

February 1, 2011

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, FEBRUARY 1, 2011
1:00 O'CLOCK P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Meyers.
3. Approve minutes of regular meeting held on January 25, 2011.
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 Cinco Ranch Southwest, Section 33, Precinct 3.
 - B. Acceptance of the traffic control plan for Sienna Village of Waters Lake, Section 14, Precinct 1.
 - C. Acceptance of the traffic control plan for Creekstone Village at Riverstone, Section 5, Precinct 4.

CONSENT AGENDA ITEMS 6 -17:

6. **OUT-OF-STATE TRAVEL: Record into Minutes the out-of-state travel for Elected Official:**

Commissioner, Pct. 2 : Commissioner Grady Prestage to Washington, D.C., March 5-9, 2011 to attend National Association of Counties (NACO) Legislative Conference. (Fund: Commissioner Pct. 2, Travel)

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7. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel requests for County personnel:

- A. AgriLife Extension Office : Allen Malone to St. Louis, Missouri, April 11-14, 2011, to attend 2011 Extension Risk Management Education National Conference. (Fund: Extension Office, Travel)
- B. AgriLife Extension Office : Shari Grahmann to Tulsa, Oklahoma, April 26-27, 2011, to attend professional development tour of Linnaeus Teaching Gardens. (Fund: Extension Office, Travel)
- C. District Attorney : Donna Mahmoudi to Columbia, South Carolina, February 27 through March 4, 2011, to attend Trial Advocacy I Seminar at the National District Attorneys Association. (Fund: District Attorney, Travel)
- D. Engineering : Ronald Drachenberg to Minneapolis, Minnesota, April 16-21, 2011, to attend the National Association of County Engineers (NACE) Conference. (Fund: Engineering, Travel)
- E. Sheriff's Office : Ratify travel by J. Orlop to Shreveport, Louisiana, January 24, 2011, for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- F. Sheriff's Office : S. Colunga, J. Fontenot and K. Walger to Millersville, Maryland, March 6-12-2011, for polygraph training. (Fund: Sheriff, Federal Assets, Projects, Travel)

8. **AUDITOR:**

Record into Minutes the reimbursement of capital mileage to Fort Bend County for an amount totaling \$150,545.71 from Contract Deputy programs for the period of April 1, 2010 through September 30, 2010.

9. **BUDGET & FINANCE/BUDGET TRANSFERS:**

- A. County Court at Law No. 3 : Approve transfer in the amount of \$1,800 from Operating Supplies and Office Supplies into Information Technology to allocate funds for the purchase of two printers.
- B. District Clerk : Approve transfer in the amount of \$125 from Supplies into Information Technology to allocate funds for purchase of battery for laptop computer.
- C. Health & Human Services: Social Services : Approve transfer in the amount of \$7,500 from Capital Acquisitions into Property and Equipment to allocate funds into correct line item for purchase of replacement copier.

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- D. **Parks Department** : Approve transfer in the amount of \$8,000 from Repairs into Capital Acquisitions to allocate funds into correct line item for purchase of equipment necessary for maintenance of the Cinco Park Project, Precinct 3.
 - E. **Records Management** : Approve transfer in the amount of \$54 from Office Supplies into Information Technology to allocate funds for purchase of flash drives for computers.
10. **COUNTY ATTORNEY:**
- Approve Deeds for the transfer of Title from Fort Bend County to the State of Texas for land described as Parcel 8 and Parcel 20C regarding Phase I 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.
11. **ENGINEERING:**
- A. Approve payment of Invoice No. 045898 (Pay Estimate No. 1) in the amount of \$501.00 to Paradigm Consultants Inc. for materials testing regarding the expansion of Williams Way Boulevard, Phase I, from Ransom Road to Pilgrim, Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)
 - B. Approve application from AT&T Texas to bore under Misty Morning Trace, Parkway Lake Court and bury cable along Bellaire Boulevard, Precinct 3.
 - C. Approve application from Identity Homes to construct two driveway tie-ins: one on Oxford Lake Drive, and one on Crescent Water Drive, Precinct 1.
 - D. Approve application from Devon Street Homes to construct a driveway tie-in onto Spring Sunrise Drive, Precinct 3.
 - E. Approve application from AT&T Texas to hang aerial cable along Canal Road, Precinct 3.
 - F. Approve application from Devon Street Homes to construct a driveway tie-in onto Flax Flower Drive, Precinct 3.
 - G. Approve plat for the roads within Long Meadow Farms, Section 28, Precinct 3.
 - H. Approve plat for the lots within Long Meadow Farms, Section 28, Precinct 3.
 - I. Approve plat for the roads within Lakemont Shores, Section 3, Precinct 3.
 - J. Approve plat for the lots within Lakemont Shores, Section 3, Precinct 3.
 - K. Approve plat for the roads within Firethorne West, Section 3, Precinct 3.

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- L. Approve plat for the lots within Firethorne West, Section 3, Precinct 3.
 - M. Approve the plat for Sienna Village of Anderson Springs Section 10B, Partial Replat No. 1, Precinct 2.
 - N. Approve the plat for Sienna Village of Bees Creek Section 1, Partial Replat No. 1, Precinct 1.
 - O. Set Public Hearing for acceptance of the revised traffic control plan for Woods Edge Estates Subdivision, to establish a multiway stop at the intersection of Bridal Wreath and Mimosa Lane, Precinct 3. *(Tuesday, March 1, 2011, at 1:00 p.m.)*
12. **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. 23084 in the amount of \$28,500.00 to The Mathis Group (TMG+) for Professional Services regarding the Justice Center;
 - B. Invoice No. 546297816001 in the amount of \$167.98 to Office Depot for equipment costs associated with the Behavioral Health Services offices located in the Precinct One Facility;
 - C. Pay Application No. 6 and Pay Application No. 29 for an amount totaling \$365,008.91 to Turner Construction for Design and Construction Services regarding renovations to the Sheriff's Communications Center;
 - D. Invoice No. 9 in the amount of \$2,961.17 to PTI, Inc. for Professional Services regarding the expansion of Justice of the Peace, Precinct Two Facility.
13. **FORT BEND FLOOD CONTROL WATER SUPPLY CORPORATION:** The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed these items at their regular meeting held on January 26, 2011, and makes the following recommendations to Commissioners Court:
- A. Approve proposal for renewal of insurance policies for Fort Bend Flood Control Water Supply Corporation with Anco-McDonald Waterworks Insurance Services LLC, effective February 11, 2011.
 - B. Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated October 27, 2010 for an amount totaling \$71,990.26 for Big Creek. (Fund: Big Creek)

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14. **HEALTH & HUMAN SERVICES:**

Approve Contract No. 2010-035609 between Fort Bend County and Texas Department of State Health Services, the content of which is covered under Texas Government Code § 418.183(f).

15. **HUMAN RESOURCES:**

Approve and record into Minutes the Application for Appointment of Reserve Deputy Constable Mark Dewayne Williams by Constable Precinct 3, in accordance with Constable's form dated January 27, 2011, pursuant to Local Government Code §86.011.

16. **PURCHASING:**

Authorize advertising for bids for purchase and printing of stationary.

17. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the disposal of miscellaneous Automobile Documentation dated 1990 through 2010 and detailed on form dated January 19, 2011, in accordance with State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
 - B. **Record into Minutes the disposal of Research Department documents dated November 23 through December 27, 2010, and scanned by Winward Group, in accordance with State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
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18. **COUNTY JUDGE:**

- A. **Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$114.14 to AT&T for final invoice on Special Projects, billing cycle October 26 through November 25, 2010, received after purchase order closed. (Fund: County Judge, Fees)**
- B. **Take all appropriate action on the Tax Abatement Agreement between Fort Bend County and Seatex, Ltd.**
- C. **Take all appropriate action on Guidelines and Criteria for Granting Tax Abatement Agreements in Reinvestment Zones for Fort Bend County, pursuant to Texas Property Tax Code, Section 312.002.**

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19. COMMISSIONER, PCT. 1:

Take all appropriate action on Lease Agreement between Fort Bend County and Fresno Volunteer Fire Department to occupy premises at 4525 FM 521 Hwy in Fresno, effective through February 1, 2025.

20. ENGINEERING:

- A. Take all appropriate action on Change Order No. 2 to the Agreement between Fort Bend County and Durwood Greene Construction Company, Inc. to increase the scope of services in the amount of \$298,094.10 regarding improvements to Katy Flewellen Road, from Katy Gaston to Pin Oak, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)
- B. Take all appropriate action on request by Richard Lance Warner for a variance to Fort Bend County Regulations of Subdivision, Section 2.2 B and C, to divide 1.988 acres out of a called 6.86-acre tract situated in the Slavin & George Subdivision, Lot 23, Section 25, in the B.B.B. & C. Railroad Survey, Abstract 138, recorded in Official Fort Bend County Deed Records, Instrument #2007061125, Fort Bend County, Texas, Precinct 1.
- C. Take all appropriate action on the Revised Standard Utility Agreement between Fort Bend County, Texas Department of Transportation and Monument Pipeline, LP for improvements to FM 1464, increasing the agreement amount from \$94,088.10 to \$121,848.27, Precinct 3. (Fund: Right-of-Way)

21. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on modified design of the Fort Bend County Flag.

22. HUMAN RESOURCES:

- A. Take all appropriate action on request to reclassify Position No. 4031-0056 in the Office of County Clerk from Bookkeeper/Information Process Specialist, Grade 8 of the Administrative Policy Group, to Senior Accountant/Compliance Officer, Grade 9 of the Administrative Policy Group, effective February 5, 2011.
- B. Take all appropriate action on revisions to the Employee Information Manual as submitted by Human Resources, specifically: Section 101, Employee Information Manual; Section 103, Equal Employment Opportunity; Section 201, Americans with Disabilities Act (combines 201 and 202 (HIV/AIDS and Other Medical Conditions); Section 202, Discrimination and Retaliation; Section 203, Sexual Harassment; Section 204, Whistleblower; and Section 205, Workplace Harassment and Violence Protection Policy.

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23. INDIGENT HEALTH CARE:

- A. Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$57,500.00 to Oak Bend Medical Group for primary care physician services provided in January and February, 2011 without a purchase order. (Fund: Indigent Health Care, Professional Services)
- B. Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$9,872.82 to Oak Bend Medical Office, Ltd., for rental of office space for January and February, 2011 without a purchase order. (Fund: Indigent Health Care, Rental)

24. LIBRARY:

Take all appropriate action on Agreement for Library to participate in the Barnes & Noble Bookfair to be held March 17-24, 2011.

25. PURCHASING:

- A. Take all appropriate action on Addendum to Agreement between Fort Bend County and Phonoscope, Inc. pursuant to RFP #10-086 for Ethernet Service, to add Fort Bend County Library internet services for an amount not to exceed \$1,000 per month per location. (Fund: Information Technology and Library, Fees)
- B. Take all appropriate action to add additional space to the janitorial services contract with Executive Building Systems pursuant to Bid #10-005, in an amount not to exceed \$225 per month for the East End Annex Facility. (Fund: Facilities Management and Planning)
- C. Take all appropriate action on General Services Administration Advantage Agreement GS-30F-0020W, for Rapid Deployment Vehicle from The Armored Group, LLC for the Sheriff's Office, in an amount not to exceed \$56,978.45. (Fund: Sheriff, Federal Project)
- D. Take all appropriate action to dispose of Ford Crown Victoria Unit 25F, as required by Texas Commission on Environmental Quality.
- E. Take all appropriate action to add additional service locations for fire sprinkler inspections, anti-backflow inspections, fire alarm monitoring and fire alarm inspections to Bid #10-028. (Fund: Facilities Maintenance & Planning)

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- F. Take all appropriate action on Fourth Amendment to Agreement between Fort Bend County and CGL Engineering, Inc. for Turnkey Facility Maintenance, Repair and Replacement Services for the Fort Bend County Jail, pursuant to Request For Proposal #09-093, to add elevator maintenance for the Gus George Academy and maintenance at the Radio Tower Building for an additional amount not to exceed \$557.00 per month effective through September 30, 2011, for a total compensation to contractor of \$102,221. (Fund: Sheriff, Detention, Operating)
 - G. Take all appropriate action on renewal of License Agreement between Fort Bend County and InfoUSA, the Sole Source provider of ReferenceUSA, for an amount not to exceed \$43,000. (Fund: Library, Fees)
26. SHERIFF'S OFFICE:
- A. Take all appropriate action on the Organized Crime Drug Enforcement Task Force Agreement for Use of State and Local Overtime and Authorized Expense/Strategic Initiative Program effective October 1, 2010 through September 30, 2011.
 - B. Take all appropriate action to authorize extension of the grant period for Contract I8PHNP540Z for the High Intensity Drug Trafficking Area (HIDTA) Grant, administered through the Sheriff's Office, through December 31, 2011.
 - C. Take all appropriate action on Resolution and Application to the Office of the Governor, Criminal Justice Division, for second year grant funding of the Special Crimes Detective program, Grant No. 2018004, in the amount of \$72,286, for the term of September 1, 2011 through August 31, 2012, and authorize County Judge to electronically submit application, with no cash match required by the County.
27. TAX ASSESSOR/COLLECTOR:
- Take all appropriate action on request to transfer the amount of \$2,000 from Non-Departmental Contingency into Tax Office, Fees, to allocate funds for background checks on licensing title companies for vehicles.
28. Approve Bills.
29. WORKSHOP:
- Information Technology Workshop to receive update regarding the Fort Bend County Technology Audit performed by TechKnowledge.

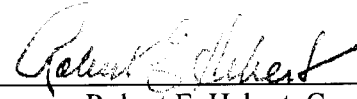
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30. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
 - A. § 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending 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. 06:09-CV-00035; Calvin Lee Miller vs. City of Yoakum, Texas, et al.; pending in the United States District Court for the Southern District of Texas, Victoria Division.
 2. Medical Subrogation Lien Claim; Miranda, Tiffany; Date of Incident: June 22, 2010.
 - 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; Old Richmond Road, Mobility Bond Project #730, Precincts 3 and 4, Mobility Bond Project #729, Precinct 4.
 2. FM 2759.

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31. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
 - 1. C.A. No. 06:09-CV-00035; Calvin Lee Miller vs. City of Yoakum, Texas, et al.; pending in the United States District Court for the Southern District of Texas, Victoria Division.
 - 2. Medical Subrogation Lien Claim; Miranda, Tiffany; Date of Incident June 22, 2010.
 - B. § 551.072. Deliberation Regarding Real Property.
 - 1. Acquisition of property; Old Richmond Road, Mobility Bond Project #730, Precincts 3 and 4, Mobility Bond Project #729, Precinct 4.
 - 2. FM 2759.
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 1:18 p.m., by DA and posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, January 28, 2011, by Donna Aspin. 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

TIME 1:18 AM
JAN 28 2011 DA


County Clerk Fort Bend Co. Texas