

May 14, 2013

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS  
TUESDAY, MAY 14, 2013  
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 May 7, 2013, and special meetings held May 8, 9, and 10, 2013.
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:

Replat of Fulbrook, Section 2D, Replat of Lots 6 and 7 of Block 2, Precinct 3.

**CONSENT AGENDA ITEMS 6 - 12**

6. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
  - A. **Health & Human Services: Kaye Reynolds to Milwaukee, Wisconsin, June 11-13, 2013, to attend The Community of Practice for Public Health Improvement (COPPHI) Open Forum for Quality Improvement in Public Health, with all travel expenses sponsored by the National Network of Public Health Institutes.**
  - B. **Information Technology: Edna Guebara to Louisville, Kentucky, September 24-27, 2013, to attend the 2013 National Conference of the National Association of Government Web Professionals. (Fund: Information Technology, Travel)**
  - C. **Office of Emergency Management: Jeff Braun to Boston, Massachusetts, September 20-26, 2013, to attend the International City /County Management Association (ICMA) 99th Annual Conference. (Fund: Office of Emergency Management, Travel)**

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

- A. **County Judge:** Approve transfer in the amount of \$407 from Non-Departmental, Fees into Information Technology to allocate funds for printers installed for the Historical Commission.
- B. **Community Supervision & Corrections Department:** Approve transfer in the amount of \$8,000 as detailed on Director's form dated April 23, 2013, to amend the budget pursuant to Local Government Code Section 111.07075 and allocate funds donated to the CSR Program for FY 2013.
- C. **Justice of the Peace, Precinct 1, Place 1:** Approve transfer in the amount of \$16,000 from Salaries and Labor into Temporary/Part-Time to allocate funds for temporary assistance due to extended absence of two employees.
- D. **Purchasing:** Approve transfer in the amount of \$29 from Office Supplies into Information Technology to allocate additional funds for software and additional memory for laptop computer.
- E. **Road & Bridge:** Approve transfer in the amount of \$1,595 from Operating Supplies into Information Technology to allocate funds for software upgrade to the Sign Department Advanced Cutting System for making traffic signs.

8. **ENGINEERING:**

- A. Approve payment of Invoice No. 53857 in the amount of \$24,087.99 to Edminster Hinshaw Russ & Associates for engineering and surveying services regarding Cane Island Parkway, from Willow Creek to FM 1463, Mobility Bond Project No. X-12, Precinct 3. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 12 (Pay Estimate No. 12) in the amount of \$306,678.88 to Conrad Construction Company regarding Burney Road, from Voss Road to Old Richmond, Mobility Bond Project #719, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 4231 in the amount of \$15,121.25 to Property Acquisition Services, Inc. regarding various right of way acquisition services within Precincts 1, 2, 3, and 4. (Fund: Right of Way)
- D. Approve payment of Invoice No. 2 (Pay Estimate No. 2) in the amount of \$16,087.50 to Reliable Signal & Lighting Solutions, LLC regarding traffic signalization at the intersection of Gaston Road and Falcon Lading, Phase 4, 703(D) Mobility Bond Project #703, Precinct 3. (Fund: 2007 Mobility Bonds)

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- E. **Approve payment of Invoice No. 459301/16/11 in the amount of \$293,872.12 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)**
- F. **Approve payment of Invoice No. 459301/17/11 in the amount of \$151,248.50 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)**
- G. **Approve payment of Invoice No. 21178 in the amount of \$10,732.75 to Geotest Engineering, Inc. regarding Falcon Landing Boulevard, Phase 4, from Spring Green to Gaston Road, Mobility Bond Project #703(D), Precinct 3. (Fund: 2007 Mobility Bonds)**
- H. **Approve application from TDK Construction Company to construct a driveway tie-in onto Fry Road, Precinct 3.**
- I. **Approve application from Verizon Communications to bore under and bury cable along Brand Lane, Precinct 2.**
- J. **Approve application from Devon Street Homes to construct a driveway tie-in onto Treemont Fair Court, Precinct 3.**
- K. **Approve the plat for Cinco Ranch Southwest, Sec. 32, Partial Replat No. 1, Precinct 3.**
- L. **Approve the plat for Westpark Springs, Precinct 3.**
- M. **Approve plat for the roads within Firethorne, Section 27, Precinct 3.**
- N. **Approve plat for the lots within Firethorne, Section 27, Precinct 3.**
- O. **Approve plat for the roads within Firethorne, Section 28, Precinct 3.**
- P. **Approve plat for the lots within Firethorne, Section 28, Precinct 3.**
- Q. **Approve plat for the roads within Sienna Village of Bees Creek, Sec. 23-A, Precinct 2.**
- R. **Approve plat for the lots within Sienna Village of Bees Creek, Sec. 23-A, Precinct 2.**
- S. **Approve plat for the roads within Sienna Village of Bees Creek, Sec. 23-B, Precinct 2.**

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- T. **Approve plat for the lots within Sienna Village of Bees Creek, Sec. 23-B, Precinct 2.**
- U. **Set public hearing for replat of Avalon at Pine Mill, Sec. 2, being a replat of unrestricted Reserve "A" of Katy ISD High School No. 7, Precinct 3. (Tuesday, June 25, 2013, at 1:00 p.m.)**

9. **FACILITIES MANAGEMENT & PLANNING:**

**Approve payment of Pay Application No. Three (3) and Pay Application No. Four (4) for an amount totaling \$124,393.07 to Crain Group, LLC for Design/Build services regarding Renovations to the George Memorial Library. (Fund: Facilities Bond Project)**

10. **PURCHASING:**

- A. **Authorize advertising for Requests for Proposals for Treatment Alternative Incarceration Program (TAIP) substance abuse, hair analysis, and drug testing system for Community Supervision & Corrections Department.**
- B. **Authorize advertising for requests for proposals for electronic monitoring devices for the Community Supervision & Corrections Department.**
- C. **Authorize advertising for requests for proposals for short term mental health residential services for the Community Supervision & Corrections Department.**

11. **ROAD & BRIDGE:**

**Approve payment of Invoice No. 1493 in the amount of \$41,990.85 to Reliable Signal & Lighting Solutions, LLC for traffic signal construction at the intersection of Fry Road and Center Village Drive. (Fund: Road & Bridge, Traffic Signals)**

12. **TAX ASSESSOR/COLLECTOR:**

**Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on May 7, 2013, for an amount totaling \$6,811.34 for the Office of Patsy Schultz.**

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13. COMMISSIONER, PCT. 3:

- A. Take all appropriate action on Petition and Consent to the Inclusion of Real Property to the boundaries of Fort Bend County Assistance District No. 1, extension of Falcon Landing Blvd.
- B. Take all appropriate action on Agreement to reimburse Fort Bend County for improvements to the extension of Falcon Landing Blvd., subject to consent to annexation by the City of Houston.
- C. Take all appropriate action on First Amendment to Professional Engineering Services Agreement for Turn Lane Design Improvements at Cinco Ranch Blvd. and Westheimer Parkway, Congestion Mitigation Mobility Project X23.

14. CONSTABLE, PCT. 1:

Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$133.28 to Phonoscope Enterprises for services received during February, March, April, and May without a purchase order. (Fund: Constable, Pct. 1, Fees)

15. COUNTY ATTORNEY:

Take all appropriate action on Release of Earnest Money and Contract under cancelled contract for the sale of 50.306 acres of county property dated October 6, 2003, Precinct 1.

16. ENGINEERING:

- A. Take all appropriate action to rescind Court's approval of Agenda Item 26 D from Commissioners Court meeting on April 23, 2013, an Amendment to the Agreement for Property Appraisal Services between Fort Bend County and Fox & Bubela, Inc.
- B. Take all appropriate action on the Enumerated Property Appraisal Services Agreement between Fort Bend County and Fox Appraisal Company, LLC for an amount not-to-exceed \$100,000. (Fund: Right of Way)
- C. Take all appropriate action on Development Agreement between Fort Bend County and D.H. Horton, LLC, for contribution to the improvements to Falcon Landing Blvd., Mobility Bond Project No. 703, Precinct 3.

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- D. Take all appropriate action on request for a variance to the minimum building setback street requirement as stated in Section 5.12,C-1 and the building setback line requirement as stated in Section 5.12,C of the Fort Bend County Regulations of Subdivisions, for Lakes of Bella Terra, Section 13, Partial Replat No. 1, on behalf of L.O.B. Limited Partnership, Precinct 3.
- E. Take all appropriate action on the plat for Lakes of Bella Terra, Section 13, Partial Replat No. 1, Precinct 3.
- F. Take all appropriate action on request by Alton W. Sydow and Agnes A. Sydow for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2 B, to allow 2.000 acres to be divided out of a called 79.938 acre tract situated in Barnabas Wickson League, Abstract 95 recorded in official Fort Bend County Deed Records, Instrument No. 9869365, Precinct 1.
- G. Take all appropriate action on request by Gary Lynn and Linda Sue Frederickson for a variance to the Fort Bend County Regulations of Subdivisions, Section 2.2B, to divide a 95.092 acre tract, situated in the C. Steinfield Survey, Abstract 636 and Section 77, H. & T.C. Railroad Company Survey, Fort Bend County Deed records instrument #9571722, into three tracts: one 3.6825 acre tract, Instrument #201108229, one 25.8438 acre tract, Instrument #2011082230, and one 65.429 acre tract, remainder Instrument #9571722, Precinct 1.
- H. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Hassell Construction Company pursuant to Bid 13-038, Airport Avenue Road Extension to FM 2218, to increase the scope of services in the amount of \$47,165 for a total contract amount not to exceed \$457,231, and to extend the date of completion to July 7, 2013. (Fund: Capital Improvement Project)
- I. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Allgood Construction Company pursuant to Bid 12-062, Construction of Falcon Landing Blvd. from Spring Green to Gaston Road, Gaston Road from Falcon Landing Blvd. to 3,600 LF North of Falcon Landing Blvd., and Greenbusch Road from Gaston Road to 3,100 LF East of Gaston Road, to increase the scope of services in the amount of \$421,711.92, for a total contract amount not to exceed \$4,486,551.96; Mobility Bond Project #703(D), Precinct 3. (Fund: 2007 Mobility Bonds)

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17. HUMAN RESOURCES:

- A. Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$122.40 to the Fort Bend Herald for employment advertisements purchased without a purchase order. (Fund: Human Resources, Fees)
- B. Take all appropriate action on revisions to the Employee Information Manual as submitted by the Director of Human Resources, specifically Section 710: Workers Compensation.

18. INDIGENT HEALTH CARE:

Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$16,666.67 to Oak Bend Medical Group for primary care physician services provided without a purchase order to Indigent Health Care clients during the month of May 2013. (Fund: Indigent Health Care, Professional Services)

19. JUSTICE OF THE PEACE, PCT. 1, PLACE 2:

Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$216.25 to Phonoscope Enterprises for services received during February, March, April, and May without a purchase order. (Fund: Justice of the Peace, Pct. 1, Place 2, Fees)

20. PUBLIC TRANSPORTATION:

Take all appropriate action on request to submit revised Project Proposal to Texas Commission on Environmental Quality (TCEQ), Contract #582-8-89960, to add FY12 and FY13 funding in the amount of \$39,728, with no cash match required by Fort Bend County, and authorize County Judge to execute all documents regarding the revised submission.

21. PURCHASING:

- A. Take all appropriate action on request for price increase from RelaDyne Pumpelly Oil Company pursuant to Bid 13-001 for oils and lubricants.
- B. Take all appropriate action on Agreement between Fort Bend County and Seon Systems Sales, Inc. for the supply and installation of on-board security cameras, pursuant to RFP 13-042, for an amount not to exceed \$177,344. (Fund: Public Transportation, Grants)

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- C. Take all appropriate action on Agreement between Fort Bend County and Trapeze for procurement of hardware, software license, services and maintenance agreement for automated fare collection system, pursuant to RFP 13-043, for an amount not to exceed \$347,684.80. (Fund: Public Transportation, Grants)
- D. Take all appropriate action on Agreement between Fort Bend County and Trapeze for software license and maintenance agreement for software for mobile data terminals, pursuant to RFP 13-045, for an amount not to exceed \$81,401. (Fund: Public Transportation Grants)
- 22. Approve Bills.
- 23. Authorize Auditor to pay and release time sensitive bills on May 23, 2013, to be ratified by Commissioners Court on May 28, 2013.
- 24. 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. Cause No. 12-CCV-049622; State of Texas and Fort Bend County, Texas vs. Dolores Wleczyk, et al; In the County Court at Law #2 of Fort Bend County, Texas.
    - 2. Cause No. 13-CCV-050294; State of Texas and Fort Bend County, Texas vs. Roy G. Gaubatz, et al; In the County Court at Law #2 of Fort Bend County, Texas.
  - 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 Public Transportation.



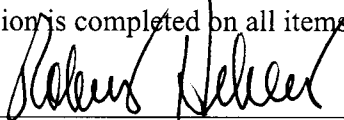
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25. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
1. Cause No. 12-CCV-049622; State of Texas and Fort Bend County, Texas vs. Dolores Wleczyk, et al; In the County Court at Law #2 of Fort Bend County, Texas.
  2. Cause No. 13-CCV-050294; State of Texas and Fort Bend County, Texas vs. Roy G. Gaubatz, et al; In the County Court at Law #2 of Fort Bend County, Texas.
- B. § 551.074. Personnel Matters.

Annual Evaluation - Director of Public Transportation.

26. 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, May 10, 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 (Deliberation of Real Property), 551.0725 (Deliberation of Contract Being Negotiated), 551.073 (Deliberation of Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation of Security Devices) and 551.086 (Economic Development).

FILED FOR RECORD  
NO. \_\_\_\_\_ TIME 2:22 P.M.  
MAY 10 2013 *SF*

  
County Clerk Fort Bend Co. Texas