all appropriate action to adopt list of proposed positions for FY 2010 for Fort Bend County as presented by Budget Officer.
 - C. Take all appropriate action to set the FY 2010 Salaries for Elected Officials of Fort Bend County.
 - D. Take all appropriate action to adopt the FY 2010 Budget for Fort Bend County.
27. COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$155.28 to Cooler's Inc. for repairs performed without a purchase order. (Fund: CSCD Grant Funds)
28. COUNTY ATTORNEY: Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$2,243.44 to TBG Partners for work performed without a purchase order regarding the FM 1464 Ferrel Property. (Fund: Right of Way)
29. DISTRICT CLERK: Take all appropriate action to adopt a District Court Records Archive fee of not more than \$5 in accordance with Senate Bill 1685, effective October 20, 2009.

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30. EMERGENCY MANAGEMENT: Take all appropriate action on the 2009 Sub-Recipient Agreement between Fort Bend County and the State of Texas for grant funding from the Department of Homeland Security in the amount of \$4,934,854.50 for the performance period of August 1, 2009 through April 15, 2012.
31. FACILITIES MANAGEMENT & PLANNING: Take all appropriate action on the First Amendment to Agreement between Fort Bend County and Pierce Goodwin Alexander & Linville (PGAL) for additional services and reimbursable expenses regarding the Justice Center in an amount not to exceed \$65,310, for a total contract amount of \$3,715,310. (Fund: Facility Bond Project)
32. HUMAN RESOURCES:
 - A. Take all appropriate action on request to reclassify Position No. 5503-0015 in the Office of Constable Pct 3, from Constable Clerk, Grade 5 of the Administrative Clerical Policy Group to Clerk III, Grade 7, of the Administrative Clerical Policy Group effective October 20, 2009.
 - B. Take all appropriate action on request to reclassify Position No. 5031-0024 in the Information Technology (IT) Department from Operations Supervisor, Grade 12 of the Professional Management Policy Group to IT Infrastructure Analyst, Grade 13, of the Professional Management Policy Group effective October 31, 2009.
 - C. Take all appropriate action to authorize reimbursement in the amount of \$17.96 to Ernestine Ware for payment of service without a purchase order. (Fund: Human Resources, Fees)
 - D. Take all appropriate action on revisions to the Employee Information Manual, Section 410: Employment Applicant Travel Reimbursement, and Section 411: Employee Travel Reimbursement, as submitted by Human Resources.
33. LIBRARY: Take all appropriate action on Plan of Action for submission to the Texas State Library and Archives Commission for the Loan Star Library Grant in the amount of \$141,277, with no cash match required by Fort Bend County.
34. PURCHASING:
 - A. Take all appropriate action on RFP #10-027 for Records Storage.
 - B. Take all appropriate action on the request for cancellation by Fish Window pursuant to Bid #09-078 and authorize Purchasing Agent to re-solicit.
 - C. Take all appropriate action on Addendum No. 2 to the Agreement between Fort Bend County and Beck Disaster Recovery, Inc. for Houston-Galveston Area Council disaster and recovery professional consulting services notice-to-proceed for public assistance consulting services. (Fund: Hurricane Ike)

35. TREASURER: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$6,000.00 to GHG Corporation for supplies purchased without a purchase order. (Fund: Time Management System)
36. Approve Bills.
37. Authorize County Auditor to pay and release time sensitive bills on October 29, 2009, to be ratified by Commissioners Court on November 3, 2009.
38. 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. 09-CCV-039359; Fort Bend County, Texas vs. Cynthia Castro, Jerry Castro, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.
 - 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) FM 1464 (a 90/10 Texas Department of Transportation reimbursement project) Phase II, Mobility Bond Project #764, Precinct 4.
 - 2) FM 359: (a 90/10 Texas Department of Transportation reimbursement project), Precincts 1 and 3.
 - 3) Old Richmond Road, Mobility Bond Project #729, Precinct 4.
39. Reconvene Open Session and consider taking action on the following matters:
 - A. § 551.071. Consultation With Attorney.

Cause No. 09-CCV-039359; Fort Bend County, Texas vs. Cynthia Castro, Jerry Castro, et al.; In the County Court at Law Number Four (4) of Fort Bend County, Texas.


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Reconvene Open Session (Continued)

- B. § 551.072. Deliberation Regarding Real Property.
- 1) FM 1464 (a 90/10 Texas Department of Transportation reimbursement project) Phase II, Mobility Bond Project #764, Precinct 4.
 - 2) FM 359: (a 90/10 Texas Department of Transportation reimbursement project), Precincts 1 and 3.
 - 3) Old Richmond Road, Mobility Bond Project #729, Precinct 4.

40. 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, October 16, 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 1517 Eugene Heimann Circle, Suite 500, in Richmond, Texas, 77469, telephone 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 2:48 P.M.
OCT 16 2009


County Clerk Fort Bend Co. Tex.