

*May 3, 2011*

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, MAY 3, 2011  
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 April 26, 2011.
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. **District Attorney : Rudy Ramirez to Hoover, Alabama, June 12-17, 2011, for seminar sponsored by National Computer Forensics Institute, with registration, airfare, and lodging paid by sponsoring organization. (Fund: District Attorney, Travel)**
  - B. **Elections Administration : Julie Kassab to Fort Meyers, Florida, July 8-17, 2011, to attend professional development class. (Fund: Elections Contract, Travel)**
  - C. **Library : Lorri Lessey and Katryna Russell to New Orleans, Louisiana, June 24-27, 2011, to attend the American Library Association Annual Conference. (Fund: Library, Travel)**
  - D. **Public Transportation : Henry Bertholf to Columbia, South Carolina, May 16-19, 2011, to attend the Intelligent Transportation Systems (ITS) Regional Workshop. (Fund: Public Transportation, Travel)**
  - E. **Sheriff's Office : H. Knight to Arkadelphia, Arkansas, May 4-5, 2011 for extradition of prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

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

- A. **Constable, Pct. 4** : Approve transfer in the amount of \$182 as detailed on Constable's form dated April 25, 2011, to allocate funds into correct line items for purchase of information technology items.
- B. **Parks Department** : Approve transfer in the amount of \$12,252 as detailed on Auditor's form dated April 27, 2011 to reallocate unused funds from completed projects into ongoing Commissioners Court projects.
- C. **Road & Bridge** : Approve transfer in the amount of \$172,398 from Road & Bridge Contingency into Fuel Account to allocate additional funds necessary to meet the increased cost of fuel.
- D. **Road & Bridge** : Approve transfer in the amount of \$2,891 as detailed on Auditor's form dated April 27, 2011 to reallocate funds from completed project into Traffic Signal projects.

7. **COMMUNITY DEVELOPMENT:**

Approve payment of Invoice #WHXI6400-041511 in the amount of \$1,229.69 to Jacobs Engineering Group for engineering services regarding the City of Kendleton Wastewater Treatment Plant. (Fund: Community Development Block Grant)

8. **ENGINEERING:**

- A. Approve payment of Invoice No. 11-430 (Pay Estimate No. 9) in the amount of \$3,619.49 to HVJ Associates, Inc. for materials testing regarding improvements to Katy Flewellen Road, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 411034 in the amount of \$5,070.00 to Klotz Associates for labor rates regarding Fort Bend County Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)
- C. Approve release of Performance Bond #LPM8979696 in the amount of \$7,500.00 to Jaho Incorporated for completion of work on Powerline, Permit #83752, Precinct 1.
- D. Approve application from Phonoscope, LLC to set a pole along Commercial Center Blvd., Precinct 3.
- E. Approve the plat for Long Meadow Farms Lift Station No. 6, Precinct 3.
- F. Approve the plat for Cinco Verde Retail No. One, Precinct 3.
- G. Approve the plat for Watermark at Sienna Plantation, Precinct 2.

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- H. Approve plat for the roads within Grand Mission, Section 18, Precinct 3.
  - I. Approve plat for the lots within Grand Mission, Section 18, Precinct 3.
  - J. Approve plat for the roads within Cinco Ranch Southwest, Section 37, Precinct 3.
  - K. Approve plat for the lots within Cinco Ranch Southwest, Section 37, Precinct 3.
  - L. Approve plat for the roads within Cinco Ranch Southwest, Section 56, Precinct 3.
  - M. Approve plat for the lots within Cinco Ranch Southwest, Section 56, Precinct 3.
9. **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. 10030280, Invoice No. 10030281, Invoice No. 10030282, and Invoice No. 10030283 for an amount totaling \$57,032.62 to PGAL for Professional Services regarding the Justice Center;
  - B. Pay Application No. 3 in the amount of \$28,029.60 to Evans Construction for Design/Build services regarding the Animal Services Satellite project;
  - C. Invoice No. 164819 in the amount of \$30,000.00 to Gowan, Inc., for Testing and Balancing Services regarding the Justice Center.
10. **FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the “Authority”) reviewed the following item at their regular meeting held on April 20, 2011, and makes the following recommendation to Commissioners Court:**
- Approve Engineering Services Agreement between Fort Bend County Toll Road Authority and Klotz Associates, Inc. in the amount of \$35,000.00 for preparation of exhibits for Westpark Project B alignment in the City of Fulshear.
11. **HEALTH & HUMAN SERVICES:**
- Clinical Health Services : Accept Amendment to Contract # 2011-035611 between Texas Department of State Health Services and Fort Bend County to reallocate funds within the budget for the Regional Local Services (RLSS) Program Grant Services.
12. **HUMAN RESOURCES:**
- Approve request for withdrawal of 154 hours from the Shared Sick Leave Pool for employee of Road & Bridge, Position No. 6111-0079.

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**13. PURCHASING:**

**Authorize advertising for sealed bid sale of mulch.**

**14. TAX ASSESSOR/COLLECTOR:**

**Record into Minutes the disposal of Tax Office documentation dated February 3, 2011 through March 31, 2011 which has been scanned by Windward Group, Boxes 965 through 995, described on letter dated April 25, 2011, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**

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**15. COMMISSIONER, PCT. 1:**

Take appropriate action on request by Dinesh Batra to waive penalty and interest totaling \$202.52 on property taxes for tax year 2007, for properties located in Precincts 1 and 2.

**16. COMMISSIONER, PCT. 3:**

Take all appropriate action on request by Jose Lopez to waive penalty and interest totaling \$21.89 on property taxes for tax year 2010, Precinct 3.

**17. COMMISSIONER, PCT. 4:**

Take all appropriate action to authorize the County Engineer to negotiate an agreement between Fort Bend County and Kelly Kaluza & Associates for design work of Harlem Road between Travis High School and Owens Road.

**18. ENGINEERING:**

Take all appropriate action on request by Mark and Marissa Atkinson for a variance to the Fort Bend County Regulations of Subdivision, Section 2.2B, to divide 4.00 acres out of a called 57.92-acre tract situated in the H & T.C. Railroad Company Survey, Section 29, Abstract 220, recorded in official Fort Bend County Deed Records, Instrument #9523549 and #2001028819, Fort Bend County, Texas, Precinct 1.

**19. FACILITIES MANAGEMENT & PLANNING:**

Take all appropriate action on the First Amendment to the Agreement between Fort Bend County and Automated Logic Contracting Services, Inc. for additional services in the amount of \$13,600 regarding the Energy Retrofit Project, for a total project amount not to exceed \$1,023,650. (Fund: Energy Efficiency and Conservation Block Grant)

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20. OFFICE OF EMERGENCY MANAGEMENT:

- A. Take all appropriate action on the 2009 Sub-Recipient Agreement between Texas Department of Public Safety and Fort Bend County to receive grant funding in the amount of \$50,000 for participation in the Regional Catastrophic Preparedness Grant Program (RCPGP) with a performance period of August 1, 2009 through May 31, 2011, and the in-kind match of thirty-three percent (33%) provided by local program participants.
- B. Take all appropriate action on the 2009 Grant Adjustment Notice from Texas Department of Public Safety for Fort Bend County to receive the grant funding in the amount of \$50,000 to participate in the Regional Catastrophic Preparedness Grant Program (RCPGP) with an extended performance period through November 30, 2011, and the in-kind match of thirty-three percent (33%) provided by local program participants.

21. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Project Grant Agreement #51112F7193 from the Texas Department of Transportation for the initial allocation of FY11 Federal Section 5311 Rural Public Transportation funds in the amount of \$171,899 with a cash match by Fort Bend County of \$106,667; and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Public Transportation, Grant Allocations)
- B. Take all appropriate action on Project Grant Agreement #51112F7249 from the Texas Department of Transportation for the initial allocation of FY11 Federal Section 5310 funds in the amount of \$50,000 for Elderly and Disabled Individuals, with a cash match of \$12,500.00 by Fort Bend County; and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Public Transportation, Grant Allocations)
- C. Take all appropriate action on Interlocal Agreement #TS7111-17 between Houston-Galveston Area Council (H-GAC) and Fort Bend County to accept grant funds in the amount of \$123,575 for Commuter Services to Texas Medical Center, with a cash match by Fort Bend County of \$123,575; and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Public Transportation, Grant Allocations)
- D. Take all appropriate action on Change Order by Houston-Galveston Area Council (H-GAC) for Project #TS7111-15 to increase funding for the Fort Bend Express Park & Ride Services (Texas Medical Center commuter service), in the amount of \$37,500 with a local match of \$12,500. (Fund: Public Transportation, Grant Allocation)

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22. PURCHASING:

- A. Take all appropriate action on Agreement for Audio Visual Equipment for the Justice Center between Fort Bend County and Troxell Communications, Inc. for an amount not to exceed \$1,015,550.46, pursuant to Request for Proposal #11-037. (Fund: Facility Bond Project)
- B. Take all appropriate action on renewal of maintenance service with Lawson, pursuant to RFP #05-059 and RFP #06-028 for an amount not to exceed \$162,419.92 effective July 1, 2011 through June 30, 2012. (Fund: Information Technology, Fees)
- C. Take all appropriate action on request by Tekplan Solutions to exercise 30-day cancellation clause on Bid #11-035 for HVAC repairs, and authorize award to second low bidder, American Mechanical Services.

23. ROAD & BRIDGE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$323.36 to Gulf Coast Stabilized Material for materials purchased without a Purchase Order. (Fund: Road & Bridge)

24. SHERIFF'S OFFICE:

Take all appropriate action to authorize application to the Texas Comptroller of Public Accounts for participation in the Fiscal Year 2012 Tobacco Compliance (STEP) Program.

25. Approve Bills.

26. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:

- A. § 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: 3,150 square feet within Lot 5, Block 51, Town of Richmond, Austin Street; Pct. 1.
  - 2. Acquisition of property: Old Richmond Road, Mobility Bond Project #729, Precinct 4.

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- B. § 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.

Annual Evaluation - Director of Facilities Management & Planning.

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

- A. § 551.072. Deliberation Regarding Real Property.

1. Acquisition of property: 3,150 square feet within Lot 5, Block 51, Town of Richmond, Austin Street; Pct. 1.
2. Acquisition of property: Old Richmond Road, Mobility Bond Project #729, Precinct 4.

- B. § 551.074. Personnel Matters.

Annual Evaluation - Director of Facilities Management & Planning.

28. 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 and posted at the Fort Bend County Courthouse Complex in Richmond, Texas, on Friday, April 29, 2011. An electronic version of this notice is also posted on the Fort Bend County website: [www.co.fort-bend.tx.us](http://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 2:29 AM  
PM.

APR 29 2011

  
County Clerk Fort Bend Co. Texas