

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, JULY 6, 2010
1:00 O'CLOCK P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Prestage.
3. Approve minutes of regular meeting held on June 22, 2010.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARING: 1:00 p.m.: Conduct Public Hearing on the following matter:

Creation of Fort Bend County Reinvestment Zone No. 13, located in Precinct 1, near the City of Kendleton, for tax abatement purposes.

CONSENT AGENDA ITEMS 6 - 16

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **District Attorney : Tulani Washington to Columbia, South Carolina, August 2-6, 2010, to attend National Advocacy Center Cross Examination Court, with travel, tuition, and lodging paid by the National District Attorney Association. (Fund: District Attorney, Travel)**
 - B. **District Attorney : Matthew Banister to Jacksonville, Florida, September 1-3, 2010, to attend seminar by the National Drug Court Institute. (Fund: District Attorney, Travel)**
 - C. **Elections Administration : John Oldham, James Guen, and Gracie Alvarado to Orlando, Florida, August 18-21, 2010, to attend Election Center Annual Conference, and Robin Heiman and Julie Kassab to Orlando, Florida, August 16-21, 2010 to attend Election Center continuing education classes and the Annual Conference. (Fund: Elections Contract, Travel)**
 - D. **Information Technology: Casey Johnson to St. Louis, Missouri, September 21-24, 2010, to attend the National Association of Government Webmasters National Conference. (Fund: Information Technology, Travel)**

- E. **Office of Emergency Management : Ratify change in travel dates for Miles Tollison to New Orleans, Louisiana, from June 21-25, 2010, to attend the 2010 National UASI Conference. (Fund: Emergency Management, UASI Grant)**
 - F. **Office of Emergency Management : Jeff Braun to San Jose, California, October 15-20, 2010 to attend International City/County Management Association (ICMA) 96th Annual Conference. (Fund: Emergency Management, Travel)**
 - G. **Sheriff's Office : Ratify travel by A. Dwayne Wright and Russell Womble to Maurice, Louisiana, June 28-29, 2010, to interview suspect in Case #10-9442. (Fund: Sheriff, Enforcement, Travel)**
7. **BUDGET & FINANCE/BUDGET TRANSFERS:**
- A. **Department of Public Safety : Approve transfer in the amount of \$169 from Fees into Information Technology to allocate funds for purchase of computer accessory equipment required for Troopers.**
 - B. **Elections Administration : Approve transfer in the amount of \$2,200 from Fees into Capital Acquisitions to allocate additional funds for purchase of a copier.**
 - C. **Sheriff's Office : Approve transfer in the amount of \$2,221 as detailed on Sheriff's form dated June 23, 2010 to reallocate funds from various line items into Information Technology for the purchase of computer equipment.**
 - D. **Sheriff's Office: Approve transfer in the amount of \$48,590 as detailed on Sheriff's form dated June 30, 2010 to reallocate funds within the Sheriff's Forfeited Assets, Federal budget for the purchase of various supplies and equipment.**
8. **COUNTY ATTORNEY:**
- Approve Deeds for the transfer of Title from Fort Bend County to the State of Texas for land described as Parcel 17 and Parcel 14 regarding Phase II of the FM 1464 Widening Project, for purposes of reimbursement to the County pursuant to the 90/10 Agreement between Fort Bend County and Texas Department of Transportation and authorize County Judge to sign all necessary deeds and closing documents.**

9. ENGINEERING:

- A. Approve payment of Invoice No. 6264 (Pay Estimate No. 21) in the amount of \$16,036.02 to Othon, Inc. regarding the expansion of Williams Way Boulevard, (formerly known as Ransom Road), from River Park to Main Street in For Bend County and City of Richmond, Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 26 (Pay Estimate No. 26) in the amount of \$11,069.33 to Cobb-Fendley & Associates, Inc. regarding Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 32 (Pay Estimate No. 32) in the amount of \$33,020.58 to Schaumburg & Polk, Inc. regarding Management and Administrative Support Services for the 2007 Mobility Bond Project Program, Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**
- D. Approve payment of Invoice No. 10-05-015 (Pay Estimate No. 26) in the amount of \$37,185.00 to Kelly Kaluza & Associates, Inc. regarding Professional Engineering Services related to West Bellfort Paving and Drainage Project (from Martinez Street to Farm Market 1464), Precincts 3 and 4. (Fund: 2000 Mobility Bonds)**
- E. Approve payment of Invoice No. 10-2033C.02.CM7221 (Pay Estimate No. 2) in the amount of \$14,112.88 to Geotech Engineering and Testing regarding improvements to Katy Gaston Road, from FM 1093 to Cinco Ranch Blvd., Mobility Bond Project #733, Precinct 3. (Funds: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$249,599.19 to Allgood Construction Company regarding improvements to Katy Gaston Road (from FM 1093 to Cinco Ranch Blvd.), Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. Approve application from Center Point Energy Entex to bore under Dry Creek, Precinct 1.**
- H. Approve application from John D. & Nancy A. Biggs to construct an addition to driveway on Silent River Drive, Precinct 3.**
- I. Approve application from Transcontinental Gas Pipe Line Company, LLC to bore under Bois D'Arc and McKinnon, Precinct 3.**
- J. Approve release of performance bond #61BSBEX2029 in the amount of \$5,000.00 to Crostex Construction, Inc. for completion of work on Orchid Lane, Permit #83610, Precinct 1.**

- K. **Approve application form Lennar Homes to construct driveway tie-ins, one on Carnaby Lane and two on Crescent Water, Precinct 1.**
- L. **Approve release of performance bond #70102716 in the amount of \$5,000.00 to Westminster Farms, GPLC for completion of work on Del Aqua Drive, Permit #83223, Precinct 3.**
- M. **Approve release of performance bond #9393003 in the amount of \$50,000.00 to Landmark Industries for completion of work on Greenbusch, Permit #83514, Precinct 3.**
- N. **Approve release of performance bond #5021774 in the amount of \$5,000.00 to Topique Construction for completion of work on Mason Road, Permit #83521, Precinct 3.**
- O. **Approve application from Ballenger & Associates, Inc./Bobcat Contracting, LLC to excavate a 12-foot by 12-foot hole on the back side of Gaston Road to expose and repair gas line, Precinct 3.**
- P. **Approve application from T. Balusek Consulting & Supply, Inc. to construct a driveway tie-in onto Big Island, Precinct 1.**
- Q. **Approve application from Septic Solutions LLC to bore a 4-inch plastic pipe under Teal Bend Boulevard, Precinct 1.**
- R. **Approve plat for the roads within Firethorne, Section 19, Precinct 3.**
- S. **Approve plat for the lots within Firethorne, Section 19, Precinct 3.**
- T. **Approve the plat for L J Parkway Street Dedication, Phase III, Precinct 4.**
- U. **Approve the plat for Walnut Creek Recreational Reserve, Precinct 1.**
- V. **Set public hearing for Hodges Ready Mix, being a Partial Replat of Lot 26 of the Meadows on Koeblen, Precinct 1. (Tuesday, August 10, 2010, at 1:00 p.m.)**
- W. **Set public hearing for acceptance of the traffic control plan for James Lane, Precinct 3. (Tuesday, August 3, 2010, at 1:00 p.m.)**
- 10. **FACILITIES MANAGEMENT & PLANNING:**
 - A. **Approve payment of Invoice No. 6-10147 in the amount of \$963.15 to Brown & Gay Engineers for professional services regarding the University Branch Library. (Fund: Facility Bond Project)**
 - B. **Approve payment of Invoice No. INV-0045622 in the amount of \$57,440.00 to Meggitt Training Systems for furniture, fixture and equipment costs associated with the Gus George Academy . (Fund: Facility Bond Project)**

- C. **Approve payment of Invoice No. PH62605 in the amount of \$693.60 to Physio-Control, Inc., for furniture, fixture, and equipment costs associated with the Gus George Academy . (Fund: Facility Bond Project)**
- D. **Approve payment of Invoice No. 8450 in the amount of \$750.00 to Enchanted Gardens for landscape materials regarding the County's 40-Acre Site . (Fund: Facility Bond Project)**
- E. **Approve payment of Invoice No. 0003801-001 in the amount of \$455.80 to 2M Business Products for furniture, fixture, and equipment costs associated with the Missouri City Annex. (Fund: Facility Bond Project)**
- F. **Approve payment of Invoice No. 110269687 in the amount of \$176.00 to Xerox Corporation for moving costs associated with the Child Support Build-Out on the 40-Acre Site. (Fund: Facility Bond Project)**
- G. **Approve payment of Invoice No. 10-32890 in the amount of \$16,834.50 to QC Laboratories, Inc. for Professional Services regarding the Justice Center . (Fund: Facility Bond Project)**
- H. **Approve payment of Invoice No. H004848 in the amount of \$605.00 to Raba Kistner for Professional Services regarding the Precinct Three North Annex . (Fund: Facility Bond Project)**
- I. **Approve payment of Invoice No. 4953 in the amount of \$17,704.30 to Total Technologies for Voice/Data Cabling regarding the EMS Medic One Facility. (Fund: Facility Bond Project)**
- J. **Approve payment of Invoice No. 45080690 in the amount of \$2,211.93 to Brazos Forest Products for furniture, fixture, and equipment costs associated with the EMS Medic One Facility. (Fund: Facility Bond Project)**
- K. **Approve payment of Invoice No. 10-05-034 in the amount of \$3,705.00 to Kelly R. Kaluza & Associates for Engineering Services regarding renovations to the George Memorial Library. (Fund: Facility Bond Project)**
- L. **Approve payment of Pay Application No. One (1) in the amount of \$28,908.00 to Crain Group, L.L.C., for Construction Services regarding expansion of the Office of Emergency Management. (Fund: Facility Bond Project)**
- M. **Approve payment of Invoice No. 3082848-0 in the amount of \$1,278.00 to Jones & Cook Stationers for furniture, fixture, and equipment costs associated with the Missouri City Annex. (Fund: Facility Bond Project)**
- N. **Approve payment of Pay Application No. Two (2) in the amount of \$109,755.41 to Crain Group, L.L.C., for Construction Services regarding expansion of the Office of Emergency Management. (Fund: Capital Improvement Project)**

- O. **Approve payment of Invoice No. 3 in the amount of \$43,941.60 to Archi*Technics/3, Inc. for Architectural Services regarding the Senior Center . (Fund: Capital Improvement Project)**

11. HEALTH & HUMAN SERVICES:

- A. **Environmental Health : Approve Adopt-A-County-Road Agreement between Fort Bend County and Smith-Grant Family for Hurta Road, from FM 1236 to Colony Road, effective July 1, 2010 through July 1, 2012.**
- B. **Accept and sign Memorandum of Agreement between Fort Bend County and Texas Department of State Health Services, the content of which is covered under Texas Government Code Section 421.062.**
- C. **Accept and sign Memorandum of Understanding between Fort Bend County and City of Sugar Land, the content of which is covered under Texas Government Code Section 418.183(f).**

12. HUMAN RESOURCES:

Approve and record into Minutes the application for Appointment of Deputy Constable Ray R. Hinojosa by Constable Precinct 4, in accordance with Constable's form dated June 30, 2010, pursuant to Local Government Code §86.011.

13. OFFICE OF EMERGENCY MANAGEMENT:

- A. **Approve and accept Notice of Sub-Recipient Grant Award from Texas Division of Emergency Management for the FY 2010 Emergency Management Performance Grant (EMPG) in the amount of \$96,336; no cash match required by Fort Bend County, and authorize County Judge to execute all documents pertaining to the acceptance.**
- B. **Approve and sign a second amended 2006 Grant Adjustment Notice (GAN) between Fort Bend County and the State of Texas, to close out the 2006 performance year for the Homeland Security Grant Program.**

14. PURCHASING:

Authorize advertising for statements of qualification for emergency power review consultant for Sheriff's Office.

15. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the disposal of Deposit Folders dated April 14, 2010 through May 17, 2010 per State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
- B. **Approve renewal of the Interlocal Cooperation Agreements for the Collection of Taxes between Fort Bend County and the following entities effective thru June 30, 2011: Needville Independent School District, Fort Bend Emergency Services District No. 3, and Fort Bend Emergency Services District No. 4.**
- C. **Approve Amendments to Interlocal Cooperation Agreements for the Collection of Taxes between Fort Bend County and the following entities effective thru June 30, 2011: City of Arcola, City of Beasley, City of Fulshear, City of Meadows Place, City of Missouri City, City of Needville, City of Orchard, City of Richmond, City of Rosenberg, City of Simonton, Wharton County Junior College, Cinco Municipal Utility District No. 9, Fort Bend Emergency Services District No. 1, Fort Bend Emergency Services District No. 2, Fort Bend Emergency Services District No 5, Fort Bend County Municipal Utility District No. 41, Fort Bend County Fresh Water Supply District No. 1, Fort Bend County Fresh Water Supply District No 2, Harris-Fort Bend Emergency Services District No. 100, Fort Bend County Water Control & Improvement District No. 2, and Willow Fork Drainage District.**
- D. **Approve renewal of the Interlocal Cooperation Agreement for the Collection of Taxes between Fort Bend County and Lamar Consolidated Independent School District effective through August 31, 2011.**

16. **TREASURER:**

Approve Monthly Report submitted by County Treasurer for May, 2010, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.

17. **COUNTY JUDGE:**

- A. **Take all appropriate action to create Fort Bend County Reinvestment Zone No. 13, located in Precinct 1, pursuant to Chapter 312 of the Texas Property Tax Code.**
- B. **Take all appropriate action on Amendment No. 1 to the FY05 Sub-Award Agreement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 1, to extend the terms of the FY05 EPA, State and Tribal Assistance Grant through December 31, 2011.**

18. COMMISSIONER, PCT. 3:

Take all appropriate action on request by Ramakrishna Thirugnanasambandam to waive penalty and interest totaling \$95.00 on property taxes for Tax Year 2009, Precinct 1.

19. COMMUNITY DEVELOPMENT:

Take all appropriate action on the Fort Bend County FY 2010 through 2015 Consolidated Plan as presented for the Community Development Block Grant, HOME Investment Partnerships and Emergency Shelter Grant Programs, and authorize County Judge to sign all documents pertaining to the Plan.

20. CONSTABLE, PCT. 1

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$78.75 to Harris County for repairs to hand-held radio without a purchase order. (Fund: Constable, Pct. 1, Property and Equipment)

21. ELECTIONS ADMINISTRATION:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$50.00 to Barrington Place HOA Clubhouse for cleaning fees incurred without a purchase order for polling place following the April 13, 2010 Primary Runoff Election. (Fund: Elections Contracts, Rentals)

22. ENGINEERING:

- A. Take all action on request by Loretta Goldsmith for a variance to the Fort Bend County Regulations of Subdivisions as given in Section 2.2 B&C, to allow 23.003(+ or -) acres to be divided, situated in the Gail Borden League, Abstract 12, as recorded in official Fort Bend County Deed Records Instrument #9619087, Fort Bend County, Texas, Precinct 1.
- B. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Pine Mill Ranch, Sec. 6 on behalf of Cardiff Ranch L.P., Precinct 3.
- C. Take all appropriate action on plat for the roads within Pine Mill Ranch, Section 6, Pct. 3.
- D. Take all appropriate action on plat for the lots within Pine Mill Ranch, Section 6, Pct. 3.
- E. Take all appropriate action on request to transfer the amount of \$26,900 from Non-Departmental Contingency into Engineering line items detailed on County Engineer's form dated June 30, 2010, to allocate additional funds needed for various operating supplies and expenses.

23. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position No. 6111-0123 in the Road & Bridge Department, Order Entry/Account Payable Clerk, from Grade 8 of the Administrative Clerical Policy Group to Grade 7 of the Administrative Clerical Policy Group, effective July 6, 2010.

24. INDIGENT HEALTH CARE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$9,872.82 to Oak Bend Medical Office, Ltd. for rental of office space for Indigent Health Care Physician's Clinic during the months of June and July, 2010, without a Purchase Order. (Fund: Indigent Health Care, Rentals)

25. PURCHASING:

- A. Take all appropriate action on Bid #10-097 for Bridge Replacement at Old Richmond Road over Red Gully.
- B. Take all appropriate action on Bid #10-098 for the Extension of South Post Oak Boulevard and reconstruction of McKeever Road.
- C. Take all appropriate action on Agreement between Fort Bend County and TechKnowledge Consulting Corporation in an amount not to exceed \$86,760 for technology assessment of voice and data networks. (Fund: Capital Improvement Project, Phone Systems Upgrade)
- D. Take all appropriate action to authorize the purchase of nineteen (19) Ford Crown Victoria police package automobiles from Philpott Motors utilizing Houston-Galveston Area Council Contract VE03-06 for the Sheriff's Office for multiple contract deputy agreements.
- E. Take all appropriate action to authorize the purchase of one (1) Ford Crown Victoria police package automobile from Philpott Motors utilizing Houston-Galveston Area Council Contract VE03-06 for the Sheriff's Office for replacement of damaged unit. (Fund: Risk Management and Sheriff's Office, Federal)
- F. Take all appropriate action to authorize the purchase of nineteen (19) in-car video systems from L3 Communications through City of Allen contract for the Sheriff's Office for vehicles used for multiple contract deputy agreements.
- G. Take all appropriate action to authorize the purchase of nineteen (19) digital mobile radios with accessories from Motorola utilizing Houston-Galveston Area Council Agreement for the Sheriff's Office for use by staff assigned to multiple contract deputy agreements.
- H. Take all appropriate action to authorize the purchase of vehicle safety equipment from Fleet Safety utilizing Harris County Contract 09-0447 for the Sheriff's Office for multiple contract deputy agreements.

- I. Take all appropriate action to authorize the purchase of mobile data computers from CDW-G utilizing Department of Information Resources Contract DIR-SDD-592 for the Sheriff's Office for multiple contract deputy agreements.
26. ROAD & BRIDGE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$640.80 to Sealy Paving for road work completed without a purchase order. (Fund: Road & Bridge, Fees)
27. SHERIFF'S OFFICE:
 - A. Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$103.85 to Harris County for toll fees incurred without a purchase order. (Fund: Forfeited Assets-Task (State), Fees)
 - B. Take all appropriate action to authorize payment of overtime premiums for eligible exempt Fort Bend County Sheriff Officers pursuant to the High Intensity Drug Trafficking Areas grants.
 - C. Take all appropriate action on request to transfer the amount of \$838,201 from Non-Departmental Contingency as detailed on the Auditor's report dated June 30, 2010, to allocate funds for vehicles for the contract deputy agreements to be reimbursed through capital mileage charges.
28. TREASURER:
 - A. Take all appropriate action on Amendment to Collateral Security Agreement between Fort Bend County and Prosperity Bank to reference Federal Home Loan Bank of Dallas as Trustee.
 - B. Take all appropriate action on Second Amendment to Agreement between Fort Bend County and GHG Corporation to provide additional services in the amount of \$1,700 for a total contract amount not to exceed \$61,620. (Fund: Project Renaissance)
29. Approve Bills.
30. Ratify the release of time-sensitive payments on July 1, 2010.
31. 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.

1. C.A. No.: H-98-0653; Burlington Northern and Santa Fe Railway Company v. Fort Bend County, et al.; in the United States District Court for the Southern District of Texas, Houston Division.
2. Mental Health Public Defender Office/Grant.
- 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. Acquisition of property, South Post Oak Blvd., from McKeever Road to State Highway 6, Mobility Bond Project #763, Precincts 1 and 2.
 2. Acquisition of property, Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2.
 3. Acquisition of property, expansion of Mason Road, Mobility Bond Project #735, Pct. 3.
- C. § 551.074. Personnel Matters. Commissioners Court will meet in Closed Session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.
 1. Annual Evaluation - Parks Director.
32. Reconvene Open Session and consider taking action on the following matters:
 - A. § 551.071. Consultation With Attorney.
 1. C.A. No.: H-98-0653; Burlington Northern and Santa Fe Railway Company v. Fort Bend County, et al.; in the United States District Court for the Southern District of Texas, Houston Division.
 2. Mental Health Public Defender Office/Grant.
 - B. § 551.072. Deliberation Regarding Real Property.
 1. Acquisition of property, South Post Oak Blvd., from McKeever Road to State Highway 6, Mobility Bond Project #763, Precincts 1 and 2.
 2. Acquisition of property, Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2.
 3. Acquisition of property, expansion of Mason Road, Mobility Bond Project #735, Pct. 3.

C. § 551.074. Personnel Matters.

1. Annual Evaluation - Parks Director.

33. 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 was filed with the County Clerk at 12:52 p.m., by D.A. and posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, July 2, 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 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).