

March 9, 2010

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, MARCH 9, 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 March 2, 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:
 - A. Approval of replat: Christian Brothers Automotive, being a partial replat of Reserve "B" of Waterside Development, Precinct 3.
 - B. Acceptance of the revised traffic control plan for Lamar CISD (Dickinson Elementary School) in Greatwood Glen, Section 2 to establish "No Parking" signs, Pct 1.

CONSENT AGENDA ITEMS 6 - 16:

6. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel requests for County personnel:
 - A. **Auditor:** Tatyana Johnson to Washington, D.C., April 5-7, 2010, to attend new grantee orientation for administration of the Maltreated Infants and Toddlers Grant. (Fund: Maltreated Infants and Toddlers Grant)
 - B. **Public Transportation:** Stephen Gipson to Phoenix, Arizona, March 28-31, to attend the 2010 Trapeze transportation software User Conference. (Fund: Public Transportation, Travel)
 - C. **Sheriff's Office:** Ratify travel by Tim Oxley and Stephen Hausler to San Jose, California, March 4-5, 2010, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
7. **COUNTY JUDGE:** Record into Minutes an Order to extend the appointment of Sara Rosas Boone to serve as Temporary Justice of the Peace, Precinct 1, Place 2, while Judge Gary Geick is on medical leave, effective through April 16, 2010.
8. **COMMISSIONER, PCT. 1:** Approve Project Agreement between Fort Bend County and City of Rosenberg to provide assistance with improvement to the bank of the Brazos River through the creation of a canoe launch site at Community Park, a city-owned park, County expenditure not to exceed \$600. (Fund: Road & Bridge)

9. **BUDGET TRANSFERS:**

- A. **County Clerk/Records Management:** Approve transfer in the amount of \$151 from Information Technology into Property and Equipment to allocate funds into correct object code for expenditure.
- B. **County Clerk/Records Management:** Approve transfer in the amount of \$233 from Information Technology into Property and Equipment to allocate funds into correct object code for expenditure.

10. **CONSTABLE, PCT. 2:**

- A. Approve renewal of the Agreement for Additional Law Enforcement Services between Fort Bend County and Quail Glen Homeowners Association for the term of October 1, 2009 through September 30, 2010.
- B. Record into Minutes the Racial Profiling Annual Report pursuant to Code of Criminal Procedure for 2009 for the Office of Constable, Pct. 2.

11. **ENGINEERING:**

- A. Approve payment of Invoice No. 10-01-1-631 (Pay Estimate No. 11) in the amount of \$1,683.00 and Invoice No. 01-2-10-631 (Pay Estimate No. 12) in the amount of \$2,463.50 to Percheron Acquisitions, LLC for services regarding the expansion of Mason Road, Mobility Bond Project #735, Pct. 3. (Fund: Right of Way)
- B. Approve payment of Invoice No. 201002-108 (Pay Estimate No. 8) in the amount of \$31,758.75 to Durwood Greene Construction Company regarding West Bellfort paving and drainage, Mobility Bond Project #731, Pct. 4. (Fund: 2007 Mobility Bonds)
- C. Accept the streets in Falcon Point, Section 7 and release bond #46BCSCK5854 in the amount of \$157,500.00, Pct. 3.

Rock Green Court	1,076.90 LF
Moon Ridge Court	162.68 LF
Water Hill Court	<u>210.71 LF</u>
TOTAL:	1,450.29 LF

- D. Accept the streets in Mission Sierra, Section 1 and release bond #6350275 in the amount of \$483,610.00, Pct. 3.

Westmoor Drive	1,464.70 LF
Sorrel Trace Lane	409.62 LF
Creeks Gate Court	567.89 LF
Royal Gate Lane	784.50 LF
Sunrise Terrace Lane	1,415.26 LF
Dusty Patty Court	289.34 LF
Sage Cove Lane	587.06 LF
Canyon Bloom Lane	321.79 LF
Crossmeadow Lane	<u>145.00 LF</u>
TOTAL:	5,985.16 LF

ENGINEERING (Continued)

- E. Accept the streets in Mission Sierra, Section 4 and release bond #6426064 in the amount of \$351,820.00, Pct. 3.

Westmoor Drive	640.01 LF
Sorrel Trace Lane	141.65 LF
Silent Hills Lane	844.44 LF
Planters Path Lane	1,379.61 LF
Cobble Tree Court	277.03 LF
Strolling Stream Lane	1,159.88 LF
Guage Hollow Court	496.67 LF
Crossmeadow Lane	<u>208.40 LF</u>
TOTAL:	5,147.69 LF

- F. Set public hearing for acceptance of the traffic control plans for Mission Sierra, Section 1 and Section 4, Pct. 3. *(Tuesday, April 6, 2010, at 1:00 p.m.)*
- G. Set public hearing for acceptance of the traffic control plans for Falcon Point, Section 7, Pct. 3. *(Tuesday, April 6, 2010, at 1:00 p.m.)*

12. 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. Invoice No. GC404#2 in the amount of \$1,695.00 to Weisser Engineering Company for professional services regarding the Precinct Three Annex;
- B. Invoice No. 206822 in the amount of \$3,650.00 to ESP Office Solutions, LLC for furniture, fixture, and equipment costs associated with the Gus George Academy;
- C. Pay Application No. 9 in the amount of \$3,044,795.00 to JE Dunn South Central, Inc. for construction services regarding the Justice Center;
- D. Invoice No. 10027662 in the amount of \$42,369.70 to PGAL for professional services regarding the Justice Center;
- E. Pay Application No. 09-00400002 in the amount of \$123,212.15 to Bass Construction Company, Inc. for construction services regarding the EMS Medic One Facility;
- F. Invoice No. H004707 in the amount of \$814.00 to Raba Kistner for professional services regarding the Precinct Three Annex; and
- G. Pay Application No. 5 in the amount of \$166,586.00 to Rosenberger Construction, LP for construction services regarding the Precinct Three Annex.

13. PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:

- A. Construction of pedestrian bridge;
- B. Engineering services for City of Richmond lift station generator;
- C. Engineering services for City of Rosenberg lift station switches; and
- D. County employee, dependent and retiree on-site medical clinic.

14. **SHERIFF'S OFFICE: Record into Minutes the Racial Profiling Annual Report pursuant to Code of Criminal Procedure for 2009 for the Sheriff's Office.**
 15. **TAX ASSESSOR/COLLECTOR:**
 - A. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on March 2, 2010 totaling \$151,419.92.**
 - B. **Record into Minutes the disposal of miscellaneous auto documentation for the period of June 2003 through August 2009, described on report submitted March 3, 2010, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
 16. **TREASURER: Approve Monthly Report submitted by County Treasurer for January, 2010, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.**
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17. **COMMISSIONER, PCT. 3:**
 - A. Take all appropriate action on request by Robert Stein, President of Humus Products of America, to waive penalty and interest, including attorney fees, for an amount totaling \$2,252.78 on property taxes for Tax Year 2008, Precinct 3.
 - B. Take all appropriate action on request by Raju Kale to waive penalty and interest for an amount totaling \$253.84 on property taxes for Tax Year 2009, Precinct 3.
 18. **BUDGET OFFICER:**
 - A. Take all appropriate action on request to transfer the amount of \$5,128,151 from General Fund Accounts, as detailed on Budget Officer's form dated March 3, 2010, to reallocate funds budgeted for employee benefits.
 - B. Take all appropriate action on request to transfer the amount of \$1,088,409 from Other Fund Accounts, as detailed on Budget Officer's form dated March 3, 2010, to reallocate funds budgeted for employee benefits.
 19. **COMMUNITY DEVELOPMENT: Take all appropriate action on Agreement between Fort Bend County and Southeast Texas Housing Finance Corporation in the amount of \$650,000 to administer the Neighborhood Stabilization Program (NSP) which provides down payment, closing costs, and buy-down assistance, and authorize County Judge to sign all documents pertaining to the Agreement, part of the FY 2008 Substantial Amendment approved by Commissioners Court on November 25, 2008. (Fund: Neighborhood Stabilization Program Grant)**

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20. CONSTABLE, PCT. 3:
 - A. Take all appropriate action on request to transfer the amount of \$88,146 from Non-Departmental Contingency as detailed on Auditor's form dated February 23, 2010, to allocate funds for two new vehicles and equipment for the law enforcement agreement with Cinco Ranch.
 - B. Take all appropriate action on request to transfer the amount of \$44,073 from Non-Departmental Contingency as detailed on Auditor's form dated February 23, 2010 to allocate funds for one new vehicle and equipment for the law enforcement agreement with Falcon Ranch.
 - C. Take all appropriate action on request to transfer the amount of \$44,073 from Non-Departmental Contingency as detailed on Auditor's form dated February 23, 2010 to allocate funds for one new vehicle and equipment for the law enforcement agreement with Twin Oaks.
21. ELECTIONS ADMINISTRATION: Take all appropriate action on amended Early Voting Schedules for the April 13, 2010 Runoff Election.
22. ENGINEERING:
 - A. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Rosenberg for FM 2218/FM 1640 Road Improvements and Storm Sewer Improvements, Mobility Bond Project No. 61, Precinct 1. (Fund 2000 Mobility Bonds)
 - B. Take all appropriate action on the Interlocal Agreement between Fort Bend County and City of Sugar Land for Expansion of Burney Road, Mobility Bond Project No. 11, Precinct 3. (Fund: 2000 and 2007 Mobility Bonds)
23. INDIGENT HEALTH CARE: Take all appropriate action to terminate the Agreement between Fort Bend County and Oak Bend Medical Group for medical services to Eligible Indigent County Residents.
24. JUVENILE DETENTION & PROBATION: Take all appropriate action on request to add a vehicle to the Juvenile Probation Department fleet, to be ratified by the Juvenile Board at their next meeting.
25. PURCHASING:
 - A. Take all appropriate action on the following:
 - 1) Bid #10-061 for HVAC Repairs; and
 - 2) SOQ #10-065 for – Design/Build for Kids and Canine Kennels.
 - B. Take all appropriate action on Bid #08-041 for bottled drinking water to exercise the option to add the cold/hot dispensers.
 - C. Take all appropriate action on request for price increase from Century Asphalt pursuant to Bid #09-048, effective March 10, 2010.

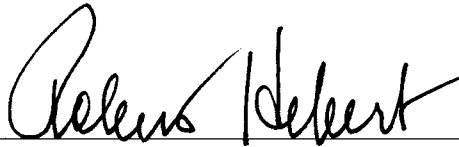
PURCHASING (Continued)

- D. 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 maintenance of hazmat equipment from Air Instrumentation, in an amount not to exceed \$27,000. (Fund: Emergency Management, Fees)
 - E. Take all appropriate action on the purchase of law enforcement training equipment for the Gus George Academy from Meggitt Training Systems utilizing GSA Contract GS-02F-0414D, in an amount not to exceed \$58,000. (Fund: Facility Bond Project)
26. SHERIFF'S OFFICE:
- A. Take all appropriate action on Organized Crime Drug Enforcement Task Force (OCDETF) Agreement to accept grant funds in the amount of \$70,000 for use of Strike Force/Strategic Initiative programs for the term of October 1, 2009 through September 30, 2010, with no cash match required by Fort Bend County.
 - B. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$750.00 to Buentello Wrecker & Auto Parts for towing service provided without a purchase order. (Fund: Sheriff, Forfeited Assets, Federal)
27. TAX ASSESSOR/COLLECTOR: Take all appropriate action on Amendment One to the Lease Agreement between Fort Bend County and the State of Texas for one registration and title system remote sticker printing system.
28. Approve Bills.
29. Authorize County Auditor to pay and release time sensitive bills on March 18, 2010, to be ratified by Commissioners Court on March 23, 2010.
30. 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.
Thor Ranch, FM 1093 at Spring Green Road.
 - 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.
4.75 acre tract of land out of the Joseph Kuykendall League, Abstract No. 49, Fort Bend County, Texas, also known as the Jackson Property.

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31. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
Thor Ranch, FM 1093 at Spring Green Road.
 - B. § 551.072. Deliberation Regarding Real Property.
4.75 acre tract of land out of the Joseph Kuykendall League, Abstract No. 49, Fort Bend County, Texas, also known as the Jackson Property.
32. 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, March 5, 2010, by Denna Espina. 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
2:40 P.M.
NO. _____ TIME 40 P.M.
MAR 05 2010