

May 10, 2011

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, MAY 10, 2011  
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 May 3, 2011.
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 of Aliana West Airport Boulevard, State Highway 99 to FM 1464 STD, Replat No. 1, Precinct 4.

**CONSENT AGENDA ITEMS 6 - 16:**

6. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel requests for County personnel:
  - A. **Constable, Pct. 3** : Aaron W. Tyksinski to Quantico, Virginia, July 6-19, 2011, to attend training at the FBI National Academy. (Fund: LEOSE Training, Constable, Pct. 3)
  - B. **Information Technology** : Edna Guebara to Cincinnati, Ohio, September 13-16, 2011, to attend the National Association of Government Webmasters (NAGW) National Conference. (Fund: Information Technology, Travel)
  - C. **Library** : Cecillia Shearron-Hawkins to New Orleans, Louisiana, June 24 - 27, 2011 to attend the American Library Association Annual Conference. (Fund: Library, Travel)
  - D. **Public Transportation** : Don Smithers to Charlotte, North Carolina, October 23-27, 2011, to attend National Transit Institute training: Management of Transit Construction Projects. (Fund: Public Transportation, Grant)

7. **AUDITOR:**

**Approve renewal of Interlocal Agreement #530-08-0194-00001 between Fort Bend County and the Texas Department of Family and Protective Services for the term October 1, 2011 through September 30, 2012.**

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

- A. **Commissioner, Pct. 3: Approve transfer in the amount of \$906 from Office Supplies into Information Technology to allocate funds for purchase of scanner.**
- B. **District Clerk : Approve transfer in the amount of \$6,000 from Supplies into Information Technology to allocate funds into correct line item for purchase of scanners and software licenses.**
- C. **Facilities Management & Planning : Approve transfer in the amount of \$1,300,000 as detailed on Auditor's report dated May 5, 2011, to reallocate unused funds into ongoing Justice Center and Eugene Heimann Circle construction projects.**
- D. **Indigent Health Care : Approve transfer in the amount of \$7,000 from Salaries into Temporary/Part-Time to allocate funds into correct line item for temporary employee assistance.**

9. **ENGINEERING:**

- A. **Rescind approval of Agenda Item 8B from Commissioners Court meeting on April 12, 2011, due to vendor error, and approve payment of Invoice No. 309R (Revised Invoice No. 23) in the amount of \$3,107.93 to Chiang Patel & Yerby, Inc. regarding the expansion of Katy-Flewellen Road, from Pin Oak to Katy-Gaston, Mobility Bond Project #734, Precinct 3. (Fund: 2007 Mobility Bonds)**
- B. **Approve payment of Invoice No. T202618 (Pay Estimate No. 14) in the amount of \$14,497.28 to Terracon regarding Greenbusch Road, Phase II, (from Mills Manor to Falcon Landing Blvd.), Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 32 (Pay Estimate No. 32) in the amount of \$2,377.65 to Cobb-Fendley & Associates, Inc. regarding Greenbusch Road, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**

- D. **Approve payment of Invoice No. WHX17400-12 in the amount of \$11,565.01 to Jacobs Engineering Group, Inc. regarding FM 1093/Westpark Tollway, Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 2011539 in the amount of \$1,466.00 to Teds Infrastructure Group regarding the expansion of Harlem Road, Mobility Bond Project #725-A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. 2011553 in the amount of \$13,680.00 to Teds Infrastructure Group regarding the expansion of Harlem Road, Mobility Bond Project #725-A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- G. **Approve payment of Invoice No. 41 (Pay Estimate No. 41) in the amount of \$42,461.80 to Schaumburg & Polk, Inc. regarding Management and Administrative Support for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- H. **Approve payment of Invoice No. 8 (Pay Estimate No. 8) in the amount of \$261,598.12 to Allgood Construction Company, Inc. regarding improvements to Greenbusch Road Phase II, Mobility Bond Project #732, Precinct 3. (Fund: 2007 Mobility Bonds)**
- I. **Approve payment of Invoice No. 102404 (Pay Estimate No. 4) in the amount of \$486,994.95 to Hassell Construction Company regarding Williams Way Boulevard, Phase I, (from Ransom Road to Pilgrim), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
- J. **Approve application from Comcast of Houston, LLC c/o Jier, LLC to hang aerial cable along Insurance, Precinct 1.**
- K. **Approve application from Identity Homes to construct driveway tie-ins onto Croxley Cove and Wembley Way, Precinct 1.**
- L. **Approve release of Performance Bond #6705795 in the amount of \$10,000.00 to Transcontinental Gas Pipe Line Company, LLC for completion of work on Bois D'Arc and McKinnon, Permit #83777, Precinct 3.**
- M. **Approve release of Performance Bond #6622912 in the amount of \$5,000.00 to BNSF Railway for completion of work on Lockwood Bypass, Permit #83623, Precinct 1.**
- N. **Approve release of Performance Bond #LPM 8979685 in the amount of \$15,000.00 to Jaho, Inc. for completion of work on Ditch II-B-7-A, Permit #83723, Precinct 1.**
- O. **Approve plat for the roads within King Lakes, Section 12, Precinct 3.**
- P. **Approve plat for the lots within King Lakes, Section 12, Precinct 3.**

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- Q.     **Set public hearing for revised traffic control plan for Long Meadow Farms, Section 6, to establish a multi-way stop at the intersection of Winston Ranch Parkway and James Long Parkway, Precinct 3.   *(Tuesday, June 7, 2011, at 1:00 p.m.)***
- R.     **Set public hearing for Ali's Market being a Replat of Lots 23,24 & 25 of block "A" of Fresno Ranchos Subdivision, Precinct 1.   *(Tuesday, June 14, 2011, at 1:00 p.m.)***
- S.     **Set public hearing for Clayton Oaks Living, being a partial replat of Restricted Reserve "J" of Los Puentes Office Park, Precinct 1.   *(Tuesday, June 14, 2011, at 1:00 p.m.)***
- 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.     **Pay Application No. Nine (9) and No. Ten (10) for an amount totaling \$48,326.49 to Crain Group, LLC for Construction Services regarding the expansion of Office of Emergency Management;**
  - B.     **Pay Application No. 23 in the amount of \$867,737.00 to JE Dunn South Central, Inc., for Construction Services regarding the Justice Center;**
  - C.     **Pay Application No. 1 in the amount of \$150,880.32 to Turner Construction Company for Design and Construction Services regarding upgrades to the Jail Tower;**
  - D.     **Pay Application No. 16 in the amount of \$12,255.00 to Rosenberger Construction LP. for Construction Services regarding the North Annex.**
- 11.    **FIRE MARSHAL:**

**Accept and record into Minutes the Official Bond for Vance T. Cooper, Fort Bend County Fire Marshal, effective May 14, 2011 through September 30, 2011.**
- 12.    **FORT BEND COUNTY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend County Toll Road Authority (the Authority) reviewed this item at their regular Board meeting held on April 20, 2011, and makes the following recommendation to Commissioners Court:**

**Approve Drainage and Utility Easements for Parcel Nos. 50-E, 51-E, and 48-E, Parts 1 and 2, for Fort Bend Parkway Project B.**

13. **HEALTH & HUMAN SERVICES:**

- A. **Approve and sign Texas Department of State Health Services (DSHS) Amendment No. 001B to Grant Award Contract No. 2010-035677, the content of which is covered under Texas Government Code § 418.183(f).**
- B. **Environmental Health : Approve Adopt-A-Road Agreement between Fort Bend County and Technisand/Fairmount Minerals for assistance with litter control on S. Post Oak, from Evergreen to W. Sycamore, in Fresno, Texas.**

14. **HUMAN RESOURCES:**

- A. **Approve request for withdrawal of 120 hours from the Shared Sick Leave for employee of Juvenile Probation, Position No. 5751-0036.**
- B. **Approve and record into Minutes the Application for Appointment of Deputy Constable Vernon Brzozowski by Constable Precinct 3, in accordance with Constable's form dated May 4, 2011, pursuant to Local Government Code §86.011.**

15. **PURCHASING:**

- A. **Authorize advertising for proposals for vending machines for the Justice Center.**
- B. **Authorize advertising for bids for playground equipment.**

16. **TAX ASSESSOR/COLLECTOR:**

**Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 3, 2011, for an amount totaling \$16,121.40 for the Office of Patsy Schultz.**

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17. **COUNTY JUDGE:**

**Take all appropriate action on Certificate of the County Judge to approve, pursuant to Section 147(f) of the Internal Revenue Code, the issuance by City of Houston Higher Education Finance Corporation Education Revenue Bonds (Cosmos Foundation, Inc.) Series 2011A, regarding construction and equipment of Harmony School campuses located in Fort Bend County, with no financial obligation by Fort Bend County.**

18. COMMISSIONER, PCT. 1:

- A. Take all appropriate action on grant from The George Foundation in the amount of \$50,000 for use as a portion of the twenty percent (20%) local match required for the US 59/FM 762 Landscaping Project, and authorize County Judge to sign Grant Contract, which is contingent upon implementation of the Advance Funding Agreement between Fort Bend County and Texas Department of Transportation.
- B. Take all appropriate action on Access and Utility Easement from Fort Bend County to the City of Richmond, granting a private access easement and public utility easement, being a 0.087 acre of land and a 0.128 acre of land, over and across a portion of Commercial Reserve "A" of Gus George Academy Subdivision, Precinct 1.

19. COMMISSIONER, PCT. 3:

Take all appropriate action on request by Stacy Croft to waive penalty and interest totaling \$1,894.30 on property taxes for tax year 2010, Precinct 3.

20. DISTRICT ATTORNEY:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$193.53 to Fort Bend Herald for publication of notices without a purchase order. (Fund: District Attorney, State Asset Forfeiture, Fees)

21. ENGINEERING:

- A. Take all appropriate action on the Professional Engineering Services Agreement between Fort Bend County and HR Green, Inc. to replace an existing bridge on Knight Road at the Gulf Coast Water Authority Canal for an amount not to exceed \$63,859.42; Precinct 2. (Fund: 2000 Mobility Bonds)
- B. Take all appropriate action on the Professional Engineering Services Agreement between Fort Bend County and AIA Engineers, Ltd. to replace existing bridges on Kroesche Road and Bushnell Road for an amount not to exceed \$104,787.00; Precinct 1. (Fund: 2000 Mobility Bonds)
- C. Take all appropriate action on the Professional Engineering Services Agreement between Fort Bend County and Michael Baker, Jr., Inc., to replace an existing bridge on James Lane at Bessies Creek for an amount not to exceed \$117,402.00; Precinct 3. (Fund: 2000 Mobility Bonds)
- D. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Richmond in an amount not to exceed \$5,800,000 for improvements to Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)

22. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and JE Dunn Construction in the amount of \$1,100,675.00 for additional construction services regarding the Justice Center and the expansion of Eugene Heimann Circle, total project amount not to exceed \$59,586,666.00. (Fund: Facility Bond Project)

23. HEALTH & HUMAN SERVICES:

Clinical Health Services: Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$982.45 to Texas Department of State Health Services Central Lab for laboratory testing provided without a purchase order. (Fund: Clinical Health, Professional Services)

24. OFFICE OF EMERGENCY MANAGEMENT:

Take all appropriate action on the 2011 Nimscast/TRRN/A-133 Audit Certification Form, required by Homeland Security grant recipients to certify eligibility for Homeland Security grant funds.

25. PUBLIC TRANSPORTATION:

Take all appropriate action on Renewal Agreement for Professional Auctioneering Services between Fort Bend County and Ernie Croucher Auctioneers to provide services for the Public Transportation Department, pursuant to RFP #10-080, for an additional one-year term, to begin upon expiration of the existing year.

26. PURCHASING:

- A. Take all appropriate action on RFP #11-060 for Paving, Water and Grading Improvements for the Highway 36 Park and Ride.
- B. 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) for the purchase of an item available from only one source, for emergency trailer and shelters from Progressive Emergency Products for an amount not to exceed \$329,207.71. (Fund: Health & Human Services, Public Preparedness Grant)
- C. Take all appropriate action on Third Amendment to Agreement between Fort Bend County and Phonoscope for Internet Services, pursuant to RFP #10-086, for additional services in an amount not to exceed \$1,000.00 per month per location. (Fund: Information Technology and Sheriff's Office)
- D. Take all appropriate action on request for price increase from Sun Coast Resources, Inc., pursuant to Bid #11-010 for Oil and Lubricants.

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- E. Take all appropriate action on renewal of Software Agreement between Fort Bend County and HelpStar utilizing Texas Department of Information Resources Contract #DIR-SDD-1009 for an amount not to exceed \$8,908.00. (Fund: Library and Information Technology)
- F. Take all appropriate action on Agreement between Fort Bend County and G & C Building Maintenance in the amount of \$156,432.00 to provide janitorial service for the Justice Center, pursuant to RFP #11-050. (Fund: Facilities Management & Planning)
- 27. Approve Bills.
- 28. Authorize County Auditor to pay and release time sensitive bills on May 19, 2011, to be ratified by Commissioners Court on May 24, 2011.
- 29. 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.  
  
Thor Ranch - Spring Green Road at FM 1093.
  - 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 Public Transportation.



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

A. § 551.071. Consultation With Attorney.

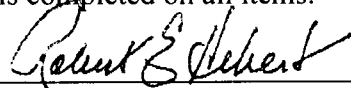
Thor Ranch - Spring Green Road at FM 1093.

B. § 551.074. Personnel Matters.

Annual Evaluation - Director of Public Transportation.

31. 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, May 6, 2011, by Donna Ospina. 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).