

February 2, 2010

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, FEBRUARY 2, 2010
1:00 O'CLOCK P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Meyers.
3. Approve minutes of regular meeting held on January 26, 2010.
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:
Regulating and restricting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of Houston Executive Airport.

FILED FOR RECORD
NO. _____ TIME 11:18 DA P.M.
JAN 29 2010

Shanna Wilson
County Clerk Fort Bend Co. Tex.

CONSENT AGENDA ITEMS 6 - 14:

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests:**
 - A. **District Attorney:** Ratify change in travel dates for Suzy Morton and Lisa Gregg to Santa Fe, New Mexico, from January 29 through February 5, 2010, to attend seminar by National Center for Prosecution of Child Abuse. (Fund: District Attorney, Travel)
 - B. **Office of Emergency Management:**
 - 1) Jeff Braun, Terrance Harris, Alan Spears and Janette Walker to Augusta, Georgia, from May 16-21, 2010, to attend WebEOC User Training. (Fund: 2008 Regional Planning Coordination Grant)
 - 2) Doug Barnes to San Diego, California, from July 11-16, 2010, to attend ESRI International Users Conference (GIS). (Fund: 2008 Regional Planning Coordination Grant)
 - C. **Purchasing:** Debbie Kaminski to Louisville, Kentucky, from June 21-25, 2010, to attend a National Transit Institute Disadvantaged Business Enterprise course. (Fund: Public Transportation, Travel)
 - D. **Sheriff's Office:** Mary Smith and Carol Papenfuss to Waseca, Minnesota, March 3-4, 2010, to transport prisoner to Fort Bend County from Federal Prison on Bench Warrant. (Fund: Sheriff, Enforcement, Travel)

7. BUDGET TRANSFERS:

- A. County Clerk:** Approve transfer in the amount of \$2,927 from County Clerk's Record Management Fund - Information Technology to Property & Equipment to allocate purchases into correct object codes per Auditor's request.
- B. Office of Emergency Management:** Approve transfer in the amount of \$555 from Fees into Information Technology to allocate funds for software and equipment.

8. COUNTY CLERK:

Record into Minutes the Certificate of Completion awarded to Dianne Wilson, County Clerk, for 2009 Continuing Education from the County and District Clerks' Association of Texas.

9. ENGINEERING:

- A.** Approve Payment of Invoice No. 20095036 (Pay Estimate No.4) in the amount of \$4,650 to LJA Engineering & Surveying, Inc. regarding Teal Bend Boulevard Paving and Storm Sewer Facilities, Mobility Bond Project #746, Precinct 1. (Fund: 2007 Mobility Bonds)
- B.** Approve Payment of Invoice No. 2 (Pay Estimate No.2) in the amount of \$15,000 to Integra Realty Resources regarding Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)
- C.** Approve Payment of Invoice No. 47470 (Pay Estimate No. 11) in the amount of \$18,904.98 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel-Fresno Road, Mobility Bond Project #746, Precinct 1 &2. (Fund: 2007 Mobility Bonds)
- D.** Approve extension of the following Professional Engineering Services Agreements between Fort Bend County and the organizations listed below for the 2007 Mobility Bond Projects until December 31, 2011:
 - 1) Huitt Zollars, Inc. for Mobility Bond Project No. 703, Falcon Landing
 - 2) CLR, Inc. for Mobility Bond Project No. 719, Burney Road
 - 3) IDCUS INC. dba IDC Inc. for Mobility Bond Project No. 725, Harlem Road
 - 4) Cobb Fendley & Associates, Inc. for Mobility Bond Project No. 732, Greenbusch Road
 - 5) Jacobs Engineering Group, Inc. for Mobility Bond Project No. 733, Katy-Gaston Road
 - 6) Chiang, Patel & Yerby, Inc. for Mobility Bond Project No. 734, Katy-Flewellen Road
 - 7) Bury + Partners – HOU, Inc. for Mobility Bond Project No. 741, West Bellfort Road
 - 8) SES Horizon Consulting Engineers, Inc. for Mobility Bond Project No. 718/769, Brand Lane

ENGINEERING (Continued)

- E. Approve application from Devon Street Homes to construct a driveway tie-in onto Travertine Point, Precinct 3.
 - F. Approve application from Advanced Pipeline Services, Inc. to construct a driveway tie-in onto Daily, Precinct 1.
 - G. Approve application from Hammon Oil and Refining Company to lay seismic cable along several County roads and drainage easements, Precinct 1.
 - H. Approve application from CenterPoint Entex to bury a 6-inch plastic gas main along Roesner Road, Precinct 3.
 - I. Approve releasing Performance Bond #58609003 in the amount of \$5,000.00 to W.C. Bell Inc. for completion of work on Old Richmond Road, Permit #82603, Precinct 4.
 - J. Approve accepting bond rider #B003556, as the principal name has changed from ECA Holdings, LP to Energy Corporation of America.
 - K. Set public hearing for Christian Brothers Automotive being a partial replat of Reserve "B" of Waterside Development, Precinct 3. (*Tuesday, March 9, 2010 at 1:00 p.m.*)
10. **FACILITIES MANAGEMENT & PLANNING:** The Director of Facilities Management & Planning submits these invoices for approval and payment for projects budgeted and funded by Facility Bonds and/or Capital Projects:
- A. Approve Invoice No. H004676 in the amount of \$3,196.75 from Raba Kistner for Professional Services rendered for the Precinct 3 Annex.
 - B. Approve Invoice No. 22816 in the amount of \$28,500 to The Mathis Group (TMG+) for Professional Services rendered for the Justice Center
 - C. Approve Invoice No 09-31979 in the amount of \$22,632 from QC Laboratories, Inc. for Professional Services provided for the Justice Center.
 - D. Approve Invoice No. 1 in the amount of \$17,228.15 to PTI, Inc. for Professional Services rendered for the JP, Precinct 2 Expansion.
11. **PURCHASING:** Authorize advertising for Bids/RFPs/SOQs for the following:
- A. Auctioneer Services for Public Transportation assets
 - B. Office Supplies for Public Transportation
 - C. Energy Audit Services
12. **SHERIFF's OFFICE:**
- A. Accept Modification Number 2 for a supplemental amount of \$164,001 to the HIDTA grant (Award No. G09HN0010A) for use of law enforcement through December 31, 2010, original application approved by Commissioners Court May 26, 2009, new grant total \$546,806.
 - B. Authorize County Judge to approve payment in the amount of \$200 to Esperanza Gutierrez for property loss claims at the jail between September 17-18, 2009 and execute Release of All Claims against Fort Bend County.

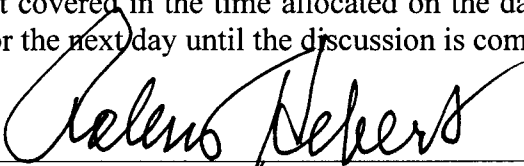
13. **TAX ASSESSOR/COLLECTOR: Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on January 26, 2010 totaling \$82,170.16.**
 14. **TREASURER:**
 - A. **Approve Monthly Reports submitted by county Treasurer for November, 2009 and authorize advertisement of Affidavit of same, in accordance with Local Government code §114.026.**
 - B. **Record into the Minutes Certificate of Completion awarded to Jeff Council, County Treasurer for 2009 continuing education from the V.G. Young Institute of County Government for 40 hours as a County Investment Officer and 10 hours of instruction as the requirements of the Public Funds Investment Act.**
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15. COMMISSIONER, PCT 1: Take all appropriate action to renew the Master Agreement between Fort Bend County and Fort Bend County Fair Association until February 28, 2010.
 16. AUDITOR: Take all appropriate action on payment to Ernie Croucher Auctioneer, Inc. in the amount of \$3,385.88 for advertising related to the December 2009 auction that does not meet the requirements of at least 14 days prior to the auction date.
 17. CONSTABLE, PCT 4: Take all appropriate action to approve payment by invoice transmittal to Barbara Magana Robertson in the amount of \$125 for law enforcement training conducted without a purchase order.
 18. **ENGINEERING:**
 - A. Take all appropriate action on the Third Amendment to Project Management Agreement between Fort Bend County and Schaumburg & Polk, Inc. increasing compensation in an amount not to exceed \$374,742 for services relating to the management and administrative support for the 2007 Mobility Bond Program and extend agreement through December 31, 2010. (Fund: 2007 Mobility Bonds)
 - B. Take all appropriate action on the First Amendment to the Professional Services Agreement between Fort Bend County and TEDSI Infrastructure Group increasing compensation in an amount not to exceed \$10,000 and extend the agreement through December 31, 2011 for Mobility Bond Project Number 725a (Fund: 2007 Mobility Bonds)
 - C. Take all appropriate action on Standard Utility Agreement between Fort Bend County, the State of Texas, and Williams Gas Pipeline regarding roadway changes (will extend 17 feet and 25-feet of 36" casing on two 30" pipelines for Greenbush Road Widening) for an amount not to exceed \$184,574, Precinct 3. (Fund: Right of Way)

19. HUMAN RESOURCES: Take all appropriate action on changes to the Employee Information Manual as follows: Section 401: Categories of Employment.
20. PURCHASING:
 - A. Take all appropriate action to authorize the purchase of computer equipment from CDW-G utilizing Department of Information Resources (DIR) contact DIR-SDD-592 in an amount not to exceed \$216,000. (Fund: Sheriff, Capital Acquisitions)
 - B. Take all appropriate action on SOQ 10-039 Roof inspector and consultant.
 - C. Take all appropriate action on request from City of Richmond to purchase one (1) copier as authorized by Local Government Code §263.152 (a)(1).
 - D. Take all appropriate action to ratify acceptance of Supplemental Agreement No 2 with TEDSI Infrastructure Group for engineering services for Fry Road and Seven Meadows Parkway traffic signalization, in an amount not to exceed \$90,571.37. (Fund: Road & Bridge, Traffic Signalization Project)
 - E. Take all appropriate action to purchase radio frequency file tracking system from FileTrail, Inc. utilizing Williamson County RFP, in an amount not to exceed \$35,720 for the first year. (Fund: County Clerk-Records Management, Fees)
 - F. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Section 262.024 (a)(7) Texas Local Government Code for the purchase of real time phone search capability available from only one source from LexisNexis Accurint, in an amount not to exceed \$600 annually. (Fund: Sheriff's Office, Fees)
 - G. Take all appropriate action on Second Amendment to Design/Build Agreement for EMS Medic 1 facility with Bass Construction for \$2,094,660, for the total contract not to exceed \$2,198,500.79. (Fund: Facility Bond Project)
21. RISK MANAGEMENT: Take all appropriate action to approve Amendment #4 between Fort Bend County and Boon-Chapman Benefits Administrators, Inc. to change fee agreement for the process of premium collection and reporting services.
22. SHERIFF's OFFICE:
 - A. Take all appropriate on Contract Deputy Agreement between Fort Bend County and Cinco Ranch Residential Association II, Inc. effective for an eight-month period from February 1, 2010 through September 30, 2010.
 - B. Take all appropriate action in payment by invoice transmittal in the amount of \$25.85 to Michael Lorenz for payment of purchase of batteries without a purchase order.
23. Approve Bills.

February 2, 2010

24. 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.
- A. 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.
 - B. Thor Ranch, FM 1093 at Spring Green Road.
25. Reconvene Open Session and consider taking action on the following matters:
§ 551.071. Consultation With Attorney.
- A. 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.
 - B. Thor Ranch, FM 1093 at Spring Green Road.
26. 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 29, 2010, by _____. 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).
