

*August 12, 2014*

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE  
401 JACKSON STREET, RICHMOND, TEXAS  
TUESDAY, AUGUST 12, 2014  
1:00 P.M.**

**AGENDA**

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner James Patterson.
3. Approve minutes of regular meeting held on August 5, 2014.
4. Public Comments regarding the Agenda and Announcements.
  - Patsy Schultz, Fort Bend County Tax Assessor Collector, would like to inform the public that all tax offices will close at 2:00 p.m. on Wednesday, August 13, 2014, for staff training. The tax offices will reopen at 8:00 a.m. on Thursday, August 14, 2014.

**CONSENT AGENDA ITEMS 5-12**

5. **BUDGET & FINANCE/BUDGET TRANSFERS:**
  - A. **County Attorney:** Approve transfer in the amount of \$1,785 from Fees into Information Technology to allocate funds for the purchase of monitors and connectors for dual screen workstations for five attorneys.
  - B. **Engineering:** Approve transfer in the amount of \$6,000 from Fees into Information Technology to allocate funds into correct line item for the purchase of specialized CAD and traffic signal software.
  - C. **Health & Human Services - Indigent Health Care:** Approve transfer in the amount of \$840 as detailed on Director's form dated August 6, 2014 to allocate funds into correct line item for the purchase of computer related equipment and window tint for two vehicles.
  - D. **Information Technology:** Approve transfer in the amount of \$51,100 as detailed on Director's form dated August 6, 2014 to allocate funds for the purchase of telecommunications hardware and software.

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- E. **Library:** Approve transfer in the amount of \$10,018 from Fees into Capital Acquisitions to allocate funds into correct line item for expenditure.
  - F. **Public Transportation:** Approve transfer in the amount of \$24,165 as detailed on Director's form dated August 6, 2014 to allocate funds for the County's match to rural grant funds from Texas Department of Transportation, Agreement #51411F7246, approved by Commissioners Court on August 5, 2014.
  - G. **Tax Assessor/Collector:** Approve transfer in the amount of \$2,765 from Office Supplies into Information Technology to allocate funds for the purchase of a laptop, five printers, and seven licenses for WinZip software.
6. **CONSTABLE, PCT. 3:**
- Accept grant funds in the amount of \$4,275.00 from the Texas Department of State Health Services to assist in the local enforcement of Health & Safety laws regarding the sale of tobacco to minors, with no cash match required by Fort Bend County for the period of September 1, 2014 through August 31, 2015.
7. **COUNTY CLERK:**
- Record into Minutes the change in travel date to accommodate airfare for County Clerk Dianne Wilson to Portland, Oregon, from August 13-23, 2014, to attend the Association for Title Information Management (ATIM) 2014 Conference. (Fund: County Clerk, Records Management, Travel)
8. **ENGINEERING:**
- A. Approve payment of Invoice No. 33749 in the amount of \$1,000.00 to Costello, Inc. regarding Mason Road, Phase 3, Mobility Bond Project No. 735B, Precinct 4. (Fund: 2007 Mobility Bonds)
  - B. Approve payment of Invoice No. 34124 in the amount of \$2,915.30 to Costello, Inc. regarding Mason Road, Phase 3, Mobility Bond Project No. 735B, Precinct 4. (Fund: 2007 Mobility Bonds)
  - C. Approve payment of Invoice No. 7638, sequence no. 42, in the amount of \$2,791.85 to Othon, Inc. regarding Williams Way, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)
  - D. Approve payment of Invoice No. INV0003871 in the amount of \$112.50 to Percheron Field Services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)

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- E. **Approve payment of Invoice No. INV0003870 in the amount of \$1,168.75 to Percheron Field Services regarding Congestion Mitigation, Mobility Bond Project No. X23, Precincts 1, 2, 3, and 4. (Fund: Right of Way)**
- F. **Approve payment of Invoice No. 1987, sequence no. 02, in the amount of \$187,575.00 to Aranda Brothers Construction Company, Inc. regarding Harlem Road, Mobility Bond Project No. 726, Precinct 4. (Fund: 2007 Mobility Bonds)**
- G. **Approve application from Roche Constructors, Inc. to construct a driveway, left turn lane and a deceleration lane on Bellaire Boulevard, Precinct 3.**
- H. **Approve application from Satterfield & Pontikes Construction, Inc. to construct two driveways and one left turn lane on Falcon Landing Boulevard and two driveways and one left turn lane on Westheimer Parkway, Precinct 3.**
- I. **Approve application from R Construction Company to bury a water line along Clodine Road, Precinct 4.**
- J. **Approve application from Si Energy to bore a 3-inch steel pipe under Scott Road, Precinct 1.**
- K. **Approve application from CDC Unlimited, LLC to repair a water leak under 5th Street, Precinct 2.**
- L. **Accept the streets in Winfield Lakes, Sec. 18: Tall Sequoia Drive 170.00 LF, Tall Sequoia Drive 411.99 LF, Hidden Cypress Lane 666.73 LF, Flowing Azalea Court 390.65 LF, Yellow Maple Lane 411.50 LF, for a total of 2,050.87 LF, and release bond #929541562 in the amount of \$147,060.90, Precinct 2.**
- M. **Approve the plat for Katy Gaston Apartments, Precinct 3.**
- N. **Approve the plat for Providence at Riverstone Section One Amending Plat No. 1, Precinct 4.**
- O. **Set public hearing for the traffic control plan for Winfield Lakes, Sec. 18, Precinct 2. (Tuesday, September 9, 2014, at 1:00 p.m.)**
- P. **Set public hearing for the revised traffic control plan for Harlem Road, Precincts 3 and 4. (Tuesday, September 9, 2014, at 1:00 p.m.)**
- Q. **Set public hearing for Shops at Beadle Road being a replat of Foundation Academy Subdivision, Precinct 3. (Tuesday, September 23, 2014, at 1:00 p.m.)**

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9. **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. **Pay Application No. 7 in the amount of \$8,990.00 to Turner Construction Company for construction services regarding expansion of the Central Appraisal District facility;**
  - B. **Pay Application No. 14-005 001 in the amount of \$182,089.35 to Bass Construction Co., Inc. for Construction Services regarding the pedestrian plaza around the William B. Travis Annex.**
10. **HUMAN RESOURCES:**
  - A. **Approve request for withdrawal of 64 hours from the Shared Sick Leave Pool for employee of the District Clerk's Office, Position # 54501-0043.**
  - B. **Approve request for withdrawal of 51 hours from the Shared Sick Leave Pool for employee of Public Transportation, Position # 6101-0014.**
  - C. **Approve and record into Minutes the application for Appointment of Deputy Constable, John McCord and Ronald DeJohn, by Constable Precinct 3, in accordance with Constable's form dated August 5, 2014 pursuant to Local Government Code §86.011.**
  - D. **Approve and record into Minutes the application for Appointment of Deputy Constable Kenneth Taylor by Constable Precinct 1, in accordance with Constable's form dated August 1, 2014 pursuant to Local Government Code §86.011.**
11. **PURCHASING:**

**Authorize advertising for bids for roof replacements at Gordon Ranch.**
12. **TAX ASSESSOR/COLLECTOR:**
  - A. **Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on August 5, 2014, for an amount totaling \$8,000.79 for the Office of Patsy Schultz.**
  - B. **Record into Minutes Certification of 2014 Tax Year Anticipated Collection Rate for Fort Bend County General Fund.**
  - C. **Record into Minutes Submission of 2014 Tax Year Appraisal Roll and New Property Value for the Fort Bend County General Fund.**

13. COUNTY JUDGE:

- A. Take all appropriate action to designate the bridge on Katy-Flewellen Road at the Willow Fork of the Buffalo Bayou as the Jacque Endresen Bridge.
- B. Take all appropriate action on Resolution in Support of the Expansion of Texas State Technical College in Fort Bend County.
- C. Take all appropriate action on request to transfer the amount of \$100,000 from Non-Departmental Contingency into the Gordon Ranch Project, to allocate funds for repairs necessary for the Gordon Ranch Lodge.

14. COMMISSIONER, PCT. 1:

Take all appropriate action on Agreement for Access to Water between Fort Bend County and The George Foundation to provide irrigation for the joint Landscape Project located at US 59/FM 762.

15. COMMISSIONER, PCT. 4:

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, and Public Hospitals, Day Care Centers and Child Care Facilities On Behalf of d'marcos Pizzeria.

16. AUDITOR:

Take all appropriate action to direct the County Auditor on disposition of County Assets from various County department inventory lists that were not located during the 2013-2014 Annual Inventory, as presented to Commissioners Court in report dated August 12, 2014.

17. BEHAVIORAL HEALTH SERVICES:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$1,350.00 to Rebecca Skillern Brown for Specialized Crisis Intervention Training provided without a purchase order to law enforcement personnel. (Fund: 1115 Waiver)

18. BUDGET & FINANCE:

- A. Take all appropriate action to propose the 2014 Tax Rate for Fort Bend County and take a record vote:

Proposed General Fund Tax Rate	\$0.37826
Proposed Road & Bridge Fund Tax Rate	\$0.02850
Proposed Interest & Sinking Fund Tax Rate	\$0.06600
Total Proposed Tax Rate	\$0.47276

- B. Take all appropriate action to propose the FY 2015 salaries for Fort Bend County Elected Officials.
- C. Take all appropriate action to set public hearings on the proposal to increase the 2014 Tax Rate for Fort Bend County to be conducted on Thursday, August 21, 2014 at 5:30 p.m., and on Tuesday, August 26, 2014 at 1:00 p.m. in the Commissioners Courtroom, 2nd Floor, Fort Bend County Courthouse, 401 Jackson Street in Richmond, Texas.
- D. Take all appropriate action to set public hearings for the FY 2015 Proposed Budget for Fort Bend County to be conducted on Monday, September 8, 2014 at 5:30 p.m. and on Tuesday, September 9, 2014 at 1:00 p.m. in the Commissioners Courtroom, 2nd Floor, Fort Bend County Courthouse, 401 Jackson Street in Richmond, Texas.

19. COMMUNITY DEVELOPMENT:

Take all appropriate action on First Modification of FY 2012 Emergency Solutions Grant Program (ESG) Agreement between Fort Bend County and The Salvation Army, to modify line items in the budget, with no additional funds being added, and to extend the term until October 31, 2014; authorize County Judge to sign all documents pertaining to the Agreement. (Fund: Emergency Solutions Grant)

20. ELECTIONS ADMINISTRATION:

- A. Take all appropriate action on the Early Voting Schedule for the November 4, 2014 General Election.
- B. Take all appropriate action on the appointment of Judges of Election and Alternate Judges of Elections for 2014-2016 as submitted by the Fort Bend County Republican Party and the Fort Bend County Democratic Party.
- C. Take all action on list of Early Voting Workers for the November 4, 2014 General Election as submitted by the Democratic and Republican Parties of Fort Bend County.

21. ENGINEERING:

- A. Take all appropriate action on the Donation Agreement between Fort Bend County and Falcon Ranch Homeowners Association, Inc. for the acceptance of donations in the amount of \$50,000.00 for the purpose of contributing to the construction of two (2) Span Footbridges crossing the Willow Fork Drainage Ditch and connections to existing trails, Precinct 3, pursuant to the Interlocal Project Agreement approved by Commissioners Court on July 1, 2014.
- B. Take all appropriate action on the Agreement Regarding Footbridges between Fort Bend County and Fort Bend County Municipal Utility District No. 124 for the acceptance of contributions in the amount of \$50,000.00 for the purpose of contributing to the construction of two (2) Span Footbridges crossing the Willow Fork Drainage Ditch and connections to existing trails; Precinct 3, pursuant to the Interlocal Project Agreement approved by Commissioners Court on July 1, 2014.
- C. Take all appropriate action on Change Order 4 to the Agreement between Fort Bend County and Hassell Construction Company, Inc. to decrease the scope of services by \$26,271.00 for a total contract amount not-to-exceed \$4,754,455.31 regarding Golfview Drive, Phase I, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)
- D. Take all appropriate action on payment of final invoice, Invoice No. 130312, sequence no. 12, in the amount of \$235,364.39 to Hassell Construction Company, Inc. regarding Golfview Drive, Phase I, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)
- E. Take all appropriate action on request for variance to the building setback line requirement as stated in Section 5.12 C.1 of the Fort Bend County Regulations of Subdivisions, for Cambridge Falls, Sec. 5, on behalf of Fresno Lakes, Ltd., Precinct 2.
- F. Take all appropriate action on plat for the roads within Cambridge Falls, Sec. 5, Precinct 2.
- G. Take all appropriate action on plat for the lots within Cambridge Falls, Sec. 5, Precinct 2.

22. HEALTH & HUMAN SERVICES:

Take all appropriate action on request to ratify Application to the West Fort Bend Women's Charity for funding in the amount of \$2,500 to support Unmet Emergency Needs of Fort Bend County Veterans.

23. PARKS & RECREATION:

Take all appropriate action on request to pay by Invoice Transmittal the amount of \$385.00 to Ivey Piano Service for piano repair at Gordon Ranch without a purchase order. (Fund: Gordon Ranch, Repairs & Maintenance)

24. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Amendment 1 to Project Grant Agreement #51312F7187 between Fort Bend County and Texas Department of Transportation (TxDOT), to extend the grant period until May 31, 2015, and to revise the project budget.
- B. Take all appropriate action on application to Federal Transit Administration (FTA) for Fiscal Year 2014 Section 5307 urban area grant funds totaling \$4,122,468 with \$1,079,274 in transportation development credits in lieu of local match, and authorize Grants Coordinator to electronically submit the application in the Transportation Electronic Award Management (TEAM) System, as designated by the County Judge. (Fund: Public Transportation Grants)

25. PURCHASING:

- A. Take all appropriate action on request to authorize negotiations with vendors as detailed on list submitted on August 6, 2014, for professional services regarding roadway, drainage and infrastructure projects, pursuant to SOQ 14-025, 2013 Mobility Bond Program Consultants.
- B. Take all appropriate action on RFP 15-002, Janitorial Services for County Facilities.
- C. Take all appropriate action on the Sixth Amendment to Agreement for Engineering Services between Fort Bend County and Landtech Consultants, Inc. in an amount not-to-exceed \$10,000 for a total project cost not to exceed \$1,018,235.00 regarding Mason Road Phase 2, Mobility Bond Project No. 735a, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
- D. Take all appropriate action on request to purchase one (1) 24 to 26-foot transportation bus from National Bus Sales, a replacement to fleet, pursuant to Bid 10-032, for an amount of \$71,909. (Fund: Public Transportation, Texas Department of Transportation Grant)



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26. RISK MANAGEMENT:

Take all appropriate action on recommended plan and rate changes to the Fort Bend County Employees Benefit Medical Plan effective January 1, 2015.

27. ROAD & BRIDGE:

Fleet Management: Take all appropriate action on request to transfer the amount of \$125,000 from Non-Departmental Contingency into Fleet Management, Capital Acquisitions, to allocate funds to equip the five spare vehicles purchased for the fleet.

28. SHERIFF'S OFFICE:

- A. Take all appropriate action on request to accept the donation of two OH-58A helicopters (SN 71-20727 and 73-21889) as part of the Texas 1033 Military Surplus Property Program for use at the Fort Bend County Sheriff's Office.
- B. Take all appropriate action on request to transfer the amount of \$30,000 from Sheriff's Office, Forfeited Assets, Federal, Contingency, into Capital Acquisitions, to allocate funds for helicopter expenses to include transport expenses and striping/repainting.

29. TAX ASSESSOR/COLLECTOR:

Take all appropriate action on Interlocal Cooperation Agreement for the Collection of Taxes between Fort Bend County and Fort Bend Municipal Utility District 134-B effective through June 30, 2015.

30. Approve Bills.

31. Authorize County Auditor to pay and release time sensitive bills on August 21, 2014, to be ratified by Commissioners Court on August 26, 2014.

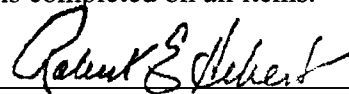
32. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:
  - A. § 551.071. Consultation With Attorney. Commissioners Court will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or 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. Case No. 4:13-CV-03627 Juan Resendiz vs. Troy Nehls, Fort Bend County Sheriff, et al. In the United States District Court, Southern District of Texas, Houston Division, Houston, Texas.
    2. Fort Bend County v. AFC Transportation, GBJ, Inc. D/B/A/ AFC Transportation and National Interstate Insurance, Cause No. 13-DCV-20451. In the 240th Judicial District Court.
    3. Case No. 13-CCV-050632 State of Texas and Fort Bend County, TX v. Marcus Schulte , Cheryl Schulte, et al. In the County Court at Law Number One, Fort Bend County, TX.
  - 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.

Stafford Run Creek Drainage Project.
  - 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.
    1. Director, Information Technology.
    2. Director, Facilities Management & Planning.

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33. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
1. Case No. 4:13-CV-03627 Juan Resendiz vs. Troy Nehls, Fort Bend County Sheriff, et al. In the United States District Court, Southern District of Texas, Houston Division, Houston, Texas.
  2. Fort Bend County v. AFC Transportation, GBJ, Inc. D/B/A/ AFC Transportation and National Interstate Insurance, Cause No. 13-DCV-20451. In the 240th Judicial District Court.
  3. Case No. 13-CCV-050632 State of Texas and Fort Bend County, TX v. Marcus Schulte , Cheryl Schulte, et al. In the County Court at Law Number One, Fort Bend County, TX.
- B. § 551.072. Deliberation Regarding Real Property.
- Stafford Run Creek Drainage Project.
- C. § 551.074. Personnel Matters.
1. Director, Information Technology.
  2. Director, Facilities Management & Planning.
34. 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 8, 2014. An electronic version of this notice is also posted on the Fort Bend County website: [www.fortbendcountytexas.gov](http://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 12:30 P.M.  
AUG 08 2014 SF