

October 4, 2011

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, OCTOBER 4, 2011
1:00 O'CLOCK P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Patterson.
3. Approve minutes of regular meeting held on September 27, 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 Mission Sierra, Section 5, Precinct 3.
 - B. Acceptance of the traffic control plan for Long Meadow Farms, Section 13 and Section 15, Precinct 3.
 - C. Acceptance of the traffic control plan for Fieldstone, Section 1 and Section 3, Precinct 3.

CONSENT AGENDA ITEMS 6 - 19:

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Community Development : Marilyn Kindell and Carol Borrego to Las Cruces, New Mexico, November 1-4, 2011, to attend the National Community Development Association Region VI 2011 Regional Conference. (Fund: Community Development Block Grant)**
 - B. **Parks Department : Michel Davis to Atlanta, Georgia, November 1-3, 2011, to attend the National Recreation Park Association Convention. (Fund: Parks, Travel)**
 - C. **Sheriff's Office : Ratify travel by P. Gasser to Tampa Bay, Florida, from September 26 through October 1, 2011, for an investigation. (Fund: Sheriff, Federal Forfeited Assets, Travel)**

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7. **COUNTY JUDGE:**

- A. **Approve renewal of Agreement between Fort Bend County and Mental Health America of Fort Bend County for mental health services for certain financially disadvantaged residents in the amount of \$60,000 for the period of October 1, 2011 through September 30, 2012. (Fund: Non-Departmental, Fees)**
- B. **Approve renewal of Agreement between Fort Bend County and Debbie Leavey, Facilitator, Choices and Consequences Program, in an amount not to exceed \$36,640 (plus mileage reimbursement), to provide a service program for Fort Bend juveniles referred by Justice of the Peace courts, effective through September 30, 2012. (Fund: Non-Departmental, Fees)**

8. **COMMISSIONER, PCT. 3:**

- A. **Approve renewal of the Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Cinco Residential Property Association; services provided by the Sheriff's Office effective through September 30, 2012.**
- B. **Approve the appointment of Pam Speer to the Board of Directors for Fort Bend County Emergency Services District No. 4 to complete the term of the position held by retiring Commissioner Frank Pyle, effective through December 31, 2011.**

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

- A. **Auditor : Approve FY 2012 transfer in the amount of \$4,952,857 as detailed on Auditor's form dated September 28, 2011 to allocate funds into Capital Improvement Projects approved in the budget for fiscal year 2012.**
- B. **Auditor : Approve FY 2011 transfer in the amount of \$1,496,654 as detailed on Auditor's form dated September 29, 2011, to amend the budget pursuant to Local Government Code 111.0706 and 111.0707, and allocate revenue received as reimbursement for various road projects.**
- C. **Sheriff's Office : Approve FY 2012 transfer in the amount of \$21,000 from Narcotics Task Force, State, Contingency, into Capital Acquisitions to allocate funds into correct line item for purchase of telephone system at Narcotics Office.**
- D. **Treasurer - Court Collections : Approve FY 2012 transfer in the amount of \$3,266 from Salaries into line items detailed on Manager's form dated September 28, 2011, to allocate funds for temporary assistance while employee is absent on family medical leave.**

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10. **COMMUNITY SUPERVISION & CORRECTION:**

Approve and accept grant funds in the amount of \$150,000 from the Office of the Governor, Criminal Justice Division for the Felony Drug Court (CARD), Misdemeanor DWI Court, and Misdemeanor Drug Court Program for the period of September 1, 2011 through August 31, 2012, with no cash match required by Fort Bend County, and designate County Judge as authorized official to electronically accept the award.

11. **CONSTABLE, PCT. 1:**

Approve renewal of Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Municipal Utility District No. 23 and Fort Bend County Municipal Utility District No. 24, effective through September 30, 2012.

12. **ENGINEERING:**

- A. **Approve payment of Invoice No. 49786 in the amount of \$1,332.50 to Edminster Hinshaw Russ & Associates, Inc. regarding Harlem Road and Madden Road/West Belfort Road traffic signalization, Precincts 3 and 4. (Fund: Road and Bridge)**
- B. **Approve payment of Invoice No. 27388 in the amount of \$13,650.25 to Landtech Consultants, Inc. regarding the expansion of Mason Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. **Approve application from Verizon Communications to bury cable along Jackson, Precinct 1.**
- D. **Approve application from Comcast, LLC to bore under and bury cable along Sunset Park Lane, Lake Riverstone Drive and Senova Lane, Precinct 4.**
- E. **Approve application from Comcast, LLC to bore under and bury cable along Marbrook Meadow Lane and Cinco Ranch Blvd., Precinct 3.**
- F. **Approve application from Centerpoint Energy Entex to bore under and bury a 6-inch plastic gas line along Clodine Road (FM 1464), Precinct 3.**
- G. **Approve application from DM Builders, LLC to construct a driveway tie-in onto Starbridge Lake Lane, Precinct 3.**
- H. **Approve application from DM Builders, LLC to construct a driveway tie-in onto Rockway Point Lane, Precinct 3.**
- I. **Approve release of Cashier's Check #7000527774 in the amount of \$5,000.00 to Kenneth Davis for completion of work on Zieglers Grove, Permit #84003, Precinct 1.**

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- J. Approve plat for the roads within Cinco Ranch Northwest, Section 3, Precinct 3.
- K. Approve plat for the lots within Cinco Ranch Northwest, Section 3, Precinct 3.
- L. Approve plat for the roads within Cinco Ranch Northwest, Section 4, Precinct 3.
- M. Approve plat for the lots within Cinco Ranch Northwest, Section 4, Precinct 3.
- N. Approve plat for the roads within Cinco Ranch Southwest, Section 61, Precinct 3.
- O. Approve plat for the lots within Cinco Ranch Southwest, Section 61, Precinct 3.
- P. Set public hearing for acceptance of the traffic control plan for Cinco Ranch Southwest, Section 42. *(Tuesday, November 1, 2011, at 1:00 p.m.)*
- Q. Set Public Hearing on acceptance of the traffic control plan for Eugene Heimann Circle, Precinct 1. *(Tuesday, November 1, 2011, at 1:00 p.m.)*
- R. Set public hearing for acceptance of the traffic control plan for Fry Road Extension East of Holton Grip Drive Street Dedication, Precinct 3. *(Tuesday, November 1, 2011, at 1:00 p.m.)*
- 13. **FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits this invoice for approval and payment for a project that has been budgeted and funded by Facility Bond and/or Capital Projects:**

Invoice No. Z013-0831-I11 in the amount of \$840.00 to Evans Construction for Design/Build services regarding the Animal Services Satellite project.
- 14. **FIRE MARSHAL:**
 - A. Approve the reappointment of Vance T. Cooper as County Fire Marshal for a two-year term commencing October 1, 2011, subject to conditions of employment and employment policies of all Fort Bend County employees, pursuant to Local Government Code Section 352.011(b).
 - B. Accept and record into Minutes the Continuation Certificate for the Official Bond for Vance T. Cooper, Fort Bend County Fire Marshal, effective October 1, 2011 through September 30, 2013.
- 15. **LIBRARY:**

Approve request to increase the Fort Bend County Libraries Change Fund to accommodate the new University Branch Library.

16. **PARKS & RECREATION:**

Approve renewal of Agreements between Fort Bend County and the Fort Bend YMCA to provide programs and services at the following locations from October 1, 2011 through September 30, 2012: Mustang Community Center; Barbara Jordan Community Center; Powell Point Elementary School; and approve Agreement between between Fort Bend County and Boys & Girls Clubs of Greater Houston, Inc. to provide services at Fifth Street Community Center effective October 1, 2011 through September 30, 2012. (Fund: Parks Department)

17. **PUBLIC TRANSPORTATION:**

Approve Renewal Agreement between Fort Bend County and Texana Center in the amount of \$500,000 for the administration of programs, services and transportation that serve those groups of persons with mental illness or mental retardation in Fort Bend County for the term of October 1, 2011 through September 30, 2012. (Fund: Public Transportation, Fees)

18. **SHERIFF'S OFFICE:**

- A. **Approve renewal of the Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council to provide law enforcement training services at the Gus George Academy effective September 1, 2011 through August 31, 2012.**
- B. **Approve renewal of Motorcycle Lease Agreements between Fort Bend County and the following Officers effective October 1, 2011 through September 30, 2012: Danny Beckworth; Brett Frankie; Victor Garcia; Joe Lancaster; David Mejjorado; S. Reid Rader; Roger Thurman; and Jesse Zamaripa. (Fund: Sheriff, Operating, Enforcement, Salaries)**

19. **TAX ASSESSOR/COLLECTOR:**

- A. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on September 27, 2011, for an amount totaling \$22,415.25 for the Office of Patsy Schultz.**
 - B. **Approve renewal of the Interlocal Cooperation Agreement for the Collection of Taxes between Fort Bend County and Lamar Consolidated Independent School District effective through August 31, 2012.**
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20. COUNTY JUDGE:

- A. Take all appropriate action on Order Prohibiting Outdoor Burning in Fort Bend County, Texas pursuant to Section 352.081 of the Texas Local Government Code.
- B. Take all appropriate action to terminate appointment of Jean N. Galloway, MD, as the Local Health Authority, effective October 4, 2011.
- C. Take all appropriate action to approve the appointment of Mary desVignes-Kendrick, MD, MPH, FAAP as Local Health Authority of Fort Bend County effective October 4, 2011 through October 4, 2013.
- D. Take all appropriate action on any and all necessary adjustments in Fort Bend County Election and Justice of Peace/Constable Precincts to conform with redistricting of County Commissioners Precincts and adopt Supplemental and Final Order Adopting Revised Political Boundaries Following Redistricting of Commissioners Court Precincts.
- E. Take appropriate action to authorize Allison, Bass & Associates, LLP, redistricting counsel, to prepare and submit to the United States Department of Justice a submission seeking pre-clearance of all Fort Bend County election boundaries, voting places and procedures related to the redistricting of Fort Bend County, Texas.
- F. Take all appropriate action to set the daily amount of reimbursement for a Grand Juror pursuant to Government Code 61.0011.

21. COMMISSIONER, PCT. 3:

- A. Take all appropriate action on Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Cinco Residential Property Association for services to be provided by the Office of Constable, Precinct 3, effective through September 30, 2012.
- B. Take all appropriate action on request to authorize the County Engineer to negotiate an engineering services contract with JNS Consultants for design and construction coordination for Falcon Landing Blvd. and Gaston Road.
- C. Take all appropriate action on request to authorize the County Engineer to negotiate an Engineering Services Contract with Cobb Fendley & Associates for a Preliminary Engineering Report on Gaston/Katy Gaston Road.

22. AUDITOR:

Take all appropriate action to authorize electronic submission of the 2012 Indigent Defense Formula Grant to the Texas Indigent Defense Commission, and adopt the Resolution regarding the Application.

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23. CONSTABLE, PCT. 2:

The Constable of Fort Bend County Precinct 2 requests that the total number of Reserve Deputies be increased to a maximum of 35 Reserve Deputies for Precinct 2.

24. CONSTABLE, PCT. 4:

The Constable of Fort Bend County Precinct 4 requests that the total number of Reserve Deputies be increased to a maximum of 35 Reserve Deputies for Precinct 4.

25. ELECTIONS ADMINISTRATION:

Take all appropriate action on the Amended Order Calling Election for Creation of the Fort Bend County Assistance District No. 1 and Imposition of a Sales and Use Tax, to be located generally along FM 1093 east of FM 1463.

26. ENGINEERING:

- A. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12C of the Fort Bend County Regulations of Subdivisions), for Del Webb-Richmond, Section 5, on behalf of C.W. Richmond, L.P., Precinct 1.
- B. Take all appropriate action on plat for the roads within Del Webb-Richmond, Section 5, Precinct 1.
- C. Take all appropriate action on plat for the lots within Del Webb-Richmond, Section 5, Precinct 1.
- D. Take all appropriate action on Change Order No. 3 to the Agreement between Fort Bend County and Hassell Construction Company to increase the amount by \$ 2,500.58 regarding Ransom Road (Phase I from Pilgrim to Williams Way) Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)

27. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on Change Order No. One (1) to the Agreement between Fort Bend County and EE Reed Construction, L. P. for construction services in the amount of \$332,886.00 to add 114 parking spaces at the University Branch Library, the cost for which will be reimbursed by University of Houston Systems, for a total project amount not to exceed \$6,560,255.00. (Fund: Facility Bond Project)

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28. 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 board meeting held on September 21, 2011, and makes the following recommendation to Commissioners Court:

Take all appropriate action on Policies and Procedures Relating to Access along the Fort Bend Westpark Tollway and the Fort Bend Parkway Toll Road.

29. FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY: The Board of Directors of Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed this item at their regular meeting held on September 21, 2011, and makes the following recommendation to Commissioners Court:

Take all appropriate action on Policies and Procedures Relating to Access Along the Fort Bend Grand Parkway Toll Road, Segment D.

30. HUMAN RESOURCES:

Take all appropriate action on request to transfer Position No. 4553-0005, Administrative Assistant, Grade 9 of the Administrative/Clerical Policy Group, from the Office of Justice of the Peace, Precinct 2, to Juvenile Truancy Court, effective October 4, 2011.

31. INDIGENT HEALTH:

Take all appropriate action to authorize payment by Invoice Transmittal for an amount totaling \$52,500.00 to Oak Bend Medical Group for physician services provided to indigent clients for the months of June and July, 2011, without a purchase order through the Indigent Health Care Physicians Clinic. (Fund: Indigent Health Care, Professional Services)

32. JUSTICE OF THE PEACE, PCT. 3:

Take all appropriate action on request to transfer the amount of \$63,960 as detailed on Director's form dated September 28, 2011 to allocate funds for the transfer of Administrative Assistant from Justice of the Peace Precinct 2 to Juvenile Truancy Court effective October 4, 2011.

33. PURCHASING:

- A. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Section 262.024(a)(7) of the Local Government Code for the purchase of an item available from only one source, for Health and Human Services software from Aspyra, LLC, in an amount not to exceed \$91,001.00. In addition, take all appropriate action on Property Transfer Record Agreement between Fort Bend County and the City of Houston. (Fund: Office of Emergency Management, UASI Grant)

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- B. Take all appropriate action on Bid #11-088 for Printing and Mailing Voter Registration Cards.
 - C. Take all appropriate action on First Amendment between Fort Bend County and Five Star Food Services, Inc. pursuant to RFP #11-068 for Vending Machine Services.
 - D. Take all appropriate action on Agreement between Fort Bend County and Brainfuse, Inc. pursuant to RFP #12-009 for Online Homework Tutoring, for an amount not to exceed \$54,900. (Fund: Library)
 - E. Take all appropriate action on RFP #11-079 for Bus Service.
34. SHERIFF'S OFFICE:
- A. Take all appropriate action on Agreement with the Organized Crime Drug Enforcement Task Forces (OCDETF) to accept grant funds in the amount of \$120,000 for use of the OCDETF Strike Force/Strategic Initiative Programs for the term of October 4, 2011 through September 30, 2012, administrated by the Sheriff's Office, with no cash match required by County.
 - B. Take all appropriate action on Agreement between Fort Bend County and Patrick J. Crabtree for professional information technology services in an amount not to exceed \$120,000 as a consultant for the Sheriff's Office under the Organized Crime Drug Enforcement Task Force Strike Force/Strategic Initiative Program for the term October 4, 2011 through September 30, 2012. (Fund: OCDETF Grant)
 - C. Take all appropriate action on Agreements with the Organized Crime Drug Enforcement Task Forces (OCDETF) to apply for grant funds for an amount totaling \$18,231.76 for use in the OCDETF program by two participants, Billy Davis, and Patrick Gasser for the term of October 1, 2012 through September 30, 2012, with no cash match by Fort Bend County.
 - D. Take all appropriate action on Agreements with the Organized Crime Drug Enforcement Task Forces (OCDETF) to apply for grant funds for an amount totaling \$34,404.50 for use of the state and local overtime in the OCDETF program by two participants, Billy Davis, and Patrick Gasser for the term of October 1, 2012 through September 30, 2012, with no cash match by Fort Bend County.
35. Approve Bills.

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36. 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: 5 acres, FM 2218; Precinct 1.

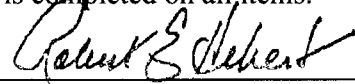
37. Reconvene Open Session and consider taking action on the following matters:

§ 551.072. Deliberation Regarding Real Property.

Acquisition of property: 5 acres, FM 2218; Precinct 1.

38. 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 on Friday, September 30, 2011. 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 3:23 A.M.
P.M.

SEP 30 2011


County Clerk Fort Bend Co. Texas