

February 7, 2012

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, FEBRUARY 7, 2012  
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 January 24, 2012.
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 traffic control plan for Falcon Landing Boulevard at Spring Green Boulevard, Precinct 3.
  - B. Acceptance of traffic control plan for Westheimer Lakes North, Section 4, Section 10, and Section 11, Precinct 3.

**CONSENT AGENDA ITEMS 6 - 19:**

6. **OUT OF STATE TRAVEL: Record into Minutes the out of state travel by elected official:**

**Constable, Pct. 2 : Constable Ruben Davis to Little Rock, Arkansas, July 20-25, 2012, to attend the National Organization of Black Law Enforcement (NOBLE) annual training conference. (Fund: Constable, Pct. 2, Travel)**
7. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **District Attorney : John Bohannon to Las Vegas, Nevada, April 15-19, 2012, to attend seminar sponsored by Association of Certified Fraud Examiners. (Fund: District Attorney, State Asset Forfeiture Fund)**
  - B. **Library : Daniel Sample to Cincinnati, Ohio, May 8-13, 2012, to attend the National Genealogical Society 2012 Family History Conference. (Fund: Library, Travel)**

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- C. **Library** : Kenny Chao to Anaheim, California, June 22-26, 2012, to attend the American Library Association Annual Conference. (Fund: Library, Travel)
  - D. **Purchasing** : Gilbert Jalomo, Debbie Kaminski and Cheryl Krejci to Seattle, Washington, August 17-23, 2012, to attend the National Institute of Governmental Purchasing Annual Forum. (Fund: Purchasing, Travel)
  - E. **Risk Management** : Darlene Wieghat and Sandy Kucera to San Francisco, California, April 14-18, 2012, to attend the State & Local Government Benefits Association (SALGBA) National Conference. (Fund: Risk Management, Travel)
  - F. **Sheriff's Office** : Ratify travel by B. Wood and A. Wright to Jacksonville, Florida, February 4-10, 2012, for a trial. (Fund: Sheriff, Enforcement, Travel)
  - G. **Sheriff's Office** : S. Rader and K. Rader to Washington, D.C., May 10-19, 2012, to provide Honor Guard escort for Norsworthy family to National Law Enforcement Memorial and Concerns of Police Survivors Conference. (Fund: Sheriff, Enforcement, Travel)
  - H. **Sheriff's Office** : S. Costello to Gulfport, Mississippi, June 4-8, 2012, to attend law enforcement training course. (Fund: Sheriff, Enforcement, Travel)
8. **COMMISSIONER, PCT. 1:**
- A. **Approve the reappointment of Ronald Castillo to Position No. 8, representing Fort Bend County on the Board of Directors of Tax Increment Reinvestment Zone No. 2 (TIRZ No. 2), for a two year term to expire December 31, 2013.**
  - B. **Approve recommendation by Fresno/Arcola Advisory Committee to fund Fort Bend Seniors, Meals on Wheels & Much, Much More for the Fresno/Arcola area utilizing revenue received from BFI tipping fees, and approve renewal of the Agreement between Fort Bend County and Fort Bend Seniors, Meals on Wheels & Much, Much More for congregate meals and other programs that are related directly to seniors living in the Fresno/Arcola area in an amount not to exceed \$17,358 effective through September 30, 2012. (Fund: Fresno/Arcola Projects)**
  - C. **Approve Interlocal Project Agreement between Fort Bend County and City of Kendleton to demolish vacant housing structures and remove vegetative debris at nine (9) specified properties located within the City, County expenditure not to exceed \$19,305. (Fund: Road & Bridge)**

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9. COMMISSIONERS, PCT. 3 and 4:

Approve the reappointment of Ben Bono, Ernie Carter and James White as Commissioners to the Fort Bend County Emergency Services District No. 5 for the term of January 1, 2012 through December 31, 2013.

10. BUDGET & FINANCE/BUDGET TRANSFERS:

- A. **Budget Office** : Approve transfer in the amount of \$327,565 as detailed on Budget Director's form dated February 1, 2012, pursuant to FY 2012 First Quarter Salary Audit.
- B. **Budget Office** : Approve transfer in the amount of \$315 from Fees into Information Technology to allocate funds for replacement of hard drive on printer.
- C. **County Court at Law No. 1:** Approve transfer in the amount of \$5,400 from Fees and Services into Capital Acquisitions to allocate funds for purchase of copier, including color printer and scanner.
- D. **Facilities Management & Planning** : Approve transfer in the amount of \$200,000 as detailed on Auditor's form dated January 31, 2012 to allocate additional funds for renovations to the Travis Building.
- E. **Juvenile Detention & Probation Department** : Approve transfer in the amount of \$50,310 as detailed on Auditor's form dated January 30, 2012, to reallocate funds for Juvenile Projects.
- F. **Road & Bridge** : Approve transfer in the amount of \$124,600 as detailed on Budget Director's form dated February 1, 2012, pursuant to FY 2012 First Quarter Salary Audit.
- G. **Sheriff's Office** : Approve transfer in the amount of \$142,348 from Sheriff, Federal Forfeited Assets, Contingency, into Property and Equipment to allocate funds for the purchase of four replacement and two additional vehicles.

11. **ENGINEERING:**
  - A. **Approve payment of Invoice No. 3987 in the amount of \$17,687.50 to Property Acquisitions Services, Inc. (PAS) for various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
  - B. **Approve payment of Invoice No. 11-12-009 (Pay Estimate No. 3) in the amount of \$7,070.00 to Kelly R. Kaluza, Inc. regarding improvements to Harlem Road, Mobility Bond Project #726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
  - C. **Approve payment of Invoice No. ES110426-4 (Pay Estimate No. 4) in the amount of \$1,439.50 to Amani Engineering, Inc. regarding the traffic signal at the intersection of Harlem Road and Plantation Drive, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
  - D. **Approve payment of Invoice No. 236373 (Pay Estimate No. 1) in the amount of \$64,517.29 to Cobb-Fendley & Associates, Inc. regarding improvements to Gaston Road, Mobility Bond Project #733, Precinct 3. (Fund: 2007 Mobility Bonds)**
  - E. **Approve payment of Invoice No. 779-001-01 (Pay Estimate No. 1) in the amount of \$18,058.00 to TSC Engineering regarding improvements to West Belfort Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**
  - F. **Approve payment of Invoice No. 3 (Pay Estimate No. 3) in the amount of \$2,318.49 to HR Green, Inc. to replace an existing bridge on Knight Road at the Gulf Coast Water Authority Canal, Precinct 2. (Fund: 2000 Mobility Bonds)**
  - G. **Approve payment of Invoice No. 211560119R in the amount of \$15,623.41 to Huit-Zollars, Inc. regarding the expansion of Falcon Landing Blvd. (from Greenbusch to Katy-Gaston), Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
  - H. **Approve payment of Invoice No. 11-11-005 (Pay Estimate No. 3) in the amount of \$47,334.00 to Kelly R. Kaluza & Associates, Inc. regarding the expansion of Golfview Drive, Mobility Bond Project #709, Precinct 1. (Fund: 2007 Mobility Bonds)**
  - I. **Approve payment of Invoice No. 11328 in the amount of \$5,859.70 to Lippke, Cartwright, & Roberts, Inc. regarding improvements to Front Street (Ransom Road), Mobility Bond Project #747, Precinct 1. (Fund: 2007 Mobility Bonds)**
  - J. **Approve payment of Invoice No. 2011830 in the amount of \$11,177.55 to Teds Infrastructure Group regarding the expansion of Harlem Road, Mobility Bond Project # 725-A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**

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- K. **Approve release of Cashier's Check #0024207213 in the amount of \$5,000.00 to DM Builders, LLC for completion of work on Starbridge Lake Lane, Permit #84024, Precinct 3.**
- L. **Approve release of cashier's check #0024207212 in the amount of \$5,000.00 to DM Builders, LLC for completion of work on Rockway Point Lane, Permit #84025, Precinct 3.**
- M. **Approve application from AT&T Texas to bury cable along Kroesche Road, Pct. 1.**
- N. **Approve application from Consolidated Communications to bore under and bury cable along Grunwald, Precinct 1.**
- O. **Approve application from ETC NGL Transport, LLC to bore under Big Creek, Dutch John Creek, Jeske and Padon Road, Precinct 1.**
- P. **Approve application from AT&T to construct a retaining wall on Ransom Road, Precinct 1.**
- Q. **Approve application from HSC Pipeline Partnership to construct two driveway tie-ins; one on Sawmill, and one on Pleasant Road, Precinct 1.**
- R. **Approve application from JW's Pipeline Integrity Services, LLC to drill 1/2 -inch holes every 10-feet across Prairie Hawk Road to inspect pipeline, Precinct 3.**
- S. **Approve application from Otwell Construction, Inc. to construct a driveway tie-in onto Katy-Gaston, Precinct 3.**
- T. **Approve the plat for the Villas at Mason Apartments, Precinct 3.**
- U. **Approve the plat for Cynthia Gifford, Precinct 1.**
- V. **Approve the plat for Trinity Baptist Church of Katy, Precinct 3.**
- W. **Approve the plat for Ellen Beal Subdivision, Precinct 1.**
- X. **Approve the plat for Fulbrook, Section 5B Replat of Lots 15, 16, and 17 of Block 1, Precinct 3.**
- Y. **Set public hearing for Fulbrook, Section 5B Replat of Lots 18 and 19 of Block 1, Precinct 3. (*Tuesday, March 13, 2012, at 1:00 p.m.*)**

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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. Pay Application No. 13 to EE Reed Construction, LP in the amount of \$471,585.00 for Construction Services regarding the University Branch Library in Sugar Land;
  - B. Pay Application No. 33 in the amount of \$139,748.00 to JE Dunn South Central, Inc., for Construction Services regarding the Justice Center.
13. **FIRE MARSHAL:**

Record into Minutes the Racial Profiling Report dated January 18, 2012 for the Fire Marshal's Office, pursuant to Code of Criminal Procedure, Article 2.132.
14. **FORT BEND FLOOD CONTROL WATER SUPPLY CORP.:** The Board of Directors of the Fort Bend Flood Control Water Supply Corporation reviewed these items at their regular meeting held on January 25, 2012, and makes the following recommendations to Commissioners Court:
  - A. Approve proposal in the amount of \$6,198.00 for renewal of insurance policies for the Fort Bend Flood Control Water Supply Corporation with SIG/McDonald & Wessendorff Insurance for one year, effective February 12, 2012.
  - B. Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated January 25, 2012 for an amount totaling \$123,977.73 regarding Big Creek. (Fund: Big Creek)
15. **HEALTH & HUMAN SERVICES:**

Social Services : Approve renewal of Vendor Agreement between Fort Bend County and Green Mountain Energy Company to participate in the Bill Payment Assistance Program from January 1, 2012 through December 31, 2012.
16. **LIBRARY:**

Approve acceptance of grant funds from The George Foundation for the purchase of digital equipment and signage for the Fort Bend County Libraries, and authorize County Judge to sign all documents pertaining to the grant award.

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17. **PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
  - A. **Bids for traffic signalization project at Bay Hill Blvd and Falcon Landing Blvd.**
  - B. **Bids for culverts.**
  - C. **Bids for bridge materials.**
  - D. **Bids for road materials.**
  - E. **Bids for traffic signal at West Airport and Old Richmond.**
  - F. **Statements of Qualifications for Design Build of City of Arcola Community Center Rehabilitation/Renovations.**
  - G. **Statements of Qualifications for Design Build of City of Kendleton Sanitary Sewer Improvements.**
  - H. **Bids for truck with utility bed.**
  - I. **Statements of Qualification for professional architect for Library Administration Building.**
  - J. **Statements of Qualifications for Design Build Services to renovate George Memorial Library.**
  - K. **Request for proposals for Construction of Library Administration Office.**
  - L. **Request for Proposals for Emergency Communication and Incident Support Trailer.**
18. **ROAD & BRIDGE:**
  - A. **Approve payment of Invoice No. 21783 in the amount of \$3,498.36 to Terra Associates, Inc. for work done on the traffic signal design at the intersection of West Airport and Old Richmond Road. (Fund: Road & Bridge, Traffic Signals)**
  - B. **Approve payment of Invoice No. 2011752 in he amount of \$1,065.00 to TEDSI Infrastructure Group for additional surveying on the traffic signal at the intersection of Westheimer Parkway and Greenbusch Road/Saddle Spur. (Fund: Road & Bridge, Traffic Signals)**

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- C. **Approve payment of Invoice No. 9850 in the amount of \$2,877.00 to IDC, Inc. for survey information regarding the widening of Crabb River Road, from US 59 to south of Lamar Consolidated Independent School District new high school/junior high school complex. (Fund: Road & Bridge)**
- D. **Approve payment of Invoice No. 1119 in the amount of \$84,259.71 to Reliable Signal & Lighting Solutions, LLC for traffic signal construction at the intersection of Highland Knolls and Greenway Village. (Fund: Road & Bridge, Traffic Signals)**

19. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the disposal of miscellaneous auto documentation, for years dated 2005 through 2010, as detailed on report dated January 27, 2012, for the Office of Patsy Schultz.**
  - B. **Approve refund in the amount of \$2,763.31 to Inter-Tel Incorporated for duplicate tax payments over three years on multiple tax accounts, as detailed on Tax Assessor's request dated January 12, 2012.**
  - C. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 1, 2012, for an amount totaling \$69,047.08 for the Office Patsy Schultz.**
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20. **COUNTY JUDGE:**

The Board of Directors of the Fort Bend County Industrial Development Corporation reviewed the following item at their regular meeting held on February 3, 2012, and makes this recommendation to Commissioners Court:

- Take all appropriate action on Resolution Approving Issuance by Fort Bend County Industrial Development Corporation Revenue Bonds (NRG Energy, Inc. Project), Series 2012.

21. **COMMISSIONER, PCT. 1:**

Take all appropriate action on the appointment of Edward Eugene Reed to the Board of Directors of Fort Bend County Levee Improvement District No. 6, to fill the vacancy created by resignation of Charles Herder, for a term effective until June 5, 2015.

22. **ASSOCIATE COUNTY COURT AT LAW:**

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$46.50 to West Group for materials received without a purchase order. (Fund: Associate Court at Law, Office Supplies)

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23. COMMUNITY DEVELOPMENT:

Take all appropriate action on Agreement between Fort Bend County and City of Rosenberg in the amount of \$221,430.00 for the installation of a sewer line, part of the FY 2011 Consolidated Action Plan approved by Commissioners Court on July 5, 2011, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Community Development Block Grant)

24. COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT:

Take all appropriate action on grant application to the Office of the Governor, Criminal Justice Division, for grant funding in the amount of \$150,000 for the 2013 Felony Drug Court (CARD), Misdemeanor Drug Court and the DWI Court Programs, with no cash match required by Fort Bend County.

25. CONSTABLE, PCT. 2:

Take all appropriate action on request to transfer the amount of \$24,834 from Non-Departmental Contingency into Constable, Pct. 2, Capital Acquisitions, to allocate funds for purchase of replacement Vehicle I067, necessary due to mechanical problems.

26. ENGINEERING:

A. Take all appropriate action on the Professional Engineering Services Agreement between Fort Bend County and Burk-Kleinpeter, Inc. for the widening of Trammel Fresno Road from Vicksburg Blvd. to Hurricane Lane, in an amount not-to-exceed \$295,656.00; Mobility Bond Project #755, Precinct 2. (Fund: 2007 Mobility Bonds)

B. Take all appropriate action on the Professional Engineering Services Agreement between Fort Bend County and Progressive Consulting Engineers, PLLC, in an amount not to exceed \$73,845 for preliminary engineering reports on intersection improvements for Grand Parkway at Fry Road, Grand Parkway at Westheimer Road, Grand Parkway at Cinco Ranch Blvd., and Cinco Ranch Blvd. at Westheimer Parkway, Precinct 3. (Fund: Road & Bridge)

C. Take all appropriate action on request by Richard H. Oberrender for a variance to the Fort Bend County Regulations of Subdivision, Section 2.2B, to divide 5.003 acres out of a called 50.241-acre tract situated in the H. & T. C. RR. Co. Section 45 Survey, Abstract 227, recorded in official Fort Bend County Deed Records, Instrument #2006148892 and Instrument #2011117988, Fort Bend County, Texas, Precinct 1.

27. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on Agreement and Full Release between Fort Bend County and the City of Richmond for use of the County parking lot consisting of 0.573 acres of land, located at the corner of Liberty Street and Third Street, Richmond, Texas.

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28. HUMAN RESOURCES:

Take all appropriate action on the Alliance Memorandum of Understanding as presented by University of Phoenix in order to provide tuition reduction to Fort Bend County employees who meet the University's admission standards and authorize County Judge to sign all documents pertaining to the Agreement.

29. JUSTICE OF THE PEACE, PCT. 1, PL. 1:

Take all appropriate action on request to transfer the amount of \$2,090 from Non-Departmental Contingency into line items detailed on Budget Director's form dated January 31, 2012, to allocate funds for temporary assistance.

30. PURCHASING:

- A. Take all appropriate action to authorize the purchase of two (2) replacement automobiles and two (2) addition to fleet vehicles, from Helfman Ford, for Sheriff's Office, pursuant to Bid #07-003, for a total amount of \$59,334.48. (Fund: Sheriff's Office, Federal Forfeited Assets)
- B. Take all appropriate action to authorize the purchase of two (2) replacement automobiles, from Caldwell Chevrolet, for Sheriff's Office, pursuant to Bid #11-028, for a total amount of \$50,188. (Fund: Risk Management and Sheriff's Office, Federal Forfeited Assets)
- C. Take all appropriate action to authorize the purchase of one replacement vehicle, Vehicle 13 from Caldwell Chevrolet for the Office of Constable, Precinct 2, pursuant to Bid #11-028, for an amount not to exceed \$24,834. (Fund: Constable, Precinct 2)
- D. Take all appropriate action to authorize the purchase of portable surveillance system from Mace Homeland Security utilizing GSA Contract GS-03F-0008S in an amount not to exceed \$55,000 for the Sheriff's Office. (Fund: Office of Emergency Management, Homeland Security Grant)
- E. Take all appropriate action on Bid #12-021 for Traffic Signalization Project: Fry Road at Gaston Road.
- F. Take all appropriate action on RFP #12-026 for Bulk Fuel.
- G. Take all appropriate action on Oil, Gas and Mineral Lease between Fort Bend County and Halex Oil Corporation pursuant to RFP #12-013.
- H. Take all appropriate action on Kitty Hollow Park Pavilion Design Build Agreement between Fort Bend County and Digna Corporation, pursuant to SOQ #12-012, in an amount not to exceed \$87,659.66. (Fund: Parks Department)
- I. Take all appropriate action on RFP #12-024 for Landscape Maintenance of Eugene Heiman Circle facilities.

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- J. Take all appropriate action on price increase request from Reflection Printing pursuant to Bid #11-040 for Printing of Stationary.
- K. Take all appropriate action on the purchase of Tyler replacement servers from Dell Marketing utilizing Department of Information Resources Contract DIR-SDD-890-TX for an amount not to exceed \$88,789.94 (Fund: Information Technology and County Clerk)
- L. Take all appropriate action on purchase of SWAT Team equipment for Fort Bend County Sheriff's Office from Maxavision Technologies utilizing TXMAS-9-84070 Agreement for an amount not to exceed \$104,912.36. (Fund: Office of Emergency Management, UASI LETP Grant)
- M. Take all appropriate action on Addendum to Agreement between Fort Bend County and Polaris Library Systems for additional software, licenses, upgrade, and maintenance in an amount not to exceed \$25,230. (Fund: Library)
- N. Take all appropriate action on the purchase of replacement equipment for the Fort Bend County Communications On Wheels trailer from Motorola Solutions utilizing Houston-Galveston Area Council Contract No. RA01-08 for an amount not to exceed \$148,579.50. (Fund: Office of Emergency Management, Homeland Security Grant)
- 31. ROAD & BRIDGE:  
  
Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$3,293.25 to Comdata (formerly Transmontaigne Products) for fuel purchased after purchase order closed. (Fund: Vehicle Maintenance)
- 32. Approve Bills.
- 33. Ratify the release of time-sensitive bills by Auditor on February 2, 2012.
- 34. WORKSHOP:  
  
Receive presentation by the Fort Bend County Toll Road Authority.
- 35. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:  
  
§ 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.  
  
Pending Litigation: Civil Action No. 4:12-CV-00131; Lois M. Davis v. Fort Bend County, United States District Court, Southern District of Texas, Houston Division.

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

§ 551.071. Consultation With Attorney.

Pending Litigation: Civil Action No. 4:12-CV-00131; Lois M. Davis v. Fort Bend County, United States District Court, Southern District of Texas, Houston Division.

37. 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, February 3, 2012. 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  
NO \_\_\_\_\_ TIME 1:50 AM  
P.M.

FEB 03 2012 SF

  
County Clerk Fort Bend Co. Texas