

March 4, 2014

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, MARCH 4, 2014
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Grady Prestage.
3. Approve minutes of regular meeting held on February 25, 2014.
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 control plan for Sunrise Meadow, Section 6, Precinct 1.
 - B. Acceptance of the revised traffic control plan for Fair Chase Drive at South Firethorne Road to install "No Parking Any Time" signs, Precinct 3.

CONSENT AGENDA ITEMS 6-18:

6. **OUT OF STATE TRAVEL: Record into Minutes the out of state travel by Elected Official:**

Commissioner, Pct. 2: Commissioner Grady Prestage to Robinsonville, Mississippi, April 24-27, 2014, to attend the National Organization of Black County Officials (NOBCO) Conference. (Fund: Commissioner Precinct 2 Travel)
7. **OUT OF STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Commissioner, Pct. 2: Katie Herrington, Felecia Evans-Smith, Brenda Patton, and Christopher Harvey to Robinsonville, Mississippi, April 24-27, 2014, to attend the National Organization of Black County Officials (NOBCO) Conference. (Fund: Commissioner Precinct 2 Travel)**

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- B. **Health & Human Services:** David Olinger and Kaila Thompson to Atlanta, Georgia, March 31-April 3, 2014, to attend the 2014 Preparedness Summit. (Fund: Public Health Emergency Preparedness Grant)

8. **COUNTY JUDGE:**

Record into Minutes the Public Official Bond for Pamela Henry, as Treasurer for Fort Bend County Emergency Services District No. 3, in the amount of \$100,000 effective October 4, 2013 through December 31, 2014.

9. **AUDITOR:**

- A. **Accept Monthly Financial Report prepared by the County Auditor for twelve months ending September 30, 2013, pursuant to Local Government Code Section 114.023.**
- B. **Authorize the County Auditor to submit a letter to the Texas State Comptroller requesting funds for allocation of a portion of the Unclaimed Capital Credits received from electric cooperatives for both report years 2012 and 2013 back to counties in cooperative service areas no later than March 31, 2014.**

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

- A. **Commissioner, Pct. 1:** Approve transfer in the amount of \$481 from Information Technology into Office Supplies to reallocate funds into correct line item for expenditure.
- B. **Facilities Maintenance:** Approve transfer in the amount of \$100 as detailed on Director's form dated February 19, 2014 to allocate funds for replacement of damaged monitor.
- C. **Health & Human Services:** Approve transfer in the amount of \$82,310 as detailed on Auditor's form dated February 26, 2014 to allocate funds from the 1115 Waiver Program into the budget for Behavioral Health Crisis and Intervention Team through September 30, 2014.
- D. **Library:** Approve transfer in the amount of \$1,000 from Fees into Capital Acquisitions to allocate additional funds for budgeted purchases into correct line item for expenditure.
- E. **Sheriff's Office:** Approve transfer in the amount of \$39,311 as detailed on Auditor's form dated February 25, 2014, to amend the budget pursuant to Local Government Code Section 111.07075 for reimbursements received by the Commissary and allocate funds into construction of a lawn maintenance building and build-out of offices.

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- F. **Sheriff's Office:** Approve transfer in the amount of \$3,786 as detailed on Sheriff's form dated February 21, 2014, to allocate additional funds for replacement of truck for the Enforcement Division.

- 11. **AGRILIFE EXTENSION OFFICE:**

Approve renewal of Memorandum of Understanding for Information Technology Services between Fort Bend County and Texas AgriLife Extension Service for the term of March 1, 2014 through February 28, 2016.

- 12. **ENGINEERING:**
 - A. Approve payment of Invoice No. 14-1-000008 in the amount of \$11,800.55 to JRB Engineering, LLC, regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)

 - B. Approve payment of Invoice No. 1 (the first and final invoice) in the amount of \$101,290.88 to Fort Bend County Municipal Utility District No. 185 pursuant to Second Amendment to Interlocal Agreement approved by Commissioners Court on November 12, 2013, regarding storm sewer improvements necessary for the expansion of Falcon Landing Boulevard, Mobility Bond Project No. 703, Precinct 3. (Fund: 2007 Mobility Bonds)

 - C. Approve payment of Invoice No. 4455 in the amount of \$6,186.25 to PAS Property Acquisition Services, LLC regarding right-of-way services for various projects within Precincts 1, 2, 3, and 4. (Fund: Right of Way)

 - D. Approve acceptance of Continental Casualty Company Perpetual Bond No. 929581321 for E.P. Brady, Ltd.

 - E. Approve acceptance of Merchants Bonding Company (Mutual), Perpetual Bond No. TX 811914 for TGC Industries, Inc.

 - F. Approve application from E.P. Brady, Ltd. to install a 12-inch and 36-inch water line for the North Fort Bend Water Authority, Precinct 3.

 - G. Approve application from Centerpoint Entex to bury a 6-inch plastic gas line along Meadow Ranch Parkway, Precinct 4.

 - H. Approve application from Bluelinegeo/Tidelands Geophysical to use wireless/cable free system while conducting seismic operations on several county roads, Precinct 1.

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- I. **Accept the streets in Walnut Creek, Section 9: Pear Point Lane, 77.42 LF; Lantern Hill Lane, 809.82 LF; Holly Tree Court, 150.28 LF; and Marble Stone Lane, 129.27 LF; for a total of 1,166.79 LF;; and release Bond No. 948923 in the amount of \$83,790.00, Precinct 1.**
- J. **Approve the plat for Fort Bend County Westpark Park and Ride, Precinct 3.**
- M. **Set public hearing for acceptance of the traffic control plan for Walnut Creek, Section 9, Precinct 1. (Tuesday, April 1, 2014, at 1:00 p.m.)**
- N. **Set public hearing for Cinco Ranch Southwest Primrose Replat No. 1, Precinct 3. (Tuesday, April 8, 2014, at 1:00 p.m.)**
- O. **Set public hearing for Parkway United Methodist Church Replat of Reserve "A", Precinct 4. (Tuesday, April 8, 2014, at 1:00 p.m.)**
- 13. **FIRE MARSHAL:**

Approve renewal of Interlocal Agreement for Fire Code and Investigations between the City of Fulshear and Fort Bend County.
- 14. **HEALTH & HUMAN SERVICES:**

Emergency Medical Service: Approve renewal of the Emergency Medical Service Housing Agreement between Fort Bend County and Fort Bend County Emergency Service District No. 4.
- 15. **HUMAN RESOURCES:**

Approve Military Supplemental Pay in the amount of \$7,472.32 to employee of the Sheriff's Office, Position # 5601-0273, pursuant to Section 708.08 of the Fort Bend County Employee Information Manual. (Fund: Sheriff's Office)
- 16. **PURCHASING:**

Authorize advertising for bids for a generator for the Historic Courthouse.
- 17. **TAX ASSESSOR/COLLECTOR:**

Approve refunds over \$500 as detailed in Tax Assessor/Collector's Report submitted on February 25, 2014, for an amount totaling \$10,532.87 for the Office of Patsy Schultz.

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18. TREASURER:

Record into Minutes the Certificates of Completion awarded to County Treasurer Jeff Council for completion of the required twenty hours of Continuing Education for 2013, as prescribed in section 83.003 of the Texas Local Government Code, and required fifteen hours of Continuing Education for 2013 from the Texas Association of Counties County Investment Academy, as prescribed in section 2256.008 of the Public Funds Investment Act, revision effective September 1, 1998.

19. COUNTY JUDGE:

- A. Take all appropriate action on Order Authorizing the Issuance of the Fort Bend County, Texas, Unlimited Tax Road Refunding Bonds, Series 2014; authorize County officials to sign all documents relating to the refunding bond issue, and authorize attorney and financial advisor to take all necessary action to deliver bonds to the purchaser.
- B. Take all appropriate action on request to authorize County Attorney to prepare Agreements with the following agencies utilizing the Family Protection Fee revenue from FY13 as follows: Fort Bend County Women's Center \$15,000; Child Advocates of Fort Bend County \$15,000; and Fort Bend Community Partners Rainbow Room \$3,000; to be expended from March through November 2014.

20. COMMISSIONER, PCT. 2:

Take all appropriate action on request by Benjamin Yonce, on behalf of CCS Enterprises, LLC, to waive penalty, interest, and collection fees totaling \$5,733.78 on property taxes for Tax Year 2012, Precinct 2.

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21. ENGINEERING:

- A. Take all appropriate action on the Regulations for Floodplain Management, including the National Flood Insurance Study and Floodplain Maps, for Fort Bend County, effective April 2, 2014.
- B. Take all appropriate action on modification of fee schedule for services provided by Fort Bend County Engineering Department regarding the Regulations for Floodplain Management, effective April 2, 2014.
- C. Take all appropriate action on Second Amendment to the Professional Design Engineering Services Agreement between Fort Bend County and Dannenbaum Engineering Corporation for the extension of FM 1093, from State Highway 99 to west of FM 359, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)

22. HUMAN RESOURCES:

Take all appropriate action on Memorandum of Understanding between Fort Bend County and Western Governors University - Texas, (WGU), extending a reduction in tuition to Fort Bend County employees who meet WGU admissions criteria, at no cost to the County.

23. PURCHASING:

- A. Take all appropriate action on Lease Agreement between Fort Bend County and Morton Cemetery for 323 square feet of office space at 900 Morton Street, Richmond, pursuant to RFP 14-037.
- B. Take all appropriate action on Interlocal Agreement between Fort Bend County and The Texas A&M Engineering Extension Service for Training Services in an amount not to exceed \$69,754.05. (Fund: Office of Emergency Management Grant)
- C. Take all appropriate action on request to purchase one (1) truck, an addition to fleet, from Caldwell Ford, for Sheriff's Office, pursuant to Bid 14-016, in amount not to exceed \$24,619. (Fund: Sheriff's Office and Risk Management, Insurance)
- D. Take all appropriate action on Bid 14-030, Term Contract for Purchase and Installation of Carpet.
- E. Take all appropriate action on Bid 14-031, Term Contract for Fuel Treatment Program.

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- F. Take all appropriate action on Bid 14-032, Term Contract for Purchase of Culverts.
- G. Take all appropriate action on Bid 14-033, Term Contract for Purchase of Bridge Materials.
- H. Take all appropriate action on Bid 14-034, Term Contract for Purchase and Hauling of Earthen Type Road Materials.
- I. Take all appropriate action on Bid 14-035, Term Contract for Purchase and Hauling of Chemical Type Road Materials.
- J. Take all appropriate action on Bid 14-036, Term Contract for Diesel Exhaust Fluid.
- K. Take all appropriate action on Bid 14-044, Electrical Relocation Services and Supplies for TDCJ Harlem Road.
- L. Take all appropriate action on Amendment to Agreement for Foundation Repairs between Fort Bend County and Atlas Foundation Repair, pursuant to RFP 14-021, in an amount not to exceed \$7,000. (Fund: Capital Improvement Project)
- M. Take all appropriate action on request to authorize County Purchasing Agent and Director of Facilities Management and Planning to utilize US Communities Governmental Purchasing Alliance Contract #2013-069 for Comprehensive Energy Consulting and Management Services with Tradition Energy to procure electric power.
- N. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Section 262.024 (a)(7) Texas Local Government Code for the purchase of an item available from only one source, for online cataloging databases from Amigos/Facts On File in an amount not to exceed \$4,780.78. (Fund: Library)
- O. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Section 262.024 (a)(7) Texas Local Government Code for the purchase of an item available from only one source, for online databases from Amigos/Chilton in an amount not to exceed \$10,480. (Fund: Library)
- P. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Section 262.024 (a)(7) Texas Local Government Code for the purchase of an item available from only one source, for online databases from Cengage Learning, Inc. in an amount not to exceed \$21,342.11. (Fund: Library)

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24. Approve Bills.

25. WORKSHOP - FACILITIES MANAGEMENT & PLANNING:

Workshop to receive presentation on the Combined Heat and Power (CHP) Schematic Design Study conducted for the Jail by Lockwood Andrews and Newnam.

26. 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.

Cause No. 4:13-cv-03550; Matthew Williams, Individually and On Behalf of All Others Similarly Situated v. Fort Bend County, Texas; In the United States District Court for the Southern District of Texas Houston Division.

- 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 in Addicks-Clodine area, Precinct 2.

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27. Reconvene Open Session and consider taking action on the following matters:

A. § 551.071. Consultation With Attorney.

Cause No. 4:13-cv-03550; Matthew Williams, Individually and On Behalf of All Others Similarly Situated v. Fort Bend County, Texas; In the United States District Court for the Southern District of Texas Houston Division.

B. § 551.072. Deliberation Regarding Real Property.

Acquisition of property in Addicks-Clodine area, Precinct 2.

28. 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, February 28, 2014. 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 301 Jackson Street, Suite 301, 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

Fort Bend County Commissioners Court 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 12:11 A.M.
P.M.
FEB 28 2014 SF

County Clerk Fort Bend Co. Texas