

February 10, 2015

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, FEBRUARY 10, 2015
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 February 3, 2015.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARINGS: 1:00 p.m.:
 - A. Conduct Public Hearing to consider creation of Fort Bend County Emergency Service District No 7 in Precinct 3, pursuant to Chapter 775 of the Health and Safety Code.
 - B. Conduct Public Hearings and take all appropriate action on the following matters:
 1. Replat: LaCenterra at Cinco Ranch, Sec. 1, Precinct 3.
 2. Replat: LaCenterra at Cinco Ranch, Sec. 2, Precinct 3.

CONSENT AGENDA ITEMS 6 - 18

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Library: Mary Miller and Huong Mai Nguyen to Minneapolis, Minnesota, April 13-18, 2015, to attend the Annual Polaris Users Group Conference. (Fund: Library, Travel)**
 - B. **Sheriff's Office: A. Pascual to Memphis, Tennessee, May 3-7, 2015, to attend the Tiburon Conference. (Fund: Sheriff, Enforcement, Training)**

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

Approve First Amendment to Agreement between Fort Bend County and Fresno Volunteer Fire Department to provide additional funding in the amount of \$37,418 for fire protection services in the Fresno/Arcola area for the 2014-2015 contract year, utilizing revenue received from BFI tipping fees. (Fund: Fresno/Arcola Projects)

8. **COMMISSIONER, PCT. 4:**

Approve the reappointment of Scott Jacobson to the Board of Directors of First Colony Levee Improvement District for a term effective February 27, 2015 through February 27, 2019.

9. **AUDITOR:**

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

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

- A. **Behavioral Health Services: Approve transfer in the amount of \$4,700 as detailed on Auditor's form dated February 4, 2015 to allocate funds for expenditures related to the start of new position, Forensic Psychologist.**
- B. **Health & Human Services - Emergency Medical Service: Approve transfer in the amount of \$11,575 as detailed on Director's form dated February 5, 2015, to allocate funds into correct line item for vehicle upfitting expenses.**
- C. **Library: Approve transfer in the amount of \$52,305 as detailed on County Librarian's form dated February 2, 2015, to allocate funds for the purchase of shelving and a forklift.**
- D. **Office of Emergency Management: Approve transfer in the amount of \$400 from Fees into Information Technology to allocate funds into correct line item for computer related expenditures.**
- E. **Road & Bridge - Vehicle Maintenance: Approve transfer in the amount of \$150 from Fees into Information Technology to allocate funds for the purchase of battery backup for the lobby computer.**

11. **CONSTABLE, PCT. 3:**

Record into Minutes the 2014 Racial Profiling Report, Tier 2, for the Office of Constable, Pct. 3, pursuant to Code of Criminal Procedure, Articles 2.131-2.138.

12. **ENGINEERING:**

- A. **Approve payment of Invoice No. 121439C in the amount of \$3,511.00 to Aviles Engineering Corp. regarding West Bellfort Road, Mobility Bond Project No. 741, Precinct 4. (Fund: 2007 Mobility Bonds)**
- B. **Approve payment of Invoice No. 2018 (sequence no. 8) in the amount of \$170,842.50 to Aranda Brothers Construction Co., Inc. regarding Harlem Road, Mobility Bond Project No. 726, Precincts 3 and 4. (Fund: 2007 Mobility Bonds)**
- C. **Approve payment of Invoice No. 14-12-016 (sequence no. 12) in the amount of \$1,680.00 to Kelly R. Kaluza & Associates, Inc. regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- D. **Approve payment of Invoice No. 1-150091 in the amount of \$4,140.00 to Brown & Gay Engineers regarding Spring Green, Mobility Bond Project No. 13318, Precinct 3. (Fund: 2013 Mobility Bonds)**
- E. **Approve payment of Invoice No. 1333 in the amount of \$1,448.33 to Austin-Reed Engineers, LLC regarding Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)**
- F. **Approve payment of Invoice No. INV0006143 in the amount of \$1,724.16 to Percheron Field Services regarding Cane Island, Mobility Bond Project No. X12, Precinct 3. (Fund: Right of Way)**
- G. **Approve payment of Invoice No. 8 (Final) in the amount of \$251,043.70 to Gonzalez Construction Enterprise, Inc. regarding Mason Road, Phase 3, Mobility Bond Project No. 735b, Precinct 4. (Fund: 2007 Mobility Bonds)**
- H. **Approve application from Devon Street Homes to construct driveways on Longvale Drive and Oak River Lane, Precinct 1.**
- I. **Approve application from Devon Street Homes to construct driveways on Waterview Meadow Drive and Quill Rush Way, Precinct 4.**
- J. **Approve application from Lischka Utilities, LLC to construct a driveway on Beechnut Road, Precinct 4.**

- K. **Approve application from Centerpoint Energy Houston Electric LLC to install overhead electrical lines over Steep Bank Creek, Precinct 2 and Precinct 4.**
- L. **Approve application from Gonzales Construction Enterprise, Inc. to construct an outfall into Seabourne Creek, Precinct 1.**
- M. **Approve application from Centerpoint Energy to bore under and bury a 2-inch plastic gas line along Westmoor Drive, Precinct 2.**
- N. **Approve release of performance bond No. SUR6009359 in the amount of \$10,000.00 to Landmark Industries for completion of work on South Firethorne Road, Permit No. 83841, Precinct 3.**
- O. **Approve application from AT&T to bury fiber optic cable along Morton Road, Precinct 4.**
- P. **Accept bond Decrease Rider #70105249 for Firethorne West, Section 10 reducing the amount from \$227,640.00 to \$113,820.00, Precinct 3.**
- Q. **Release bond #70084130 in the amount of \$267,110.00 for Firethorne Section 25 and Firethorne Section 19 Partial Replat. The streets are private and will be maintained by the Homeowners Association, Precinct 3.**
- R. **Accept the streets in Firethorne, Section 21: Iron Point Court 175.00 LF, Eastonwood Court 531.72 LF, Warren Park Drive 377.33 LF, Bruning Way 178.00 LF, for a total of 1,262.05 LF, and release bond #5108293 in the amount of \$83,930.00, Precinct 3.**
- S. **Accept the streets in Firethorne, Section 22: South Firethorne Road 1,502.37 LF, Carlson Manor Drive 576.25 LF, Carlson Manor Court 148.00 LF, Blinkwood Park 601.13 LF, Hillstrom Park Drive 219.98 LF, Gladway Manor Drive 518.25 LF, Sparrow Crest Drive 621.58 LF, Pinkstone Court 391.26 LF, for a total of 4,578.82 LF, and release bond 5108294 in the amount of \$316,260.00, Precinct 3.**
- T. **Accept the streets in Firethorne, Section 23: North Firethorne Road 449.00 LF, North Firethorne Road 924.68 LF, Draycutt Drive 1,619.48 LF, Hunting Bay Court 323.47 LF, Meeks Bay Court 502.08 LF, Rumson Drive 300.05 LF, Beauford Drive 430.68 LF, Sparrow Crest Drive 251.46 LF, for a total of 4,800.90 LF, and release bond #70084128 in the amount of \$362,520.00, Precinct 3.**
- U. **Accept the streets in Firethorne, Section 24: Rumson Drive 1,403.53 LF, Bruning Way 208.00 LF, Caney Fork Court 251.46 LF, for a total of 1,776.51 LF, and release bond #70084129 in the amount of \$120,680.00, Precinct 3.**

- V. Approve the plat for Canyon Gate at the Brazos Section Two Partial Replat No. 3, Precinct 1.
 - W. Approve plat for the roads within Avalon at Riverstone, Section Ten-B, Precinct 4.
 - X. Approve plat for the lots within Avalon at Riverstone, Section Ten-B, Precinct 4.
 - Y. Set public hearing for Blue Bonnet Acres Partial Replat No. 1, Precinct 1. *(Tuesday, March 24, 2015, at 1:00 p.m.)*
 - Z. Set public hearing for Satya Long Meadow Farms Partial Replat No. 1, Precinct 4. *(Tuesday, March 24, 2015, at 1:00 p.m.)*
 - AA. Set public hearing for acceptance of the traffic control plan for Firethorne, Sections 21, 22, 23, 24, Precinct 3. *(Tuesday, March 10, 2015, at 1:00 p.m.)*
13. **FORT BEND FLOOD CONTROL WATER SUPPLY CORP.:** The Board of Directors of Fort Bend Flood Control Water Supply Corporation reviewed these items at their regular meeting held on January 28, 2015, and makes the following recommendations to Commissioners Court:
- A. Approve renewal of insurance policies for Fort Bend Flood Control Water Supply Corporation as presented by SIG/McDonald & Wessendorff Insurance in the amount of \$6,563.00 for one year effective February 12, 2015.
 - B. Authorize payment of invoices for work performed by consultants and/or contractors as listed on Board Report dated January 28, 2015 for an amount totaling \$12,716.65 regarding Big Creek. (Fund: Big Creek)
14. **JUVENILE PROBATION & DETENTION**
- Approve Agreement between Fort Bend County and Houston-Galveston Area Council for the County's Juvenile Probation Department to receive grant funds in the amount of \$14,000 to provide mental health assessment and/or therapy to referred juveniles for the period of January 1, 2015 through August 31, 2015, to be ratified by the Juvenile Board at their next meeting.

15. **OFFICE OF EMERGENCY MANAGEMENT:**

Approve and sign three FY 2013 Grant Adjustment Notices (GAN) between Fort Bend County and the State of Texas Department of Public Safety to close out the Urban Area Security Initiative (UASI), Urban Area Security Initiative Law Enforcement Terrorism Prevention Activities (UASI-LETPA) and Urban Area Security Initiative Management and Administration (UASI-M&A) grant projects for the FY 2013 Homeland Security Grant Performance period.

16. **PURCHASING:**

- A. **Authorize advertising for bids for Printing and Mailing of Tax Statements.**
- B. **Authorize advertising for requests for proposals for electronic content management (ECM) solution.**

17. **SHERIFF'S OFFICE:**

Ratify Application for Participation in the Texas 1033 Surplus Property Program by the Sheriff's Office for the current Fiscal Year.

18. **TAX ASSESSOR/COLLECTOR:**

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 4, 2015 for an amount totaling \$227,105.38 for the Office of Patsy Schultz.

19. **COUNTY JUDGE:**

- A. **Take all appropriate action on Resolution by Commissioners Court Requesting the State Legislature Create an Additional General Jurisdiction District Court Giving Preference to Family Law Matters.**
- B. **Take all appropriate action on the appointment of Underwriters for the issuance of approximately \$51,000,000 Fort Bend County Texas, Unlimited Tax Road and Refunding Bonds, Series 2015 and approximately \$93,000,000 Fort Bend County, Texas, Limited Tax Refunding Bonds, Series 2015.**

20. AUDITOR:

Take all appropriate action on request to transfer the amount of \$444,600 as detailed on the Auditor's form dated February 4, 2015 to allocate funds into various project accounts.

21. ENGINEERING:

- A. Take all appropriate action on Resolution and Order Decreeing the Acquisition of Property to be a Public Necessity and Authorizing the Acquisition and Payment of Compensation by record vote for the FM 1093 Westpark Tollway Project, Precinct 3.
- B. Take all appropriate action on Permanent Easement Agreement granting a 0.86 acre permanent easement area, a 1.49 acre temporary workspace area, and a 0.28 acre additional temporary workspace area to Enterprise Crude Pipeline, LLC for installation of pipeline, and record same in Official Public Records of Fort Bend County, Texas, Precinct 1.
- C. Take all appropriate action to accept the Donation Deed - LPA, JDC/Firethorne, Ltd, for 10 -foot wide right-of-way dedication along FM 1463, out of the Thomas Caraway Survey, Abstract 156, and record same in Official Public Records, Precinct 3.
- D. Take all appropriate action on Order regarding the Fort Bend County Major Thoroughfare Plan as proposed by the Engineering Department.
- E. Take all appropriate action on request for a variance to the general building setback requirement as stated in Section 5.12.C.1 of the Fort Bend County Regulations of Subdivisions, for Winfield Lakes Sec. 17 Partial Replat No. 1, on behalf of Long Lake Ltd., Precinct 2.
- F. Take all appropriate action on plat for Winfield Lakes Sec. 17 Partial Replat No. 1, Precinct 2.

22. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on request to transfer the amount of \$51,290 from Non-Departmental Contingency into Facilities, Custodial, as detailed on Director's form dated February 3, 2015, to allocate additional funds necessary due to change in vendors.

23. FIRE MARSHAL:

Take all appropriate action on Interlocal Agreement for Fire Code Inspections between Fort Bend County and City of Arcola.

24. HUMAN RESOURCES:

Take all appropriate action on request to reclassify Position 5701-0018 in the Community Supervision & Corrections Department from Community Corrections Officer II, Grade 10 of the Professional Management Policy Group to Senior Officer, Grade 11 of the Professional Management Policy group effective February 14, 2015.

25. OFFICE OF EMERGENCY MANAGEMENT:

Take all appropriate action on request to transfer the amount of \$1,246 from Non-Departmental Contingency into Fees to allocate additional funds necessary for payment of invoice for emergency oil spill cleanup on November 19, 2014.

26. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Application to Federal Transit Administration (FTA) for Fiscal Year 2013 Congestion Mitigation and Air Quality grant funds totaling \$2,504,175 with land as local match for the Westpark Park & Ride, and authorize Grants Coordinator to electronically submit the application in the Transportation Electronic Award Management (TEAM) System, as designated by the County Judge.
- B. Take all appropriate action on Application to Houston Galveston Area Council for the Commuter and Transit Services Pilot Program in the amount of \$310,877 for expansion of Texas Medical Center commuter service, with a cash match of \$113,908 by Fort Bend County. (Fund: Public Transportation Grants)

27. PURCHASING:

- A. Take all appropriate action on Bid 15-043 to provide and install baseball barrier netting.
- B. Take all appropriate action on Bid 15-044 for Sheriff's Office Interior Remodel of West Jail Tower.
- C. Take all appropriate action on Bid 15-045 for the construction of a double turn lane at private drive on Fry Road.
- D. Take all appropriate action on SOQ 15-046 for design/build equipment barn at Freedom Park.

- E. Take all appropriate action on Second Amendment to Agreement for Engineering Services between Fort Bend County and Klotz Associates, Inc. in an amount not to exceed \$341,434.68, for a total amount not to exceed \$853,269.36 regarding project management services for Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2007 Mobility Bonds)
28. SHERIFF'S OFFICE:
- A. Take all appropriate action on request to authorize payment by Invoice Transmittal for an amount totaling \$150.00 to A & M Wrecker Services for towing services provided on June 23, 2014 and on September 25, 2014 without a purchase order. (Fund: Sheriff, Enforcement, Fees)
 - B. Take all appropriate action on request to authorize payment by Invoice Transmittal in the amount of \$250.00 to Mike Davis Signs for the purchase of a banner without a purchase order. (Fund: Sheriff, Forfeited Assets, Federal)
 - C. Take all appropriate action on request to accept the donation of property from the Texas Department of Public Safety as part of the Texas 1033 Military Surplus Property Program described as: three (3) Humvee Model 998, 4-door, 1-1/4 ton 4 x 4 personnel/cargo carriers, and three (3) trailers for use by the Fort Bend County Sheriff's Office; and authorize County Judge to sign all documentation related to acceptance of the property.
29. Approve Bills.
30. Authorize County Auditor to pay and release time sensitive bills on February 19, 2015, to be ratified by Commissioners Court on February 24, 2015.
31. 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. Medical Subrogation Claim of Melba Pyka - Right of Reimbursement for Benefits Paid; County Attorney File # 14-SUB-020.
 - B. Fort Bend County, et al vs. LJA Engineering, Inc. F/K/A/ LJA Engineering and Surveying, Inc. et al; Case No. 12-DCV-198114. In the 268th Judicial District Court of Fort Bend County, Texas.

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

§ 551.071. Consultation With Attorney.

- A. Medical Subrogation Claim of Melba Pyka - Right of Reimbursement for Benefits Paid; County Attorney File # 14-SUB-020.
- B. Fort Bend County, et al vs. LJA Engineering, Inc. F/K/A/ LJA Engineering and Surveying, Inc. et al; Case No. 12-DCV-198114. In the 268th Judicial District Court of Fort Bend County, Texas.

33. 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 6, 2015. An electronic version of this notice is also posted on the Fort Bend County website: www.fortbendcountytx.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 11:51 AM P.M.

FEB 06 2015


County Clerk Fort Bend Co. Texas