

*April 9, 2013*

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, APRIL 9, 2013  
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 April 2, 2013.
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. Approval of replat: Fort Bend County Municipal Utility District No. 58 Wastewater Treatment Plant No. 1, Replat and Ext. 1, Precinct 3.
  - B. Acceptance of the revised traffic study for Diamond Cove Lane at Lakemont Bend Drive to add "No Parking Any Time" signs located west of Katy ISD McNeil Elementary School, Precinct 3.

**CONSENT AGENDA ITEMS 6 - 12:**

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **District Attorney : Employee to Hoover, Alabama, April 14-18, 2013, to attend the Mobile Devices for Prosecutors course at the National Computer Forensics Institute, with lodging and airfare sponsored by the sponsoring agency. (Fund: District Attorney, Travel)**
  - B. **Sheriff's Office : S. Hausler and W. Brewster to New Orleans, Louisiana, May 28-30, 2013, to attend Leadership Conference. (Fund: Sheriff, Enforcement, Travel)**
  - C. **Sheriff's Office : M. Kubricht and N. Mendoza to Alberta, Virginia, April 10-11, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

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7. **COUNTY JUDGE:**

- A. **Approve request for Historic Site Property Tax Exemption for the Teague-Waddell House located at 1810 Avenue M in Rosenberg, Texas for tax year 2013.**
- B. **Approve request for Historic Site Property Tax Exemption for The Morton Ferry Home, located at 402 North Second Street in Richmond, Texas for tax year 2013.**
- C. **Approve request for Historic Site Property Tax Exemption for the Darst Home, located at 300 South 9th Street in Richmond, Texas for tax year 2013.**

8. **BUDGET & FINANCE/BUDGET TRANSFER:**

**Agri-Life Extension Office : Approve transfer in the amount of \$700 from Office Supplies into Information Technology to allocate funds for the purchase of two replacement printers.**

9. **ENGINEERING:**

- A. **Approve payment of Invoice No. 313118 in the amount of \$1,904.38 to Klotz Associates for Administrative Support regarding Mobility Bond Projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- B. **Approve payment of Invoice No. 90033462 (final) in the amount of \$5,446.76 to Union Pacific Railroad regarding railroad crossing improvements at Harlem Road, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 90033580 in the amount of \$22,723.37 to Union Pacific Railroad Company regarding the installation of signals at Harlem Road, Mobility Bond Project #725A, Precinct 3. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. 6 (Pay Estimate No. 6) in the amount of \$457,741.99 to Allgood Construction Company, Inc. regarding Mason Road, Phase I, from FM 359 to North of Skinner Road, Mobility Bond Project #735, Precinct 3. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 6 (Pay Estimate No. 6) in the amount of \$424,152.84 to Allgood Construction Company, Inc. regarding Falcon Landing Boulevard, Phase 4, from Spring Green to Gaston Road, Mobility Bond Project #703 (D), Precinct 3. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. 20131499 in the amount of \$661.11 to TEDSI Infrastructure Group for traffic signal design regarding Falcon Landing Boulevard at Gaston Road, Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)**

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- G. **Approve release of cashier's check #7001467229 in the amount of \$5,000.00 to McKenna Constructing, Inc. for completion of work on Teal Bend Boulevard, Permit #84260, Precinct 1.**
- H. **Approve application from CenterPoint Entex to bury a 2-inch plastic gas line along Bellagio Drive, Precinct 3.**
- I. **Approve application from STI, LLC to construct two driveway tie-ins onto Grand Corner Drive, Precinct 3.**
- J. **Approve application from Devon Street Homes to construct a driveway tie-in onto Persimmon Pass, Precinct 3.**
- K. **Approve the plat for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.**
- L. **Approve the plat for British Private Prep School at Firethorne Ltd. Precinct 3.**
- M. **Approve the plat for Parkway Lakes Shops, Section 5, Precinct 3.**
- N. **Approve the plat for Alis Market, Precinct 1.**
- O. **Approve the plat for Cardiff Ranch Commercial Plaza, Precinct 3.**
- P. **Approve plat for the roads within Walnut Creek, Section 6, Precinct 1.**
- Q. **Approve plat for the lots within Walnut Creek, Section 6, Precinct 1.**
- R. **Approve plat for the roads within Churchill Farms, Section 5, Precinct 3.**
- S. **Approve plat for the lots within Churchill Farms, Section 5, Precinct 3.**
- T. **Approve plat for the roads within Churchill Farms, Section 6, Precinct 3.**
- U. **Approve plat for the lots within Churchill Farms, Section 6, Precinct 3.**
- V. **Approve plat for the roads within Churchill Farms, Section 8, Precinct 3.**
- W. **Approve plat for the lots within Churchill Farms, Section 8, Precinct 3.**
- X. **Approve plat for the road within Pine Mill Ranch Drive Reserve No. 1, Precinct 3.**
- Y. **Approve plat for the reserve within Pine Mill Ranch Drive Reserve No. 1, Precinct 3.**
- Z. **Set public hearing for replat of Fulbrook, Sec. 2D, Replat of Lots 6 and 7 of Block 2, Precinct 3. (*Tuesday, May 14, 2013, at 1:00 p.m.*)**

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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. **Invoice No.'s 10032793, 10033739, 10034024, and 10031319 for an amount totaling \$59,391.28 to PGAL for Professional Services regarding the Justice Center;**
  - B. **Invoice No. 6 in the amount of \$9,460.00 to Archi\*Technics/3, Inc. for Architectural Services regarding the Senior Center.**
11. **HUMAN RESOURCES:**

**Approve request for withdrawal of 56 hours from the Shared Sick Leave Pool for employee of the District Clerk's Office, Position No. 4501-0057.**
12. **ROAD & BRIDGE:**

**Approve payment of Invoice No. 1224 in the amount of \$1,039.50 to EPIC Transportation Group, LP for completion of the Traffic Engineering Study of the intersection at West Airport Boulevard and State Highway 6. (Fund: Road & Bridge)**

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13. **COMMISSIONER, PCT. 1:**
  - A. **Take all appropriate action on request by Bradley Wright to waive penalty and interest totaling \$311.50 on property taxes for Tax Year 2012, Precinct 1.**
  - B. **Take all appropriate action on request to authorize negotiations with National Signs Plazas, Inc. to develop a directional sign or kiosk program for approval by the Texas Department of Transportation and administration by Fort Bend County.**
14. **COMMISSIONER, PCT. 2:**

**Take all appropriate action on request by Zahara Hooda to waive penalty and interest totaling \$251.17 on property taxes for Tax Year 2012, Precinct 2.**
15. **COMMISSIONER, PCT. 3:**

**Take all appropriate action on request by Zakir Azmi to waive penalty and interest totaling \$310.16 on property taxes for Tax Year 2012, Precinct 3.**

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16. COMMISSIONER, PCT. 4:

Take all appropriate action on request by Antun Aneed to waive penalty and interest totaling \$375.00 on property taxes for Tax Year 2012, Precinct 4.

17. COMMUNITY DEVELOPMENT:

- A. Take all appropriate action on the Agreement between Fort Bend County and The Salvation Army in the amount of \$61,879.00 to provide rapid homeless prevention, re-housing assistance, relocation and stabilization services; part of the FY 2012 Consolidated Action Plan approved by Commissioners Court July 3, 2012; and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Emergency Solutions Program)
- B. Take all appropriate action on Agreement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 2 in the amount of \$436,374.00 for the installation of sanitary sewer collection lines, lift stations, force mains and miscellaneous pavement repairs upon completion of project in the Martinez Block of the Four Corners area; part of the FY 2009 and FY 2010 Consolidated Action Plans approved by Commissioners Court on July 7, 2009 and July 6, 2010, respectively, and authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Community Development Block Grant)
- C. Take all appropriate action on First Modification of Agreement between Fort Bend County and Fort Bend County Fresh Water Supply District No. 1 to increase the amount of the Agreement by \$25,000 for a total amount not to exceed \$275,000 for the installation of water service lines and connections for eligible housing units within the District, and authorize County Judge to sign all documents pertaining to Agreement. (Fund: Community Development Block Grant)

18. CONSTABLE, PCT. 1

Take all appropriate action on request to transfer the amount of \$140,889 from Non-Departmental Contingency into line items detailed on Auditor's form dated April 3, 2013, to allocate funds for the purchase of replacement vehicles and equipment regarding the Agreements for Additional Law Enforcement Services with Fort Bend Municipal Utility District No. 2 and Greatwood.

19. CONSTABLE, PCT. 3:

Take all appropriate action on request to transfer the amount of \$82,760 from Non-Departmental Contingency into line items detailed on Auditor's form dated April 3, 2013, to allocate funds for the purchase of two vehicles and equipment, additions to fleet, regarding the Agreements for Additional Law Enforcement Services with Fort Bend Municipal Utility Districts No. 34 and 25.

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20. ELECTIONS ADMINISTRATION:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$2,361.00 to the City of Simonton for refund of the deposit made for an election on May 11, 2013, which has been cancelled. (Fund: Elections Contract)

21. ENGINEERING:

- A. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Allgood Construction Company, Inc. to lengthen the time of completion until May 28, 2013 regarding the extension of Falcon Landing Boulevard, with no change in the amount, Mobility Bond Project #703, Precinct 3.
- B. Take all appropriate action on request for a variance to the subdivision paving bond requirement, (Section 3.9 F of the Fort Bend County Regulations of Subdivisions) for Sienna Ranch Road South Bridge over Flat Bank Creek Street Dedication, Precinct 2.
- C. Take all appropriate action on request by Bonnie Trilicek for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to divide 8.000 acres out of a called 118.68 acre tract situated in the Samuel Pharr 1/4 League, Abstract 69 recorded in official Fort Bend County Deed Records, Volume 158, Page 367, Fort Bend County, Texas, Pct. 1.
- D. Take all appropriate action on request to correct the road name from Foster School Road to Foerster School Road, located from Vincik Ehlert Road to SH 36, Precinct 1.

22. HUMAN RESOURCES:

Take all appropriate action on revisions to the Employee Information Manual as submitted by the Director of Human Resources, specifically Section 301: Drug and Alcohol Detection and Deterrence, including Appendix 301-B; and Section 704: Family and Medical Leave Act (FMLA).

23. LIBRARY:

Take all appropriate action on request to transfer the amount of \$14,200 from Non-Departmental Contingency into Library, Building Repairs and Maintenance, to allocate funds for replacement of chiller and compressor at the Sugar Land Branch.

24. MENTAL HEALTH PUBLIC DEFENDER:

Take all appropriate action on Application and Resolution to Texas Indigent Defense Commission for renewal of grant funding of the Mental Health Public Defender Program in the amount of \$36,685 for the first quarter of FY 2014.

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25. PARKS & RECREATION:

Take all appropriate action on request to participate in the FY 2013 Summer Food Service Program and authorize electronic submission of the Summer Food Special Nutrition Program Agreement for Fort Bend County.

26. PURCHASING:

- A. Take all appropriate action on renewal of Contract between Fort Bend County and Educational Catering, ECI Management Group with price increase, pursuant to Bid 10-090 for the Summer Food Program. (Fund: Parks)
- B. Take all appropriate action on request to add 16.5 oz bottled water for emergency use only, to Bid 13-029, the Term Contract for Bottled Drinking Water.
- C. Take all appropriate action on Agreement between Fort Bend County and Audio Visual Technologies Group in an amount not to exceed \$95,934.13 for displays at the alternate emergency operation center. (Fund: Office of Emergency Management, UASI Grant)

27. ROAD & BRIDGE:

Take all appropriate action on Interlocal Agreement between Fort Bend County and Brazoria County concerning construction of Replacement Bridge at Armstrong Road (County Road 522) over Cedar Creek, County expenditure not to exceed \$280,000. (Fund: Road & Bridge)

28. Approve Bills.

29. Authorize County Auditor to pay and release time sensitive bills on April 18, 2013, to be ratified by Commissioners Court on April 23, 2013.

30. 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.

Potential litigation - U. S. Department of Labor Inquiry.

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- 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.
  - 1. Spur 10; Texas Department of Transportation 90/10 Reimbursement Project, Precinct 1.
  - 2. Brand Lane, Precinct 2.
- 31. Reconvene Open Session and consider taking action on the following matters:
  - A. § 551.071. Consultation With Attorney.

Potential litigation - U. S. Department of Labor Inquiry.
  - B. § 551.072. Deliberation Regarding Real Property.
    - 1. Spur 10; Texas Department of Transportation 90/10 Reimbursement Project, Precinct 1.
    - 2. Brand Lane, Precinct 2.
- 32. 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, April 5, 2013. 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.

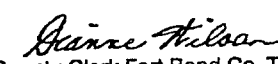
#### NOTICE

##### 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 1:25 A.M.  
P.M.  
APR 05 2013 SF  
  
County Clerk Fort Bend Co. Texas