

June 2, 2020

**NOTICE OF MEETING  
FORT BEND COUNTY COMMISSIONERS COURT  
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE  
401 JACKSON STREET, RICHMOND, TEXAS  
TUESDAY, JUNE 2, 2020  
1:00 P.M.**

**AGENDA**

1. Call to Order.
2. Invocation and Pledges of Allegiance by Commissioner Ken R. DeMerchant in honor of Precinct 4 Deputy Constable Caleb Rule.
3. Approve minutes of regular meeting held on May 26, 2020.
4. Public Comments regarding the Agenda and Announcements.
5. PUBLIC HEARING: 1:00 p.m.: Conduct Public Hearing and take all appropriate action on the following matter:

Acceptance of the traffic control plan for Walnut Creek Section 23, Precinct 1.

**CONSENT AGENDA ITEMS 6 - 17:**

6. **COUNTY JUDGE:**
  - A. **Record into Minutes the Comprehensive Annual Financial Report for the year ending December 31, 2019, as prescribed by Health & Safety Code, Section 775.082 for Fort Bend County Emergency Services District No. 3.**
  - B. **Record into Minutes the Comprehensive Annual Financial Report for the year ending December 31, 2019, as prescribed by Health & Safety Code, Section 775.082 for Fort Bend County Emergency Services District No. 5.**
  - C. **Record into Minutes the Comprehensive Annual Financial Report for the year ending December 31, 2019, as prescribed by Health & Safety Code, Section 775.082 for Harris/Fort Bend County Emergency Services District No. 100.**

7. **AUDITOR:**

- A. **Accept Monthly Financial Report prepared by County Auditor for the one month ended October 31, 2019, pursuant to Local Government Code Section 114.023.**
- B. **Accept Monthly Financial Report prepared by County Auditor for the two months ended November 30, 2019, pursuant to Local Government Code Section 114.023.**

8. **BUDGET TRANSFERS:**

- A. **Constable, Pct. 3: Approve transfer in the amount of \$50 from Constable Pct. 3 into Information Technology to allocate funds for cell phone for employee of Constable Precinct 3.**
- B. **County Attorney: Approve transfer in the amount of \$1,294 as detailed on County Attorney's form dated May 27, 2020 to allocate additional funds into correct account for expenditures.**
- C. **County Court at Law No. 5: Approve transfer in the amount of \$500 from Travel and Training into Information Technology to allocate funds for voice and data cabling for the Bail Bond Board office space required for renovations to conference room.**
- D. **Health & Human Services - Clinical Health: Approve transfer in the amount of \$10,000 from Fees into Non-Departmental Contingency to reallocate unused funds in the directly observed therapy services account for the tuberculosis prevention program.**
- E. **Health & Human Services - Emergency Medical Service: Approve transfer in the amount of \$3,878 from EMS Information Technology into Information Technology, Utilities to allocate funds for moving network circuit to new EMS Facility on Mula Road in Stafford.**
- F. **Medical Examiner: Approve transfer in the amount of \$30,636 from Capital Acquisitions into Fees to allocate funds required for toxicology fees associated with lab contract.**
- G. **Sheriff's Office - Detention: Approve transfer in the amount of \$5,152 as detailed on Chief's form dated May 26, 2020 to amend the budget pursuant to Local Government Code Section 111.07075 and allocate revenue received from Commissary into accounts for expenditures through May 2020.**
- H. **Sheriff's Office - Enforcement: Approve transfer in the amount of \$91,740 from Fees into Capital Acquisitions to allocate funds into correct account for software upgrades for the radio network controller.**

9. **COMMUNITY DEVELOPMENT:**

- A. **Approve First Amendment to Subrecipient Agreement between Fort Bend County and City of Arcola to extend the time of performance for construction of water treatment plant until April 30, 2021, with no change to the amount of the contract. (Fund: Community Development Block Grant)**
- B. **Approve the First Amendment to Subrecipient Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 19 to extend the time of performance for Phase 7 of the water distribution system improvements in the Riverwood Village Subdivision until April 30, 2021, with no change to the amount of the Contract. (Fund: Community Development Block Grant)**

10. **ENGINEERING-PAYMENTS:**

- A. **Approve payment of Invoice No. 479701/14/II in the amount of \$170,716.29 to Dannenbaum Engineering Corporation for plan, specification, and estimate design services of FM 521 Expansion Project, Precinct 1. (Fund: FM 521 Project Account)**
- B. **Approve payment of Invoice No. 40664 in the amount of \$41,100.00 to Binkley & Barfield, Inc. for professional engineering services regarding FM 521, Mobility Bond Project No. 17111, Precinct 1. (Fund: Mobility Bonds)**
- C. **Approve payment of Invoice No. 10765-07 in the amount of \$480,710.79 to James Construction Group for construction of Old Needville Fairchilds Road, Mobility Bond Projects No. 13109 and No. 17109, Precinct 1. (Fund: Mobility Bonds)**
- D. **Approve payment of Invoice No. 202007900 in the amount of \$3,347.50 to Berg-Oliver Associates, Inc. for professional environmental services regarding FM 521 South, Mobility Bond Project No. 17111, Precinct 1. (Fund: Mobility Bonds)**
- E. **Approve payment of Invoice No. 8 in the amount of \$150,333.36 to Allgood Construction Company Inc. regarding construction of Bellaire Boulevard and Westmoor Drive, Mobility Bond Project No. 17209-12, Precinct 2. (Fund: Mobility Bonds)**
- F. **Approve payment of Invoice No. 3 in the amount of \$34,938.05 to Costello, Inc. for professional engineering services regarding Pecan Creek Road and Cedar Creek Road bridges, Project No. BR19301, Precinct 3. (Fund: General Fund, Advance Funding Resolution)**
- G. **Approve payment of Invoice No. 0303823-0303824 in the amount of \$19,026.13 to Percheron, LLC for professional acquisition services for 2017 Mobility Projects within Precinct 3. (Fund: Right of Way)**

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- H. **Approve payment of Invoice No. 1 in the amount of \$209,322.84 to Allgood Construction Company Inc. regarding construction of Mason Road, Mobility Bond Project No. 17405, Precinct 4. (Fund: Mobility Bonds)**

11. **ENGINEERING-PERMITS:**

- A. **Approve permit application from The L.E. Myers Co. to relocate and install new electrical transmission poles along Old Needville-Fairchilds Road, Permit No. 2019-32641, Precinct 1.**
- B. **Approve permit application from M2E3 LLC/NorthStar Energy Services, Inc. to install a driveway at 5626 Randon School Road, Permit No. 2020-35419, Precinct 1.**
- C. **Approve permit application from Southwestern Bell Telephone Company dba AT&T Texas to install utility cable along Anton Stade Road, Permit No. 2020-35420, Pct. 1.**
- D. **Approve release of performance bond to SiEnergy, L.P. for completion of a gas line installation along A. Myers, Permit 2019-26695, Precinct 1.**
- E. **Approve permit application from Windstream Sugar Land, LLC to install utility cable along West Aliana Trace Drive and Clouston Avenue, Permit No. 2020-35687, Pct. 4.**
- F. **Approve permit application from Paskey Incorporated to install a construction entrance at 32526 Hunt Road, Permit No. 2020-35691, Precinct 3.**
- G. **Approve permit application from Tackle Construction, Inc./Gradient Group to repair concrete pavement at 6411 Dylan Springs Lane, Permit No. 2020-35433, Precinct 3.**
- H. **Approve permit application from Tackle Construction, Inc./Gradient Group to repair concrete pavement at 16510 Bissonnet Street, Permit 2020-35330, Precinct 3.**
- I. **Approve permit application from MCIMetro Access Transmission Services Corp./Eagle Eye Permitting & Design, LLC to bury fiber optic cable along West Bellfort, Florence Road, Burney Road and Garden Place Drive, Permit No. 2020-35438, Precincts 3 and 4.**
- J. **Approve permit application from Windstream Sugar Land, LLC to install utility cable along Vista Landing Trail and crossing under Beechnut Street, Permit No. 2020-35579, Precincts 2 and 3.**
- K. **Approve permit application from Cello Partnership dba Verizon Wireless/TDC2 to install utility cable along Westheimer Parkway, Permit No. 2020-35545, Precinct 3.**
- L. **Approve permit application from Cello Partnership dba Verizon Wireless/TDC2 to install utility cable along Peek Road, Permit No. 2020-35543, Precinct 3.**

12. **ENGINEERING-DEVELOPMENT:**

- A. **Accept the streets in Firethorne Section 19: South Firethorne Road 916.29 LF, Graystone Crossing Drive 43.00 LF, Josslyn Court 215.00 LF, Elm Chase Court 215.00 LF, Hamilton Park Drive 840.37 LF, Walsh Crossing Drive 1,748.70 LF, Bonnie Bray Drive 318.56 LF and Pinpoint Crossing Drive 594.91 LF, for a total of 4,891.83 LF, and release the bond in the amount of \$369,390.00, Precinct 3.**
- B. **Set public hearing for approval of the traffic control plans for Sienna Section 17B and 17C, Precinct 1. (Tuesday, July 7, 2020 at 1:00 p.m.)**
- C. **Set public hearing for approval of the traffic control plan for Mission Bend Section 8, Precinct 2. (Tuesday, July 7, 2020 at 1:00 p.m.)**
- D. **Set public hearing for approval of the traffic control plan for Firethorne Section 19, Precinct 3. (Tuesday, July 7, 2020 at 1:00p.m.)**
- E. **Set public hearing for approval of the traffic control plans for Glendale Lakes Section 3, and Glendale Lakes Section 5, Precinct 1. (Tuesday, July 7, 2020 at 1:00 p.m.)**
- F. **Set public hearing for approval of the traffic control plan for Aliana Section 73, Precinct 4. (Tuesday, July 7, 2020 at 1:00 p.m.)**

13. **FACILITIES MANAGEMENT & PLANNING:**

**Approve payment of Invoice No. 33950 in the amount of \$9,640.00 to Mortech Manufacturing Company, Inc. for autopsy equipment regarding the Medical Examiner Facility. (Fund: Advance Funding Resolution)**

14. **GRANTS ADMINISTRATION: The grant application for the below item has been approved by Commissioners Court; the Grants Coordinator has reviewed the acceptance documents and makes the following recommendation to Commissioners Court:**

**Social Services: Accept grant funds in the amount of \$451,548 awarded by the National Emergency Food and Shelter Program Phase CARES, administered through the Alliance of Community Assistance Ministries, for the use in the following categories: Food \$66,323; Rent/Mortgage \$276,477; Utilities \$108,748, with no cash match required by Fort Bend County.**

15. **HEALTH & HUMAN SERVICES:**

- A. **Social Services: Approve Agency Participation Agreement between Fort Bend County and Hope Impacts for the Fort Bend County Collaborative Information System.**
- B. **Social Services: Approve Affiliation Agreement between Fort Bend County and the University of Houston Graduate College of Social Work to enable qualified students in the field of Social Work to perform components of their practical learning experience under supervision of Fort Bend County Social Services staff.**

16. **ROAD & BRIDGE - VEHICLE MAINTENANCE:**

**Approve payment of Invoice No. 8733 in the amount of \$500.00 to On Site Decals for graphics on new vehicle. (Fund: Advance Funding Resolution)**

17. **TAX ASSESSOR/COLLECTOR:**

**Approve refunds over \$500 detailed in Tax Assessor/Collector's report submitted on May 27, 2020 for an amount totaling \$3,014.02 for the Office of Carrie Surratt.**

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18. **COUNTY JUDGE:**

- A. Take all appropriate action on request by Fort Bend County Emergency Services District No. 4 for an extension of thirty days for filing the 2019 District Audit report due by June 1, 2020, pursuant to Health & Safety Code Section 775.082.
- B. Take all appropriate action on request by Fort Bend County Emergency Services District No. 2 for an extension of thirty days for filing the 2019 District Audit report due by June 1, 2020, pursuant to Health & Safety Code Section 775.082.
- C. Take all appropriate action on request by Fort Bend County Emergency Services District No. 7 for an extension of thirty days for filing the 2019 District Audit report due by June 1, 2020, pursuant to Health & Safety Code Section 775.082.

19. AUDITOR:

Take all appropriate action on CARES Act Funding Allocation Distribution Agreements between Fort Bend County and the following governing entities:

- City of Arcola;
- City of Beasley;
- Village of Fairchilds;
- City of Fulshear;
- City of Katy;
- City of Kendleton;
- City of Meadows Place;
- City of Missouri City;
- City of Needville;
- City of Orchard;
- City of Pearland;
- Village of Pleak;
- City of Richmond;
- City of Rosenberg;
- City of Simonton;
- City of Stafford;
- City of Sugar Land;
- Town of Thompsons;
- City of Weston Lakes.

20. COMMUNITY DEVELOPMENT:

Take all appropriate action on Substantial Amendment to the FY 2019 Consolidated Annual Action Plan for additional COVID-19 Community Development Block Grant funds in the amount of \$1,948,558 to be used for rental assistance.

21. DISTRICT ATTORNEY:

Take all appropriate action on Application to the U.S. Department of Justice, Office of Justice Programs, for grant funds in the amount of \$340,000 for a Special Crimes Division, with a \$26,000 cash match for the period of October 1, 2020 through September 30, 2022. (Fund: District Attorney State Asset Forfeiture Fund)

22. ENGINEERING:

- A. Take all appropriate action on Utility Construction Agreement between Fort Bend County and CenterPoint Energy Houston Electric, LLC, regarding Old Needville-Fairchilds Road Mobility Bond Projects No. 13109 and No 17109, Precinct 1. (Fund: Mobility Bonds)
- B. Take all appropriate action on request to purchase Parcel 4 in the amount of \$14,455 plus the necessary costs, authorize County Judge to sign all closing documents regarding said parcel for Old Needville-Fairchilds Road, Mobility Bond Project No. 17108, Precinct 1, and authorize County Clerk to record in the Official Public Records at no cost. (Fund: Mobility Bonds)
- C. Take all appropriate action on request to purchase Parcel 8 in the amount of \$70,532 plus the necessary costs, authorize County Judge to sign all closing documents regarding said parcel for Brandt Road, Mobility Bond Project No. 17310, Precinct 3, and authorize County Clerk to record in the Official Public Records at no cost. (Fund: Mobility Bonds)
- D. Take all appropriate action on request to purchase Parcel 1 in the amount of \$6,436.95 and Parcel 2 in the amount of \$70,309 plus necessary costs, authorize County Judge to sign all closing documents regarding said parcels for Beechnut Street, Mobility Bond Project No. 17410, Precinct 4, and authorize County Clerk to record in the Official Public Records at no cost. (Fund: Mobility Bonds)
- E. Take all appropriate action on Interlocal Agreement for Drainage Improvements between Fort Bend County and Fulshear Municipal Utility District No. 1 in an amount not to exceed \$328,268.40 regarding FM 1093/Westpark Extension Phase II-B, Precinct 3. (Fund: 2017A Series Road Bonds)
- F. Take all appropriate action on request for variance to the block length requirements as stated in Section 5.5.A.2, of the Fort Bend County Regulations of Subdivisions for Anserra, Section 7 on behalf of Ventana Development Katy Ltd., Precinct 3.
- G. Take all appropriate action on plat for the roads within Anserra, Section 7, Precinct 3.
- H. Take all appropriate action on plat for the lots within Anserra, Section 7, Precinct 3.

23. HOMELAND SECURITY & EMERGENCY MANAGEMENT:

Take all appropriate action on update to the Fort Bend County Emergency Management Plan, specifically Annex I, Emergency Public Information.

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24. LIBRARY:

Take all appropriate action on the Music Copyright License Agreement between Fort Bend County and United Sound Arts, Inc.

25. PURCHASING:

- A. Take all appropriate action on request to expend \$10,565.73 for Public Safety Transport Network, Redundant Failover equipment and continued radio system maintenance utilizing Harris County Radio Service Agreement. (Fund: Sheriff's Office)
- B. Take all appropriate action on Bid 20-082 for Rescue and Chemical Detection Equipment.
- C. Take all appropriate action on RFP 20-084 for Oil, Gas and Mineral lease.
- D. Take all appropriate action on Amendment to Agreement between Fort Bend County and Paradigm Construction, LLC, to decrease the contract by \$4,229.51 for a total contract amount not to exceed \$6,023,248.49, pursuant to RFP 17-058 regarding Construction of Missouri City Branch Library. (Fund: 2015 Facilities Bond, Proposition 3)
- E. Take all appropriate action on Agreement between Fort Bend County and KONE Inc. for Elevator Modernization and Maintenance Service, utilizing the US Communities KONE Cooperative Contract Number EV2516, in an amount not to exceed \$540,000 effective through May 31, 2021. (Fund: General Fund, Advance Funding Resolution)
- F. Take all appropriate action on Third Amendment to Professional Engineering Services Agreement between Fort Bend County and Lippke, Cartwright & Roberts, Inc. to increase the contract by \$96,670 for a total contract amount not to exceed \$466,529 regarding Front Street, Mobility Bond Project No. x18, Precinct 1. (Fund: Mobility Bonds)
- G. Take all appropriate action on Second Amendment to Professional Engineering Services Agreement between Fort Bend County and All-Terra Engineering, Inc. to increase the contract by \$31,508 for a total contract amount not to exceed \$115,858.50 pursuant to SOQ 14-025 regarding Braxton Street, Mobility Bond Project No. 13116x, Precinct 1. (Fund: Mobility Bonds)

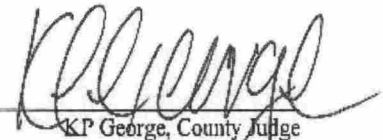
- H. Take all appropriate action on Amendment to Agreement for Construction Material Testing between Fort Bend County and Geotech Engineering and Testing to increase the contract by \$29,968 for a total contract amount not to exceed \$71,607 pursuant to SOQ 14-025 regarding Bellaire – Westmoor, Mobility Bond Project No. 17209-12, Precinct 2. (Fund: Mobility Bonds)
  - I. Take all appropriate action on Third Amendment to Agreement for Professional Engineering Services between Fort Bend County and Terra Associates, Inc. to increase the contract by \$45,300 for a total contract amount not to exceed \$1,238,380 regarding Brandt Road, Mobility Bond Project No. 17310, Precinct 3. (Fund: Mobility Bonds)
26. Approve Bills.
27. 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. Cause Number 4:19-cv-00430 – John Doe v. Deborah Helen Sutter, et al., in the United States District Court for the Southern District of Texas.
    - 2. Cause Number 19-DCV-266010 – Fort Bend County, Texas v. Deborah Helen Sutter, et al., in the District Court of Fort Bend County, Texas 400th Judicial District.
  - 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 property for Fort Bend County facility.

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28. Reconvene Open Session and consider taking action on the following matters:
- A. § 551.071. Consultation With Attorney.
    - 1. Cause Number 4:19-cv-00430 – John Doe v. Deborah Helen Sutter, et al., in the United States District Court for the Southern District of Texas.
    - 2. Cause Number 19-DCV-266010 – Fort Bend County, Texas v. Deborah Helen Sutter, et al., in the District Court of Fort Bend County, Texas 400th Judicial District.
  - B. § 551.072. Deliberation Regarding Real Property.
    - Acquisition of property for Fort Bend County facility.
29. 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.

  
K.P. George, County Judge

Notice of meeting/agenda was filed with the County Clerk on Friday, May 29, 2020. An electronic version of this notice is also posted on the Fort Bend County website: [www.fortbendcountytexas.gov](http://www.fortbendcountytexas.gov) under Commissioners Court and under Legal Notices. In order to comply with social distancing requirements, occupancy at the meeting will be limited. The meeting is accessible by clicking "LIVE Streaming Video" in the left side bar of the Commissioners Court webpage. Any member of the public who may wish to participate with comments regarding the agenda must complete and submit a Public Participation Form no later than 10:00 a.m. on the date of that Commissioners Court meeting so that a seat may be reserved, or call-in may be scheduled to accommodate the speaker.

#### 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.

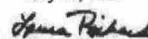
#### NOTICE

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), 551.0745 (Personnel Matters Affecting County Advisory Body), 551.076 (Deliberation of Security Devices), 551.087 (Economic Development) and 551.089 (Deliberation Regarding Security Devices or Security Audits).

RECEIVED

TIME 2:05 PM

May 29, 2020

  
County Clerk Fort Bend Co. Texas