

August 13, 2013

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
7TH FLOOR, WM. B. TRAVIS BUILDING, RICHMOND, TEXAS
TUESDAY, AUGUST 13, 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 August 6, 2013.
4. Public Comments regarding the Agenda and Announcements.

CONSENT AGENDA ITEMS 5 - 14:

5. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Community Development:** Marilynn Kindell and Carol Borrego to Tulsa, Oklahoma, October 8-11, 2013, to attend the National Community Development Association (NCDA) Region VI Annual Conference. (Fund: Community Development Block Grant)
 - B. **District Attorney:** Employee to Norman, Oklahoma, August 25-30, 2013, to attend Moot Court for Prosecutors at the National Center for Employee Development Conference Center, with airfare and lodging to be paid by Federal Bureau of Investigation, the sponsoring agency. (Fund: District Attorney, Travel)
 - C. **Health & Human Services - Environmental Health:** John Tod Schneider to Raleigh, North Carolina, on or about, August 26, 2013 to provide State testimony in the General Court of Justice, Wake County Superior Court, regarding File No. 11 CRS 8656, with travel, lodging, and meals to be provided by the State of North Carolina.
 - D. **Sheriff's Office:** Ratify travel by J. Orlop and S. Mayle to Oklahoma City, Oklahoma, August 8-9, 2013, to extradite prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)

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6. **COMMISSIONER, PCT. 1:**

Approve the appointment of William D. Kee to the Board of Directors of the Fort Bend Grand Parkway Toll Road Authority to fill the vacancy of Clifford Terrell, for a term effective through June 16, 2014.

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

- A. **Associate County Courts at Law:** Approve transfer in the amount of \$400 from Travel into Information Technology to allocate funds for the purchase of a replacement printer for Judge Kennedy.
- B. **County Court at Law No. 3:** Approve transfer in the amount of \$1,300 from Operating Supplies into Information Technology to allocate funds for the purchase of a replacement laptop for the bench.
- C. **District Attorney:** Approve transfer in the amount of \$25,000 from District Attorney, State Asset Forfeiture, Information Technology into Travel, to allocate additional funds needed for travel and training.
- D. **Elections Administration:** Approve transfer in the amount of \$11,000 from Election Services, Operating Supplies, into Information Technology to allocate funds for the purchase of memory upgrades to laptop computers used in election day polling places to be compatible with the Windows 7 operating system.
- E. **Facilities Management & Planning - Operations:** Approve transfer in the amount of \$3,100 as detailed on Director's form dated August 02, 2013, to reallocate funds back to the Library due to Phonoscope upgrade not taking place.
- F. **Health & Human Services:** Approve transfer in the amount of \$1,000 from Information Technology into Office Supplies to allocate funds needed for office supplies for the Pinnacle Senior Center of Fort Bend County.
- G. **Records Management:** Approve transfer in the amount of \$2,486 from Operating Supplies into Information Technology to allocate funds for the purchase of two computer workstations.

8. **CONSTABLE, PCT. 1:**

Approve renewal of the Agreement for Additional Law Enforcement Services between Fort Bend County and Greatwood Community Association, effective through September 30, 2014.

9. ENGINEERING:

- A. **Accept Utility Easement from Heritage Grand Homeowners Association, Inc. for 0.005 acre tract of land for traffic signal power conduit at southeast corner of Cinco Ranch Blvd. and Cinco Crossing Lane, Precinct 3.**
- B. **Approve payment of Invoice No. 459301/2011 to Dannenbaum Engineering Corporation in the amount of \$10,273.89 regarding Phase I design extension of FM 1093, from State Highway 99 west of FM 359, Mobility Bond Project #748, Precinct 3. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 42502017 in the amount of \$20,559.88 to Dow Pipeline Company, for final payment regarding West Bellfort Road, Phase II, from SH 99 to Harlem Road, Precinct 4. (Fund: Right of Way)**
- D. **Approve payment of Invoice No. 54499 in the amount of \$11,115.03 to Edminster, Hinshaw, Russ & Associates for Professional Engineering Consulting Services regarding scoping, prioritizing, and estimating construction costs of potential mobility roadway bond projects within Precincts 1, 2, 3, and 4. (Fund: 2007 Mobility Bonds)**
- E. **Approve payment of Invoice No. 713135 in the amount of \$45,362.61 to Klotz Associates regarding Administrative Support for Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. 1534 (Pay Estimate No. 4) in the amount of \$39,903.75 to Reliable Signal & Lighting Solutions, LLC regarding signalization for Falcon Landing Blvd at Gaston Road, Phase 4, Mobility Bond Project #703(D), Precinct 3. (Fund: 2007 Mobility Bonds)**
- G. **Approve Application from Centerpoint Entex to bore under and bury an 8-inch plastic gas line along Gaston Road, Pct. 3.**
- H. **Approve Application from Chong Wei OOI/TRS Construction, Inc. to construct a driveway tie-in onto Cinco Terrace Drive, Pct. 3.**
- I. **Approve Application from Centerpoint Entex to bore under and bury a 6-inch plastic gas line along Meadow Ranch Parkway and Long Prairie Trace, Pct. 3.**
- J. **Approve Application from Arch-Con Corporation to construct driveway tie-ins, three on Spring Green Boulevard and one driveway on Cinco Ranch Boulevard with a left turn lane, Pct. 3.**

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- K. **Rescind Commissioners Court approval of Agenda Item 8 U on July 9, 2013, and return the incomplete Performance Bond # 5143245 in the amount of \$5,000.00 to Ronny Carroll Homes, Inc.; driveway is not to be installed for Permit #84388, Pct. 3.**
- L. **Approve plat for the roads within Del Webb-Richmond, Section 9B, Precinct 1.**
- M. **Approve plat for the lots within Del Webb-Richmond, Section 9B, Precinct 1.**
- N. **Approve plat for the roads within Del Webb-Richmond, Section 17, Precinct 1.**
- O. **Approve plat for the lots within Del Webb-Richmond, Section 17, Precinct 1.**
- P. **Approve plat for the roads within Sienna Village of Bees Creek, Section 22, Pct. 2.**
- Q. **Approve plat for the lots within Sienna Village of Bees Creek, Section 22, Precinct 2.**
- R. **Approve plat for the roads within Sienna Village of Bees Creek, Section 24, Pct. 2.**
- S. **Approve plat for the lots within Sienna Village of Bees Creek, Section 24, Precinct 2.**
- T. **Approve plat for the roads within Sienna Village of Bees Creek, Section 27, Pct. 2.**
- U. **Approve plat for the lots within Sienna Village of Bees Creek, Section 27, Precinct 2.**
- V. **Approve plat for the roads within Long Meadow Farms, Section 32, Precinct 4.**
- W. **Approve plat for the lots within Long Meadow Farms, Section 32, Precinct 4.**
- X. **Approve plat for the roads within Millwood at Riverstone, Section 2, Precinct 4.**
- Y. **Approve plat for the lots within Millwood at Riverstone, Section 2, Precinct 4.**
- Z. **Approve the plat for Fulshear Gaston Storage, Precinct 3.**
- AA. **Accept the streets in Waterview Estates, Section 9: Marsh Willow Way, 145.11 LF; Camelia Evergreen Lane, 646.22 LF; Bellflower Glen Drive, 492.00 LF; and Acacia Rose Court, 448.77 LF; for a total of 1,732.10 LF; and release bond #8228-33-22 in the amount of \$120,330.00; Pct. 4.**
- BB. **Set public hearing for acceptance of the traffic control plan for Waterview Estates, Section 9, Precinct 4. (*Tuesday, September 10, 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. IN-00116613 and Invoice No. IN-00116624 for an amount totaling \$111,722.63 to Priefert Ranch Equipment for equipment to be used in the Fairgrounds Renovation Project;**
 - B. **Pay Application No. Seven (7) in the amount of \$266,070.40 to Crain Group, LLC. for Design/Build services regarding the George Memorial Library Renovation project;**
 - C. **Invoice No. 2013-0704 in the amount of \$13,950.00 to UR International, Inc. regarding professional software services.**
 11. **OFFICE OF EMERGENCY MANAGEMENT:**

Approve and sign the 2011 Grant Adjustment Notice (GAN) between Fort Bend County and the State of Texas Department of Public Safety to close out the State Homeland Security Program (SHSP) grant funding for the 2011 Grant Performance period.
 12. **PUBLIC TRANSPORTATION:**

Approve corrections to Application for Fiscal Year 2014 Grant Application Part 1 to the Texas Department of Transportation for Federal Transit Administration assistance with transportation programs, and authorize County Judge to sign corrected documents pertaining to the application.
 13. **PURCHASING:**

Authorize advertising for bids for Printing and Mailing of Voter Registration Cards.
 14. **TAX ASSESSOR/COLLECTOR:**
 - A. **Record into Minutes Certification of 2013 Tax Year Anticipated Collection Rate for Fort Bend County General Fund.**
 - B. **Record into Minutes Submission of 2013 Tax Year Appraisal Roll and New Property Value for the Fort Bend County General Fund.**
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15. COUNTY JUDGE:

- A. Take all appropriate action on Order Prohibiting Outdoor Burning in Fort Bend County, Texas, pursuant to Section 352.081 of the Texas Local Government Code.
- B. Take all appropriate action to adopt the Order Calling a Bond Election in the amount of \$184,900,000 on November 5, 2013.
- C. Take all appropriate action on the Tax Abatement Agreement between Fort Bend County, Rich Products Corporation as Owner, and MCRPC II, LLC as Lessee, Precinct 2.

16. COMMISSIONER, PCT. 2:

- A. Take all appropriate action on the Order Calling Election for Creation of the Fort Bend County Assistance District No. 6 and Imposition of a Sales and Use Tax, to be located generally along the State Highway 6 Corridor, north of U.S. Hwy 90A to the Fort Bend-Harris County line.
- B. Take all appropriate action to approve and authorize submission of the Petition to the City of Houston for its consent to the creation of Fort Bend County Assistance District No. 6 within the City's extraterritorial jurisdiction.

17. BUDGET & FINANCE:

- A. Take all appropriate action on request to transfer the amount of \$5,800 as detailed on Director's form dated August 8, 2013, to allocate funds for the replacement of a multi-function printer that cannot be repaired.
- B. Take all appropriate action to propose the 2013 Tax Rate for Fort Bend County and take a record vote.
 - Proposed General Fund Tax Rate \$ 0.38076
 - Proposed Road & Bridge Fund Tax Rate \$ 0.03100
 - Proposed Interest & Sinking Fund Tax Rate \$ 0.07300
 - Total Proposed Tax Rate \$ 0.48476
- C. Take all appropriate action to propose the FY 2014 salaries for Fort Bend County Elected Officials.

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- D. Take all appropriate action to set Public Hearings on the proposal to increase the 2013 Tax Rate for Fort Bend County to be conducted on Thursday, August 22, 2013, at 5:30 p.m. and on Tuesday, August 27, 2013 at 1:00 p.m. in the Commissioners Courtroom, 7th Floor, Wm. B. Travis Building in Richmond, Texas.
 - E. Take all appropriate action to set Public Hearings for the FY 2014 Proposed Budget for Fort Bend County to be conducted on Monday, September 9, 2013, at 5:30 p.m. and on Tuesday, September 10, 2013, at 1:00 p.m. in the Commissioners Courtroom, 7th floor, Wm B. Travis Building in Richmond, Texas.
18. ENGINEERING:
- A. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Mar-Con Services, LLC, regarding the James Lane Bridge over Bessie's Creek, to increase the scope of services in the amount of \$3,367.12 for a total contract amount not to exceed \$698,430.05; Precinct 3. (Fund: Road & Bridge)
 - B. Take all appropriate action on payment of Invoice No. 6 in the amount of \$134,292.79 to Mar-Con Services, LLC for construction work on the James Lane Bridge at Bessie's Creek. (Fund: Road & Bridge)
 - C. 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 Cambridge Falls, Section 4, on behalf of Fresno Lakes, Ltd., Precinct 2.
 - D. Take all appropriate action on plat for the roads within Cambridge Falls, Section 4, Precinct 2.
 - E. Take all appropriate action on plat for the lots within Cambridge Falls, Section 4, Pct. 2.
 - F. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Reliable Signal & Lighting Solutions, LLC, to increase the scope of services in the amount of \$2,002.65 for a total contract amount not to exceed \$149,819.65 regarding signalization for Gaston Road at Falcon Landing Boulevard, Phase 4, Mobility Bond Project #703(D), Precinct 3. (Fund: 2007 Mobility Bonds)
 - G. Take all appropriate action on Change Order No. 3 to the Agreement between Fort Bend County and Hassell Construction Company regarding the extension of Airport Avenue to FM 2218, to increase the scope of services in the amount of \$3,248.50 for a total contract amount not to exceed \$480,086.40, and to extend the completion date until December 31, 2013; Precinct 1. (Fund: Capital Improvement Project)

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- H. Take all appropriate action to accept Special Warranty Deed conveying 10.3438 acres of land from 99 Grand Mission, LLC for right of way purposes and record same, along with related Partial Release and Acknowledgment, in the Official Public Records of Fort Bend County, Texas, Pct 4.
 - I. Take all appropriate action on the Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council for the Fort Bend County Major Thoroughfare Plan.
19. FACILITIES MANAGEMENT & PLANNING:
- A. Take all appropriate to rescind the agreement and understanding between Facilities Management and Planning and Information Technology, approved by Commissioners Court on August 31, 2006, pertaining to the management and administration of Telephone Services and Invoicing as well as the Datacom Services and Invoicing which have been added in the interim effective October 1, 2013.
 - B. Take all appropriate action to accept a Water Line Easement and a Sanitary Sewer Easement from Grand Mission Partners, LLC, recorded under Instrument No. 2013093631 and Instrument No. 2013093632 respectively, in the Official Public Records of Fort Bend County, Texas, Precinct 3.
20. INFORMATION TECHNOLOGY:
- Take all appropriate action on the Novation Agreement between Fort Bend County and Infor (US), Inc., acknowledging that Infor (US), Inc. is the successor in interest in and to all previous agreements between Fort Bend County and Lawson Software, Inc. effective as of July 1, 2012.
21. PUBLIC TRANSPORTATION:
- A. Take all appropriate action on Shuttle Services Agreement between Fort Bend County and Lakewood Church effective October 1, 2013.
 - B. Take all appropriate action on Amendment #4 to the Public Transportation Project Grant Agreement #51212F7216 between Fort Bend County and the Texas Department of Transportation to approve the revised budget transfer and extend the time period of the grant from August 31, 2013 to May 31, 2014.

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22. PURCHASING:

- A. Take all appropriate action on request to transfer the amount of \$4,955 from Non-Departmental Contingency into Purchasing, Information Technology, to allocate funds for the purchase of three (3) laptop computers and bar code scanner equipment for annual inventory.
- B. Take all appropriate action on Change Order 9 to the Agreement between Fort Bend County and Phonoscope, pursuant to Request For Proposal 10-086 for Ethernet Service, in an additional monthly amount not to exceed \$450.00. (Fund: Facilities Management & Planning)
- C. Take all appropriate action on RFP 13-058 for an Inmate Phone System.
- D. Take all appropriate action on Agreement for Professional Materials Testing Engineering Services between Fort Bend County and Aviles Engineering Corporation, in an amount not to exceed \$122,402.05 for improvements to Mason Road, Mobility Project No. 735 A & B, Precinct 3. (Fund: 2007 Mobility Bonds)
- E. Take all appropriate action on request to purchase in-car camera systems for various departments from L-3 Communications, utilizing Houston-Galveston Area Council Agreement EF04-13 for FY 2013. (Fund: Various Departments)

23. SHERIFF'S OFFICE:

- A. Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$1,438.50 to Memorial Hospital for medical services provided to victim in Case #11-31136, and to victim in Case #12-18801 without a purchase order. (Fund: Sheriff, Enforcement, Professional Services)
- B. Take all appropriate action on request to authorize reimbursement in the amount of \$162.38 to Jacqueline Johnston for t-shirts purchased for Explorer Post without a purchase order. (Fund: Sheriff, Forfeited Assets-State, Operating Supplies)
- C. Take all appropriate action on Interlocal Agreement between Fort Bend County and City of Houston to work with the Automobile Burglary Theft Prevention Authority Fund Grant Program, for which the City will reimburse fifty percent (50%) of the County Investigator expenses effective September 1, 2013 through August 31, 2014.

24. Approve Bills.

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25. 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.

Civil Action No. 2:12-CV-00131; Nueces County, Texas v. MERSCORP Holdings, Inc., Mortgage Electronic Registration Systems, Inc., and Bank of America, N.A.; In the United States District Court for the Southern District of Texas, Corpus Christi Division.

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.

1. Director, Facilities Management & Planning.
2. Director of Public Transportation.
3. Road & Bridge Commissioner.
4. Director of Community Development.
5. Parks Director.
6. Director of Risk Management.
7. Director of Human Resources.
8. Director of Finance & Investments.
9. County Librarian.
10. Director of Information Technology.

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11. Director of Health & Human Services.
12. County Engineer.
13. Emergency Management Coordinator.
14. Fire Marshal.
26. Reconvene Open Session and consider taking action on the following matters:
 - A. § 551.071. Consultation With Attorney.

Civil Action No. 2:12-CV-00131; Nueces County, Texas v. MERSCORP Holdings, Inc., Mortgage Electronic Registration Systems, Inc., and Bank of America, N.A.; In the United States District Court for the Southern District of Texas, Corpus Christi Division.
 - B. § 551.074. Personnel Matters.
 1. Director, Facilities Management & Planning.
 2. Director of Public Transportation.
 3. Road & Bridge Commissioner.
 4. Director of Community Development.
 5. Parks Director.
 6. Director of Risk Management.
 7. Director of Human Resources.
 8. Director of Finance & Investments.
 9. County Librarian.
 10. Director of Information Technology.

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11. Director of Health & Human Services.
12. County Engineer.
13. Emergency Management Coordinator.
14. Fire Marshal.
27. 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, August 9, 2013. An electronic version of this notice is also posted on the Fort Bend County website: www.fortbendcountytexas.gov 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 2:57 A.M.
AUG 09 2013
SF
Deanne Wilson
County Clerk Fort Bend Co. Texas