

September 14, 2010

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, SEPTEMBER 14, 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 September 7, 2010.
4. Public Comments regarding the Agenda and Announcements.

CONSENT AGENDA ITEMS 5 - 14

5. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Sheriff's Office : Hal Knight to New Orleans, Louisiana, September 14, 2010, to extradite prisoner back to Fort Bend County. (Sheriff, Enforcement, Travel)**
 - B. **Sheriff's Office : Tim Oxley and Jose Hernandez to Madisonville, Tennessee, September 14, 2010, to extradite prisoner back to Fort Bend County. (Sheriff, Enforcement, Travel)**
6. **COUNTY JUDGE:**

Approve reassignment of County department activities effective October 1, 2010, as follows: Records Management will report to the County Attorney; Grants Management and Mail Center will report to the County Judge.
7. **COMMISSIONER, PCT. 1:**

Approve and accept Full Release and Agreement for usage of county property by Scanlan Oaks Elementary School in Sienna Plantation for annual Family Fun Run on December 4, 2010, or rain date of December 11, 2010.

8. BUDGET & FINANCE/BUDGET TRANSFER:

Auditor : Approve correction to Agenda Item 9 B1 from Commissioners Court meeting of September 7, 2010 to read: transfer in the amount of \$5,314,142 as detailed on the Auditor's form dated September 8, 2010, to amend the budget pursuant to Local Government Code Section 111.0706 and Section 111.0707 and allocate revenue received for various right of way projects.

9. DISTRICT ATTORNEY:

- A. Approve supplemental pay in the amount of \$51.40 bi-weekly for employee of the District Attorney's Office, Position No. 4801-0026 effective September 18, 2010. (Fund: District Attorney, State Asset Forfeiture)**
- B. Accept Grant Award from the Office of the Governor, Criminal Justice Division in the amount of \$73,198 for the Victim Witness Staff Expansion, with a cash match by Fort Bend County in the amount of \$41,323 for a total of \$114,521 for the term of September 1, 2010 through August 31, 2011. (Fund: District Attorney)**

10. ENGINEERING:

- A. Approve payment of Invoice No. C3X41400-15 (Pay Estimate No. 15) in the amount of \$9,095.40 to Jacobs Engineering Group, Inc. regarding Katy-Gaston Road (from Cinco Ranch to FM 1093), Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. Approve payment of Invoice No. 10-273 (Pay Estimate No. 3) in the amount of \$16,200.05 to HVJ Associates, Inc. regarding materials testing for improvements on Katy Flewellen Road, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. Approve payment of Invoice No. 3601 in the amount of \$15,761.25 to Property Acquisition Services (PAS) for various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- D. Approve release of Cashier's Check #1182601317 in the amount of \$5,000.00 to Sugar Land Vietnamese Church for completion of work on Clodine and Candela Drive, Permit #83751, Precinct 3.**
- E. Approve application from Ryland Homes to construct a driveway tie-in onto Oxford Lake Drive, Precinct 1.**
- F. Approve application from Verizon Communications to bury cable along Darby Lane, Precinct 1.**

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- G. **Accept the 40 foot Roadway and Utility Easement, and an additional 20 foot Roadway and Utility Easement for Jessie Parker Road in the Four Corners Subdivision, as detailed on County Engineer's letter dated September 2, 2010, Precinct 3.**
- H. **Accept Jessie Parker Road of the Four Corners Subdivision into County Road Maintenance System: Jessie Parker Road 1,883.87 LF, Precinct 3.**
- I. **Approve the plat for Hodges Ready Mix, Precinct 1.**
- J. **Approve the plat for Avenue E Development Replat, a Replat of Reserve B, Sec. 1, Precinct 2.**
- K. **Approve plat for the roads within Grand Mission, Section 16, Precinct 3.**
- L. **Approve plat for the lots within Grand Mission, Section 16, Precinct 3.**
- M. **Approve correction to section number shown on Agenda Item 10 L from Commissioners Court meeting dated September 7, 2010: the Public Hearing for replat of Firethorne Section 19 and Firethorne Section 20; Partial Replat No. 1, Precinct 3, has been set for Tuesday, October 12, 2010, at 1:00 p.m.**
- N. **Set public hearing for acceptance of the traffic control plan for Jessie Parker Road, Precinct 3. *(Tuesday, October 12, 2010, at 1:00 p.m.)***
- O. **Set public hearing for acceptance of the revised traffic control plan to add "No Parking" signs at the intersection of Thompson-Ferry Road at Knights Court, Precinct 4. *(Tuesday, October 12, 2010, at 1:00 p.m.)***
- 11. **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. **Invoice No. 10028732, Invoice No. 10028733, and Invoice No. 10028735 for an amount totaling \$63,920.95, to PGAL for Professional Services regarding the Justice Center;**
 - B. **Invoice No. GC404-3 in the amount of \$500.00 to Weisser Engineering for Professional Services regarding the Fort Bend County North Annex;**
 - C. **Pay Application No. 13 in the amount of \$5,423.00 to Crain Zamora LLC., for Construction Services regarding the Missouri City Annex; and**
 - D. **Pay Application No. Four (4) in the amount of \$21,428.37 to Crain Group, LLC., for Construction Services regarding expansion of the Office of Emergency Management.**

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12. **HUMAN RESOURCES:**

Approve request for withdrawal of 130 hours from the Shared Sick Leave Pool for employee of the Sheriff's Office, Position No. 5601-0426.

13. **PURCHASING:**

- A. **Authorize renewal of employee benefit agreements between Fort County and the following organizations: Boon Chapman; Health First TPA; CompBenefits (Vision); CompBenefits (Dental); Maxor Plus; Unum (long term care); and Unum (long term disability).**
- B. **Approve renewal of the public entity liability and property package, excess insurance policies and third party administrator agreements for claims and managed care administration for the policy period of October 1, 2010 through September 30, 2011.**

14. **TAX ASSESSOR/COLLECTOR:**

- A. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted September 7, 2010, for an amount totaling \$10,101.74 for the Office of Patsy Schultz.**
 - B. **Approve Increase to the Tax Office change fund from the General Fund to accommodate cash drawers and change fund at the Precinct Three North Annex.**
 - C. **Record into Minutes the 10/20 Write Off of Property Taxes, pursuant to Texas Property Tax Code Section 33.05, for Fort Bend County General Fund for the Office of Patsy Schultz.**
 - D. **Record into Minutes the 10/20 Year Write Off of Property Taxes pursuant to Texas Property Tax Code Section 33.05, for Fort Bend County Lateral Road and Flood Control District for the Office of Patsy Schultz.**
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15. **COUNTY JUDGE:**

- A. **Take all appropriate action on First Amendment to the Agreement Among Fort Bend Flood Control Water Supply Corporation and Fort Bend County, Texas and Fort Bend County Drainage District.**
- B. **Take all appropriate action on Resolution Approving Issuance of Fort Bend Flood Control Water Supply Corporation Revenue Refunding Bonds, Series 2010, Levying and Pledging a Tax for the Payment Thereof; and Containing Other Provisions Relating to the Subject.**

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16. COMMISSIONER, PCT. 1:

- A. Take all appropriate action on request by MKM Engineers, Inc. to waive penalty and interest totaling \$3,273.81 on property taxes for Tax Year 2009, Precinct 1.
- B. Take all appropriate action on request by Richard Pickar to waive penalty and interest totaling \$849.92 on property taxes for Tax Year 2009, Precinct 1.

17. AUDITOR:

Take all appropriate action on request to transfer the amount of \$710,000 from Non-Departmental Contingency as detailed on Auditor's form dated September 7, 2010, to allocate funds for indigent defense expenditures through September 30, 2010.

18. COMMUNITY DEVELOPMENT:

- A. Take all appropriate action on Modification of Neighborhood Stabilization Program (NSP) Agreement between Fort Bend County and Fort Bend Community Revitalization Projects (CORPS), to increase the amount from \$300,000 to \$416,370, and authorize County Judge to sign all documents pertaining to agreement. (Fund: NSP)
- B. Take all appropriate action on Agreement between Fort Bend County and The Arc of Fort Bend County in the amount of \$170,000 to purchase a foreclosed home as a primary residence for program clients, and authorize County Judge to sign all documents pertaining to the agreement, which is part of the FY 2008 Amendment approved by Commissioners Court on November 25, 2008. (Fund: Neighborhood Stabilization Program)
- C. Take all appropriate action on Agreement between Fort Bend County and Parks Youth Ranch, Inc. in the amount of \$22,215 for shelter operations, as part of the FY 2008 Consolidated Plan approved by Commissioners Court on July, 1, 2008. (Fund: Emergency Shelter Grant)

19. ENGINEERING:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$48,315.00 to the Estate of Joe C. Wessendorff for fence construction and clearing and disposal of trees on Williams Way Boulevard without a purchase order, Precinct 1. (Fund: Right of Way)

20. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on Change Order No. 6 to the Agreement between Fort Bend County and Crain Group, LLC., to increase the amount by \$6,879.73 for Construction Services regarding the Missouri City Annex, for a total contract amount not to exceed \$3,441,151.29. (Fund: Facility Bond Project)

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21. HUMAN RESOURCES:

Take all appropriate action on addition to Employee Information Manual, Section 615, Social Media.

22. MENTAL HEALTH PUBLIC DEFENDER'S OFFICE:

Take all appropriate action on the Agreement between Fort Bend County and George Mason University on behalf of The Spangenberg Project in the amount of \$78,171 for a program evaluation of the Mental Health Public Defender Office. (Fund: Indigent Defense Discretionary Grant Program)

23. PURCHASING:

- A. Take all appropriate action on the renewal of software licensing and maintenance from SHI Government Solutions utilizing Department of Information Resources (DIR) Contract DIR-SDD-1034, for an amount not to exceed \$49,977.15. (Fund: Information Technology, Fees)
- B. Take all appropriate action on request for price decrease from Century Asphalt pursuant to Bid #10-058 for earthen type road materials.
- C. Take all appropriate action on the Construction Agreement between Fort Bend County and E. E. Reed Construction, L.P., in the amount of \$6,227,369 pursuant to RFP #10-102, for construction of the University Branch Library. (Fund: Facility Bond Project)
- D. Take all appropriate action to add fire alarm monitoring for the North Annex from Casteel pursuant to Bid #10-028, in an amount not to exceed \$29.25 month. (Fund: Facilities Management & Planning)
- E. Take all appropriate action to add fire alarm inspection for the parking garage from Royal Protection pursuant to Bid #10-028, for an amount not to exceed \$250. (Fund: Facilities Management & Planning)
- F. Take all appropriate action to add annual standpipe system inspection for the parking garage from Casteel pursuant to Bid #10-028 for an amount not to exceed \$225. (Fund: Facilities Management & Planning)
- G. Take all appropriate action on Bid #11-011 for weed, brush and insect control chemicals.
- H. Take all appropriate action on Third Amendment to Agreement between Fort Bend County and Fort Bend Regional Council on Substance Abuse, Inc., Inc. for Tobacco Prevention and Control Programs in the amount of \$132,466.95 pursuant to RFP #08-052. (Fund: Tobacco Prevention & Control Grant)

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24. ROAD & BRIDGE:

Take all appropriate action on Change Order #1 in the amount of \$5,914.35 to Statewide Traffic Signal Company for additional services requested pursuant to Bid #10-042, Traffic Signalization for Trammel Fresno at Teal Bend/Chimney Rock and Trammel Fresno at Winfield Lakes/Liberty Square Trial. (Fund: Road & Bridge)

25. Approve Bills.

26. Authorize County Auditor to pay and release time-sensitive bills on September 23, 2010, to be ratified by Commissioners Court on September 28, 2010.

27. 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.

Iron Mountain Agreement.

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

A. § 551.071. Consultation With Attorney.

Iron Mountain Agreement.

29. 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.

FILED FOR RECORD

TIME 1:26 PM.

SEP 10 2010

Bernice Thibault
County Clerk Fort Bend Co. Texas

Robert E. Hebert
Robert E. Hebert, County Judge

Notice of meeting/agenda was filed with the County Clerk at 1:26 p.m., by BK and posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, September 10, 2010, by Donna Oapisa. An electronic version of this notice is also posted on the Fort Bend County website: 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.

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).