

November 2, 2010

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, NOVEMBER 2, 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 October 26, 2010.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARING: 1:00 p.m.: Conduct Public Hearing and take all appropriate action on the following matter:

Approval of replat: Long Meadow Farms Commercial Reserve Section 4, Partial Replat No.1, Precinct 3.

CONSENT AGENDA ITEMS 6 - 15:

6. **BUDGET & FINANCE/BUDGET TRANSFER:**

Facilities Management & Planning : Approve transfer in the amount of \$250 from Fees into Property and Equipment to allocate funds for purchase of various communication equipment.

7. **AGRI LIFE EXTENSION OFFICE:**

Approve renewal of Memorandum of Agreement between Fort Bend County and Texas Agrilife Extension Service for supplemental pay to Extension Office Agents for the term of October 1, 2010 through September 30, 2011.

8. **DISTRICT ATTORNEY:**

Approve and record into Minutes the 2010 Federal Equitable Sharing Agreement and Certification for the Office of District Attorney.

FILED FOR RECORD
NO. _____ TIME _____ A.M.
P.M.

OCT 29 2010

Shirley Wilson
County Clerk Fort Bend Co. Tex.

9. **ENGINEERING:**

- A. **Authorize County Judge to sign the joint submission of the Phase II MS4 Annual Report Form for Permit No. STW/TXR04383/RP on behalf of Fort Bend County and the Fort Bend County Drainage District, and record same into the minutes.**
- B. **Approve payment of Invoice No. 100143 (Pay Estimate No. 32) in the amount of \$14,306.50 to Klotz Associates regarding labor rates pertaining to Fort Bend County Mobility Projects located within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 7081701 in the amount of \$4,162.90 to AECOM USA, Inc. regarding Old Richmond Road (from FM 1464 to West Airport), Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. 10-2033C.04.CM7308 (Pay Estimate No. 6) in the amount of \$12,570.13 to Geotech Engineering and Testing regarding improvements to Katy Gaston Road (from FM 1093 to Cinco Ranch Blvd.), Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 26 (Pay Estimate No. 26) in the amount of \$600.00 to Percheron Acquisitions, LLC regarding Mason Road Expansion Project #735, Precinct 3. (Fund: Right of Way)**
- F. **Approve payment of Invoice No. 27 (Pay Estimate No. 27) in the amount of \$3,000.00 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: Right of Way)**
- G. **Approve application from DMAC Construction, Inc. to construct a driveway tie-in and a median cut on Cinco Ranch Boulevard, Precinct 3.**
- H. **Approve application from Gordy Oil Company to construct a driveway tie-in onto Battle, Precinct 1.**
- I. **Approve application from AT&T to bore under and bury fiber optic along West Bellfort, Precinct 3.**
- J. **Approve plat for the roads within Firethorne West, Section 1, Precinct 3.**
- K. **Approve plat for the lots within Firethorne West, Section 1, Precinct 3.**
- L. **Approve plat for the roads within Firethorne West, Section 2, Precinct 3.**
- M. **Approve plat for the lots within Firethorne West, Section 2, Precinct 3.**

10. **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 Bond and/or Capital Projects:
- A. Invoice No. P24326330101 in the amount of \$19.25 to Global Global Gov't/ED for furniture, fixture, and equipment costs associated with the Missouri City Annex;
 - B. Invoice No. 10-10093 in the amount of \$700.00 to Brown & Gay Engineers for Professional Services regarding the University Branch Library in Sugar Land;
 - C. Invoice No. 20103682 in the amount of \$1,262.54 to LJA Engineering, Inc. for Professional Services regarding the University Branch Library in Sugar Land;
 - D. Invoice No. 6530-129143 in the amount of \$426.00 to Home Depot for Lawn Equipment necessary for the maintenance of the 40 Acre Site.

11. **FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY:** The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed this following item at their regular meeting held on October 20, 2010, and makes the following recommendation to Commissioners Court:

Approve negotiations with Tejas Surveying, Inc. and Weisser Engineering Company for surveying services for the Fort Bend Grand Parkway Toll Road Authority.

12. **HUMAN RESOURCES:**

Approve request for withdrawal of hours from the Shared Sick Leave Pool as follows: Employee of County Court at Law No. 2, Position No. 4262-0004: 116 hours; and Employee of Treasurer's Office, Position No. 4971-0003: 80 hours.

13. **PURCHASING:**

Authorize renewal of the following non-medical programs through Gallagher Benefit Services: Basic Life and Accidental Death and Dismemberment Insurance; Long Term Care Insurance; Long Term Disability Insurance; and Optional Life Insurance.

14. **RISK MANAGEMENT:**

Approve election of exemption to the Health Insurance Portability and Accountability Act (HIPAA) of 1996 for Plan Year 2011.

15. **TAX ASSESSOR/COLLECTOR:**

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on October 26, 2010, for an amount totaling \$4,013.69 for the Office of Patsy Schultz.

16. **COUNTY JUDGE:**

Take all appropriate action to adopt Order Prohibiting Outdoor Burning in Fort Bend County.

17. **COMMISSIONER, PCT. 2:**

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$1,850.00 to PSA Consulting for Focus & Communications Workshop conducted without a purchase order. (Fund: Commissioner, Pct. 2, Fees)

18. **CONSTABLE, PCT. 4:**

Take all appropriate action on request to transfer the amount of \$12,463 from Non-Departmental Contingency into Constable, Precinct 4-Toll Road Contract Deputy, to allocate funds for the purchase of a replacement vehicle for the Agreement for Additional Law Enforcement Services with the Fort Bend County Toll Road Authority.

19. **ENGINEERING:**

- A. Take all appropriate action to authorize the County Judge to sign on behalf of Fort Bend County the Notice of Change (NOC) to an Authorization for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) under the TPDES Phase II MS4 General Permit (TXR04-0045) for submission to Texas Commission on Environmental Quality.
- B. Take all appropriate action on request by James and Lucille Freund for a variance to the Fort Bend County Regulations of Subdivision as given in Section 2.2 B&C, to allow 2.0 acres + or - (plus or minus) and 2.0 acre + or - (plus or minus) for a private 60 ft. road right of way, to be divided from the parent 50.1825 acre tract located in the Anthony 1/4 League, Abstract 437, recorded in official Fort Bend County Deed Records, Vol. 602, Page 394, Fort Bend County, Texas, Precinct 1.
- C. Take all appropriate action on request for variance to the center line curve radius requirement, (Section 5.2 C1 of the Fort Bend County Regulations of Subdivisions), for Katy Gaston Road from FM 1093 to Bellagio Drive, on behalf of L.O.B. Partnership, Precinct 3.

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D. Take all appropriate action on the plat for Bellagio Drive from Katy Gaston Road to West Torino Reale Drive, Precinct 3.

E. Take all appropriate action on the plat for Katy Gaston Road from FM 1093 to Bellagio Drive, Precinct 3.

20. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position No. 5601-0317 in the Sheriff's Office from Communications System Specialist, Grade 10 of the Professional Management Policy Group to Civilian Communications System Specialist, Grade 10 of the Administrative Clerical Policy Group, effective November 2, 2010.

21. INDIGENT HEALTH:

A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$28,750 per month for October 2010, to Oak Bend Medical Group for primary care physician services provided without a purchase order through the Indigent Health Care Physicians Clinic. (Fund: Indigent Health Care, Professional Services)

B. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$4,936.41 per month to Oak Bend Medical Office, LTD for October 2010 for rental of office space without a Purchase Order to house the Indigent Health Care Physicians Clinic. (Fund: Indigent Health Care, Rental)

22. INFORMATION TECHNOLOGY:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$1,660.95 to DecisionOne Corporation for maintenance service performed without a purchase order. (Fund: FY 2010 Information Technology, Fees)

23. PURCHASING:

A. Take all appropriate action to grant an exemption to the competitive bid process as authorized by Section 262.024 (a)(4) for the purchase of a professional service. Primary physician services through the Indigent Healthcare Physicians Clinic from Oak Bend Medical Group in an amount not to exceed \$28,750 per month through December 31, 2010 (funding: Indigent Healthcare, Professional Services).

B. 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 from only one source, for commitment hearings to State mental facilities from the following: Travis County for Austin State Hospital; Howard County for Big Spring Hospital; Cherokee County for Rusk State Hospital; Kerr County for Kerrville State Hospital; Wilbarger County for Vernon State Hospital; Bexar County for San Antonio State Hospital; and Kaufman County for Terrell State Hospital. (Fund: Non-Departmental, Fees)

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- C. Take all appropriate action to authorize the purchase of one (1) ambulance module from Frazer, Ltd. utilizing Buy Board agreement 324-09, for an amount not to exceed \$88,475. (Fund: Emergency Medical Service, Capital Acquisitions)
 - D. Take all appropriate action to authorize the purchase of two (2) Ford Crown Victoria police package sedans with Options 2 and 3 from Helfman Ford, pursuant to Bid #03-001. (Fund: Constable Pct 1)
 - E. Take all appropriate action to authorize contract negotiations pursuant to Statement of Qualification #11-016 for a Hazardous Mitigation Action Plan.
 - F. Take all appropriate action to authorize the purchase of one (1) Ford Crown Victoria police package vehicle from Helfman Ford with Options 1 and 3 for Constable, Pct. 4 pursuant to Bid #03-001. (Fund: Insurance and Toll Road Contract)
 - G. Take all appropriate action to authorize the purchase of one (1) Pick-up Truck #5 (V) from Helfman Ford for Constable Pct. 3, pursuant to Bid #08-027. (Fund: Constable Pct 3)
24. RISK MANAGEMENT:
- Take all appropriate action on request for settlement authority by NovaPro (Third-Party Administrator) to settle bodily injury Claim No. 1000-160-A00520 on behalf of Fort Bend County. (Fund: Risk Management)
25. SHERIFF'S OFFICE:
- Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$953.53 to PC Crime Solution for training class provided without a purchase order. (Fund: OCDETF Grant)
26. Approve Bills.
27. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
- § 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.
- Acquisition of Property, Parcel 3, Lots 1, 2, 3 and 4; Office of Emergency Management Project; Pct 1.

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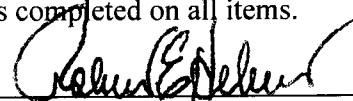
28. Reconvene Open Session and consider taking action on the following matters:

§ 551.072. Deliberation Regarding Real Property.

Acquisition of Property, Parcel 3, Lots 1, 2, 3 and 4; Office of Emergency Management Project; Pct 1.

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.



Robert E. Hebert, County Judge

Notice of meeting/agenda was filed with the County Clerk at 12:25 p.m., by AK and posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, October 29, 2010, by Ann Werlein. 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

NO. _____ TIME 12:25 ^{A.M.} _{P.M.}

OCT 29 2010

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County Clerk Fort Bend Co. Tex.