

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, NOVEMBER 3, 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 and special meeting held on October 27, 2015.
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 traffic control plan for Lakemont Lake Bend, Section 1, Precinct 3.
 - B. Acceptance of the traffic control plan for Creekstone Village at Riverstone, Section 7 Phase 1, Precinct 4.
 - C. Acceptance of the traffic control plan for Aliana Brannock Avenue and Reserve, Pct. 4.

CONSENT AGENDA ITEMS 6 - 18

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Human Resources: Kent Edwards to Chicago, Illinois, May 1-8, 2016, to attend Workplace Strategies Annual Labor and Employment Law Seminar. (Fund: Human Resources, Travel)**
 - B. **Sheriff's Office: Investigator to Lima, Peru, November 5-11, 2015, for investigation funded by federal agency.**

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

- A. **Auditor: Approve FY 2016 transfer in the amount of \$69,279 as detailed on Auditor's form dated October 26, 2015 to reallocate funds from completed projects into Commissioners Court Projects account.**
- B. **328th District Court: Approve FY 2016 transfer in the amount of \$5,320 from Information Technology into Capital Acquisitions to allocate funds for the purchase of copier into correct account for expenditure.**
- C. **District Attorney: Approve FY 2015 transfer in the amount of \$161,739 as detailed on Auditor's form dated October 26, 2015 to allocate the County's match for grants received from the Office of Attorney General, Criminal Justice Division for the Violence Against Women Prosecutor, Violence Against Women Investigator, and Victim Witness Staff Expansion programs in FY 2015.**
- D. **Juvenile Detention & Probation Department: Approve FY 2015 transfer in the amount of \$39,588 as detailed on Auditor's form dated October 27, 2015 to allocate the County's match for the National School Lunch Program in FY 2015.**
- E. **Public Defender: Approve FY 2016 transfer in the amount of \$189,228 as detailed on Auditor's form dated October 27, 2015 to allocate funds for the County's match on the FY 2016 Public Defender grant.**
- F. **Sheriff's Office: Approve FY 2015 transfer in the amount of \$82,961 as detailed on Auditor's form dated October 26, 2015 to allocate the County's match for grants received from the Office of Attorney General, Criminal Justice Division for the Adult Gang Investigator and Community Services Youth programs in FY 2015.**
- G. **Sheriffs Office - Enforcement: Approve FY 2016 transfer in the amount of \$12,000 from Temporary/Part-Time into Fees to allocate funds into correct account for the Director of Critical Incident Stress Management.**

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

Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 1.

9. **CONSTABLE, PCT. 2:**

- A. **Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Quail Glen Homeowner's Association effective through September 30, 2016.**
- B. **Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 2.**

10. **CONSTABLE, PCT. 3:**

Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 3.

11. **CONSTABLE, PCT. 4:**

- A. **Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of Constable Precinct 4.**
- B. **Record into Minutes the Federal FY 2015 Equitable Sharing Agreement and Certification for the Office of Fort Bend County Constable Precinct 4.**

12. **COUNTY ATTORNEY:**

Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of County Attorney.

13. **DISTRICT ATTORNEY:**

- A. **Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Office of District Attorney.**
- B. **Record into Minutes the Federal FY 2015 Equitable Sharing Agreement and Certification for the Office of Fort Bend County District Attorney.**

14. **ENGINEERING:**

- A. **Approve payment of Invoice No. 9 in the amount of \$160,695.00 to Hassell Construction Co., Inc. for construction services regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)**
- B. **Approve payment of Invoice No. 20152536 in the amount of \$19,071.45 to TEDSI Infrastructure Group for professional engineering services regarding Traffic Improvements, Mobility Bond Project No. 13319, Precinct 3. (Fund: 2013 Mobility Bonds)**
- C. **Approve payment of Invoice No. 182809 in the amount of \$7,849.02 to Bio-West, Inc. for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)**
- D. **Approve payment of Invoice No. H203307 in the amount of \$31,713 to Halff Associates, Inc. for professional services regarding Beechnut, Mobility Bond Project No. 13201, Precinct 2. (Fund: 2013 Mobility Bonds)**
- E. **Approve payment of Invoice No. 25828 in the amount of \$19,272.85 to Terra Associates, Inc. for professional services regarding Lake Olympia Parkway, Mobility Bond Project No. 13207, Precinct 2. (Fund: 2013 Mobility Bonds)**
- F. **Approve payment of Invoice No. 1115005 in the amount of \$14,700.00 to Doucet & Associates for professional engineering services regarding Braxton Road, Mobility Bond Project No. 13116, Precinct 1. (Fund: 2013 Mobility Bonds)**
- G. **Approve release of performance bond no. HSIFSU0671829 in the amount of \$61,000 to Tejas Underground Utilities, LLC for completion of work on Willow Fork (Buffalo Bayou), Permit No. 84727, Precinct 3.**
- H. **Approve application from Comast, LLC/Jier, LLC to bore under and bury 1 1/2-inch duct across Ellison Road, Michael Wayne Road and Knight Road, Permit No. 2015-3676, Precinct 1.**
- I. **Approve application from Joslin Construction Texas, LLC to construct an outfall into Dry Creek at 26706 I-69, Permit No. 2015-3451, Precinct 1.**

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- J. **Approve application from Rocha Custom Homes, LLC to construct a driveway on 5210 Walters Road, Permit No. 2015-3746, Precinct 1.**
- K. **Approve application from AT & T / NEC Construction, LTD to bore under Coon Creek at 3709 I-69 Northbound Frontage Rd., Permit No. 2015-3745, Precinct 1.**
- L. **Approve application from Houston Permit Service to construct 2 driveways on Beechnut Street and 2 driveways on Brentford Street, Permit No. 2015-2217, Pct. 2.**
- M. **Approve release of performance bond no. SU42801 in the amount of \$5,000.00 to Petra Nova CCSI, LLC. for completion of work on Smithers Lake Road and Rabbs Prairie Road, Permit no. 84666, Precinct 1.**
- N. **Approve release of performance bond no. 70116256 in the amount of \$5,000 to Resicom, Inc. for completion of work on Gaston Road and Seventh Heaven Drive, Permit no. 84744, Precinct 3.**
- O. **Approve release of cashier's check no. 1281103764 in the amount of \$5,000 to FRZ Investments for completion of work on West Belfort, Permit 2015-1108, Precinct 4.**
- P. **Accept the streets in Churchill Farms, Section 7: Norwich Gardens Lane 717.20 LF, Halls Farms Lane 210.00 LF, Satton Ranch Lane 127.00 LF for a total of 1,054.20 LF, and release bond #58S206029 in the amount of \$81,200.00, Precinct 3.**
- Q. **Release bond #MNT9152862 in the amount of \$172,550.00 for Majestic Pointe at Riverstone. The streets are private and will be maintained by the Homeowners Association, Precinct 4.**
- R. **Release bond #MNT9118224 in the amount of \$50,040.00 for Avalon at Riverstone, Section 7. The streets are private and will be maintained by the Homeowners Association, Precinct 4.**
- S. **Approve plat for the roads within Williams Ranch, Sec. 2, Precinct 1.**
- T. **Approve plat for the lots within Williams Ranch, Sec. 2, Precinct 1.**
- U. **Approve plat for the roads within Williams Ranch, Sec. 3, Precinct 1.**
- V. **Approve plat for the lots within Williams Ranch, Sec. 3, Precinct 1.**

- W. **Approve plat for the roads within Riverstone North Section Five, Precinct 4.**
- X. **Approve plat for the lots within Riverstone North Section Five, Precinct 4.**
- Y. **Approve plat for the roads within Lakes of Bella Terra, Sec. 35, Precinct 3.**
- Z. **Approve plat for the lots within Lakes of Bella Terra, Sec. 35, Precinct 3.**
- AA. **Approve plat for the roads within Del Webb-Richmond Section Twelve-B, Pct. 1.**
- BB. **Approve plat for the lots within Del Webb-Richmond Section Twelve-B, Precinct 1.**
- CC. **Approve plat for the roads within Del Webb-Richmond Section Sixteen-B, Pct. 1.**
- DD. **Approve plat for the lots within Del Webb-Richmond Section Sixteen-B, Precinct 1.**
- EE. **Approve plat for the roads within Long Meadow Farms Sec. 37, Precinct 3.**
- FF. **Approve plat for the lots within Long Meadow Farms Sec. 37, Precinct 3.**
- GG. **Set public hearing for acceptance of the traffic control plan for Churchill Farms, Section 7, Precinct 3. (Tuesday, December 1, 2015, at 1:00 p.m.)**

15. **FACILITIES MANAGEMENT & PLANNING:**

Approve payment of Invoice No. 170-10673-002-11, in the amount of \$20,772.40 to Lockwood, Andrews & Newnam Inc., for professional services regarding redesign of the combined heat and power plant (CHP) for the Jail. (Fund: Capital Improvement Project)

16. **FIRE MARSHAL:**

Record into Minutes the State FY 2015 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency for the Fire Marshal.

17. **PURCHASING:**

- A. **Authorize advertising for proposals for janitorial services for Parks and Pinnacle Senior Center.**
- B. **Authorize advertising for proposals for janitorial services for the Justice Center.**
- C. **Authorize advertising for proposals for budget software.**
- D. **Authorize advertising for bids for construction of FM 1093/Westpark Extension Phase I.**
- E. **Authorize advertising for statements of qualifications for design/build services for replacement of Fairgrounds bleachers.**

18. **SHERIFF'S OFFICE:**

Approve renewal of Agreement for Additional Law Enforcement Services between Fort Bend County and Sienna Plantation Residential Association, Inc. effective through September 30, 2016.

19. **COUNTY JUDGE:**

Take all appropriate action on Tax Abatement Agreement between Fort Bend County, Schlumberger Technology Corporation and Schlumberger Limited.

20. **COMMISSIONER, PCT. 1:**

Take all appropriate action on request to waive the permit fee for Tilson Home Corporation pertaining to the construction of a driveway at 13310 Lake Ridge Drive, for the Operation Finally Home residence to be constructed on the property, Permit No. 2015-3293, Precinct 1.

21. ENGINEERING:

- A. Take all appropriate action on Detention Capacity Easement Agreement between Poarch/Swinbank, LLC and Fort Bend County for stormwater detention regarding FM 1093/Westpark Phase I, Mobility Bond Project No. 748, Precinct 3.
- B. Take all appropriate action on Agreement Regarding Consideration for Detention Capacity between Poarch/Swinbank LLC and Fort Bend County in an amount not to exceed \$800,000 regarding FM 1093/Westpark Phase I, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)
- C. Take all appropriate action on revised Policies and Procedure Relating to Access along the Fort Bend Westpark Tollway / FM 1093, and authorize the County Engineer to submit request to Texas Department of Transportation for Fort Bend County to be the Permitting Authority for the FM 1093 corridor within the unincorporated areas of Fort Bend County, Precinct 3.
- D. Take all appropriate action on Standard Utility Agreement between Fort Bend County and Fort Bend County Municipal Utility District #142 (MUD) to reimburse MUD the actual expenses in an amount not to exceed \$194,425 for utility relocations regarding FM 1093/Westpark, Mobility Bond Project No. 748, Precinct 3. (Fund: 2007 Mobility Bonds)

22. HEALTH & HUMAN SERVICES:

Take all appropriate action on Contract No. 2016-004040-00 between Texas Department of State Health Services and Fort Bend County to accept funds in the amount of \$66,241 for public health preparedness activities from November 5, 2015 through June 30, 2016, with a cash match of \$6,696, for a total contract amount of \$72,937, and authorize County Judge designee to electronically accept the Contract. (Fund: Health & Human Services, Grant Allocations)

23. PARKS & RECREATION:

Take all appropriate action on request to donate two cement water troughs presently located at Jones Creek Ranch Park to the Old Foster Community Museum 7720 FM 358, Richmond, Texas 77406, a historical museum and registered 501(c) (3) non-profit organization located in Fort Bend County, as authorized by Local Government Code Section 263.152(a) (4).

24. PUBLIC TRANSPORTATION:

- A. Take all appropriate action on Amendment No. 1 to the Professional Services Agreement between Fort Bend County and Lockwood, Andrews & Newnam, Inc. for Planning, Engineering, Environmental Analysis and Design, increasing the contract amount by \$318,230 for a total contract amount not to exceed \$1,255,426. (Fund: Public Transportation, Grants)
- B. Take all appropriate action on Work Authorization No. 2 in the amount of \$993,526 pursuant to the Agreement between Fort Bend County and Lockwood, Andrews & Newnam, Inc. for Planning, Engineering, Environmental Analysis and Design for the Public Transportation Department Administration and Operations Building. (Fund: Public Transportation, Grants)

25. PURCHASING:

- A. Take all appropriate action on request to approve the sale of additional surplus property, vehicles and equipment by auction on November 14, 2015.
- B. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Section 262.024 (a)(7) Local Government Code for the purchase of an item available from only one source, for online reference titles from Gale, A Cengage Learning Company, in an amount not to exceed \$250,000. (Fund: Library)
- C. Take all appropriate action on request to donate miscellaneous surplus property to the Fairchild Volunteer Fire Department, pursuant to Texas Local Government Code Section 352.002.
- D. Take all appropriate action on request to purchase one (1) Tahoe vehicle, a replacement to fleet, for the Sheriff's Office, from Classic Chevrolet, pursuant to Bid 16-024, funded by the Agreement for Additional Law Enforcement with Greatwood Community Association.
- E. Take all appropriate action on request to purchase one (1) track loader from Mustang Cat, utilizing Buy Board Contract 424-13, for an amount not to exceed \$66,154.84. (Fund: Road and Bridge)

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F. Take all appropriate action on Third Amendment to Agreement for Professional Environmental Services between Fort Bend County and Berg-Oliver Associates, Inc. in an amount not to exceed \$3,542, pursuant to SOQ 14-025, for professional environmental services regarding Reading Road, Mobility Bond Project No. 13102, Precinct 1. (Fund: 2013 Mobility Bonds)

G. Take all appropriate action on Amendment to End User License Agreement and Professional Services Agreement between Tyler Technologies and Fort Bend County pursuant to Common Integrated Justice System (CIJS) Court Administration System in an amount not to exceed \$50,428 for eNotices. (Fund: Capital Improvement Project)

26. SHERIFF'S OFFICE:

A. Take all appropriate action on Interlocal Agreement between Fort Bend County and Grand Mission MUD #1 for Use of the County's Public Radio System effective through September 30, 2016.

B. Take all appropriate action on Interlocal Agreement between Fort Bend County and Grand Mission MUD #2 for Use of the County's Public Radio System effective through September 30, 2016.

C. Take all appropriate action on Interlocal Agreement between Fort Bend County and Fort Bend County MUD #58 for Use of the County's Public Radio System effective through September 30, 2016.

27. Approve Bills.

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.

Consultation with Attorney; Cause No. 15-DCV-226954; In the 268th Judicial District Court; Fort Bend County, Texas, et al. vs. Volkswagen Group of America, Inc., et al.

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- 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 Real Property - HCCS Missouri City-Sienna Facility.

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

- A. § 551.071. Consultation With Attorney.

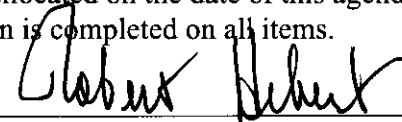
Consultation with Attorney; Cause No. 15-DCV-226954; In the 268th Judicial District Court; Fort Bend County, Texas, et al. vs. Volkswagen Group of America, Inc., et al.

- B. § 551.072. Deliberation Regarding Real Property.

Acquisition of Real Property - HCCS Missouri City-Sienna Facility.

30. 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, October 30, 2015. 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 11:49 P.M.

OCT 30 2015