

November 8, 2011

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, NOVEMBER 8, 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 November 1, 2011.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearing and take all appropriate action on the following matter:

Acceptance of the traffic control plan for University Boulevard at Riverstone, Phase I Street Dedication, Precinct 4.

CONSENT AGENDA ITEMS 6 - 13:

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

Sheriff's Office : Ratify travel by R. Callie and S. Nicodemus to Fort Lauderdale, Florida, November 7-9, 2011, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
7. **BUDGET & FINANCE/BUDGET TRANSFERS:**
 - A. **Facilities Management & Planning : Approve transfer in the amount of \$25,000 as detailed on Auditor's form dated November 2, 2011 to allocate funds for improvements to the Transportation Facility on Eldridge Road.**
 - B. **Facilities Management & Planning : Approve transfer in the amount of \$500,000 from Commissioners Court Projects into Central Appraisal District Project to allocate funds for expansion of the facility.**

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- C. **Public Transportation** : Approve FY 2011 transfer in the amount of \$1,883,686 as detailed on Public Transportation Director's form dated November 1, 2011, to allocate local match funding for various grant programs.

8. **CONSTABLE, PCT. 4:**

Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and New Territory Residential Community Association, effective through September 30, 2012.

9. **ENGINEERING:**

- A. Approve payment of Invoice No. 14 - Final (Pay Estimate No. 14) in the amount of \$396,749.19 to Allgood Construction Company, Inc. regarding improvements to Greenbusch Road Phase II, Mobility Bond Project No. 732, Precinct 3. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 2011737 in the amount of \$12,005.44 and Invoice No. 2011723 in the amount of \$4,079.01 to Tedsi Infrastructure Group regarding the expansion of Harlem Road, Mobility Bond Project #725-A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 50382 in the amount of \$43,110.72 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)
- D. Approve payment of Invoice No. 11-09-010 (Pay Estimate No. 1) in the amount of \$45,384.00 to Kelly Kaluza & Associates regarding the expansion of Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)
- E. Approve payment of Invoice No. FBC2011-1006-718 in the amount of \$14,893.82 (Ludwig to US 90A) and Invoice No. FBC2011-1006-769 in the amount of \$13,748.14 (Avenue E to Ludwig) to SES Horizon Consulting Engineers, Inc. for improvements to Brand Lane, Mobility Bond Projects #718 and #769, Precinct 2. (Fund: 2007 Mobility Bonds)
- F. Approve payment of Invoice No. 211560114 in the amount of \$40,906.50, Invoice No. 211560115 in the amount of \$68,090.00 and Invoice No. 211560116 in the amount of \$30,678.00 to Huitt Zollars, Inc. regarding the expansion of Falcon Landing Blvd., (from Greenbusch to Katy-Gaston), Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)
- G. Approve payment of Invoice No. 201110-115A (Final), Pay Estimate No. 6, in the amount of \$73,750.51 to Durwood Greene Construction Company regarding Old Richmond Road (from Voss to West Airport Blvd.), Mobility Bond Project #728, Precinct 4. (Fund: 2007 Mobility Bonds)

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- H. **Approve release of Performance Bond #SUR0000654 in the amount of \$5,000.00 to Kinder Morgan Texas Pipeline, LLC for completion of work on Baker Road, Permit #83706, Precinct 1.**
- I. **Approve release of Performance Bond #5088590 in the amount of \$7,000.00 to Steel Crete, LLC for completion of work on Beechnut Street, Permit #83838, Precinct 3.**
- J. **Approve application from AT&T Texas to bury cable along Skinner Lane, Precinct 3.**
- K. **Approve application from Justiniano Sabillon to construct a driveway tie-in onto Clodine Road, Precinct 3.**
- L. **Approve application from Identity Homes to construct a driveway tie-in onto Knoll Oak Lane, Precinct 1.**
- M. **Approve application from Quadvest Construction LP to construct a driveway tie-in onto Clodine Road, Precinct 3.**
- N. **Approve acceptance of Travelers Casualty & Surety Company of America, Perpetual Bond #104984564 for HSC Pipeline Partnership, LLC.**
- O. **Approve application from HSC Pipeline Partnership, LLC to utilize a portion of Big Creek ByPass 11-B-ALT as staging area, Precinct 1.**
- P. **Approve application from Criss Knight dba C. Knight's plumbing to construct an outfall into Long Point Slough V-B, Precinct 3.**
- Q. **Release Oversize, Overweight...Letter of Credit #1481 in the amount of \$50,000.00 from Bruington Operating, L.L.C. for any and all damages that may be sustained to any roads (Pilcik Road) or bridges while operating equipment in Fort Bend County, Precinct 1.**
- R. **Approve reducing the bond amount for Cinco Ranch Southwest, Section 54 for Taylor Morrison of Texas, Inc. from \$406,770.00 to \$203,385.00 due to the project being in the 1-year warranty period; and authorize refund in the amount of \$203,385.00 plus fifty percent (50%) of the accrued interest to Taylor Morrison of Texas, Precinct 3.**
- S. **Approve the plat for Truckee Woods Subdivision, Precinct 3.**
- T. **Approve plat for the roads within Sienna Village of Anderson Springs, Section 15B, Precinct 2.**
- U. **Approve plat for the lots within Sienna Village of Anderson Springs, Section 15B, Precinct 2.**
- V. **Approve plat for the roads within Firethorne West, Section 6, Precinct 3.**

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- W. **Approve plat for the lots within Firethorne West, Section 6, Precinct 3.**
 - X. **Set public hearing for replat of Sienna Village of Anderson Springs, Section 15A, Partial Replat No. 1, Precinct 2 (December 13, 2011 at 1:00 p.m.).**
 - Y. **Set public hearing for Family Dollar Store FM 1464 Subdivision, being a replat of a portion of Restricted Reserve "A" of Twin Oaks Village, Section 15, Precinct 3 (December 13, 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. Twelve (12) to EE Reed Construction LP in the amount of \$84,902 for Construction Services regarding the University Branch Library in Sugar Land;**
 - B. **Invoice No. 10031359 in the amount of \$209.63 to PGAL for reimbursable expenses regarding the Justice Center;**
 - C. **Pay Application No. 11-013 003 in the amount of \$46,773.35 to Bass Construction Co., Inc., for Construction Services regarding the Employee Health Clinic.**
11. **HEALTH & HUMAN SERVICES:**
- Approve Full Release and Usage of County Property Agreement with the Spay-Neuter Assistance Program (SNAP) for five mobile clinic visits scheduled for FY 2012 at various County locations specified in the Agreement.**
12. **PUBLIC TRANSPORTATION:**
- Approve the United States of America Department of Transportation Federal Transit Administration Master Agreement FTA MA (13) dated October 1, 2011, and authorize the Transportation Director to electronically submit the document.**
13. **PURCHASING:**
- A. **Authorize advertising for Design/Build Construction of pavilion for Kitty Hollow Park.**
 - B. **Authorize advertising for bids for the widening project at Hwy 90A and Harlem Road.**

14. COUNTY JUDGE:

- A. Take all appropriate action on the appointment of Underwriters for the Issuance of \$65,000,000 Fort Bend County, Unlimited Tax Road Bonds, Series 2012.
- B. Take all appropriate action on the appointment of Underwriters for the Issuance of \$25,000,000 Fort Bend County Toll Road Authority, Senior Lien Toll Road Revenue Bonds, Series 2012.

15. COMMISSIONER, PCT. 3:

Take all appropriate action on the Agreement between Fort Bend County, Fort Bend County Municipal Utility District No. 37, and Pin Oak Village Homeowners Association, Inc. for Landscaping and Maintenance of the Westheimer Parkway Median.

16. ENGINEERING:

- A. Take all appropriate action to rescind action item number 44.B from October 25, 2011 Commissioners Court approving purchase of Parcel 41 of the Spur 10 Mobility Project in the amount of \$47,719 plus necessary costs not to exceed \$5,000 with funds from Right of Way and authorize County Judge to execute all necessary documents.
- B. Take all appropriate action to approve purchase of Parcel 46 of the Spur 10 Mobility Project in the amount of \$47,718, plus necessary closing costs not to exceed \$5,000 with funds from Right of Way and authorize County Judge to executive all necessary documents.
- C. Take all appropriate action on Development Agreement between Sunrise Meadow Subdivision (LGI Homes) and Fort Bend County to modify escrow requirements for the construction of Powerline Road, Precinct 1.
- D. Take all appropriate action on the plat for the roads within Sunrise Meadow, Section 6, Precinct 1.
- E. Take all appropriate action on the plat for the lots within Sunrise Meadow, Section 6, Precinct 1.

17. PURCHASING:

- A. Take all appropriate action to authorize the purchase of five (5) replacement trucks, Vehicle 3, from Helfman Ford, for Road and Bridge, pursuant to Bid #11-028. (Fund: Road and Bridge)
- B. Take all appropriate action to authorize the purchase of two (2) Duraco Pothole Patchers from R.B. Everett & Company utilizing Houston-Galveston Area Council Contract SM10-10, for a total amount not to exceed \$132,752.00. (Fund: Road & Bridge)
- C. Take all appropriate action to authorize the purchase of two (2) Etnyre Centennial Oil Distributors from R. B. Everett & Company utilizing Buy Board Agreement 268-07, for a total amount not to exceed \$89,872.00. (Fund: Road & Bridge)
- D. Take all appropriate action to authorize the purchase of one (1) replacement automobile, non-police package Caprice, from Classic Chevrolet, for Gus George Academy, for an amount of \$23,997.25 plus spare tire at \$220.00. (Fund: Gus George Academy)
- E. Take all appropriate action on Amendment No. 1 to the Agreement between Fort Bend County and Millis Development and Construction, Inc., pursuant to RFP #11-060, to extend the deadline for completion until January 31, 2012, with no increase in the amount of the Agreement.
- F. Take all appropriate action on Amendment No. 1 to the Agreement between Fort Bend County and AMJ Endeavors, LLC., pursuant to RFP 11-072, to extend the time of performance through February 29, 2012, with no increase in the amount of the Agreement.
- G. Take all appropriate action on Change Order No. 2 to the Agreement between Fort Bend County and Nunn Constructors, Ltd., pursuant to Bid #10-116, for a net decrease in the amount of \$4,930; total contract amount not to exceed \$582,313.00 for the City of Kendleton Wastewater Treatment Plant. (Fund: Community Development)
- H. Take all appropriate action to authorize the purchase of one (1) Volvo Soil Compactor from Romco Equipment Company Houston-Galveston Area Council Contract Number SM10-10, for a total amount not to exceed \$112,924. (Fund: Road & Bridge)
- I. Take all appropriate action on request for price increase and renewal of the Term Contract for Transportation Services from AFC Transportation effective November 8, 2011 through January 31, 2012, pursuant to Bid #06-030.

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18. ROAD & BRIDGE:

- A. Take all appropriate action on Change Order No. 1 to the Contract between Fort Bend County and Traffic Control Devices, Inc., pursuant to Bid #11-054, to increase the amount by \$20,329.45 for modifications during construction of the Traffic Signal at Mason Road and Northmoor Drive, Precinct 3. (Fund: Road & Bridge, Traffic Signals)
- B. Take all appropriate action to approve a Change Order to Contract #TS8707-48 between Houston-Galveston Area Council and Fort Bend County for the Clean Cities/Clean Vehicles Grant to extend the performance period until December 31, 2011.

19. SHERIFF'S OFFICE:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$1,500.00 to National Academies of Emergency Dispatch for recertification of dispatchers obtained without a purchase order. (Fund: Sheriff's Office, Fees)

20. Approve Bills.

21. Authorize County Auditor to pay and release time-sensitive bills on November 17, 2011, to be ratified by Commissioners Court on November 22, 2011.

22. 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.

Civil Action No. 3:11-CV-02733-O; Dallas County, Texas vs. MERSCORP, Inc., et al.; In the United States District Court Northern District of Texas, Dallas Division.

- 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.

Burney Road, Mobility Bond Project #719, Precinct 3.

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

A. § 551.071. Consultation With Attorney.

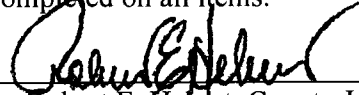
Civil Action No. 3:11-CV-02733-O; Dallas County, Texas vs. MERSCORP, Inc., et al.; In the United States District Court Northern District of Texas, Dallas Division.

B. § 551.072. Deliberation Regarding Real Property.

Burney Road, Mobility Bond Project #719, Precinct 3.

24. 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, November 4, 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 11:31 ~~A.M.~~ P.M.

NOV 04 2011

Dianne Wilson SF
County Clerk Fort Bend Co. Texas