

January 12, 2010

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, JANUARY 12, 2010
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 January 5, 2010.
4. Public Comments regarding the Agenda and Announcements.

CONSENT AGENDA ITEMS 5 - 14:

5. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel request for County personnel:
Sheriff's Office: James Fontenot to Albuquerque, New Mexico, February 9-13, 2010, to attend specialized polygraph training. (Fund: Sheriff, Enforcement, Travel)
6. **COUNTY JUDGE:**
 - A. Record into Minutes the final transcript of the \$20,780,000 Fort Bend County, Texas, Unlimited Tax Bond Refunding Bonds, Series 2009.
 - B. Record into Minutes the Proclamation honoring the one hundredth birthday of Jessie M. Owens Brown, and declaring January 10, 2010 as Jessie M. Owens Brown Day in Fort Bend County.
7. **BUDGET OFFICER:** Record into Minutes the Fort Bend County Budget Calendar for Fiscal Year 2011.
8. **BUDGET TRANSFERS:**
 - A. **Courthouse Security:** Approve transfer in the amount of \$1,836 from Fees into Information Technology to allocate additional funds for purchase of replacement badge printer.
 - B. **Department of Public Safety/License and Weight:** Approve transfer in the amount of \$150 from Fees into Information Technology to allocate funds for the purchase of licenses for phone equipment.
 - C. **Treasurer's Office:** Approve transfer in the amount of \$3,283 from Property and Equipment into Information Technology to allocate funds into correct line item for purchase of scanner.

9. ENGINEERING:

- A. Approve payment of Invoice No. 37519 (Pay Estimate No. 2) in the amount of \$19,932.50 to CLR, Inc. for professional services regarding Burney Road, Mobility Bond Project #719, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. TX2060-00-01 (Pay Estimate No. 1) in the amount of \$50,282.00 to AIA Engineering, Ltd. for professional services regarding Old Richmond Road Bridge at Red Gully, Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 1209186 (Pay Estimate No. 22) in the amount of \$12,464.32 to Klotz Associates for labor rates regarding Fort Bend County Mobility Bond Projects, Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- D. Accept streets in Mission Sierra, Section 2 and release bond #6389110 in the amount of \$464,800.00, Pct. 3.**

Kimble Ledge Lane	475.00 LF
Almond Place Lane	842.81 LF
Butterstone Ridge Lane	1,107.57 LF
Mossey Creek Lane	1,112.79 LF
Surrey Lake Lane	814.58 LF
Morgan Saddle Lane	288.83 LF
Mable Pond Lane	690.31 LF
Peach Stone Court	412.17 LF
Sorrel Trace Lane	149.17 LF
Creeks Gate Court	<u>599.61 LF</u>
TOTAL:	6,492.84 LF

- E. Accept streets in Mission Sierra, Section 3 and release bond #6463110 in the amount of \$246,245.30, Pct. 3.**

Hyde Cove Court	156.05 LF
Butterstone Ridge Lane	340.84 LF
Cimmaron Oak Lane	1,030.80 LF
Pecos Rose Lane	675.85 LF
Palisade Rock Court	733.92 LF
Mable Pond Lane	<u>553.29 LF</u>
TOTAL:	3,490.75 LF

- F. Set public hearing for acceptance of the traffic control plan for Mission Sierra, Section 2 and Section 3, Precinct 3. (*Tuesday, February 9, 2010, at 1:00 p.m.*)**
- G. Set public hearing for Plantation Crossing Subdivision Partial Replat No. 1 of Unrestricted Reserve "B", Precinct 4. (*Tuesday, February 23, 2010, at 1:00 p.m.*)**
- H. Record into Minutes the Correction Special Warranty Deeds for public use as public rights-of-way and for utility purposes, previously recorded under County Clerk's File No. 2009020429, 2009020430, 2009020431, 2009020432, and 2009020433, to further clarify that the conveyance of the property is for right-of-way purposes, as detailed in correction deeds, Precinct 3.**

10. **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. Pay Application No. 16 in the amount of \$358,174.17 to Brookstone, LP for construction services regarding the Sienna Library; and
 - B. Pay Application No. 7 in the amount of \$1,861,542.00 to JE Dunn South Central for construction services regarding the Justice Center.
 11. **HEALTH & HUMAN SERVICES – CLINICAL HEALTH:** Accept and sign Contract No. 2010-034503 between Fort Bend County and Texas Department of State Health Services to receive \$83,326.00 in grant funding for Tuberculosis Prevention and Control, for use from January 1 through December 31, 2010, with no cash match required by Fort Bend County.
 12. **PURCHASING:** Authorize advertising for bids for improvements to Katy Flewellen Road from Katy Gaston Road to Pin Oak Road, Mobility Bond Project #734, Precinct 3.
 13. **ROAD & BRIDGE:** Approve renewal of Primary Interlocal Agreements between Fort Bend County and the following entities effective through September 30, 2010, with automatic one-year renewals: City of Meadows Place and City of Stafford.
 14. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 5, 2010, for an amount totaling \$22,661.42.
-
15. **COMMISSIONER, PCT. 1:**
 - A. Take all appropriate action on the Amended Master Agreement between Fort Bend County and the Fort Bend Fair Association regarding assistance in the oversight of programs of interest to the community, including but not limited to the use and operation of, and improvements to the Fort Bend County Fairgrounds effective through December 31, 2015.
 - B. Take all appropriate action to ratify the Antiquities Permit Application (Archeology) to the Texas Historical Commission regarding the widening of Crabb River Road from US 59 to future Lamar Consolidated Independent School District Complex, Precinct 1.
 - C. Take appropriate action to reappoint Gloriela Pomare and Darrell Jackson to the Fresno/Arcola Advisory Committee for a term through September 30, 2012.
 - D. Take appropriate action to reappoint Barbara Britt O'Donnell and John Carrington to the Fresno/Arcola Advisory Committee for a term through September 30, 2013.

January 12, 2010

16. COMMISSIONER, PCT. 2: Take all appropriate action to appoint Dennis Young to Position No. 3 on the Board of Trustees for Texana Center effective immediately through August 31, 2010.
17. COMMISSIONER, PCT. 3: Take all appropriate action on request to waive penalty and interest, including attorney fees, for an amount totaling \$3,852.97 on property taxes for Terlingua Ventures for Tax Year 2008, Precinct 3.
18. CONSTABLE, PCT. 1:
 - A. Take all appropriate action on Agreement for Additional Law Enforcement Services between Fort Bend County and Greatwood Community Association to include motorcycle allowance for patrol, effective February 1, 2010 through September 30, 2010.
 - B. Take all appropriate action on Motorcycle Lease Agreement between Fort Bend County and Sheppard H. Werlein, effective February 1, 2010 through September 30, 2010.
19. ENGINEERING: Take all appropriate action on Sanitary Sewer Easement (0.0205 acres) between Fort Bend County, Fort Bend County Toll Road Authority, and Fort Bend County Municipal Utility District No. 50, at Shops at Bella Terra in Precinct 3.
20. HEALTH & HUMAN SERVICES:
 - A. Clinical Health: Take all appropriate action on request to create a new grant-funded position, Licensed Vocational Nurse, Grade 9, effective through December 31, 2010 to provide services for the Tuberculosis Prevention and Control Program. (Fund: Tuberculosis Prevention & Control Grant)
 - B. Social Services: Take all appropriate action to ratify application to United Way of Greater Houston for participation in the Emergency Food and Shelter Program (EFSP), Phase 28 for FY2010, with no cash match required by Fort Bend County.
21. PURCHASING:
 - A. Take all appropriate action on request to increase the amount of Purchase Order 39095 to Louisiana Binding from \$55,000 to \$80,000 for record preservation, pursuant to Statement of Qualification #05-002. (Fund: County Clerk, Records Management)
 - B. Take all appropriate action to authorize the purchase of technical support from Oracle utilizing Department of Information Resources (DIR) Contact DIR-VPC-03-018 for an amount not to exceed \$76,000. (Fund: Information Technology, Fees)

PURCHASING (Continued)

- 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) to purchase an item available from only one source, for online services from The Gale Group in an amount not to exceed \$30,000. (Fund: Library, Office Supplies)
 - D. Take all appropriate action to authorize the purchase of one (1) 2010 Ford Crown Victoria for the Sheriff's Office utilizing Bid #03-001. (Fund: Sheriff's Office, Risk Management)
 - E. Take all appropriate action on Bid #10-032 - Buses for Public Transportation Department.
 - F. Take all appropriate action on Agreement between Fort Bend County and Paradigm Consultants, Inc., in an amount not to exceed \$48,450 for Materials Testing Services regarding the Emergency Medical Service Medical One Facility. (Fund: Facility Bond Project)
22. ROAD & BRIDGE: Take all appropriate action on Primary Interlocal Agreement between Fort Bend County and the City of Weston Lakes effective through September 30, 2010, with automatic one-year renewal.
23. SHERIFF'S OFFICE: Take all appropriate action on Agreement between Fort Bend County and City of Weston Lakes to provide law enforcement services effective through September 30, 2010.
24. Approve Bills.
25. Authorize County Auditor to pay and release time sensitive bills on January 21, 2010, to be ratified by Commissioners Court on January 26, 2010.
26. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
§ 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.
Civil Action No. H-98-0653; The Burlington Northern and Santa Fe Railway Company vs. Fort Bend County, et al.; in the United States District Court for the Southern District of Texas, Houston Division.

January 12, 2010

27. Reconvene Open Session and consider taking action on the following matters:

§ 551.071. Consultation With Attorney.

Civil Action No. H-98-0653; The Burlington Northern and Santa Fe Railway Company vs. Fort Bend County, et al.; in the United States District Court for the Southern District of Texas, Houston Division.

28. 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, January 8, 2010, by Donna Osipina. 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 2:00 P.M. ^{A.M.}

JAN 17 2010

Donna Osipina

County Clerk Fort Bend Co. Tex.