

July 3, 2012

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, JULY 3, 2012
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Meyers.
3. Approve minutes of regular meeting held on June 26, 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:

Acceptance of traffic control plan for Bellagio Drive from Katy Gaston to West Torino Reale Drive and traffic control plan for Katy Gaston from FM 1093 to Bellagio Drive, Precinct 3.

CONSENT AGENDA ITEMS 6 - 17:

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Behavioral Health Services : Connie Almeida to New Orleans, Louisiana, July 15-18, 2012, to attend National Council of Juvenile and Family Court Judges 75th Annual Conference. (Fund: Behavioral Health Services, Harris County Contract for Infant/Toddler Court)**
 - B. **District Attorney : Fred Felcman to San Francisco, California, July 24-28, 2012, to attend Annual Conference of the Association of Government Attorneys in Capital Litigation. (Fund: District Attorney, State Asset Forfeiture Account)**
 - C. **Health & Human Services : Melanie Manville to Atlanta, Georgia, August 6-9, 2012, to attend the National Conference on Health Communication, Marketing, and Media. (Fund: Health & Human Services, CRI Grant)**
 - D. **Sheriff's Office : D. Quam to Quantico, Virginia, July 12 - September 26, 2012, to attend FBI National Academy for training. (Fund: Sheriff, Detention, Travel)**

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- E. **Sheriff's Office** : K. Walger to San Diego, California, September 16-21, 2012, to attend American Polygraph Association Training Seminar. (Fund: Sheriff, Enforcement, Travel)

- 7. **COMMISSIONER, PCT. 1:**
 - A. **Approve Interlocal Project Agreement between Fort Bend County and City of Needville to reconstruct Union Street, a City- owned street, County expenditure not to exceed \$5,425. (Fund: Road & Bridge)**

 - B. **Approve Interlocal Project Agreement between Fort Bend County and City of Rosenberg to provide assistance with repair of Sally Anne Drive, Avenue D, Walter Street, 2nd Street, Dallas Street, Elm Street, Avenue J, North Fairgrounds Road, and Radio Lane, County expenditure not to exceed \$14,625. (Fund: Road & Bridge)**

- 8. **AUDITOR:**

Accept Monthly Financial Report prepared by the County Auditor for seven months ending April 30, 2012 pursuant to Local Government Code Section 114.023.

- 9. **BUDGET & FINANCE/BUDGET TRANSFERS:**
 - A. **Constable, Pct. 4** : Approve transfer in the amount of \$895 from Fees into Information Technology to allocate funds for upgrade of computer software.

 - B. **Records Management** : Approve transfer in the amount of \$230 from Operating Supplies into Information Technology to allocate funds for the purchase of software and computer related accessory item.

 - C. **Road & Bridge** : Approve transfer in the amount of \$136,538 as detailed on Auditor's form dated June 27, 2012, to amend the budget pursuant to Local Government Code 111.0707 and allocate funds received from interlocal agreements.

- 10. **COMMUNITY DEVELOPMENT:**

Approve First Modification of HOME Agreement between Fort Bend County and Fort Bend Community Revitalization Projects (CORPS) to extend the contract date to August 29, 2012. (Fund: HOME Investment Partnerships)

- 11. **ENGINEERING:**
 - A. **Accept Utility Easement for 0.0102 and 0.0131 acre tracts of land for traffic signalization at Spring Green Blvd. and Cinco Ranch Blvd., Precinct 3.**

 - B. **Accept Tract 3, a 0.4685 acre (20,407 square feet) tract of land by Donation Deed from Willow Fork Trees, LTD, Greenbusch Road Right of Way for Falcon Landing Expansion Project, Mobility Bond #703, Precinct 3.**

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- C. **Approve payment of Invoice No. 51424 in the amount of \$28,827.28 to Burk-Kleinpeter, Inc. regarding the widening of Trammel Fresno, from Vicksburg to Hurricane Lane, Mobility Bond Project #755, Precinct 2. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. 52 in the amount of \$26,475.00 to Schaumburg & Polk, Inc. regarding Management and Administrative Support for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 53 in the amount of \$13,805.00 to Schaumburg & Polk, Inc. regarding Management and Administrative Support for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. 54 in the amount of \$20,572.50 to Schaumburg & Polk, Inc. regarding Management and Administrative Support for the 2007 Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- G. **Approve payment of Invoice No. 779-001-06 in the amount of \$22,260.00 to TSC Engineering regarding improvements to West Bellfort, from SH 99 to Harlem Road, Mobility Bond Project #741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- H. **Approve payment of Invoice No. 90027077 in the amount of \$51,004.35 to Union Pacific Railroad Company regarding improvements to Harlem Road crossing, Mobility Bond Project #725A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- I. **Approve release of Cashier's Check #301840 in the amount of \$7,000.00 to Texas Concrete for completion of work on West Tavener, Permit #83985, Precinct 1.**
- J. **Approve application from Hurtado Construction Company to bore under and bury a 24-inch water line along Seven Meadows Parkway, Gaston Road and Cansfield Way, Precinct 3.**
- K. **Approve application from AT&T Texas to bore under and bury fiber optic cable along Grand Parkway (SH 99) and Sandhill Drive, Precinct 4.**
- L. **Approve application from AT&T Texas to bore under and bury fiber optic cable along Sienna Ranch Road, Sienna Parkway, Steep Bank Trace and Scanlan Trace, Precinct 1.**
- M. **Approve application from Comcast of Houston to bury a 1 1/2-inch conduit along Pool Hill Road, Precinct 3.**
- N. **Approve the plat for Lake Riverstone Drive, Precinct 4.**
- O. **Approve plat for the roads within Senova at Riverstone, Section 3, Phase I, Precinct 4.**
- P. **Approve plat for the lots within Senova at Riverstone, Section 3, Phase I, Precinct 4.**

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- Q. **Approve plat for the roads within Grand Mission, Section 17, Precinct 3.**
 - R. **Approve plat for lots within Grand Mission, Section 17, Precinct 3.**
 - S. **Accept the streets in Lakes of Bella Terra, Section 12: Via Renata Drive 1,062.73 LF; Palmanova Drive 272.76 LF; Rosalia Court 382.28 LF; and Balvano Drive 70.09 LF; for a total of 1,787.86 LF; and release bond #TXC91505 in the amount of \$134,946.00, Precinct 3.**
 - T. **Accept the streets in Lakes of Bella Terra, Section 13: Via Sanitori Drive 354.23 LF; Via Renata Drive 407.25 LF; Via Renata Drive 701.28 LF; Sabina Drive 360.48 LF; Milazzo Drive 567.86 LF; Cantiano Court 238.64 LF; and Leonessa Drive 65.27 LF; for a total of 2,695.01 LF; and release bond # TXC91506 in the amount of \$191,807.70, Precinct 3.**
 - U. **Set public hearing for acceptance of the traffic control plan for Lakes of Bella Terra, Section 12 and Lakes of Bella Terra, Section 13, Precinct 3. (Tuesday, August 7, 2012, at 1:00 p.m.)**
 - V. **Set public hearing for Grand Lakes Marketplace being a replat of Sterling Development Fry Road Replat No. 1, Precinct 3. (Tuesday, August 7, 2012, at 1:00 p.m.)**
 - W. **Set public hearing for street name change within Orchard at Riverstone, Section 2 changing the name from Orchard Hills Lane to Orchard Arbor Lane, Precinct 4. (Tuesday, August 7, 2012, at 1:00 p.m.)**
12. **FACILITIES MANAGEMENT & PLANNING:**
- Approve payment of Pay Application No. 15 in the amount of \$44,562.00 to EE Reed Construction, L.P. for Construction Services regarding the University Branch Library in Sugar Land. (Fund: Facility Bond Project)**

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13. **OFFICE OF EMERGENCY MANAGEMENT:**
 - A. **Approve and sign the Amended 2010 UASI LETPA Sub-Recipient Award Agreement between Fort Bend County and the State of Texas for Department of Homeland Security grant funding for the 2010 Grant Performance period, to extend the performance period from July 31, 2012 until September 30, 2012.**
 - B. **Approve updates to the Fort Bend County Disaster Debris Management Plan as presented by Office of Emergency Management.**
14. **PURCHASING: Authorize advertising for Statements of Qualification (SOQs), Bids, and/or Request for Proposals (RFPs) for the following:**
 - A. **Bids for Oil and Lubricants.**
 - B. **Bids for Tires and Tubes.**
 - C. **Bids for Weed, Brush and Insect Control Materials.**
 - D. **Bids for Septic System for Kitty Hollow Park for Parks Department.**
 - E. **Bids for Construction of Mason Road from FM 359 to Skinner Lane.**
15. **RISK MANAGEMENT:**

Approve the acceptance of \$2,913.82 for full recovery of County's claim (Claim # 1560019950AD01) and authorize Wyatt Scott (Risk Management) to execute the Property Damage Release of all claims against Brandon Henson; Quanta Services, Inc.; Price Gregory International, Inc. et al. for property damage sustained on January 18, 2012.
16. **ROAD & BRIDGE:**
 - A. **Approve payment of Pay Estimate No. 1 in the amount of \$24,566.40 to Traf Tex Inc. for traffic signal construction at the intersection of West Airport and Old Richmond Road. (Fund: Road & Bridge, Traffic Signals)**
 - B. **Approve payment of Invoice No. 1203B-PER100 in the amount of \$2,834.75 to Progressive Consulting Engineers, PLLC for preliminary engineering services regarding turn lane improvements at the following intersections: Grand Parkway at Fry Road, Grand Parkway at Westheimer Parkway, Grand Parkway at Cinco Ranch, and Cinco Ranch Blvd. at Westheimer Parkway, Precinct 3. (Fund: Road & Bridge)**

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17. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the 10/20 Year Write Off of Property Taxes pursuant to Texas Property Tax Code Section 33.05, for Fort Bend County Lateral Road and Flood Control District for the Office of Patsy Schultz.**
 - B. **Record into Minutes the 10/20 Write Off of Property Taxes, pursuant to Texas Property Tax Code Section 33.05, for Fort Bend County Parkway Road District for the Office of Patsy Schultz.**
 - C. **Record into Minutes the 10/20 Write Off of Property Taxes, pursuant to Texas Property Tax Code Section 33.05, for Fort Bend County General Fund for the Office of Patsy Schultz.**
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18. **COMMISSIONER, PCT. 1:**

- A. Take all appropriate action on request for donation of 100 live oak trees from Bates Allen Park Tree Farm to the City of Rosenberg for Seabourne Creek Park.
- B. Take all appropriate action on Resolution and Order Granting a Variance to the December 2, 1997 Order Regulating the Distance Between the Sale of Alcoholic Beverages and the Nearest Public Schools, Churches, Public Hospitals, Day Care Centers and Child Care Facilities On Behalf of Discount African & Caribbean Food Store, Inc.

19. **COMMISSIONER, PCT. 2:**

Authorize any and all actions necessary for the creation of County Assistance Districts in the Fifth Street Area and in the Mission Bend Area.

20. **COMMUNITY DEVELOPMENT:**

- A. Take all appropriate action on Agreement between Fort Bend County and The Arc of Fort Bend County in the amount of \$155,166.00 to purchase a foreclosed home and redevelop into a primary residence for individuals with disabilities, and to authorize County Judge to sign all documents pertaining to agreement. (Fund: Neighborhood Stabilization Program)
- B. Take all appropriate action on the Fort Bend County FY 2012 Consolidated Action Plan as presented for the Community Development Block Grant (CDBG), Home Investments Partnerships (HOME) and Emergency Solutions Grant Program (ESG) and authorize County Judge to sign all documents pertaining to the plan.

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21. CONSTABLE, PCT. 4:

Take all appropriate action on request to transfer the amount of \$46,203 from Non-Departmental Contingency into Constable, Precinct 4, to allocate funds for the purchase of a new vehicle with equipment for the Agreement for Additional Law Enforcement Services with the Riverstone MUD 115/129, as authorized by Commissioners Court on June 26, 2012.

22. ENGINEERING:

Take all appropriate action on the First Amendment to the Professional Right-of-Way Services Agreement between Fort Bend County and Percheron Acquisitions, LLC, for additional services in an amount not-to-exceed \$10,000, for a total project cost not-to-exceed \$110,000, and for extension of the agreement until December 31, 2013. (Fund: Right-of-Way)

23. FAIRGROUNDS:

Take all appropriate action on request to transfer the amount of \$8,262 from Non-Departmental Contingency into Fairgrounds, Capital Acquisitions, to allocate funds for the purchase of a replacement mower.

24. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position Number 6301-0020 in the Clinical Health Department, from Registered Nurse, Grade 11, of the Public Health Policy Group, to Licensed Vocational Nurse, Grade 9 of the Public Health Policy Group, effective July 3, 2012.

25. PARKS & RECREATION:

Take all appropriate action on Facilities Extension Agreement between Fort Bend County and CenterPoint Energy Houston Electric, LLC, in an amount not to exceed \$1,400 for additional electrical services at Kitty Hollow Park. (Fund: Parks, Fees)

26. PUBLIC TRANSPORTATION:

Take all appropriate action on Fiscal Year 2013 Grant Application Part 1 to the Texas Department of Transportation for Federal Transit Administration Assistance with transportation programs; authorize County Judge to sign all documents pertaining to the application, and authorize the Transportation Director to submit the application.

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27. PURCHASING:

- A. Take all appropriate action to authorize the purchase of one (1) Dodge Charger, a replacement to Sheriff's Office fleet, utilizing Buy Board Contract 358-10, for an amount not to exceed \$25,363.75. (Fund: Risk Management, Insurance, and Sheriffs Office, Federal Forfeited Assets Fund)
- B. Take all appropriate action to authorize the purchase of radio equipment from Motorola for the Sheriff's Office utilizing Houston-Galveston Area Council Agreement, for an amount not to exceed \$66,092.16. (Fund: Sheriff's Office, Federal Forfeited Assets)
- C. Take all appropriate action to authorize the purchase of one (1) Vehicle 14, Caprice, replacement to fleet, from Classic Chevrolet for Juvenile Detention & Probation Department, pursuant to Bid #11-028. (Fund: Juvenile Detention & Probation Department)
- D. Take all appropriate action on Bid #12-055 for Drainage and Paving Improvements for the Widening of West Bellfort Road.
- E. Take all appropriate action on Bid #12-016 for Construction of Falcon Landing Blvd Road Extension.
- F. Take all appropriate action on amendment to procurement card policy.
- G. Take all appropriate action to authorize the purchase of food for Jail per RFQ #2012-40, in an amount not to exceed \$208,000; in addition, authorize the payments pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff, Detention, Operating)
- H. Take all appropriate action to authorize the purchase of extended maintenance for mobile computer equipment from L3 Communications Mobile Vision, Inc. utilizing Department of Information Resources Agreement DIR-SDD-1348, for the Sheriff's Office, in an amount not to exceed \$15,983.10; in addition, authorize the payment pursuant to Section 130.908 of the Texas Local Government Code. (Fund: Sheriff, Enforcement, Operating, Fees)
- I. Take all appropriate action on revisions to the Fort Bend County Public Transportation Disadvantaged Business Enterprise Program.

28. SHERIFF'S OFFICE:

Take all appropriate action on request for variance to the Fort Bend County Fuel Card Policy, and authorize payment by Invoice Transmittal in the amount of \$90.00 to Comdata for fuel purchased without a purchase order. (Fund: Sheriff, Enforcement, Operating)

29. Approve Bills.

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30. Approve Bills pursuant to Section 130.908 of the Texas Local Government Code.
31. 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.
 1. Medical Subrogation Lien Claim: Deleon, Efrain; Insured Dependant: E.D.; Date of Accident: October 21, 2011.
 2. EEOC Charge No. 460-2011-04105; Alesia Stevenson.
 - 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: Stafford Run Creek, Precinct 2.
 - C. § 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.

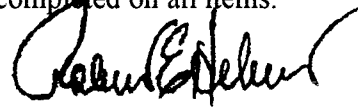
Annual Evaluation - Director of Risk Management.
 - D. § 551.087. Deliberation Regarding Economic Development Negotiations. Commissioners Court will meet in Closed Session to discuss or deliberate regarding commercial or financial information that Commissioners Court has received from a business prospect that Commissioners Court seeks to have locate, stay or expand in or near Fort Bend County and with which Commissioners Court is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect that Commissioners Court seeks to have locate, stay or expand in or near Fort Bend County.

Project Mozart.

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32. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
 - 1. Medical Subrogation Lien Claim: Deleon, Efrain; Insured Dependant: E.D.; Date of Accident: October 21, 2011.
 - 2. EEOC Charge No. 460-2011-04105; Alesia Stevenson.
 - B. § 551.072. Deliberation Regarding Real Property.
Acquisition of Property: Stafford Run Creek, Precinct 2.
 - C. § 551.074. Personnel Matters.
Annual Evaluation - Director of Risk Management.
 - D. § 551.087. Deliberation Regarding Economic Development Negotiations.
Project Mozart.
33. 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 29, 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 SF A.M.
P.M.
JUN 29 2012 1:03


County Clerk Fort Bend Co. Texas