

April 6, 2010

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, APRIL 6, 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 March 23, 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. Acceptance of the traffic control plan for Bonbrook Plantation South, Section 3, Precinct 1.
  - B. Acceptance of the traffic control plans for Mission Sierra, Section 1 and Section 4, Precinct 3.
  - C. Acceptance of the traffic control plans for Falcon Point, Section 7, Precinct 3.

**CONSENT AGENDA ITEMS 6 - 19:**

6. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel request for County personnel:  
**Sheriff's Office:** Ratify extension of travel by Craig Brady and Vanessa Brady to Las Vegas, Nevada, January 19-22, 2010 to include January 23, 2010, due to weather conditions, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
7. **COUNTY JUDGE:** Approve request for Historic Site Property Tax Exemption for The Morton-Ferry Home, located at 402 North Second Street in Richmond, Texas for tax year 2010.
8. **BUDGET TRANSFERS:**
  - A. **County Clerk:**
    - 1) Approve transfer in the amount of \$25,000 from County Clerk, Records Management, Contingency, into Capital Acquisitions to allocate funds for purchase of upgraded servers to increase data storage capacity.
    - 2) Approve transfer in the amount of \$771 from County Clerk, Records Management, Information Technology, into Property and Equipment and Fees to allocate funds into correct object codes for expenditure.

**BUDGET TRANSFERS (Continued)**

- B. Department of Public Safety:** Approve transfer in the amount of \$360 from Fees into Information Technology to allocate additional funds required for purchase of wireless keyboards for use in patrol vehicles at accident sites.
  - C. Sheriff's Office:** Approve transfer in the amount of \$100 from Forfeited Assets – Task (State), Office Supplies, into Information Technology to allocate funds for computer equipment required for Narcotics Task Force.
  
- 9. COMMUNITY DEVELOPMENT:** Approve payment of Invoice No. WHX16400-031910 in the amount of \$4,603.53 to Jacobs Engineering Group, Inc. for engineering services regarding the City of Kendleton Wastewater Treatment Plant project. (Fund: Community Development Block Grant)
  
- 10. COUNTY CLERK:** Approve request for increase in change fund to accommodate additional cash drawer at the Missouri City Annex Office.
  
- 11. ELECTIONS ADMINISTRATION:** Approve cancellation of Joint Election Agreements between Fort Bend County and the following entities to conduct elections on May 8, 2010: Fort Bend County Municipal Utility District No. 137, Fort Bend County Municipal Utility District No. 138, and Sienna Plantation Municipal Utility District No. 2.
  
- 12. ENGINEERING:**
  - A.** Accept Temporary Access and Drainage Easement from Camcorp Interests, Ltd. (as Grantor) to Fort Bend County (as Grantee) for the expansion of Teal Bend Boulevard at no cost to Fort Bend County and record in the Official Public Records of the County Clerk's Office.
  - B.** Approve payment of Invoice No. 201003-108 (Pay Estimate No. 9) in the amount of \$146,381.45 to Durwood Greene Construction Company regarding West Bellfort Paving and Drainage Project, Mobility Bond Project #731, Precinct 4. (Fund: 2007 Mobility Bonds)
  - C.** Approve payment of Invoice No. 302 (Pay Estimate No. 15) in the amount of \$1,400.73 to Chiang Patel & Yerby, Inc. regarding the expansion of Katy-Flewellen Road (from Pin Oak to Katy-Gaston), Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)
  - D.** Approve payment of Invoice No. FBC08007 (Pay Estimate No. 14) in the amount of \$5,877.15 to Chiang Patel & Yerby, Inc. regarding the expansion of Katy-Flewellen Road (from Pin Oak to Katy-Gaston), Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)

**ENGINEERING (Continued)**

- E. Approve payment of Invoice No. 29 (Pay Estimate No. 29) in the amount of \$29,173.55 to Schaumburg & Polk, Inc. for Management and Administrative Support Services regarding the 2007 Mobility Bond Project Program in Precincts 1, 2 3, and 4. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 10-02-2-631 (Pay Estimate No. 14) in the amount of \$3,928.40 to Percheron Acquisitions, LLC regarding Mason Road Expansion, Mobility Bond Project #735, Precinct 3. (Fund: Right of Way)**
- G. Approve payment of Invoice No. 6113 (Pay Estimate No. 18) in the amount of \$39,011.10 to Othon, Inc. regarding the expansion of Williams Way, (formerly known as Ransom Road), from River Park to Main Street in Fort Bend County and Richmond, Texas), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- H. Approve payment of Invoice No. 23 (Pay Estimate No. 23) in the amount of \$4,737.66 to Cobb-Fendley & Associates, Inc. regarding the expansion of Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- I. Approve payment of Invoice No. 1 (Pay Estimate No. 1) in the amount of \$4,183,909.57 to the City of Stafford regarding City of Stafford/Staffordshire Road Improvements, Mobility Bond Projects #38 and #43, Precinct 2. (Fund: 2000 Mobility Bonds)**
- J. Approve payment of Invoice No. 299624 (Pay Estimate No. 9) in the amount of \$2,980.00 to Tedsy Infrastructure Group regarding the expansion of Harlem Road, Mobility Bond Project No. 725-A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- K. Approve application from AT&T Texas to bore under and bury cable along Farmer Road, Precinct 3.**
- L. Approve application from AT&T Texas to bore under Benton, Precinct 1.**
- M. Approve application from CenterPoint Energy-Entex to bore under Katy Gaston, Precinct 3.**
- N. Approve application from Verizon Communications to bore under Commerce Business Drive, Precinct 3.**
- O. Approve application from R&H Hogan Properties LLC to add on to existing driveway on Cottonwood School, Precinct 1.**
- P. Approve release of Perpetual Bond #41075728 in the amount of \$50,000.00 to Houston Pipeline Company, L.P. replaced with Perpetual Bond #022025560 accepted July 7, 2009.**
- Q. Approve release of Performance Bond #LLI -2082207 in the amount of \$5,000.00 to Harrison Construction & Remodeling, Inc. for completion of work on Red Lake Lane, Permit #83717, Precinct 3.**
- R. Approve application from Phonoscope LLC to bore under Katy-Gaston, Precinct 3.**
- S. Approve the plat for Kingsbridge MUD Water Plant No. 3, Pct. 3.**
- T. Approve the plat for Cinco Ranch Southwest, Sec. 13 Partial Replat No. 1, Pct. 3.**

**ENGINEERING (Continued)**

- U. Accept the streets in Lakemont Court, Section 1 and release bond #929 369 453 in the amount of \$260,960.00, Pct. 3
    - Lakemont Heights Drive 145.08 LF
    - Middlegate Lane 902.00 LF
    - Granger Ridge Lane 928.59 LF
    - Alcott Manor Lane 1,022.60 LF
    - Braecove Circle 564.15 LF
    - TOTAL: 3,562.42 LF
  - V. Set public hearing for acceptance of the traffic control plan for Lakemont Court, Section 1, Pct. 3. *(Tuesday, May 4, 2010, at 1:00 p.m.)*
13. **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. 09-00400003 in the amount of \$471,698.75 to Bass Construction Company, Inc. for construction services provided regarding the EMS Medic One Facility;
  - B. Invoice No. 4747 in the amount of \$2,629.01 to Total Technologies for voice/data cabling regarding the build-out for Child Support Department;
  - C. Pay Application No. 5 in the amount of \$301,570.96 to Crain Group LLC for construction services regarding renovations to the Jane Long Building;
  - D. Invoice No. 40239 in the amount of \$10,006.00 to 2M Business Products for Patrol furniture, fixture, and equipment costs associated the Jail Expansion Project;
  - E. Invoice No. 3-10048 in the amount of \$3,175.00 to Brown & Gay Engineers for professional services regarding the University of Houston Library at the Sugar Land Campus;
  - F. Invoice No. 189390-0 in the amount of \$12,411.31 to Carroll's Discount Office Furniture for furniture, fixture, and equipment costs associated with the Missouri City Annex;
  - G. Invoice No. 36236 in the amount of \$555.00 to Corporate Outfitters for furniture, fixture, and equipment costs associated with the Missouri City Annex;
  - H. Invoice No. M03032010-5 in the amount of \$1,500.00 to Division One Special Services for painting services regarding renovations to the George Memorial Library;
  - I. Invoice Nos. 10027711 and 10027712 for an amount totaling \$43,452.95 to PGAL for professional services regarding the Justice Center; and
  - J. Invoice No. 22856 in the amount of \$28,500.00 to The Mathis Group (TMG+) for professional services regarding the Justice Center.
  - K. Approve correction to amount shown on Agenda Item No. 16A from Commissioners Court on March 23, 2010 to read: Invoice No. 23992 in the amount of \$7,311.38 to Vanguard Environments for furniture, fixture and equipment costs associated with the Missouri City Annex.

14. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend County Toll Road Authority (the "Authority") reviewed this item at their regular meeting held on March 17, 2010, and recommends that Commissioners Court approve the Right of Entry and Possession Agreement between the Authority and Hannover Estates, Ltd. for the right-turn lane improvements project at State Highway 6 for the Fort Bend Parkway, Project A.
  15. **HEALTH & HUMAN SERVICES:**
    - A. Approve and sign Amendment 001A to Agreement between Fort Bend County and Texas Department of State Health Services Contract #2009-031827, to extend the term of the contract until July 31, 2011, the content of which is covered under Local Government Code §418.183(f).
    - B. Approve and sign Amendment 001A to Agreement between Fort Bend County and Texas Department of State Health Services Contract #2009-031680, to extend the term of the contract until July 31, 2011, the content of which is covered under Local Government Code §418.183(f).
    - C. Social Services: Accept grant from the National Emergency Food & Shelter Program (EFSP) Phase 28 in the amount of \$275,851 to be utilized as follows: \$13,793 for food assistance; \$171,028 for rental/mortgage assistance; and \$91,030 for utilities assistance.
  16. **PURCHASING:** Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:
    - A. Printing and mailing of tax statements;
    - B. Security Officers for County Facilities; and
    - C. Summer food program.
  17. **RISK MANAGEMENT:** Approve workers' compensation subrogation claim settlement in the amount of \$7,325.64 for Cause No. 10-DCV-178452, and authorize County Judge to execute release.
  18. **TAX ASSESSOR/COLLECTOR:** Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on March 30, 2010, for an amount totaling \$98,962.12.
  19. **TREASURER:** Approve Monthly Report submitted by County Treasurer for February, 2010, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.
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20. COMMISSIONER, PCT. 1:
- A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$748.32 to AFC Corporate Transportation for transportation by Commissioner Morrison and members of the Fort Bend Historical Commission to the Texas General Land Office in Austin on March 29, 2010, without a purchase order. (Fund: Commissioner, Pct. 1, Travel)
  - B. Take all appropriate action on renewal of the Master Agreement between Fort Bend County and the Fort Bend County Fair Association effective through December 31, 2012.
  - C. Take all appropriate action on Resolution in Support of President Obama's Budget for the Clear Creek Federal Flood Control Project Item for the U. S. Army Corps of Engineers General Reevaluation Report on Clear Creek.
21. COMMISSIONER, PCT. 3: Take all appropriate action on Order Decreeing the Acquisition of Property to be a Public Necessity and Authorizing the Acquisition and Payment of Compensation for public project known as Howell-Sugarland Road Project.
22. COMMISSIONER, PCT. 4:
- A. Take all appropriate action to accept Special Warranty Gift Deed from Sprint Sand and Clay, LLC (as Grantor) to Fort Bend County (as Grantee) for 0.160 Acre of Land in the D.A. Conner Survey, Abstract No. 158, at no cost to Fort Bend County, and record the Deed in the Official Public Records of the County Clerk's Office.
  - B. Take all appropriate action on the First Amendment to Amended and Restated Surface Lease Agreement between Sprint Sand and Clay, LLC and Fort Bend County for an 18.456 acre tract of land in the John Leverton Survey, Abstract No. 402.
  - C. Take all appropriate action on request by Dong Wang to waive penalty and interest totaling \$205.72 on property taxes for Tax Year 2009, Precinct 4.
  - D. Take all appropriate action on request by Karen Sawyer to waive penalty and interest totaling \$239.73 on property taxes for Tax Year 2009, Precinct 4.
23. AGRI-LIFE EXTENSION SERVICES: Take all appropriate action of Memorandum of Agreement between Fort Bend County and Texas AgriLife Extension Service for Information Technology Services effective through February 28, 2011. (Fund: Extension Services, Fees)

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24. COUNTY ATTORNEY: Take all appropriate action on proposed Fort Bend County Public Information Act/Open Records Policy.
25. ELECTIONS ADMINISTRATION: Take all appropriate action on Joint Election Agreements between Fort Bend County and the following entities to conduct elections on May 8, 2010: City of Kendleton, Needville Independent School District, and Fort Bend County Municipal Utility District No. 151.
26. ENGINEERING:
  - A. Take all appropriate action on the Third Amendment to the Professional Engineering Services Agreement between Fort Bend County and Cobb Fendley & Associates, Inc. in an additional amount of \$50,000 for a total project cost not to exceed \$1,006,000 on improvements to Greenbusch Road, Mobility Bond Project No. 732, Precinct 3. (Fund: 2007 Mobility Bonds)
  - B. Take all appropriate action on the Second Amendment to the Professional Engineering Services Agreement between Fort Bend County and Jacobs Engineering Group, Inc. in an additional amount of \$30,000 for a total project cost not to exceed \$930,000 on improvements to Katy-Gaston Road, Mobility Bond Project No. 733, Precinct 3. (Fund: 2007 Mobility Bonds)
  - C. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Allgood Construction Company, Inc to increase the scope of services in the amount of \$86,604.98 regarding construction for improvements to Katy-Gaston (from FM 1093 to Cinco Ranch Blvd.), Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)
  - D. Take all appropriate action on the License Agreement between Fort Bend County and Marla Jurek for one groundwater monitoring well on property located near the Fort Bend County landfill for a total expenditure of \$500. (Fund: Landfill Fees)
  - E. Take all appropriate action on The Rules of Fort Bend County Texas Governing Water and Wastewater Infrastructure, A Supplement to Fort Bend County's Regulations of Subdivisions adopted August 27, 2002.
27. GRANTS ADMINISTRATION: Take all appropriate action on request to reappoint Review Committee for the Justice Assistance Grant (JAG) in preparation for the upcoming round of grant opportunities.
28. HEALTH & HUMAN SERVICES – SOCIAL SERVICES: Take all appropriate action on Agency Agreement between Fort Bend County and CenterPoint Energy Assistance Program to enable Social Services to receive \$2,000 for distribution to CenterPoint customers qualifying for energy assistance, with no cash match required by Fort Bend County.

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29. HUMAN RESOURCES: Take all appropriate action on request for a new grant-funded position, Principal Regional Planning Coordinator, Grade 13 of the Professional Management Policy Group for the Office of Emergency Management, effective April 6, 2010. (Fund: 2009 UASI Grant)
30. PARKS DEPARTMENT: Take all appropriate action on Agreement between Fort Bend County and Texas Department of Agriculture to apply for the FY 2010 Summer Food Program, and authorize submission of the application for the program.
31. PUBLIC TRANSPORTATION: Take all appropriate action on Amendment No. 3 to the Inter-Governmental Agreement with Texas Commission on Environmental Quality (TCEQ) to receive additional funds in the amount of \$135,850.57 for the local initiative portion of the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) for 2010/2011.
32. PURCHASING:
  - A. Take all appropriate action on the following:
    - 1) RFP #10-068 for Critical incident command center for the Sheriff's Office;
    - 2) Bid #10-069 for Security fence at Juvenile detention;
    - 3) Bid #10-070 for Culverts;
    - 4) Bid #10-071 for Lime slurry and cement stabilized sand; and
    - 5) Bid #10-072 for Construction of a pedestrian bridge.
  - B. Take all appropriate action to authorize the purchase of four (4) ½ ton trucks for Constable Pct 3 for additional law enforcement agreements with Twin Oaks Village, Municipal Utility District No. 124, and Cinco Ranch, utilizing Bid #08-027, for an amount not to exceed \$22,506.48 per truck. (Fund: Constable Pct. 3, Law Enforcement Agreements)
  - C. Take all appropriate action on First Amendment to Agreement between Fort Bend County and AutoArch Architects, Inc. for structural and engineering services for Precinct 3 facility, in an amount not to exceed \$164,850. (Fund: Facility Bond Project)
  - D. Take all appropriate action to cancel Bid #09-029 for right-of-way finish cut mowing effective immediately due to or non-performance, and authorize re-advertising for bids.
  - E. Take all appropriate action to cancel Bid #09-044 for elevator maintenance at the Jail effective immediately due to non-performance.
  - F. Take all appropriate action to accept cancellation letter from Global Associates Computers for Sections 3 and 5 pursuant to Bid #10-055 for Toner and Ink cartridges, and authorize award to second low bidder, CNI Office Supplies.
  - G. Take all appropriate action on request for price increase from Ada Resources pursuant to Bid #10-019 for Oils and Lubricants.



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33. ROAD AND BRIDGE:
  - A. Take all appropriate action on Agreement between Fort Bend County and Houston-Galveston Area Council (HGAC) for the Clean Cities/Clean Vehicles Program.
  - B. Take all appropriate action on Primary Interlocal Agreement between Fort Bend County and Fort Bend County Levee Improvement District No. 17 effective through September 30, 2010, with automatic one-year renewals.
34. SHERIFF'S OFFICE:
  - A. Take all appropriate action on Agreement between Fort Bend County and Patrick J. Crabtree for professional information technology services as a consultant for the Sheriff's Office under the Organized Crime Drug Enforcement Task Force (OCDETF) Strike Force/Strategic Initiative Program for the term April 6, 2010 through September 30, 2010, or until grant funds are depleted. (Fund: OCDETF Grant)
  - B. Take all appropriate action on Agreement between Fort Bend County and Bryan Smith dba BPS Professional Services for services as Deputy Director for the High Intensity Drug Trafficking Area (HIDTA) program for the term of April 6, 2010 through March 31, 2011, or until grant funds are depleted. (Fund: HIDTA Grant)
  - C. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$11,071.87 to AT&T for phone switch charges incurred without a purchase order. (Fund: Sheriff, Enforcement, Operating, Fees)
35. Approve Bills.
36. Ratify the release of time-sensitive bills by Auditor on April 1, 2010.
37. 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. Hunt Club Apartments, Katy Flewellen at Greenbusch Road.
  - B. Civil Action 4:10-CV-536; Pamela C. Poole v. Fort Bend County; In the United States District Court for the Southern District of Texas, Houston Division.

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38. Reconvene Open Session and consider taking action on the following matters:  
§ 551.071. Consultation With Attorney.  
A. Hunt Club Apartments, Katy Flewellen at Greenbusch Road.  
B. Civil Action 4:10-CV-536; Pamela C. Poole v. Fort Bend County; In the United States District Court for the Southern District of Texas, Houston Division.
39. 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 Thursday, April 1, 2010, by Donna Ospina. 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.

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**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.

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**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).

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FILED FOR RECORD

NO. \_\_\_\_\_ TIME 2:59 <sup>A.M.</sup><sub>P.M.</sub>

 APR 01 2010

  
County Clerk Fort Bend Co. Tex.