

June 5, 2012

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, JUNE 5, 2012
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Patterson.
3. Approve minutes of regular meeting held on May 22, 2012, and special meeting for budget workshop held on May 23, 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 the revised Traffic/Safety Study for Katy ISD Elementary School No. 32 at Cinco Terrace and Fiona Sky Lane Extension and Reserves, Precinct 3.
 - B. Acceptance of the traffic control plan to establish and approve regulatory traffic control devices on Katy Gaston Road, Mobility Bond Project #733, from FM 1093 to Cinco Ranch Boulevard, and modification to the speed limit for School Zones along Fry Road, Pct. 3.
 - C. Acceptance of the traffic control plan for Cinco Ranch Southwest, Section 10, Section 44, Section 47, Section 48, Section 52, and Cinco Ranch Boulevard West of Cinco Terrace Drive before FM 1463 STD, Precinct 3.

CONSENT AGENDA ITEMS 6 - 18:

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Engineering : Ronald Drachenberg to Pittsburgh, Pennsylvania, July 12-14, 2012, to attend the National Association of County Engineers (NACE) Board Meeting, coordinated with the National Association of Counties Conference. (Fund: Engineering, Travel)**
 - B. **Library : Joseph Lawson to Boston, Massachusetts, July 19-25, 2012, to attend the American Association of Law Libraries Annual Conference. (Fund: Library, Travel)**

June 5, 2012

- C. **Sheriff's Office** : Ratify travel by K. Carter and K. Guel to Lake Charles, Louisiana, May 25, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- D. **Sheriff's Office** : Ratify travel by J. Orlop and B. Marcus to Farmersville, Louisiana, May 25, 2012, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)
- E. **Sheriff's Office** : Ratify travel by S. Rader and K. Rader to Washington, D.C., May 10-20, 2012, to accompany Norsworthy family to National Law Enforcement Memorial. (Fund: Sheriff, Enforcement, Travel)

7. **COUNTY JUDGE:**

Approve the appointment of Commissioner Grady Prestage as Fort Bend County's Designated Delegate to the 2012 National Association of Counties (NACo) Annual Conference.

8. **AUDITOR:**

Accept Monthly Financial Report prepared by the County Auditor for six months ending March 31, 2012 pursuant to Local Government Code Section 114.023.

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

- A. **Facilities Management & Planning** : Approve transfer in the amount of \$2,237,422 as detailed on Auditor's form dated May 1, 2012 to reallocate unused funds within the Capital Improvement Projects.
- B. **Health & Human Services - Emergency Medical Service** : Approve transfer in the amount of \$18,000 from Property and Equipment into Capital Acquisitions to allocate funds into correct line item for purchase of ambulance generator and air conditioner units.
- C. **Library** : Approve transfer in the amount of \$14,154 as detailed on County Librarian's form dated May 24, 2012, to allocate funds for new fiber circuits at the Needville, Cinco Ranch, Fulshear, and Stafford libraries.
- D. **Facilities Management & Planning** : Approve transfer in the amount of \$2,775,848 as detailed on the Auditor's form dated May 15, 2012 to allocate funds for the Library Administration Facility.
- E. **Sheriff's Office, Detention** : Approve transfer in the amount of \$28,145 from Capital Acquisitions into Repairs and Maintenance to allocate funds for repairs to a chiller unit.

June 5, 2012

10. **COUNTY CLERK:**

Approve increase to the County Clerk change fund at the Travis Annex due to greater volume of fee payments and insufficient change availability.

11. **ENGINEERING:**

- A. **Accept 5.5093-acre tract by Special Warranty Deed from Fort Bend County Municipal Utility District No. 194, located along West Belfort Road at S.H. 99, Precinct 4.**
- B. **Approve payment of Invoice No. 90026393 in the amount of \$18,717.43 to Union Pacific Railroad Company regarding improvements to the Harlem Road crossing, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 90026395 in the amount of \$17,021.94 to Union Pacific Railroad Company regarding improvements to Harlem Road, for installation of signals, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. 21285 in the amount of \$21,845.82 to Burk-Kleinpeter, Inc. regarding Trammel Fresno Road from Vicksburg Blvd. to Hurricane Lane, Mobility Bond Project #755, Precinct 2. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 51251 in the amount of \$13,370.92 to Burk-Kleinpeter, Inc. regarding the expansion of Trammel Fresno Road, Mobility Bond Project #746, Precincts 1 and 2. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. 201205-122 (Pay Estimate No. 2) in the amount of \$140,979.24 to Durwood Greene Construction Company regarding Harlem Road at US 90A, Mobility Bond Project #725, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- G. **Approve payment of Invoice No. 459301/06/II in the amount of \$154,175.66 to Dannenbaum Engineering Corporation regarding Phase I design extension of FM 1093 (from State Highway 99 to west of FM 359), Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- H. **Approve application from Reddico Construction Company, Inc. to bore under and bury an 8-inch waterline along South Post Oak Road, Trammel Fresno Road, Kansas Street, Colorado Street, West Sycamore Street, Emerald Street, Cleo Street, West Palm Street and Peridot Street, Precinct 1.**
- I. **Approve application from Debo Homes, LLC to construct a driveway tie-in onto Leah Drive, Precinct 1.**
- J. **Approve application from Devon Street Homes to construct a driveway tie-in onto Pemetic Trail, Precinct 3.**

June 5, 2012

- K. **Approve application from Trans-Tex Construction, LLC to construct an outfall into Seabourne Creek, Precinct 1.**
- L. **Approve application from Corrpro Companies, Inc. to drill one-inch diameter holes through pavement at 10-foot intervals to check pipeline under Westheimer Parkway, Precinct 3.**
- M. **Approve application from Identity Homes to construct a driveway tie-in onto Crescent Water Drive, Precinct 1.**
- N. **Approve application from Marshall Company, Ltd. to construct two driveway tie-ins and bore a 6-inch sanitary sewer and a 24-inch storm sewer on Spring Green Boulevard, Precinct 3.**
- O. **Approve release of performance bond rider to bond #710S100753026-226 in the amount of \$50,000.00 to Acacia Natural Gas Corporation for completion of work on several county roads and drainage ditches, Permit #82301, Precinct 1.**
- P. **Approve release of performance bond rider bond # 710S100753026-213 in the amount of \$2,500.00 to Acacia Natural Gas Corporation for completion of work on Willow Fork Branch of Buffalo Bayou and Bellaire Blvd., Canal Road, Katy-Flewellen Road and Skinner Lane, Permit # 81897 and 81903, Precinct 3.**
- Q. **Approve release of cashier checks #10026335 and #7509400112 in the amount of \$5,000.00 and \$2,000.00, respectively, to Abey K. Mathew and St. James Knanaya Church for completion of work on Avenue D and Darlene, Permit #84116, Pct. 1.**
- R. **Approve release of Performance Bond Rider to Bond #710G100753026-176 in the amount of \$50,000.00 to Acacia Natural Gas Corporation for completion of work on Thuesen Road, Mueck, Guttenberger and Hardin Road, Permit #82415, Precinct 1.**
- S. **Approve application from Comcast, LLC to bore under and bury cable along Cinco Terrace Drive and Corditt Street, Precinct 3.**
- T. **Accept Travelers Casualty and Surety Company of America Perpetual Bond #105563885 for Dyad Construction, L.P.**
- U. **Approve application from CenterPoint Energy to bore a 4-inch plastic gas line under Fort Bend Parkway Toll Road, Precinct 2.**
- V. **Approve application from Dyad Construction, L.P. to construct two driveway tie-ins and a left turn lane onto Fry Road, Precinct 3.**
- W. **Accept the street Bellagio Drive from Katy Gaston to West Torino Reale Drive: Bellagio Drive 1,955.32 LF; and release bond #CSB8986330 in the amount of \$136,872.40, Precinct 3.**

June 5, 2012

- X. **Accept the street Katy Gaston Road from FM 1093 to Bellagio Dr: Katy Gaston Road 1,826.06 LF; and release bond #6720898 in the amount of \$266,149.00, Pct. 3.**
- Y. **Approve request for Fort Bend County to sponsor a Texas Department of Transportation Project on behalf of AMDT, LLC to expedite the construction of tie-in paving connection to FM 723 at First Oaks Street within the Grand Oaks Business Park, at no cost to the County, Precinct 3.**
- Z. **Release Bond #4358404 in the amount of \$312,500.00 for Crystal Lakes Estates Subdivision. The streets are private and will be maintained by the Homeowners Association, Precinct 1.**
- AA. **Approve the plat for Thor Ranch Commercial Reserve, Precinct 3.**
- BB. **Approve the plat for Lamar CISD Elementary School No. 22, Precinct 4.**
- CC. **Set public hearing for acceptance of the traffic control plan for Bellagio Drive from Katy Gaston to West Torino Reale Drive, Precinct 3. (Tuesday, July 3, 2012, at 1:00 p.m.)**
- DD. **Set public hearing for acceptance of the traffic control plan for Katy Gaston Road from FM 1093 to Bellagio Drive, Precinct 3. (Tuesday, July 3, 2012, at 1:00 p.m.)**
- EE. **Set public hearing for Long Meadow Farms Commercial Reserve Section 1 Partial Replat No. 1, Precinct 4. (Tuesday, July 10, 2012, at 1:00 p.m.)**
- 12. **FACILITIES MANAGEMENT & PLANNING:**

Approve payment of Pay Application No. 36 in the amount of \$592,050.00 to JE Dunn South Central, Inc., for Construction Services regarding the Justice Center. (Fund: Facility Bond Project)
- 13. **FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY: The Board of Directors of the Fort Bend Grand Parkway Toll Road Authority (GPTRA) reviewed this item at their regular meeting held on May 16, 2012, and makes the following recommendation to Commissioners Court:**

Approve Engineering Services Agreement between Fort Bend Grand Parkway Toll Road Authority and Binkley & Barfield, Inc. in an amount not to exceed \$5,000 for utility engineering services.

June 5, 2012

14. **HEALTH & HUMAN SERVICES:**

- A. **Clinical Health : Approve and sign Amendment to Contract #2012-039505 between Fort Bend County and Texas Department of State Health Services to increase the amount of funds received to a total of \$34,681 for Local Public Health System services, effective through August 31, 2012, with no cash match required by Fort Bend County.**
- B. **Accept and sign contract Amendment pertaining to Professional Services Agreement between Fort Bend County and Jean Galloway, M.D. effective through September 30, 2013. (Fund: Health & Human Services, Professional Services)**

15. **PURCHASING:**

- A. **Authorize advertising for bids for City of Richmond Wastewater Treatment Plant Generator for Community Development.**
- B. **Approve renewal of Bid #10-081 between Fort Bend County and HOV Services, Inc. for printing and mailing of tax statements through June 30, 2013.**

16. **ROAD & BRIDGE:**

- A. **Approve payment of Invoice No. 9896 in the amount of \$1,875.00 to IDC, INC. regarding design of the widening of Crabb River Road, south of US 59 to south of LCISD High School/Junior High School Complex. (Fund: Road & Bridge)**
- B. **Approve payment of Invoice No. 20121016 in the amount of \$585.27 to TEDSI Consulting Engineers regarding design of the traffic signal at the intersection of Westheimer Parkway and Greenbusch Road/Saddle Spur. (Fund: Road & Bridge Traffic Signals)**

17. **TAX ASSESSOR/COLLECTOR:**

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 22, 2012, for an amount totaling \$17,468.54 for the Office of Patsy Schultz.

18. **TREASURER:**

Approve Monthly Report submitted by County Treasurer for April, 2012, and authorize advertisement of Affidavit of same, in accordance with Local Government Code §114.026.

June 5, 2012

19. COUNTY JUDGE:

Take all appropriate action on Order Authorizing the Issuance, Sale, and Delivery of Fort Bend County, Texas Unlimited Tax and Subordinate Lien Toll Road Revenue Refunding Bonds, Series 2012; Approving a Third Supplement to the Toll Road Unlimited Tax and Subordinate Lien Revenue Bond Trust Indenture, a Bond Purchase Agreement and Official Statement; Authorizing the Levying of Taxes to Pay for the Principal and Interest on the Series 2012 Bonds; Authorizing the Execution of Agreements, Documents, and Instruments Necessary or Convenient to Carry Out the Issuance, Sale, and Delivery of the Series 2012 Bonds; Authorizing and Ratifying Other Actions; Making Certain Findings With Respect Thereto; Containing Other Provisions Relating to the Subject; Authorizing the Redemption Prior to Maturity of Certain Outstanding Bonds.

20. COMMISSIONER, PCT. 1:

Take all appropriate action on request to donate ten oak trees from Bates Allen Park Tree Farm to Rio Bend Foster Care Facility.

21. COMMISSIONER, PCT. 2:

- A. Take all appropriate action on request by Lyn Badger on behalf of CCS Enterprises LLC to waive penalty, interest, and collection fees totaling \$2,502.95 on property taxes for Tax Year 2011, Precinct 2.
- B. Take all appropriate action on request by Mark J. Hamlin on behalf of Wallis Family Real Estate Ltd. to waive penalty and interest totaling \$9,371.46 on property taxes for Tax Year 2011, Precinct 2.

22. COMMISSIONER, PCT. 3:

Take all appropriate action on request by Sharon Lay to waive penalty and interest totaling \$217.82 on property taxes, for Tax Year 2011, Precinct 3.

23. COMMISSIONER, PCT. 4:

- A. Take all appropriate action on request by Gholam R. Razmdideh on behalf of KPAS Corporation to waive penalty and interest totaling \$33.35 on property taxes for Tax Year 2011, Precinct 4.
- B. Take all appropriate action on request by Ahmed Esmail to waive penalty and interest \$1,289.57 on property taxes for Tax Year 2011, Precinct 4.

June 5, 2012

24. CONSTABLE, PCT. 2:

Take all appropriate action to authorize payment by Invoice Transmittal in the amount of \$189.67 to Comcast for services received without a purchase order. (Fund: Constable, Pct. 2, Fees)

25. CONSTABLE, PCT. 3:

Take all appropriate action on request to transfer the amount of \$3,000 from Non-Departmental Contingency into Constable, Precinct 3, Fees, to allocate funds for access to the Harris County South East Texas Crime Information Center (SETCIC) system, effective through March 31, 2013.

26. 328th DISTRICT COURT:

Take all appropriate action on request to reimburse Sue Ann Pitcock in the amount of \$43.28 for storage items without a purchase order. (Fund: 328th District Court, Office Supplies)

27. PARKS & RECREATION:

Take all appropriate action on request to transfer the amount of \$31,663 from Non-Departmental Contingency into Parks Grant Allocation to allocate funds for the cash match of the 2012 Summer Food Program.

28. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Interlocal Cooperation Contract between Fort Bend County and Texas Transportation Institute to perform the Downtown Houston Transit Options Study for a total cost of \$68,000. (Fund: Transportation Grant)
- B. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Sugar Land for the City to contribute \$2,268 for a portion of the local match share for the Downtown Houston Transit Options Study.
- C. Take all appropriate action on Interlocal Agreement between Fort Bend County and The Metropolitan Transit Authority of Harris County, Texas (METRO) for METRO to contribute \$2,266 for a portion of the local match share for the Downtown Houston Transit Options Study.
- D. Take all appropriate action on Letter of Agreement from Central Houston Civic Improvement to contribute \$6,800 for a portion of the local match share for the Downtown Houston Transit Options Study.
- E. Take all appropriate action on letter of support from Chevron to contribute \$2,267 for a portion of the local match share for the Downtown Houston Transit Options Study.

June 5, 2012

- F. Take all appropriate action on Application to Federal Transit Administration (FTA) for 5307 Urban Area Grant Funding for Fiscal Years 2010 and 2011, Project ID Number TX-90-X968-00.
 - G. Take all appropriate action on Project Grant Agreement #51212F7253 between Fort Bend County and Texas Department of Transportation to transfer the remaining allocations of Federal FY10 Section 5311 Rural Public Transportation funds and related local match funds from Project Grant Agreement #51012F7206, and add additional local match of \$15,320. (Fund: Transportation Grants)
29. PURCHASING:
- A. 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, and approve Statement of Work 9, from APEX Innovations, Inc. in an amount not to exceed \$64,000 for enhancements to the Registry Event Manager. (Fund: Health & Human Services)
 - B. Take all appropriate action on Agreement for Design/Build Services between Fort Bend County and RJ Construction Company, Inc. for an amount not to exceed \$300,000 for City of Kendleton Sanitary Sewer Improvements, pursuant to SOQ #12-038. (Fund: Community Development Block Grant)
 - C. 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, long distance service from AT&T in an amount not to exceed \$75,000. (Fund: Facilities Management & Planning, Fees)
 - D. Take all appropriate action on Bid #12-052 for Wheelchair Accessible Minivans.
 - E. Take all appropriate action to authorize the purchase of radio equipment from Motorola utilizing Houston-Galveston Area Council Contract RA05-012, for an amount not to exceed \$65,482.40. (Fund: Office of Emergency Management, UASI Grant)
 - F. Take all appropriate action on the Agreement for Architectural Services between Fort Bend County and Ray Bailey Architects, Inc. for an amount not to exceed \$220,200 for the Library Administration Building pursuant to SOQ 12-039. (Fund: Capital Improvement Project)

June 5, 2012

- G. Take all appropriate action to renew Lawson Maintenance per RFP #05-059 and RFP #06-028 for an amount not to exceed \$170,534.78. (Fund: Information Technology, Fees)
 - H. Take all appropriate action on Amendment No. 4 to the Agreement between Fort Bend County and Tiburon, Inc. in an amount not to exceed \$40,000 for enhancement to provide Coplogic Desk Officer Online Reporting System. (Fund: Tiburon Project)
 - I. Take all appropriate action SOQ #12-048, Construction Manager-At-Risk for Senior Center.
30. TRUANCY COURT:
- Take all appropriate action on the Interlocal Project Agreement between Fort Bend County and Fort Bend Independent School District for partial funding in the amount of \$240,000 for the Saved by the Bell Truancy Program.
- 31. Approve Bills.
 - 32. Ratify the release of time-sensitive bills by Auditor on May 31, 2012.
 - 33. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
 - A. § 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.

Spur 10, 90/10 Reimbursement by Texas Department of Transportation, Precinct 1.
 - 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 Community Development.

June 5, 2012

34. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.072. Deliberation Regarding Real Property.
Spur 10, 90/10 Reimbursement by Texas Department of Transportation, Precinct 1.
 - B. § 551.074. Personnel Matters.
Annual Evaluation - Director of Community Development.
35. 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, June 1, 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 1:22 AM
P.M.

JUN 01 2012 SF


County Clerk Fort Bend Co. Texas