

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, MAY 2, 2017
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledges of Allegiance by Commissioner Andy Meyers.
3. Approve minutes of regular meeting held on Tuesday, April 25, 2017.
4. Public Comments regarding the Agenda and Announcements.

CONSENT AGENDA ITEMS 5-14:

5. **OUT-OF-STATE TRAVEL:** Approve out-of-state travel requests for County personnel:
 - A. **Engineering - Recycle Center:** Jose Ramirez to Clearwater Beach, Florida, August 13-18, 2017, to attend the North American Hazardous Materials Management Association National Conference. (Fund: Recycle Center)
 - B. **Sheriff's Office:** R. Solberg, J. Nethery, P. Trainor, and M. Ross to Kenner, Louisiana, June 6-9, 2017, to attend Community Emergency Response Team training. (Fund: Sheriff's Office, Detention)
6. **BUDGET TRANSFERS:**
 - A. **County Judge:** Approve transfer in the amount of \$175 from Travel into Information Technology to allocate funds for the purchase of an additional computer monitor.
 - B. **Auditor:** Approve transfer in the amount of \$5,562 as detailed on Auditor's form dated April 25, 2017 to reallocate unused funds from the completed 2015 Missouri City Tax Office Expansion into Commissioners Court Projects.

- C. **Sheriff's Office:** Approve transfer in the amount of \$16,000 from State Asset Forfeitures Contingency into Capital Acquisitions to allocate funds into correct account for purchase of 3D equipment from Faro Technologies.

7. **ELECTIONS ADMINISTRATION:**

Approve the Continuation of Surety Bond 15159895 for Elections Administrator John Oldham for the period of June 18, 2017 through June 18, 2018.

8. **ENGINEERING-PAYMENTS:**

- A. Approve payment of Invoice No. 37901292 in the amount of \$15,829.50 to AECOM for construction management services regarding 2013 Mobility Bond Projects within Precincts 1, 2, 3 and 4. (Fund: 2013 Mobility Bonds)
- B. Approve payment of Invoice No. 6514 in the amount of \$13,783.53 to Aguirre & Fields for professional engineering services regarding Greenbusch Road, Mobility Bond Project No. 13312, Precinct 3. (Fund: 2013 Mobility Bonds)
- C. Approve payment of Invoice No. 031727C in the amount of \$42,921.00 to Aviles Engineering Corp. for construction materials testing services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)
- D. Approve payment of Invoice No. 11-61734 in the amount of \$5,599.36 to QC Laboratories for construction materials testing services regarding Katy Gaston Road, Mobility Bond Project No. 733a, Precinct 3. (Fund: 2007 Mobility Bonds)
- E. Approve payment of Invoice No. 17-104 in the amount of \$44,715.83 to HVJ for construction materials testing services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)
- F. Approve payment of Invoice No. CST00001024 in the amount of \$1,820.21 to Texas Department of Transportation for construction materials testing regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)
- G. Approve payment of Invoice No. 459301/61/II in the amount of \$17,190.08 to Dannenbaum Engineering Corp. for professional engineering services regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)

9. **ENGINEERING-PERMITS:**

- A. **Approve release of Performance Bond No. 6001093 in the amount of \$5,000.00 to A&F General Contractors, LLC., for completion of work at 22031 Bellaire Boulevard, Permit No. 2016-7255, Precinct 3.**
- B. **Approve application from PS Light Wave, Inc., to set one utility pole along Burney Road, between Blue Falls Drive and Parrish Mill Lane, Permit No. 2017-12254, Pct. 4.**
- C. **Approve application from AT&T, Inc./Byers Engineering to bury fiber optic cable along Westheimer Parkway and Peek Road, between Elsberry Park Lane and Grand Harbour Drive, Permit No. 2017-13141, Precinct 3.**
- D. **Approve application from Consolidated Communications to bury fiber optic cable under and along Bushnell Road and Mayberry Road, Permit No. 2017-13245, Pct 1.**
- E. **Approve application from Consolidated Communications to bury fiber optic cable along South Fry Road, 450 feet east of FM 1463, Permit No. 2017-13246, Precinct 3.**
- F. **Approve application from PS Light Wave, Inc., to bury fiber optic cable along Waters Lake Boulevard, south of Deer Crossing, Permit No. 2017-13247, Precinct 1.**
- G. **Approve application from PS Light Wave, Inc., to bury fiber optic cable along Scanlan Trace and under Kennet Hill, Permit No. 2017-13248, Precinct 1.**
- H. **Approve application from PS Light Wave, Inc., to set one utility pole and bury cable along Clodine Road, hang aerial cable across Clodine Road, Clodine Reddick Road and Tierra Alta Drive Permit No. 2017-13290, Precinct 2.**
- I. **Approve application from PS Light Wave, Inc., to bury 25-feet of fiber optic cable along Bissonnet Street, between Hodges Bend Drive and Appomattox Courthouse, Permit No. 2017-13296, Precinct 3.**
- J. **Approve application from PS Light Wave, Inc., to bury fiber optic cable along W. Airport Boulevard, between Lake Woodbridge Drive and Burney Road, Permit No. 2017-13305, Pct. 4.**

- K. **Approve application from PS Light Wave, Inc., to install one utility pole along Glendale Lakes Drive, 2418 feet east of FM 521, Permit No. 2017-13310, Precinct 1.**
- L. **Approve application from Consolidated Communications to bury cable along Padon Road, between Fritzella and Casadores Boulevard, Permit No. 2017-13392, Precinct 1.**
- M. **Approve application from CenterPoint Energy to bury cable along Gaston Road, between Katy Flewellen Road and Greenbusch Road, Permit # 2017-13450, Precinct 3.**

10. **ENGINEERING-DEVELOPMENT:**

- A. **Accept the streets in Irby Cobb Boulevard Street Dedication, Sec. 2 (Walnut Creek): Irby Cobb Boulevard 1,525.00 LF, Irby Cobb Boulevard 315.00 LF, and Benton Road 160.00 LF, for a total of 2,000.00 LF, and release bond #CMS0286958 in the amount of \$184,240.00, Precinct 1.**
- B. **Accept the streets in Fieldstone, Section 9: Mason Road 1,048.00 LF and Stonebridge Terrace Drive 155.00 LF, for a total of 1,203.00 LF, and release bond #MNT9182064 in the amount of \$156,380.00, Precinct 4.**
- C. **Accept the streets in Walnut Creek, Section 11: Belle Meadow Lane 267.00 LF, Pearl Terrace Lane 767.00 LF, and Garden Bay Court 240.00 LF, for a total of 1,274.00 LF, and release bond #CMS0286114 in the amount of \$87,780.00, Precinct 1.**
- D. **Accept the streets in Canyon Lakes at Westheimer Lakes, Section 2: Pierce Oaks Drive 217.00 LF, Riverside Creek Drive 883.00 LF, Brighton Gardens Drive 677.00 LF, Carlos Creek Drive 339.00 LF, Winford Estate Drive 672.00 LF, Heartland Grove Drive 526.00 LF, Turnstone Oaks Court 180.00 LF, Knox Estate Drive 230.00 LF, Kincaid Falls Court 97.00 LF, Starling Creek Drive 1,350.00 LF, Crimson Wood Drive 222.00 LF, for a total of 5,393.00 LF, and release bond #104729682 in the amount of \$415,525.00, Precinct 3.**
- E. **Accept the streets in Tamarron, Section 9: Tamarron Crossing 1,530.00 LF, Tayrns Way 675.00 LF, Las Cruces Trail 268.00 LF, McDonough Way 1,173.00 LF, Innes Park Place 1,018.00 LF, Iron Range Court 350.00 LF, Isla Gorge Court 250.00 LF, Indwarra Court 260.00 LF, for a total of 5,524.00 LF, and release bond #1030706 in the amount of \$599,830.00, Precinct 3.**
- F. **Accept the streets in Tamarron, Section 10: McDonough Way 670.00 LF, Jarvis Bay Pass 300.00 LF, Las Cruces Trail 150.00 LF, Josephine Falls Court 405.00 LF, Innes Park Place 784.00 LF, and Jacobs River Drive 1,273.00 LF, for a total of 3,582.00 LF, and release bond #106156088 in the amount of \$254,968.70, Precinct 3.**

- G. Approve the plat for Fulbrook, Section Three "A" Replat of Lots 5, 6A, 6B and 7 of Block 2, Precinct 3.
- H. Approve the plat for the roads within Tamarron, Section 32, Precinct 3.
- I. Approve the plat for the lots within Tamarron, Section 32, Precinct 3.
- J. Set public hearing for acceptance of the traffic control plan for Tamarron, Section 9 and Section 10, Precinct 3. *(Tuesday, June 6, 2017 at 1:00 p.m.)*
- K. Set public hearing for acceptance of the traffic control plan for Canyon Lakes at Westheimer Lakes, Section 2, Precinct 3. *(Tuesday, June 6, 2017 at 1:00 p.m.)*
- L. Set public hearing for acceptance of the traffic control plan for Aliana Trace Drive Street Dedication Section 2, and Aliana Section 59, Precinct 4. *(Tuesday, June 6, 2017 at 1:00 p.m.)*
- M. Set public hearing for acceptance of the traffic control plan for Grand Vista, Section 25, Precinct 2. *(Tuesday, June 6, 2017 at 1:00 p.m.)*
- N. Set public hearing for acceptance of the traffic control plan for Cinco Ranch Northwest Sections 8 and 9 for the addition of "No Parking, Stopping or Standing" signs on Horizon Bluff Lane, Sawyer Springs Lane, Gable Landing Lane, Fairmont Ridge Lane, Precinct 3. *(Tuesday, June 6, 2017 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 2015 Facility Bonds:**

- A. Invoice No. 3041520107 in the amount of \$42,547.90 to Huitt-Zollars for architectural services regarding the Sheriff's Office Administration Building;
- B. Invoice No. 003 in the amount of \$2,942.36 to CMG Holdings, Inc., for construction services regarding rehabilitation of the Missouri City Middle School Gymnasium;
- C. Ratify payment of Invoice No. 5150-D in the amount of \$7,796.49 to City of Houston for water impact fees regarding the Pinnacle Aquatic Fitness Center.

12. **HUMAN RESOURCES:**

- A. **Approve rehire of former employee number 1010122, who terminated employment on February 20, 2013 and will be rehired effective May 8, 2017.**
- B. **Approve rehire of former employee number 1000070, who terminated employment on January 30, 2015 and will be rehired effective May 8, 2017.**
- C. **Approve and record into Minutes the application for Appointment of Deputy Constables Michael Ochoa, Bjorn Lundgren and Brandon Godfrey by Constable Precinct 3, in accordance with Constable's form dated April 24, 2017 pursuant to Local Government Code §86.011.**
- D. **Approve request for withdrawal of 103 hours from the Shared Sick Leave Pool for employee of the Sheriff's Office, Position No. 5601-0256.**

13. **PURCHASING:**

- A. **Authorize advertising for Statements of Qualification for needs assessment of the Office of Emergency Management facility.**
- B. **Authorize advertising for proposals for roof replacement projects.**
- C. **Authorize advertising for bids for Owens Road Paving and Drainage Improvements, Mobility Bond Project No. 13403.**
- D. **Authorize advertising for bids for construction of Sycamore Road, Mobility Bond Project No. 13113.**
- E. **Authorize advertising for bids for construction of Braxton Street from FM 2919 to Brooks Branch, Mobility Bond Project No. 13116x.**

- F. **Authorize advertising for bids for construction of Ladonia Street, Mobility Bond Project No. 13107.**
- G. **Authorize advertising for bids for construction of Willie Melton Road, Mobility Bond Project No. 13115.**
- H. **Authorize advertising for bids for construction of Powerline Road, Mobility Bond Project No. 13110.**

14. **TAX ASSESSOR/COLLECTOR:**

Approve refunds over \$500 detailed in Tax Assessor/Collector report submitted on April 26, 2017, for amount totaling \$30,873.53 for the Office of Patsy Schultz.

15. **COMMISSIONER, PCT. 1:**

- A. Take all appropriate action on request by Mary Fishburn to waive penalty and interest totaling \$287.53 on property taxes for tax year 2016, Precinct 1.
- B. Take all appropriate action on request by Robert Hood to waive penalty and interest totaling \$180.05 on property taxes for tax year 2016, Precinct 1.
- C. Take all appropriate action on request by Barbara Edgar to waive penalty and interest totaling \$147.00 on property taxes for tax year 2016, Precinct 1.

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

- A. Take all appropriate action on request by Hardik Desai to waive penalty and interest totaling \$607.33 on property taxes for tax year 2016, Precinct 2.
- B. Take all appropriate action on request by Ashanth Jacob to waive penalty and interest totaling \$368.52 on property taxes for tax year 2016, Precinct 2.

17. COMMISSIONER, PCT. 3:

- A. Take all appropriate action on request by Corbin Tubbs to waive penalty and interest totaling \$1,659.20 on property taxes for tax year 2016, Precinct 3.
- B. Take all appropriate action on request by Vinay Mishra to waive penalty and interest totaling \$580.95 on property taxes for tax year 2016, Precinct 3.

18. COMMISSIONER, PCT. 4:

- A. Take all appropriate action on request by Joseph Wallace to waive penalty and interest totaling \$321.04 on property taxes for tax year 2016, Precinct 4.
- B. Take all appropriate action on request by Michael Robin Edwards to waive penalty and interest totaling \$719.26 on property taxes for tax year 2016, Precinct 4.
- C. Take all appropriate action on request by Harish Vemuri to waive penalty and interest totaling \$504.36 on property taxes for tax year 2016, Precinct 4.

19. AUDITOR:

- A. Take all appropriate action on engagement letter with Allen Boon Humphries Robinson LLP as bond counsel for the Certificates of Obligation, Series 2017 (\$20,000,000) for the construction of the Mission Bend Library, Mission Bend Community Center, and Four Corners Community Center.
- B. Take all appropriate action on appointment of placement agent for Certificates of Obligations Series 2017 (\$20,000,000) for the construction of the Mission Bend Library, Mission Bend Community Center, and Four Corners Community Center.

20. ELECTIONS ADMINISTRATION:

Take all appropriate action on Joint Election Agreement between Fort Bend County and City of Sugar Land to conduct an election on May 6, 2017.

21. ENGINEERING:

- A. Take all appropriate action on acceptance of a certain 0.3375 acre tract of land conveyed by Donation Deed from CCR Texas Holdings, LP to Fort Bend County, Texas regarding FM 1093/Westpark, Parcel 501A, and; record same in Official Public Records; Precinct 3.
- B. Take all appropriate action on acceptance of a certain 0.0214 acre tract of land conveyed by Donation Deed from Cross Creek Ranch Community Association, Inc., to Fort Bend County, Texas regarding FM 1093/Westpark, Parcel 501B, and; record same in Official Public Records; Precinct 3.
- C. Take all appropriate action on acceptance of a certain 0.0294 acre tract of land conveyed by Donation Deed from Cross Creek Ranch Community Association, Inc., to Fort Bend County, Texas regarding FM 1093/Westpark, Parcel 502, and; record same in Official Public Records; Precinct 3.
- D. Take all appropriate action on acceptance of a certain 0.2353 acre tract of land conveyed by Donation Deed from CCR Texas Holdings, LP to Fort Bend County, Texas regarding FM 1093/Westpark, Parcel 503, and; record same in Official Public Records; Precinct 3.
- E. Take all appropriate action on Amendment to Easement for Public Utilities between Fort Bend County and DC Development Partners, LP regarding relocation of an easement, Precinct 2.
- F. Take all appropriate action on Copano Facility Adjustment & Reimbursement Agreement between Fort Bend County, Dow Hydrocarbons and Resources LLC and Copano NGL Services (Markham) LLC in an initial amount not to exceed \$549,620 for reimbursement of expenses to Copano for extension of a pipeline casing regarding FM 1093/Westpark Extension, Precinct 3. (Fund: Toll Road Revenue Bonds, Series 2016)
- G. Take all appropriate action on Encroachment Agreement between Fort Bend County and Enterprise Crude Pipeline LLC., regarding County's request to encroach upon an easement for Cane Island, Mobility Bond Project No. x12, Precinct 3.
- H. Take all appropriate action on Development Agreement between Fort Bend County and LaCenterra at Cinco Ranch, LLC, regarding the developer's contribution to the County of land and funds in the amount of \$200,000 regarding Cinco Ranch Boulevard, Precinct 3.

22. FACILITIES MANAGEMENT & PLANNING:

Take all appropriate action on request to transfer \$6,320 from Non-Departmental Contingency into the Legion Court Annex Project to allocate additional funds necessary to purchase and install an audio system in the Annex.

23. PURCHASING:

- A. Take all appropriate action on Fourth Amendment to Inmate Health Services Agreement between Fort Bend County and Correct Care Solutions LLC pursuant to RFP 13-049, for additional monthly compensation for civil commitment certificates effective through September 31, 2017. (Fund: Sheriff's Office)
- B. Take all appropriate action on Amendment No. 3 to the Agreement for Planning, Engineering, Environmental Analysis and Design between Fort Bend County and Lockwood, Andrews & Newnam, Inc., at no additional cost pursuant to SOQ 14-027 regarding the proposed transit facility.
- C. Take all appropriate action on Amendment 2 to Work Authorization No 2 to Agreement for Professional Services between Fort Bend County and Lockwood, Andrews & Newnam, Inc., pursuant to SOQ 14-027, to decrease the amount by \$159,990; total amount of Work Authorization No. 2 not to exceed \$1,240,871 for the proposed transit facility. (Fund: Public Transportation Grant)
- D. Take all appropriate action on Amendment to Agreement between Fort Bend County and Delta T Corporation dba BA Solutions in an amount not to exceed \$14,674 utilizing Buy Board Contract 501-15, for a contract total not to exceed \$128,972 regarding lighting fixtures and installation at the Fairgrounds. (Fund: Capital Improvement Project)
- E. Take all appropriate action on Second Amendment to Agreement for Janitorial Services between Fort Bend County and McLemore Building Maintenance, Inc. utilizing Texas Interlocal Purchasing System Cooperative Contract No. 02052215, for an additional amount of \$1,721 per month; total amount not to exceed \$54,902.22 per month. (Fund: Facilities)
- F. Take all appropriate action on Amendment to Agreement between Fort Bend County and Earth Engineering, Inc. for additional services in the amount of \$2,250.56 pursuant to SOQ 14-025; total contract amount not to exceed \$27,250.56 for construction materials testing regarding Congestion Mitigation, Mobility Bond Project No. X23, Precinct 3. (Fund: Harris-Fort Bend Emergency Services District No. 100)

- G. Take all appropriate action on Sixth Amendment to Agreement between Fort Bend County and Berg-Oliver Associates, Inc., for additional services in the amount of \$5,500 pursuant to SOQ 14-025, for a total contract amount not to exceed \$292,668 regarding Lake Olympia Phase 2, Mobility Bond Project No. 13217x, Precinct 2. (Fund: 2013 Mobility Bonds)
- H. Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and Traffic Engineers, Inc., pursuant to SOQ 14-025 for an amount not to exceed \$23,400 regarding a traffic study on A. Myers Road, Precinct 1. (Fund: Engineering)
- I. Take all appropriate action on Agreement for Professional Engineering Services between Fort Bend County and LJA Engineering, Inc., pursuant to SOQ 14-025 in the amount of \$10,000 to update the Fort Bend County Standard Details for use on development and mobility projects, Precincts 1, 2, 3, and 4. (Fund: Engineering)

24. SHERIFF'S OFFICE:

- A. Take all appropriate action on Organized Crime Drug Enforcement Task Force Agreement to accept funds in the amount of \$168,155.36 for use in the strike force/strategic initiative programs administered by the Sheriff's Office, with no cash match required by Fort Bend County for the period of April 25, 2017 through September 30, 2017.
- B. Take all appropriate action on Application to Texas State Texas School Safety Center for the Sheriff's Office to receive grant funds for assistance in the enforcement of Health and Safety laws regarding the sale of tobacco to minors for FY 2018, September 1, 2017 through August 31, 2018.

25. Approve Bills.

26. 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. Cause No. 15-CCV-055487, Fort Bend County, Texas v Jane Harwood McGall, Individually, et al.
- B. Cause No. 17-CCV-059492, Fort Bend County, Texas v Carole Ann McCann, Individually, et al - Westpark Tollway Project, Phase II, Parcel 300.

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- C. Cause No. 17-CCV-059490, Fort Bend County, Texas v Earl Newsome, et al - Westpark Tollway Project, Phase II, Parcel 421.
 - D. Cause No. 16-CCV-058303, Fort Bend County, Texas v James Allen Williams, et al, Cane Island Blvd. Project, Parcel 6.
27. Reconvene Open Session and consider taking action on the following matters:
- § 551.071. Consultation With Attorney.
- A. Cause No. 15-CCV-055487, Fort Bend County, Texas v Jane Harwood McGall, Individually, et al.
 - B. Cause No. 17-CCV-059492, Fort Bend County, Texas v Carole Ann McCann, Individually, et al - Westpark Tollway Project, Phase II, Parcel 300.
 - C. Cause No. 17-CCV-059490, Fort Bend County, Texas v Earl Newsome, et al - Westpark Tollway Project, Phase II, Parcel 421.
 - D. Cause No. 16-CCV-058303, Fort Bend County, Texas v James Allen Williams, et al, Cane Island Blvd. Project, Parcel 6.
28. 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, April 28, 2017. An electronic version of this notice is also posted on the Fort Bend County website: www.fortbendcountytexas.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).