

August 4, 2020

NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
DUE TO EMERGENCY CONDITIONS, THIS MEETING WILL BE CONDUCTED BY
TELEPHONE AND/OR VIDEO CONFERENCE
TUESDAY, AUGUST 4, 2020
1:00 P.M.

AGENDA

1. Call to Order.
2. Invocation and Pledges of Allegiance by Commissioner Ken R. DeMerchant.
3. Approve minutes of regular meeting held on July 28, 2020.
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 Winfield Lakes, Section 17, Precinct 2.
 - B. Acceptance of the traffic control plan for Canyon Lakes at Westheimer Lakes, Section 1, Precinct 3.
 - C. Acceptance of the traffic control plan for McCrary Meadows, Section 5, Precinct 3.

CONSENT AGENDA ITEMS 6 - 17:

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**

Sheriff's Office: Ratify out-of-state travel for D. Tondera to Abbeville, Louisiana August 2-7, 2020 for canine training. (Fund: Sheriff, Federal Forfeited Assets)

7. COUNTY JUDGE:

Set public hearing to receive comments on the County's application to the U.S. Department of Justice for the FY 2020 Edward Byrne Memorial Justice Assistance Grant, to be conducted Tuesday, August 11, 2020 at 1:00 p.m.; hearings will be conducted in person in the Commissioners Courtroom on the second floor of the Fort Bend County Courthouse at 401 Jackson Street in Richmond, Texas. If an order is issued at the state, local or federal level that limits or prohibits in-person gatherings, the hearings will be conducted remotely by video conference.

8. BUDGET TRANSFERS:

- A. Auditor: Approve transfer in the amount of \$3,000,000 as indicated on the Auditor's form dated July 29, 2020 to reallocate previously approved CARES Act distributions to fund administrative support of the Rent/Mortgage/Utility/Small Business Assistance Programs.
- B. Library: Approve transfer in the amount of \$8,900 from Capital Acquisitions into Operating Supplies to allocate funds for the purchase of stair treads for the Cinco Ranch Library.
- C. Sheriff's Office - Forfeited Assets - State: Approve transfer in the amount of \$36,000 from Capital Acquisitions into Fees to allocate funds for repairs to helicopter.
- D. Sheriff's Office - Enforcement: Approve transfer in the amount of \$6,000 from Fees into Information Technology to allocate funds for the purchase of laptop computers.

9. ENGINEERING-PAYMENTS:

- A. Approve payment of Invoice No. 10765-09 in the amount of \$187,154.35 to James Construction Group for construction of Old Needville Fairchilds Road, Mobility Bond Projects No. 13109 and No. 17109, Precinct 1. (Fund: Mobility Bonds)
- B. Approve payment of Invoice No. 8181 in the amount of \$2,405.00 to Gunda Corporation for professional engineering services regarding Humphrey Way, Mobility Bond Project No. x9, Precinct 1. (Fund: Mobility Bonds)

- C. Approve payment of Invoice No. 12458-8 in the amount of \$56,160.32 to McDonough Engineering Corporation for professional engineering services regarding Benton Road Segment 1, Mobility Bond Project No. 17110, Precinct 1. (Fund: Mobility Bonds)
- D. Approve payment of Invoice No. 41862 in the amount of \$103,007.50 to Binkley & Barfield, Inc. for professional engineering services regarding FM 521, Mobility Bond Project No. 17111, Precinct 1. (Fund: Mobility Bonds)
- E. Approve payment of Invoice No. 19-12-000057 in the amount of \$2,764.00, Invoice No. 20-1-000040 in the amount of \$6,739.00, Invoice No. 20-02-000066 in the amount of \$9,122.50 and Invoice No. 20-3-000073 in the amount of \$5,819.25 to Geotech Engineering and Testing for construction material testing for Bellaire Boulevard and Westmoor Drive, Mobility Bond Project No. 17209-12, Precinct 2. (Fund: Mobility Bonds)
- F. Approve payment of Invoice No. 283692-1 in the amount of \$61,201.10 to Cobb, Fendley & Associates, Inc. for professional engineering services regarding Moore Road, Mobility Bond Project No. 17218x, Precinct 2. (Fund: Mobility Bonds)
- G. Approve payment of Invoice No. 202082 in the amount of \$10,012.97 to TEDSI Infrastructure Group, Inc. for professional engineering services regarding Grand Parkway (SH 99) Segment 1, Mobility Bond Project No. 17303, Precinct 3. (Fund: Mobility Bonds)
- H. Approve payment of Invoice No. 83737 in the amount of \$4,380.00 to Edminster Hinshaw Russ & Associates, Inc. dba EHRA for professional engineering services regarding Cane Island Segment 2, Mobility Bond Project No. 17308, Precinct 3. (Fund: Mobility Bonds)
- I. Approve payment of Invoice No. 239285 in the amount of \$29,031.00 and Invoice No. 240149 in the amount of \$9,782.75 to Ninyo & Moore for construction material testing regarding Cane Island, Segment 2, Mobility Project No. 17308, Precinct 3. (Fund: Mobility Bonds)
- J. Approve payment of Invoice No. H013528 in the amount of \$2,978.75 to Raba Kistner, Inc. for construction materials testing regarding Clodine Road, Mobility Bond Project No. 17417, Precinct 4. (Fund: Mobility Bonds)
- K. Approve payment of Invoice No. 2 in the amount of \$468,541.58 to Triple B Services, LLP for construction of Clodine Road, Mobility Project No. 17417, Precinct 4. (Fund: Mobility Bonds)

10. **ENGINEERING-PERMITS:**
 - A. **Approve acceptance of Travelers Casualty and Surety Company of America Perpetual Bond for Ansko & Associates, LLC.**
 - B. **Approve permit application from R Construction Civil, LLC dba R Construction Company to install a construction entrance driveway on Sienna Parkway, Permit No. 2020-37562, Precinct 1.**
 - C. **Approve permit application from Ansko & Associates, LLC to install a small-cell node along Teal Bend Boulevard, Permit No. 2020-37380, Precinct 1.**
 - D. **Approve permit application from Ansko & Associates, LLC to install a small-cell node along Cinco Ranch Boulevard, Permit No. 2020-37384, Precinct 3.**
 - E. **Approve permit application from Oscar Lara DBA Oscar's Star Concrete to install a residential driveway at 4814 Derbywood Glen Lane, Permit No. 2020-37528, Pct. 3.**
 - F. **Approve permit application from Ansko & Associates, LLC to install a small-cell node along Gaston Road, Permit No. 2020-37382, Precinct 3.**
 - G. **Approve permit application from Ansko & Associates, LLC to install a small-cell node along Spring Green Boulevard, Permit No. 2020-37385, Precinct 3.**
 - H. **Approve permit application from Koy Concrete Ltd/Wilson Engineering Company to install a driveway at 31602 Jordan Road, Permit No. 2020-37036, Precinct 3.**
 - I. **Approve permit application from Brock Bly DBA Anchor Construction & Management to install a driveway at 16740 West Airport Boulevard, Permit No. 2019-31305, Precinct 4.**
 - J. **Approve release of Cashier's Check from A-S 144 Grand Parkway-W. Airport, L.P. for work completed at 10805 W. Grand Parkway S, Permit 2020-34174, Precinct 4.**
 - K. **Approve permit application from Triad Retail Construction, Inc. to install a driveway on Clouston Avenue, Permit No. 2020-37457, Precinct 4.**

- L. **Approve permit application from Patriot Commercial, LLC to relocate a driveway on West Bellfort, Permit No. 2020-37636, Precinct 4.**
 - M. **Approve permit application from Patriot Commercial, LLC to install a driveway on Morton Road, Permit No. 2020-37642, Precinct 4.**
 - N. **Approve release of Performance Bond from Arch-Con Corporation for work completed at 10445 W. Grand Parkway S, Permit No. 2019-30625, Precinct 4.**
11. **ENGINEERING-DEVELOPMENT:**
- A. **Accept the streets in Aliana, Section 53: Kirkshaw Drive 176.46 LF, Ancrum Avenue 469.05 LF, Dalhousie Drive 949.58 LF, Cartlaw Court 791.66 LF and Bettyhill Court 1,100.04 LF for a total of 3,486.79 LF, and release the bond in the amount of \$242,176.31, Precinct 4.**
 - B. **Set public hearing for acceptance of the traffic control plan for Avenue E between Dulles Avenue and FM 1092, Precinct 2. (Tuesday, September 1, 2020 at 1:00 p.m.)**
 - C. **Set public hearing for acceptance of the traffic control plan for Willow Fork Groves Section 2, Precinct 3. (Tuesday, September 1, 2020 at 1:00 p.m.)**
12. **FACILITIES MANAGEMENT & PLANNING: The Director of Facilities Management & Planning submits these invoices for approval and payment for projects that are funded by 2015 Facility Bonds and by General Fund through Advance Funding Resolution:**
- A. **Invoice No. G623542 in the amount of \$74,400.00 to Armko Industries for consulting services regarding six Roof Replacements;**
 - B. **Pay Application No. 8 in the amount of \$95,940.00 to Apex Consulting Group for design/build services regarding improvements to the Medic 6 Emergency Medical Service facility.**

13. **FORT BEND COUNTY TOLL ROAD AUTHORITY:** The Board of Directors of Fort Bend County Toll Road Authority reviewed this item at their regular Board meeting held on July 15, 2020, and makes the following recommendation to Commissioners Court:

Approve Supplemental Agreement No. 7 to Toll System Implementation Agreement between Fort Bend County Toll Road Authority and TransCore LP.

14. **HEALTH & HUMAN SERVICES:**

Record into Minutes the Order by Fort Bend County Local Health Authority establishing the need for non-congregate housing/shelter as necessary and appropriate during the COVID-19 Public Health Emergency, as executed on July 18, 2020.

15. **HUMAN RESOURCES:**

Approve the rehire of former employee Debbie Ritch who terminated employment on August 2, 2019, and will be rehired effective August 5, 2020.

16. **LIBRARY:**

Approve Full Release and Indemnification Agreement between Fort Bend County and The George Foundation filming on county property, specifically at the George Memorial Library, located at 1001 Golfview Drive in Richmond, Texas.

17. **TAX ASSESSOR/COLLECTOR:**

- A. **Record into Minutes the Certification of 2020 Tax Year Anticipated Collection Rate and Excess Debt Collections for Fort Bend County General Fund.**
 - B. **Record into Minutes the submission of 2020 Tax Year Appraisal Roll and New Property Value for the Fort Bend County General Fund.**
 - C. **Approve refunds over \$500 detailed in Tax Assessor/Collector's report submitted on July 29, 2020, for an amount totaling \$3,432.38 for the Office of Carrie Surratt.**
-

18. COUNTY JUDGE:

Take all appropriate action on request to reappoint the Review Committee for the FY 2020 Edward Byrne Justice Assistance Grant (JAG) and authorize Committee to review the application and budget for the FY 2020 Local Solicitation, pursuant to the 30-day governmental review policy.

19. AUDITOR:

A. Take all appropriate action on Resolution declaring Intention to Advance Funding and Reimburse Expenditures in an amount not to exceed \$1,701,750 for demolition and reconstruction of the Emergency Medical Service Medic 2 Facility.

B. Take all appropriate action on Resolution declaring Intention to Advance Funding and Reimburse Expenditures in an amount not to exceed \$50,375 for the purchase of a compactor for Road & Bridge.

20. COUNTY ATTORNEY:

Take all appropriate action on request for Payment of Incidental Expenses of Purchase of Replacement Dwelling in the amount of \$3,404.22 regarding Parcel 3 of the Homeland Security & Emergency Management Expansion Project, Precinct 1. (Fund: Advance Funding Resolution)

21. ENGINEERING:

A. Take all appropriate action on request for temporary road closure beginning August 7, 2020, pursuant to Section 251.011 of the Texas Transportation Code, for the Cane Island Parkway project between FM 1463 and Kingsland Boulevard, Mobility Bond Project No. 17308, Precinct 3.

B. Take all appropriate action on Agreement for Installation and Maintenance of Signs between Fort Bend County and Bonbrook Plantation Homeowners Association Inc., regarding Bonbrook Plantation Subdivision, Precinct 1.

C. Take all appropriate action on Interlocal Agreement for County-Managed Road Construction Project between Fort Bend County and City of Rosenberg for the design and construction of Reclaimed Water line along Bryan Road, Mobility Bond Project No. 17118, Precinct 1.

22. HOMELAND SECURITY & EMERGENCY MANAGEMENT:

Take all appropriate action on update to the Fort Bend County Emergency Management Operations Plan, specifically Annex V, Terrorist Incident Response.

23. HUMAN RESOURCES:

- A. Take all appropriate action on requests by various departments to fill vacant positions during the hiring freeze, as detailed in report submitted by Director of Human Resources.
- B. Take all appropriate action on revisions to the Employee Information Manual, specifically Policy 704, Family and Medical Leave Act, as submitted by Human Resources.

24. PURCHASING:

- A. Take all appropriate action on salary request for Assistant Purchasing Agent. (Fund: Purchasing)
- B. Take all appropriate action on Addendum to purchase staffing services from Whitaker IT, LLC for Information Technology staff augmentation and web development utilizing Department of Information Resources Contract DIR-TSO-3576, in an amount not to exceed \$445,600 effective through December 31, 2020. (Fund: Cares - Fort Bend)
- C. Take all appropriate action on Addendum to Agreement between Fort Bend County and Office Depot, Inc. to purchase furniture for the Mission Bend Community Center, utilizing National Intergovernmental Purchasing Alliance (National IPA) Region 4 ESC R142212 Contract for an amount not to exceed \$62,345.24. (Fund: Fort Bend County Assistance District No. 6)
- D. Take all appropriate action on Seventh Amendment to Agreement for Janitorial Services between Fort Bend County and High Quality Cleaning Services, pursuant RFP 16-034 to increase the monthly amount by \$2,200 for additional services for a total annual contract amount not to exceed \$142,540. (Fund: Fort Bend County Assistance District No. 6)

- E. Take all appropriate action on Amendment to renew Agreement for Vending Machine Services between Fort Bend County and Five Star Food Services, Inc. pursuant to RFP 11-068, effective October 1, 2020 through September 30, 2021.

- F. Take all appropriate action on Second Amendment to Agreement between Fort Bend County and MPACT Strategic Consulting, LLC for additional professional consulting services in the amount of \$2,013,500 regarding COVID-19 emergency management and grant management services for a total contract amount not to exceed \$2,463,000. (Fund: Covid-19)

- G. Take all appropriate action on Agreement for Professional Forensic DNA Testing between Fort Bend County and Bode Cellmark Forensics, Inc. in an amount not to exceed \$100,000 effective through September 30, 2020. (Fund: Sheriff's Office, Enforcement)

- H. Take all appropriate action on Fifth Amendment for additional services and renewal of Agreement for Janitorial Services at Fort Bend County Buildings and Facilities between Fort Bend County and McLemore Building Maintenance, Inc. utilizing The Interlocal Purchasing System cooperative contract 170104 in an amount not to exceed \$74,397.72 per month or an annual amount not to exceed \$892,772.64, effective October 1, 2020 through September 30, 2021. (Fund: Facilities Management & Planning and Library)

- I. Take all appropriate action on request to purchase full face respirators from Metro Fire Apparatus utilizing H-GAC Contract Number EE08-19 for an amount not to exceed \$149,312. (Fund: Covid-19)

- J. Take all appropriate action on Fourth Amendment to Agreement for Professional Engineering Services between Fort Bend County and Huitt-Zollars, Inc. to increase the contract by \$15,000 for a total contract amount not to exceed \$875,186.40, pursuant to SOQ 14-025 regarding Old Needville-Fairchilds Road, Mobility Bond Project No. 13109, Precinct 1. (Fund: Mobility Bonds)

- K. Take all appropriate action on Agreement for Professional Traffic Design Services between Fort Bend County and Halff Associates, Inc. for an amount not to exceed \$32,595, pursuant to SOQ 14-025 regarding FM 359 at Fulshear Gaston Road, Precinct 3. (Fund: Road and Bridge)

L. Take all appropriate action on Change Order 3 to the Agreement between Fort Bend County and Conrad Construction to increase the contract by \$136,784.10 for a total amount not to exceed \$2,354,750.73 and to extend the contract time until August 1, 2020, pursuant to Bid No. 19-084 regarding Braxton Street, Mobility Bond Project No. 13116x, Precinct 1. (Fund: Mobility Bonds)

M. Take all appropriate action on Bid 20-098 for Construction of First Street and Crawford Street in City of Kendleton for Fort Bend County Community Development.

25. SHERIFF'S OFFICE:

Take all appropriate action on Addendum to Vehicle Borrower Application and Agreement between Fort Bend County and Mazda North America Operations for vehicles used in the Kids N' Cops Program effective August 4, 2020 through July 31, 2021.

26. Approve Bills.

27. 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. Grievance Number 202003460 filed with the State Bar of Texas Office of Chief Disciplinary Counsel alleging Professional Misconduct.

B. Medical Subrogation Claim of Jose Zagala for Rights of Reimbursement for benefits paid; County Attorney File No. 20-LIT-1863.

August 4, 2020

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

§ 551.071. Consultation With Attorney.

- A. Grievance Number 202003460 filed with the State Bar of Texas Office of Chief Disciplinary Counsel alleging Professional Misconduct.
- B. Medical Subrogation Claim of Jose Zagala for Rights of Reimbursement for benefits paid; County Attorney File No. 20-LIT-1863.

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.



KP George, County Judge

Notice of meeting/agenda was filed with the County Clerk on Friday, July 31, 2020. 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. *As always, the public is invited to watch the live stream on Fort Bend County's website: www.fortbendcountytexas.gov select Commissioners Court, then the LIVE Streaming Video. If a member of the public wishes to speak on an agenda item, a Public Participant Form must be received prior to 9:00 a.m. the day of the meeting. Instructions for the form are included on the Commissioners Court webpage.*

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 12:54 PM A.M.
P.M.

July 31, 2020


County Clerk Fort Bend Co. Texas