

December 7, 2010

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, DECEMBER 7, 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 November 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. Approval of replat: Grand River, Section 1, Replat of Lot 10 in Block 4, Precinct 1.
 - B. Acceptance on the plat vacation of Huntington Place, Section 1, Precinct 1.
 - C. Acceptance for the traffic control plan prohibiting overnight parking of commercial motor vehicles, on Summer Park Drive as petitioned by Summer Park Apartment Community pursuant to Texas Transportation Code Ann. § 545.307, Precinct 2.

CONSENT AGENDA ITEMS 6 - 18

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Sheriff's Office : Ratify travel by B. Schmitt and W. Webber to Mount Pleasant, Iowa, November 30 - December 1, 2010, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
 - B. **Sheriff's Office : Ratify travel by J. Simmons and J. Goodrich to Washington, D. C., December 5-9, 2010, to attend in-service training. (Fund: Sheriff, Enforcement, Travel)**

7. **COUNTY JUDGE:**

- A. **Approve the reappointment of Laura Leatherwood and Gay Thompson to the Fort Bend County Library Advisory Board for a term through December 31, 2013.**
- B. **Approve the reappointment of primary and designated alternate members to the following Houston-Galveston Area Council committees for the year 2011: Transportation Policy Council – James Patterson, Primary Voting Member; Paulette Shelton, Designated Alternate Member; Technical Advisory Committee – Jesse Hegemier, Primary Voting Member; Ronald Drachenberg, Designated Alternate Member.**
- C. **Approve designation of delegates to the Houston Galveston Area Council 2011 General Assembly and Board of Directors effective January 1, 2011: Andy Meyers, Representative, General Assembly, and Delegate to the Board of Directors; Robert Hebert, Representative, General Assembly, and Alternate, Board of Directors; Grady Prestage, Alternate, General Assembly; and Richard Morrison, Alternate, General Assembly.**

8. **COMMISSIONER, PCT. 1:**

Approve the reappointment of Paul Hamilton, Helena Dismuske, and Betty Hall to the Fresno/Arcola Advisory Committee for a term of three years, through December 31, 2013.

9. **COMMISSIONER, PCT. 3:**

- A. **Approve the reappointment of Mary Lanahan to the Fort Bend County Library Advisory Board for the term of January 1, 2011 through December 31, 2013.**
- B. **Approve the reappointment of Robert Miller, John Schwin, and Bobby Lyons as Commissioners for Fort Bend County Emergency Services District No. 2 for the term of January 1, 2011 through December 31, 2012.**

10. **BUDGET & FINANCE:**

- A. **Approve the Quarterly County Investment Report for the Fourth Quarter of Fiscal Year 2010, pursuant to Texas Government Code § 2256.023 .**

B. **BUDGET TRANSFER:**

Treasurer's Office : Approve transfer in the amount of \$1,750 from Travel into Information Technology to allocate funds for upgrades required for two computers.

11. COMMUNITY DEVELOPMENT:

Approve payment of Invoice No. WHX16400-110810 in the amount of \$1,209.50 to Jacobs Engineering Group for Engineering Services regarding the City of Kendleton Wastewater Treatment Plant. (Fund: Community Development Block Grant)

12. DISTRICT ATTORNEY:

Approve biweekly salary supplements funded by State Asset Forfeiture Fund 335480104 for the following positions within the Office of District Attorney effective December 11, 2010: Position No. 4801-0007 \$38.46; Position No. 4801-0023 \$57.69; Position No. 4801-0027 \$57.69; Position No. 4801-0034 \$57.69; Position No. 4801-0037 \$38.46; Position No. 4801-0038 \$57.69; Position No. 4801-0043 \$57.69; Position No. 4801-0045 \$57.69; Position No. 4801-0047 \$115.38; Position No. 4801-0061 \$76.92; Position No. 4801-0070 \$115.38; Position No. 4801-0085 \$57.69; Position No. 4801-0058 \$38.46; Position No. 4801-0008 \$96.15; Position No. 4801-0005 \$57.69; Position No. 4801-0022 \$28.85; and Position No. 4801-0052 \$38.46.

13. ENGINEERING:

- A. Approve Payment of Invoice No. 10-10-2-631 (Pay Estimate No. 28) in the amount of \$1,275.00 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project No. 735, Precinct 3. (Fund: Right of Way)**
- B. Approve payment of Invoice No. 10-10-3-631 (Pay Estimate No. 29) in the amount of \$1,236.49 to Percheron Acquisitions, LLC, regarding the expansion of Mason Road, Mobility Bond Project No. 735, Precinct 3. (Fund: Right of Way)**
- C. Approve Payment of Invoice No. 10-11-1-631 (Pay Estimate No. 30) in the amount of \$450.00 to Percheron Acquisitions, LLC regarding the expansion of Mason Road, Mobility Bond Project No. 735, Precinct 3. (Fund: Right of Way)**
- D. Approve payment of Invoice No. 6458 (Pay Estimate No. 26) in the amount of \$13,459.28 to Othon, Inc. regarding the expansion of Williams Way Boulevard, formerly known as Ransom Road, from River Park to Main Street in Fort Bend County and Richmond, Texas, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- E. Approve payment of Invoice No. 10-337 (Pay Estimate No. 6) in the amount of \$16,467.35 to HVJ Associates, Inc. regarding materials testing for improvements on Katy Flewellen Road, Mobility Bond Project No. 734, Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. Approve payment of Invoice No.1 (Pay Estimate No. 1) in the amount of \$243,450.00 to Aranda Brothers Construction regarding Bridge Replacement at Old Richmond Road over Red Gully, Mobility Bond Project No. 100, Precinct 4. (Fund: 2000 Mobility Bonds)**

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- G. **Approve payment of Invoice No. 37 (Pay Estimate No. 37) in the amount of \$24,741.44 to Schaumburg & Polk, Inc. regarding Management and Administrative Support Services for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- H. **Approve payment of Invoice No. T165006 (Pay Estimate No. 3) in the amount of \$13,866.77 to Terracon regarding Greenbusch Road, Phase II (from Mill Manor to Falcon Landing Blvd.) Mobility Bond Project No. 732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- I. **Approve payment of Invoice No. WHX17400-08 (Pay Estimate No. 7) in the amount of \$10,328.07 to Jacobs Engineering Group, Inc. regarding FM 1093/Westpark Tollway, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- J. **Approve payment of Invoice No. 26848 (Pay Estimate No. 15) in the amount of \$27,564.24 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- K. **Approve application from Comcast of Houston, LLC c/o Jier, LLC to bore under and bury cable along Bees Passage, Precinct 1.**
- L. **Approve application from Fresno Energy, LLC to bore an 8-inch pipeline under West Broadway, Precinct 1.**
- M. **Approve application from Lennar Homes to construct two driveway tie-ins onto Watford Bend, Precinct 1.**
- 14. **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. 23036 in the amount of \$28,500.00 to The Mathis Group (TMG+) for Professional Services regarding the Justice Center;**
 - B. **Invoice No TMG-549 (Final) in the amount of \$11,510.93 to The Maddox Group, Inc. for Professional Services regarding the Sienna Library;**
 - C. **Invoice No. 2010-21 in the amount of \$8,750.00 to Peters Contracting Services for interior painting services regarding renovations to the George Memorial Library;**
 - D. **Invoice No. 1 and Invoice No. 19 for an amount totaling \$15,580.88 to Bailey Architects for Professional Services regarding the University Branch Library in Sugar Land;**
 - E. **Pay Application No. 4 in the amount of \$696,963.77 to Turner Construction for Construction Services regarding the Communications Center Renovation for the Sheriff's Office;**
 - F. **Pay Application No. 09-0040010 (Final) in the amount of \$102,231.35 to Bass Construction for Construction Services regarding the EMS Medic One Facility;**

- G. **Pay Application No. 2 in the amount of \$106,622.00 to Burton Construction Co. for Construction Services regarding expansion of the Justice of the Peace Precinct 2 facility;**
 - H. **Final Pay Application in the amount of \$9,102.77 to Crain Zamora LLC., for Construction Services regarding the Missouri City Annex; and**
 - I. **Invoice No. 130935 in the amount of \$2,850.00 to SCA Consulting Engineers for Professional Services regarding the Fort Bend County North Annex.**
 - 15. **HEALTH & HUMAN SERVICES:**

Accept and sign Department of State Health Services (DSHS) budget revision, Amendment No. 001B CPS/CRI to Program #001A, Grant Award Contract #2009-031680 effective 11/19/2010, the content of which is covered under Texas Government Code § 418.183(f).
 - 16. **HUMAN RESOURCES:**

Approve withdrawal of 80 hours from the Shared Sick Leave Pool for employee of Juvenile Probation, Position No. 5751-0067.
 - 17. **PURCHASING:**
 - A. **Authorize advertising for Bids for Electrical and Lighting Materials and Services for Parks.**
 - B. **Approve renewal of the Employee Assistance Program provided by OptumHealth through United Behavioral Health for January 1, 2011 through December 31, 2011.**
 - C. **Authorize sealed bid sale of County real property located at Belknap Road and West Bellfort Precinct 3.**
 - D. **Authorize permission to advertise for bids for water wells for Fort Bend County Parks.**
 - 18. **TAX ASSESSOR/COLLECTOR:**
 - A. **Record into Minutes the Summary Yearly Report of Property Taxes Collected from October 1, 2009 through September 30, 2010, as submitted by the Office of Patsy Schultz, Tax Assessor/Collector.**
 - B. **Record into Minutes the disposal of Accounting Documentation dated years 2005 through 2009 in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
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19. COUNTY JUDGE:

- A. Take all appropriate action to authorize the Fort Bend County Toll Road Authority to initiate a feasibility study for construction of a toll bridge across the Brazos River at McCrary Road, Precinct 1.
- B. Take all appropriate action on a Resolution Designating A Recovery Zone pursuant to The American Recovery and Reinvestment Act of 2009 for the purpose of issuing Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds.
- C. Take all appropriate action on the Resolution approving the issuance of the Fort Bend County Industrial Development Corporation Recovery Zone Facility Bonds for Accredo Packaging, Inc., Series 2010A and Series 2010B.

20. COMMUNITY DEVELOPMENT:

Take all appropriate action on Resolution Authorizing Signators on Texas Department of Rural Affairs forms for the Community Development Block Grant (CDBG) Disaster Recovery program, the application for which was approved by Commissioners Court on June 23, 2009.

21. ENGINEERING:

- A. Take all appropriate action to authorize application for the FY 2011 Hazardous Materials Emergency Preparedness (HMEP) Planning Grant on behalf of the Fort Bend County Local Emergency Planning Committee (LEPC) to the Texas Division of Emergency Management (TDEM) representing the State Emergency Response Commission (SERC), with an in-kind match to be provided by Fort Bend County LEPC.
- B. Take all appropriate action on permit application by Glenn Mercer for a residential driveway connection to Greenbush Road with a variance to Note 9 as shown on the plat of Pin Oak Village, Section Three, recorded February 23, 1993, Slide No. 1240 A in the Plat Records of the Fort Bend County Clerk's Office; this portion of Greenbusch Road is no longer considered a major thoroughfare, Precinct 3.
- C. Take all appropriate action on Resolution and Order to abandon Alta Oak Drive from the subdivision plat of King Lakes Section Two, in Fort Bend County, Pct. 3.

22. FACILITIES MANAGEMENT & PLANNING:

- A. Take all appropriate action on Agreement between Fort Bend County and Automated Logic Contracting Services, Inc. in an amount not to exceed \$1,010,050 for Energy Retrofit Services for four sub-projects described in the agreement. (Fund: Energy Efficiency Grant)
- B. Take all appropriate action on the Full Release and Agreement for Useage of County Property between Fort Bend County and T. W. Davis YMCA for the use of the parking areas at the following locations: 1317 Eugene Heimann Circle, 1517 Eugene Heimann Circle and 1521 Eugene Heimann Circle in Richmond, Texas.

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23. HUMAN RESOURCES:

- A. Take all appropriate action on request to reclassify Position No. 5601-0006 in the Sheriff's Office from ID Technician, Grade 10 of the Law Enforcement Policy Group to Corporal, Grade 11 of the Law Enforcement Policy Group, effective December 7, 2010.
- B. Take all appropriate action on request to reclassify Position No. 5011-0009 in the Budget Office from Budget Analyst II, Grade 12 of the Professional Management Policy Group, to Budget Analyst I, Grade 11 of the Professional Management Policy Group, effective December 7, 2010.

24. LIBRARY:

Take all appropriate action on the Texas State Library and Archives Commission Interlibrary Loan Reimbursement Agreement for the payment of funds to Fort Bend County for loaning or providing copies of library materials to all Texas public, academic and special libraries.

25. PUBLIC TRANSPORTATION:

- A. Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$61.25 to Harris County Auditor for repairs to an emergency radio. (Fund: Public Transportation Grant)
- B. Take all appropriate action on Public Transportation Amendment No. 2 to State Project 51912F7288 for rural transportation, to extend the grant time period for Agreement RPT 0905(12) R1 until May 31, 2011.
- C. Take all appropriate action on the Interagency Agreement for Job Access/Reverse Commute and New Freedom Project Implementation between Fort Bend County and The Metropolitan Transit Authority (METRO), Modification 01 to extend the contract term and to accept additional federal funds in the amount of \$779,853, with a local match of \$359,754 for a total of \$1,139,607 for use through June 30, 2012. (Fund: Public Transportation)

26. PURCHASING:

- A. Take all appropriate action to authorize renewal of SmartNet support/maintenance from NWN Corporation utilizing the State of Texas Department of Information Resources Contract DIR-SDD-249 for an amount not to exceed \$43,000. (Fund: Library, Fees)
- B. Take all appropriate action on Statement of Qualifications #11-015 for renovations to the George Memorial Library.
- C. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code Section 262.024 (a)(7) to purchase an item available from only one source, and approve renewal of Horizon Intergrated Library System hardware/software computer maintenance support from Sirsi Dynix Corporation for an amount not to exceed \$66,000. (Fund: Library, Fees)

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- D. Take all appropriate action on Agreement between Fort Bend County and ParkWest Staffing Incorporated, pursuant to RFP #10-046, to provide contract services for the Public Transportation Department in an amount not to exceed \$364,807. (Fund: Public Transportation Grants)

27. ROAD & BRIDGE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$1,408.98 to B & G Chemicals for material purchased without a Purchase Order. (Fund: Road & Bridge)

28. SHERIFF'S OFFICE:

- A. Take all appropriate action on application to the Bureau of Justice Assistance, Grant No. 2009-SJ-BX-KO11, Project Lifesaver-Missing Alzheimer's Patient Assistance Program, for supplied equipment only, with no cash match required by Fort Bend County.
- B. Take all appropriate action on the FY 2011 Tactical Diversion Task Force Agreement between Fort Bend County and the U.S. Department of Justice, Drug Enforcement Administration for the use of State and Local overtime and authorized expenses for the strategic initiative program. (Fund: Sheriff's Office and DEA Task Force Program)

29. TREASURER:

Take all appropriate action on request to transfer the amount of \$2,630 from Non-Departmental Contingency into Treasurer, Information Technology to allocate funds for replacement of computer.

30. Approve Bills.

31. Ratify the release of time-sensitive bills by Auditor on December 2, 2010.

32. 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.

Contract Deputy Agreements.

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

§ 551.071. Consultation With Attorney.

Contract Deputy Agreements.

34. 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 1:00 p.m., by BK and posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, December 3, 2010, by Donna Osipina. 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 ADA Coordinator is the Director of Facilities Management & Planning, located at 1517 Eugene Heimann Circle, Suite 500, Richmond, Texas, 77469, telephone 281-633-7045. The Director of Facilities Management & Planning is designated to coordinate compliance with non-discrimination requirements in Section 35.107 of the Department of Justice regulations. Information concerning provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

NOTICE

The 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 1:00 P.M. BK

DEC 03 2010 BK



County Clerk Fort Bend Co. Tex.