

February 14, 2012

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, FEBRUARY 14, 2012
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 February 7, 2012.
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: Long Meadow Farms Commercial Reserve, Section 2, Replat No, 3, Precinct 4.

CONSENT AGENDA ITEMS 6 - 17:

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Information Technology : Approve change in travel dates for Jonathan Mankey to Denver, Colorado, April 20-25, 2012, to attend the Inforum 2012 Lawson User Conference. (Fund: Lawson Upgrade Project)**
 - B. **Office of Emergency Management : Jeff Braun to Emmitsburg, Maryland, July 29 through August 2, 2012, to attend Advanced Public Information Officer Training at the Emergency Management Institute. (Fund: Office of Emergency Management, Travel)**
 - C. **Office of Emergency Management : Miles Tollison to Columbus, Ohio, May 21-24, 2012, to attend the 2012 National Homeland Security Conference. (Fund: Office of Emergency Management, 2010 UASI Grant)**
 - D. **Sheriff's Office : Ratify travel by E. Parr and R. Callie to Las Vegas, Nevada, February 7-9, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

February 14, 2012

- E. **Sheriff's Office** : Ratify travel by M. Kubricht and J. Murray to Fairfax, Virginia, February 6-8, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- F. **Sheriff's Office:** K. Carter and R. Williamson to Las Vegas, Nevada, February 15-17, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- 7. **COUNTY JUDGE:**
 - A. Approve request from ELI.FIN Development, Inc. and OMB Valves, Inc. to delay construction of improvements as required under the Tax Abatement Agreement approved by Commissioners Court on November 22, 2011, from January 31, 2012 to April 30, 2012.
 - B. Approve Amendment Number 2 to the Intergovernmental Cooperative Reimbursement Agreement between Texas Commission on Environmental Quality (TCEQ) and Fort Bend County for operation and administration of the Low Income Vehicle Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program (LIRAP) effective through August 31, 2013.
- 8. **BUDGET & FINANCE:**
 - A. Approve the Quarterly County Investment Report for the First Quarter of Fiscal Year 2012 in accordance with Texas Government Code §2256.023.
 - B. **BUDGET TRANSFER:**
Budget Office : Approve transfer in the amount of \$1,471,347 as detailed on Director's form dated February 8, 2012, to reallocate funds budgeted for employee supplemental compensation into various departmental accounts.
- 9. **CONSTABLE, PCT. 2:**

Record into Minutes the Racial Profiling Report, Tier 2, dated February 7, 2012, for the Office of Constable, Precinct 2, pursuant to Code of Criminal Procedure, Articles 2.131-2.138.

February 14, 2012

10. **ENGINEERING:**
- A. **Approve payment of Invoice No. 50776 in the amount of \$12,134.02 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)**
 - B. **Approve payment of Invoice No. 2 (Pay Estimate No. 2) in the amount of \$13,523.15 to Southwest Signal Supply, Inc. regarding Bid #11-084 for the intersection of Harlem Road at Plantation Drive, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
 - C. **Approve payment of Invoice No. 1201-40 (Pay Estimate No. 4) in the amount of \$7,665.00 to JNS Engineers, LLC regarding roadway improvements for Falcon Landing, Katy Gaston from Willowfork Bayou to Spring Green and Katy Gaston), Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**
 - D. **Approve release of Performance Bond #70858914 in the amount of \$5,000.00 to Tomco Ent. Inc. for completion of work on Gonyo Lane, Permit #83714, Precinct 1.**
 - E. **Approve application from Verizon Communications to bore under and bury cable along Mistletoe Lane and Walnut Avenue, Precinct 1.**
 - F. **Approve application from Phonoscope LLC to bore under and bury fiber optic cable along Fort Bend Parkway Toll Road and West Fuqua, Precinct 2.**
 - G. **Approve application from Consolidated Communications to bury fiber optic cable along Bellaire Blvd., Precinct 3.**
 - H. **Approve the plat for Fulbrook, Section Three "A" Replat of Lots 4 and 5 of Block 3, Precinct 3.**
 - I. **Approve plat for the roads within Canyon Village at Westheimer Lakes, Section 5, Precinct 3.**
 - J. **Approve plat for the lots within Canyon Village at Westheimer Lakes, Section 5, Precinct 3.**
 - K. **Approve plat for the roads within Lakemont Lake Bend, Section 1, Precinct 3.**
 - L. **Approve plat for the lots within Lakemont Lake Bend, Section 1, Precinct 3.**

February 14, 2012

11. **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. 10-012 006 in the amount of \$94,511.45 to Bass Construction for design/build services regarding the Animal Services Expansion project;**
 - B. **Pay Application No. 11-013 006 in the amount of \$41,808.69 to Bass Construction Co., Inc., for construction services regarding the Employee Health Clinic;**
 - C. **Pay Application No. 11-012 006 in the amount of \$572.17 to Bass Construction Co., Inc., for construction services regarding renovations to the Travis Building.**

12. **FIRE MARSHAL:**

Approve and record Texas Official Bond and Oath in the amount of \$2,000 for K. D. Herring, as Fire Investigator, effective February 8, 2012 through November 28, 2012.

13. **HEALTH & HUMAN SERVICES:**

Clinical Health : Approve Amendment to the Affiliation Agreement between Fort Bend County and University of Houston - Victoria School of Nursing, with reference to conducting student background checks.

14. **HUMAN RESOURCES:**

Approve request for withdrawal of 160 hours from the Shared Sick Leave Pool for employee of Juvenile Probation, Position No. 5751-0008.

15. **PUBLIC TRANSPORTATION:**
 - A. **Approve Amendment No. 2 to the Agreement between Fort Bend County and AMJ Endeavors, LLC to extend the deadline for completion of vinyl bus wraps until August 29, 2012, with no increase in the amount of the Agreement.**
 - B. **Approve Amendment No. 1 to the Agreement between Fort Bend County and Claunch & Miller, Inc. to extend the deadline for completion of design of the Highway 36 Park & Ride until April 1, 2012, with no increase in the amount of the Agreement.**

16. **PURCHASING:**

Authorize advertising for bids for reconstruction of Burney Road.

February 14, 2012

17. **TAX ASSESSOR/COLLECTOR:**

- A. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 8, 2012, for an amount totaling \$2,770.75 for the Office of Patsy Schultz.**
 - B. **Record into Minutes the disposal of Accounting Documentation dated years 2006-2010, and detailed on Tax Assessor's form submitted on February 3, 2012, in accordance with the State Archive Retention Schedule of Destruction for the Office of Patsy Schultz.**
 - C. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 8, 2012, for an amount totaling \$10,566.42 for the Office of Patsy Schultz.**
-

18. **COMMUNITY DEVELOPMENT:**

- A. Take all appropriate action on Agreement between Fort Bend County and City of Arcola in the amount of \$114,405 for build-out of an existing warehouse space to be used as a Multi-Purpose Community Center, part of the FY 2011 Consolidated Action Plan approved by Commissioners Court on July 5, 2011. (Fund: Community Development Block Grant)
- B. Take all appropriate action on the First Modification of Agreement between Fort Bend County and City of Arcola for Sanitary Sewer Improvements, to increase the amount by \$100,000 for a total contract amount not to exceed \$261,040 and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Community Development Block Grant)
- C. Take all appropriate action on Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 19 in the amount of \$100,000 for water line replacement, part of the 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)
- D. Take all appropriate action on First Modification of Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 19, to increase the amount of the Agreement by \$56,000 for a total contract amount not to exceed \$155,300 for replacement of the lift station in Riverwood, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Community Development Block Grant)
- E. Take all appropriate action on Agreement between Fort Bend County and City of Kendleton in the amount of \$300,000 for reconstruction/construction of five sanitary sewer lift stations, 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)

February 14, 2012

19. CONSTABLE, PCT. 2:

- A. Take all appropriate action on Agreement for Additional Law Enforcement Services between Fort Bend County and Briar Villa Homeowners Association effective through September 30, 2012.
- B. Take all appropriate action on Agreement for Additional Law Enforcement Services between Fort Bend County and Big Oaks Municipal Utility District, effective through September 30, 2012.

20. COUNTY COURT AT LAW NO. 2:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$79.11 to Matthew Bender & Co., Inc. for legal materials received without a purchase order. (Fund: County Court at Law No. 2, Office Supplies)

21. COUNTY COURT AT LAW NO. 3:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$153.75 to West Group for legal materials invoiced after purchase order closed. (Fund: County Court at Law No. 3, Office Supplies)

22. ENGINEERING:

- A. Take all appropriate action on request for temporary road closure of Hurta Road, in the Needville area, for 3-day closure, from February 18 through February 21, 2012, for pipeline construction purposes, according to Section 251.011 of the Texas Transportation Code, Precinct 1.
- B. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Katy Creek Ranch , Section 8, on behalf of Katy Creek Ranch, LP, Precinct 3.
- C. Take all appropriate action on plat for the roads within Katy Creek Ranch, Section 8, Precinct 3.
- D. Take all appropriate action on plat for the lots within Katy Creek Ranch, Section 8, Pct. 3.

February 14, 2012

- E. Take all appropriate action on request for variance to the building set back line requirement, (Section 5.12 C of the Fort Bend County Regulations of Subdivisions), for Sienna Village of Anderson Springs, Section 18B, on behalf of Sienna/Johnson North, L.P., Precinct 2.
 - F. Take all appropriate action on plat for the roads within Sienna Village of Anderson Springs, Section 18B, Precinct 2.
 - G. Take all appropriate action on plat for the lots within Sienna Village of Anderson Springs, Section 18B, Precinct 2.
23. HEALTH & HUMAN SERVICES:
- A. Take all appropriate action on Agreement between Fort Bend County and the National Association of Counties (NACo) for the NACo Discount Prescription Drug Card Program, and authorize the Fort Bend County Auditor to create a “Health and Wellness Programs and Activities Fund” for deposit of Prescription Drug Card Revenue Sharing Fees, and authorize County Judge to sign Agreement.
 - B. Veterans Services : Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$652.92 to Sprint for cell and air card monthly charges incurred without a purchase order. (Fund: Veterans Services, Fees)
24. JUVENILE PROBATION & DETENTION:
- Take all appropriate action on grant application to the Office of the Governor, Criminal Justice Division, General Juvenile Justice and Delinquency Prevention Programs, for grant funding in the amount of \$125,000 for expansion of the 2012/2013 Transitions Work/Study Program, and authorize electronic submission of the application, subject to ratification by the Juvenile Board on March 7, 2012, with no cash match required by Fort Bend County.
25. PURCHASING:
- A. Take all appropriate action on request to transfer the amount of \$239 from Non-Departmental Contingency into Purchasing, Fees, to rectify insufficient collection of tax from an online auction conducted in 2010.
 - B. Take all appropriate action to authorize the purchase of one (1) ambulance module from Frazer Ltd. utilizing Buy Board Agreement 324-09, for an amount not to exceed \$88,375. (Fund: Emergency Medical Service)
 - C. Take all appropriate action on RFP #12-024 for Landscape Maintenance of Eugene Heiman Circle facilities.
 - D. Take all appropriate action on request to amend Purchase Order 84571 to Walkercom, Inc. to add additional phones utilizing DIR Agreement DIR-SDD-1499 for an additional amount not to exceed \$604.70. (Fund: Library)

February 14, 2012

- E. Take all appropriate action to authorize the purchase of software and support from Perceptive Software utilizing DIR Agreement DIR-SDD-1753, for an amount not to exceed \$8,037.87. (Fund: Sheriff's Office)
- F. Take all appropriate action on three (3) year, prepaid Maintenance Agreement between Fort Bend County and DataVox Technology Center, utilizing Department of Information Resources Contract DIR-SDD-1513, in an amount not to exceed \$98,660.62. (Fund: Sheriff's Office, Fees)
- 26. Approve Bills.
- 27. Authorize County Auditor to pay and release time sensitive bills on February 23, 2012, to be ratified by Commissioners Court on February 28, 2012.
- 28. 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.

Texas Historical Commission: Texas Courthouse Preservation Program.
 - 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.

Acquisition of property: Mason Road, Mobility Bond Project No. 735, Precinct 3.

February 14, 2012

29. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
Texas Historical Commission: Texas Courthouse Preservation Program.
 - B. § 551.072. Deliberation Regarding Real Property.
Acquisition of property: Mason Road, Mobility Bond Project No. 735, Precinct 3.
30. 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 10, 2012. 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 12:17 AM (P.M.)

FEB 10 2012

JF


County Clerk Fort Bend Co. Texas