

February 9, 2016

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, FEBRUARY 9, 2016
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledge of Allegiance by Commissioner Patterson.
3. Approve minutes of regular meeting held on February 2, 2016.
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. Conduct public hearing for Energy Park South Partial Replat No. 1, Precinct 1.
 - B. Conduct public hearing for Kinderworks Seven Meadows Replat No. 1, Precinct 3.
 - C. Conduct public hearing for Offices at Firethorne, being a replat of Restricted Reserve "A" of Firethorne Commercial Reserve "A" Replat & Firethorne Sec. 7 Partial Replat, Precinct 3.

CONSENT AGENDA ITEMS 6-20

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Office of Emergency Management: Jeff Braun to Portland, Oregon, April 3-6, 2016, to attend the National Institute of Standards and Technology's Community Resilience Panel Meeting (Fund: OEM, Travel).**

- B. **Sheriff's Office Commissary**: Record in to Minutes E. Farnsworth, R. Waller and B. Meinberg from Sarasota, Florida to Fort Bend County, February 22-24, 2016, to train Detention Bureau personnel on the Guardian RFID "paperless round sheet" system. (Fund: Sheriff's Office, Commissary)

7. COUNTY JUDGE:

Record into Minutes the Public Official Bond for Robert L. Perez, as Treasurer for Fort Bend County Emergency Services District No. 100 in the amount of \$100,000.00 effective January 1, 2016 through January 1, 2017.

8. COMMISSIONER, PCT. 2:

Approve reappointment of Cynthia Ginyard as Commissioner for the Emergency Services District No. 5 for a term effective January 2016 through December 2017.

9. COMMISSIONER, PCT. 3:

Approve the reappointment of Ernie Carter as Commissioner to the Fort Bend Emergency Services District No. 5, effective January 1, 2016 through December 31, 2017.

10. BUDGET TRANSFER(s)

- A. **County Judge**: Approve transfer in the amount of \$20 from Fees into IT to finalize purchase of new computer monitor.
- B. **Public Defender's Office**: Approve Transfer in the amount of \$5,482 from Property and Equipment into Capital Acquisitions to purchase copier out of proper account.
- C. **Sheriff's Office - Gus George Academy**: Approve transfer in the amount of \$17,998 from Fees into Capital Acquisitions to fund Police One Academy out of proper account.

11. CONSTABLE, PCT. 3:

Record into the record 2015 Racial Profiling, Tier 2 Report for the Office of Constable Precinct 3, pursuant to the Code of Criminal Procedure, articles 2.131-2.138.

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12. COUNTY CLERK:

Pulled

Approve Data Use Agreement between Texas Health and Human Services Enterprises and Fort Bend County concerning Texas Health & Human Services Remote Birth Access Contract (Number 537-16-0063-0001) administered by and through the County Clerk's Office.

13. ENGINEERING: INVOICES and PERMITS

- A. Approve payment of Invoice No. 12 in the amount of \$236,895.25 to Allgood Construction Co., Inc. for construction of Brand Lane, Mobility Bond Project No. 718/769, Precinct 2. (Fund: 2007 Mobility Bonds)
- B. Approve payment of Invoice No. 12 in the amount of \$95,298.23 to Hassell Construction Co., Inc. for construction of Golfview Dr., Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)
- C. Approve payment of Invoice No. 0216002 in the amount of \$16,850 to Doucet & Assoc. for professional engineering services regarding Braxton Road, Mobility Bond Project No. 13116, Precinct 1. (Fund: 2013 Mobility Bonds)
- D. Approve payment of Invoice No. 0228008 in the amount of \$1,744.45 to Jones & Carter for professional engineering services regarding Ladonia Street, Mobility Bond Project No. 13107, Precinct 1. (Fund: 2013 Mobility Bonds)
- E. Approve payment of Invoice No. 15-3790 in the amount of \$5,146.25 to Berg-Oliver Associates for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- F. Approve payment of Invoice No. 15-3940 in the amount of \$5,855 to Berg-Oliver Associates for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- G. Approve payment of Invoice No. 16-4048 in the amount of \$15,576.79 to Berg-Oliver Associates for environmental services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- H. Approve payment of Invoice No. 251957 in the amount of \$37,942.74 to Cobb Fendley for professional engineering services regarding Gaston Road, Segment 1, Mobility Bond Project No. 13311, Precinct 3. (Fund: 2013 Mobility Bonds)

- I. Approve payment of Invoice No. 15-11-000119 in the amount of \$19,744.70 to Geotech Engineering and Testing for construction materials testing services regarding Golfview Drive, Mobility Bond Project No. 709, Precinct 1. (Fund: 2007 Mobility Bonds)
- J. Approve application from Devon Street Homes to construct a driveway on 7115 Pearl Terrace Lane, Permit No. 2016-5223, Precinct 1.
- K. Approve application from Devon Street Homes to construct a driveway on 7119 Pearl Terrace Lane, Permit No. 2016-5224, Precinct 1.
- L. Approve application from Scott Greak / ASG Services to construct a driveway on 4610 Santa Barbara Way, Permit No. 2016-5225, Precinct 3.
- M. Approve application from Jier LLC / Comcast of Houston, LLC to bury a 2- inch cable and a proposed aerial cable along 16425 Old Richmond Road, Permit No. 2016-5260, Precinct 4.
- N. Approve application from Jier LLC / Comcast of Houston, LLC to bury a 2-inch conduit along 13825 West Belfort, Permit No. 2016-5261, Precinct 3.
- O. Approve application from CenterPoint Energy to bury an 8-inch gas line along Crossover Road near Katy Flewellen Road, Permit No. 2016-5293, Precinct 3.
- P. Approve application from CenterPoint Energy to bury a 8-inch gas line along Crossover Road near Katy Flewellen Road, Permit No. 2016-5301, Precinct 3.
- Q. Approve application from CenterPoint Energy to relocate a gas facility along Crossover Road at Katy Flewellen Road, Permit No. 2016-5306, Precinct 3.
- R. Approve application from AT&T Texas to bury fiber optic cable along 19221 Beechnut Road, Permit No. 2016-5317, Precinct 3.
- S. Approve application from AT&T Texas to bury fiber optic cable along 6055 Katy-Gaston Road, Permit No. 2016-5322, Precinct 3.
- T. Approve application from Consolidated Communications to bore under Foerster School Road, 2016-5323, Precinct 1.

- U. Approve application from Garcia's Concrete Contractors, Inc. to repair a driveway on 511 Meadow Knoll, Permit No. 2016-5327, Precinct 2.

14. ENGINEERING: PLATS, DEVELOPMENT AND RELATED ACTIVITIES

- A. Approve the plat for Katy Academy, Precinct 3. - 1
- B. Approve the plat for KM Aliana, Precinct 4. - 2
- C. Approve the plat for the roads within Aliana, Sec. 54, Precinct 4. 7 3
- D. Approve the plat for the lots within Aliana, Sec. 54, Precinct 4.
- E. Approve the plat for the roads within Riverstone North, Section Four, Precinct 4. 7 4
- F. Approve the plat for the lots within Riverstone North, Section Four, Precinct 4.
- G. Release bond #MNT9165108 in the amount of \$121,500.00 for The Island at Riverstone which are private streets and will be maintained by the Homeowners Association, Precinct. 4.
- H. Accept the streets in Lakes of Bella Terra, Sec. 31: Cittanova Drive 682.00 LF, and Ortensia Street 683.00 LF for a total of 1,365.00 LF, and release bond #58S207329 in the amount of \$95,550.00, Precinct 3.
- I. Accept the streets in Grand Vista, Section 1: Grand Vista Springs Boulevard 1,193.70 LF, and Aransas Key Lane 100.00 LF for a total of 1,293.70 LF, and release bond #MNT9118120 in the amount of \$148,750.00, Precinct 3.
- J. Set public hearing for acceptance of the traffic control plan for Lakes of Bella Terra, Sec. 31, Precinct 3. (Tuesday, March 8, 2016 at 1:00 p.m.) - FBI
- Proof approved 2-11-16
- K. Set public hearing for the acceptance of the traffic control plan for Grand Vista, Section 1, Precinct 3. (Tuesday, March 8, 2016 at 1:00 p.m.) - FBI
- posted to website 2-11-16
- L. Set public hearing for Aliana Sec. 49 being a replat of Reserve "A" Aliana Westmoor Drive and Reserves, Precinct 4. (Tuesday, March 22, 2016 at 1:00 p.m.) - letter to LJA
- FBI

15. **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:**

Approve the payment of Invoice No. 8346660 in the amount of \$122,318.00 from Marton Roofing Industries LTD for the roof replacement of the Jail West Tower.

16. **HUMAN RESOURCES:**

Approve and record into Minutes the application for Appointment of Deputy Constable, Jose Flores, by Constable Precinct 4, in accordance with Constable's form dated February 2, 2016 pursuant to Local Government Code §86.011.

17. **PURCHASING:**

- A. **Authorize renewal of Bid 13-032, term contract for Thermoplastic Traffic Coating, with Stripes and Stops Company, Inc.**
- B. **Authorize advertising for statements of qualifications for design/build services for Jones Creek Ranch Park new dining hall and administration building.**
- C. **Authorize renewal of B14-031, term contract for Fuel Treatment Program, with Certified Labs.**
- D. **Authorize renewal of B14-036, term contract for Diesel Exhaust Fluid, with Reladyne/The Hurt Company, Inc.**
- E. **Authorize renewal of B15-048, term contract for Pavement Marking on Various Roads, with Stripes and Stops Company, Inc.**
- F. **Authorize renewal of B15-067, term contract for Purchase and Installation of Carpet, with Gomez Floor Covering.**
- G. **Authorize renewal of Bid 15-049, term contract for Concrete Curbs and Gutters, with Durwood Greene Construction Company.**

18. ROAD & BRIDGE:

Approve payment to John Reed and Company, LLC for Invoice #1 in the amount of \$212,796.00 for the construction of Jeske Road Bridge. (Fund: Road & Bridge)

19. SHERIFF'S OFFICE:

- A. Approve Agreement for Waiver and Release of Liability and Acceptance of Full Ownership for County K-9 Service Canine to Matthew Hricko, due to retirement of Fort Bend County K-9 Unit "Mike".
- B. Approve Addendum No. 1 between Texas State School Safety Center and Fort Bend County for assistance in the enforcement of Health and Safety Laws regarding the sale of tobacco to minors for FY 2016 agreement.

20. TAX ASSESSOR/COLLECTOR:

Approve refunds over \$500 detailed in Tax Assessor/Collector's Report submitted on February 2, 2016, for an amount totaling \$8,477.59 for the Office of Patsy Schultz.

21. COUNTY JUDGE:

*Consent Agenda Items 6-20
except Item 12 (pulled).*

- A. Take all appropriate action on First Amendment to Tax Abatement Agreement between Fort Bend County and Applied Optoelectronics, Inc., Precinct 3.
- B. Take all appropriate action on the appointment of Underwriters for the proposed issuance of Fort Bend County, Texas, Unlimited Tax Road and Refunding Bonds, Series 2016A and Limited Tax Refunding Bonds, Series 2016B.
- C. Take all appropriate action to amend Order Appointing Nina Schaefer as Fort Bend County Truancy Court Judge to conform with Texas House Bill 1490 of the 84th Legislature.

22. COMMISSIONER, PCT. 1:

Take all appropriate action on appointment of George Delmar as Commissioner to the Fort Bend County Emergency Service District No. 6 (Pleak) to replace William Craig Jensen effective through January 1, 2017.

23. COMMISSIONER, PCT. 3:

A. Take all appropriate action on Resolution supporting the proposed Provision at West Belfort, located at West Belfort and Belknap Road in Fort Bend County.

Belknap

B. Take all appropriate action on Resolution supporting the proposed Gala at Four Corners located at Four Corners in Fort Bend County.

↳ Gayla

24. COMMISSIONER, PCT. 4:

A. Take all appropriate action on Resolution supporting the proposed Magnolia Gardens Development located at the north east corner of Skinner Lane and West Belfort.

B. Take all appropriate action on Resolution supporting the proposed Provision at Clodine Road Development located at the south east corner of Clodine Road and Boss Gaston Road.

- Clodine

25. ENGINEERING:

A. Take all appropriate action on Interlocal Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 23 for funding by the District of utility relocations regarding Trammel Fresno, Mobility Bond Project No. 746, Precincts 1 and 2.

B. Take all appropriate action on Standard Utility Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 34 in an amount not to exceed \$84,405 for utility relocations regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)

C. Take all appropriate action on Agreement Concerning Wetlands Mitigation between Fort Bend County and Delta Land Services, L.L.C in an amount not to exceed \$25,425 for wetlands mitigation credits regarding Cane Island, Mobility Bond Project No. 13306, Precinct 3. (Fund: 2013 Mobility Bonds)

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26. FIRE MARSHAL:

Take all appropriate action to authorize Application for the Bureau of Alcohol, Tobacco, Firearms and Explosives Accelerant Detection Canine Program (ADCP) in order to pre-qualify for a canine program within the County Fire Marshal's Office.

27. HEALTH & HUMAN SERVICES - EMERGENCY MEDICAL SERVICES:

Take all action on Agreement and Full Release between Fort Bend County and Brazos Independent School District to use a portion of a public parking owned by the District at 9714 Kibler, Orchard, Texas to house a temporary structure to use as a station for Emergency Medical Services Squad No. 2.

28. PURCHASING:

A. Take all appropriate action on Agreement for Elevator Services pursuant to US Communities Government Purchasing Alliance Contract Number 201414653 between Fort Bend County and Kone, Inc., for an amount not to exceed \$92,980.69. (Fund: Capital Improvement Project)

B. Take all appropriate action on Agreement for Professional Architectural and Engineering Services between Fort Bend County and Pierce Goodwin Alexander & Linville, Inc., for design of the new Justice Center administration building addition, in an amount not to exceed \$1,852,500.00. (Fund: Facility Bond Project)

C. Take all appropriate action on request to purchase two (2) ambulance modules, from Frazer, Ltd., utilizing Buy Board Contract #492-15, for an amount of \$111,925.00 each plus Buy Board Fee, for a total amount of \$224,650.00. (Fund: Emergency Medical Services)

29. Approve Bills.

30. Authorize County Auditor to pay and release time-sensitive disbursements on February 18, 2016, to be ratified by Commissioners Court on February 23, 2016.

31. 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. Texas Statutes: Penal Code Chapter 46, Labor Code Chapter 52 and Government Code Chapter 411; Texas House Bill 910, Texas Senate Bill 273 and Texas Attorney General Opinions KP-0047, 0049.
2. Potential Litigation; Public Nuisance; Deceptive Trades Practice.

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.

1. Acquisition of Real Property (ROW): Cane Island Boulevard Mobility Project No. 13306, Precinct 3.
2. FM 359 (TxDOT 90/10 Reimbursement), Parcels 10A and 19, Precinct 1.

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

A. § 551.071. Consultation With Attorney.

1. Texas Statutes: Penal Code Chapter 46, Labor Code Chapter 52 and Government Code Chapter 411; Texas House Bill 910, Texas Senate Bill 273 and Texas Attorney General Opinions KP-0047, 0049.
2. Potential Litigation; Public Nuisance; Deceptive Trades Practice.

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B. § 551.072. Deliberation Regarding Real Property.

1. Acquisition of Real Property (ROW): Cane Island Boulevard Mobility Project No. 13306, Precinct 3.
2. FM 359 (TxDOT 90/10 Reimbursement), Parcels 10A and 19, Precinct 1.

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 _____. An electronic version of this notice is also posted on the Fort Bend County website: www.fortbendcountytx.gov under Commissioners Court and under Legal Notices.

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 12:31 P.M.

FEB 09 2016


County Clerk Fort Bend Co. Texas