

October 14, 2014

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, OCTOBER 14, 2014
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledges of Allegiance by Commissioner Grady Prestage.
3. Approve minutes of regular meeting held on October 7, 2014.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARINGS: 1:00 p.m.: Conduct Public Hearings:
 - A. Renaming of Gordon Ranch to Jones Creek County Park.
 - B. Replat: FFG Capital being a replat of Restricted Reserve "A" of Firethorne Commercial Reserve "A" Replat of Firethorne Sec. 7 Partial Replat, Precinct 3.

CONSENT AGENDA ITEMS 6 -14:

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Sheriff's Office: Ratify travel by M. Kubricht and K. Oreskovich to Atlanta, Georgia, October 7-8, 2014, to extradite a prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
 - B. **Sheriff's Office: Ratify travel by J. Orlop and T. Tyrrell to New Orleans, Louisiana, October 8, 2014, to extradite a prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**
 - C. **Sheriff's Office: L. Williams and J. Hernandez to Pontiac, Michigan, October 15-16, 2014, to extradite a prisoner back to Fort Bend County. (Fund: Sheriff, Enforcement, Travel)**

- D. **Sheriff's Office:** Edwin Vaught to Columbia, South Carolina, November 2-7, 2014, to attend the Prison Rape Elimination Act (PREA) Auditor Certification Training. (Fund: Sheriff's Office, Commissary)

7. **COMMISSIONER, PCT. 1:**

Approve Interlocal Project Agreement between Fort Bend County and Richmond State Supported Living Center to provide assistance with reconstructing and asphalt overlaying the parking lot of the Sabine Building located within the Richmond State School Property, County expenditure not to exceed \$2,700; Pct. 1. (Fund: Road & Bridge)

8. **AUDITOR:**

Accept Monthly Financial Report prepared by the County Auditor for ten months ending July 31, 2014, pursuant to Local Government Code Section 114.023.

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

- A. **Auditor:** Approve FY 2015 transfer in the amount of \$10,105,551 as detailed on Auditor's form dated October 9, 2014, to allocate funds budgeted for 2015 Capital Improvement Projects into project accounts.
- B. **Commissioner, Pct. 3:** Approve FY 2015 transfer in the amount of \$1,000 from Fees into Temporary/Part-Time to allocate funds for temporary assistance during the absence of full-time staff.
- C. **Constable, Pct. 2:** Approve FY 2015 transfer in the amount of \$5,000 from Temporary/Part-Time into Salaries to allocate funds for temporary assistance while employee is absent on family medical leave.
- D. **Facilities Management & Planning:** Approve FY 2015 transfer in the amount of \$9,385 as detailed on Director's form dated October 2, 2014 to allocate funds for the purchase of software for departmental use.
- E. **Juvenile Probation:** Approve FY 2015 transfer in the amount of \$55,022 as detailed on Director's form dated October 7, 2014 to allocate funds into correct account for two replacement vehicles, and add \$397 for price increase on one vehicle.
- F. **Parks Department:** Approve FY 2014 transfer in the amount of \$9,151 as detailed on Auditor's form dated October 7, 2014 to allocate funds into correct accounts for the installation of wireless internet services at park facilities.

- G. **Road & Bridge:** Approve FY 2015 transfer in the amount of \$6,700 from Property and Equipment into Information Technology to allocate funds for the purchase of barcode scanners, printers, and other computer related items for use with fleet management software.
 - H. **Sheriff's Office:** Approve FY 2014 transfer in the amount of \$12,500 from Forfeited Assets, State, Contingency, into Capital Acquisitions to allocate funds for the purchase of a heliport.
 - I. **Sheriff's Office - Enforcement:** Approve FY 2015 transfer in the amount of \$110 from Travel into Information Technology to allocate funds for the purchase of a battery for a laptop computer.
 - J. **Vehicle Maintenance:** Approve FY 2015 transfer in the amount of \$6,275 from Property and Equipment into Information Technology to allocate funds for the purchase of barcode scanners, printers, and other computer related items for use with fleet management software.
 - K. **Vehicle Maintenance:** Approve FY 2015 transfer in the amount of \$122,267 as detailed on Director's form dated October 7, 2014 to allocate contingent funds for vehicle equipment should the equipment cost more than what was budgeted or in case more equipment is necessary.
10. **ENGINEERING:**
- A. Approve payment of Invoice No. 2 in the amount of \$231,684.55 to Allgood Construction Co., Inc. regarding Williams Way Phase 2, Mobility Bond Project No. 747, Precinct 1. (Fund: 2007 Mobility Bonds)
 - B. Approve payment of Invoice No. 8 in the amount of \$253,792.78 to Allgood Construction Co., Inc. regarding West Bellfort Road, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)
 - C. Approve payment of Invoice No. 090114 in the amount of \$18,850.27 to Landtech Consultants, Inc. regarding Mason Road Phase 2, Mobility Bond Project No. 735A, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)
 - D. Approve release of performance bond no. SU1121825 in the amount of \$350,000.00 to Seaway Crude Pipeline Company, LLC for completion of work on several county roads and county drainage ditches, Permit No. 84382, Precinct 1.
 - E. Approve application from AT & T Texas to bury cable along Beechnut Street, Precincts 3 and 4.

- F. Approve application from Devon Street Homes to construct driveway tie-ins onto Dragonfly Drive and Oak River Lane, Precinct 1.**
- G. Approve application from CDC Unlimited, LLC to saw cut for access to water main for installation of water tap on 5th Street, Precinct 2.**
- H. Approve application from Centerpoint Entex to tie a 2-inch plastic gas line to a 6-inch plastic gas line on Meadow Ranch Parkway, Precinct 4.**
- I. Accept the streets in King Lakes, Section 8: Foxrun Vista Drive, 1198.96 LF, Haggard Nest Drive 756.31 LF, Trinity Creek Court 319.65 LF for a total of 2,274.92 LF, and release bond #268002878 in the amount of \$160,000.00, Precinct 3.**
- J. Approve the plat for Aliana Waste Water Treatment Plant, Precinct 4.**
- K. Approve plat for the roads within Greatwood Lake, Sec. 1, Precinct 1.**
- L. Approve plat for the lots within Greatwood Lake, Sec. 1, Precinct 1.**
- M. Set public hearing for acceptance of the traffic control plan for King Lakes, Section 8, Precinct 3. *(Tuesday, November 18, 2014, at 1:00 p.m.)***
- N. Set public hearing for acceptance of the traffic control plan for installation of a multi-way stop at Benton Road at Reading Road, Precinct 1. *(Tuesday, November 18, 2014, at 1:00 p.m.)***
- 11. 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. One in the amount of \$36,373.86 to American Contracting USA, Inc. for roof replacement at the Gordon Ranch;**
 - B. Final Pay Application in the amount of \$27,439.14 to American Contracting U.S.A., Inc., for roof repairs at the Gordon Ranch;**
 - C. Pay Application No. One (1) and Two (2) for an amount totaling \$173,680.67 to Crain Group LLC., for Design/Build services regarding the Fourth Floor Buildout of Travis Building;**
 - D. Pay Application No. 14-005 003 in the amount of \$172,347.08 to Bass Construction Co., Inc., for construction services regarding the pedestrian plaza.**

12. **HUMAN RESOURCES:**

Approve request for withdrawal of 50 hours from the Shared Sick Leave Pool for employee of Clinical Health Services, Position # 6301-0036.

13. **RISK MANAGEMENT:**

Approve renewal of medical professional liability coverage for Clinical Health Services through Admiral Insurance Company effective through October 1, 2015.

14. **SHERIFF'S OFFICE:**

Approve renewal of the Intergovernmental Agreement between Fort Bend County and Houston-Galveston Area Council to provide law enforcement training services at the Gus George Academy effective through August 31, 2015.

15. **COUNTY JUDGE:**

Take all appropriate action on Resolution renaming Gordon Ranch to Jones Creek County Park.

16. **COMMISSIONER, PCT. 2:**

Take all appropriate action on Resolution for the use of eminent domain by record vote for the Addicks-Clodine Community Center Project.

17. **COMMUNITY DEVELOPMENT:**

Take all appropriate action on the following Agreements between Fort Bend County and U.S. Department of Housing and Urban Development (HUD) for FY 2014 funding, all of which are part of the FY 2014 Consolidated Action Plan approved by Commissioners Court July 1, 2014, and authorize the County Judge to sign all documents pertaining to the Agreements:

- Community Development Block Grant (CDBG) in the amount of \$2,190,757;
- HOME Investment Partnerships (HOME) in the amount of \$466,953; and
- Emergency Solutions Grant (ESG) in the amount of \$171,760.

18. DISTRICT ASSOCIATE JUDGE :

Take all appropriate action on request for FY 2015 transfer in the amount of \$734 from Non-Departmental Contingency into Property and Equipment to allocate funds for the purchase of a chair for District Associate Judge.

19. ELECTIONS ADMINISTRATION:

Take all appropriate on Joint Election Agreements between Fort Bend County and the following political subdivisions for the November 4, 2014 General Election: Katy Independent School District; Fort Bend Independent School District; Lamar Consolidated Independent School District; City of Katy; City of Kendleton; Fort Bend County Water Control and Improvement District No.2; Fort Bend County Fresh Water Supply District No. 1; Burney Road Municipal Utility District.

20. ENGINEERING:

- A. Take all appropriate action on request for variance to the building setback line requirement as stated in Section 5.12 C1 of the Fort Bend County Regulations of Subdivisions, for Whisper Rock at Riverstone, on behalf of Riverstone Development, Precinct 4.
- B. Take all appropriate action on plat for the roads within Whisper Rock at Riverstone, Precinct 4.
- C. Take all appropriate action on plat for the lots within Whisper Rock at Riverstone, Precinct 4.
- D. Take all appropriate action on Change Order No. 1 to the Agreement between Fort Bend County and Aranda Brothers Construction Co., Inc. to increase the scope of services by \$3,250.00 for a total contract amount not to exceed \$1,006,795.00 regarding Harlem Road, Mobility Bond Project No. 726, Precinct 4. (Fund: 2007 Mobility Bonds)
- E. Take all appropriate action on payment of Invoice No. 1990 (sequence no. 04) in the amount of \$22,746.40 to Aranda Brothers Construction Co., Inc. regarding Harlem Road, Mobility Bond Project No. 726, Precinct 4. (Fund: 2007 Mobility Bonds)

21. PUBLIC TRANSPORTATION:

Take all appropriate action on Application to The George Foundation for grant funds in the amount of \$187,500 for use over a three-year period to expand public transportation routes in the Richmond/Rosenberg area.

22. PURCHASING:

- A. Take all appropriate action on Bid 15-028 for purchase of vehicles.
- B. Take all appropriate action on request to purchase vehicles for various departments, as indicated on order form, pursuant to Bid 15-028. (Fund: Various Departments)
- C. Take all appropriate action on Bid 15-026, term contract for abatement of junked vehicles.
- D. Take all appropriate action on Amendment No 1 to Agreement for Parks Master Plan Update between Fort Bend County and Knudson LP, to add additional services in an amount not to exceed \$450 for a total contract amount not to exceed \$73,950.(Fund: Parks Department)
- E. Take all appropriate action on Amendment to Professional Environmental & Preliminary Engineering Services Agreement between Fort Bend County and IDC, Inc. for additional engineering and environmental services in an amount not to exceed \$194,915, for a total project cost not to exceed \$351,168 regarding Crabb River Road (FM 2759/FM 762), Precinct 1. (Fund: Crabb River Road Project)
- F. Take all appropriate action on request for FY 2014 transfer in the amount of \$194,915 as detailed on Auditor's form dated October 9, 2014 to allocate funds for additional environmental and preliminary engineering services for the Crabb River Road project, from FM 762 to FM 2759, Precinct 1.

23. ROAD & BRIDGE:

Take all appropriate action on request for FY 2014 transfer in the amount of \$1,884,618 as detailed on Auditor's form dated October 8, 2014 to allocate funds for the Sienna Parkway project, to be reimbursed to Fort Bend County by Sienna Plantation Municipal Utility District No. 5, as authorized by Commissioners Court on October 2, 2012.

24. SHERIFF'S OFFICE:

- A. Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$2,092.38 to JR Helicopter & Aircraft Services, Inc. for services performed on two helicopters without a purchase order. (Fund: Sheriff, Enforcement, Repairs and Maintenance)
- B. Take all appropriate action on Application to the Walmart Community Grant Program for grant funds up to \$2,500 for the purchase of an Emergency Response Trailer, with no additional funds required by Fort Bend County, and authorize County Judge to sign all documents pertaining to submission of the Application.

25. TAX ASSESSOR/COLLECTOR:

Take all appropriate action on Member Service Agreement/Classic Guarantee Program and Addendum to Service Agreement between Fort Bend County and Envision Payment Solutions for assistance in the recovery of funds for returned checks.

26. Approve Bills.

27. Authorize County Auditor to pay and release time sensitive bills on October 23, 2014, to be ratified by Commissioners Court on October 28, 2014.

28. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:

§ 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.

A. Juan Resendiz vs. Troy Nehls, et al. Case No. 4:13-CV-03627 In the United States District Court for the Southern District of Texas, Houston Division.

B. Firethorne/JDC, Ltd. Threatened Litigation. Fort Bend County Attorney file # 14-LIT-702.

C. Matthew Williams, et al vs. Fort Bend County, Texas. Civil Action No. 4:13-CV-03550 In The United States District Court for the Southern District of Texas, Houston Division.

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

§ 551.071. Consultation With Attorney.

A. Juan Resendiz vs. Troy Nehls, et al. Case No. 4:13-CV-03627 In the United States District Court for the Southern District of Texas, Houston Division.

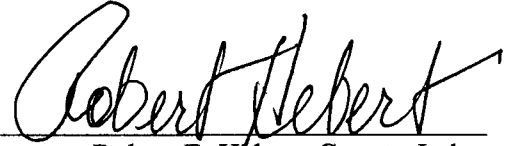
B. Firethorne/JDC, Ltd. Threatened Litigation. Fort Bend County Attorney file # 14-LIT-702.

C. Matthew Williams, et al vs. Fort Bend County, Texas. Civil Action No. 4:13-CV-03550 In The United States District Court for the Southern District of Texas, Houston Division.

30. Adjournment.

October 14, 2014

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, October 10, 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 11:19 AM
P.M.

OCT 10 2014 SF


County Clerk Fort Bend Co. Texas