

**NOTICE OF MEETING
FORT BEND COUNTY COMMISSIONERS COURT
SECOND FLOOR, FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, RICHMOND, TEXAS
TUESDAY, JANUARY 10, 2023
1:00 P.M.**

AGENDA

1. Call to Order.
2. Invocation and Pledges of Allegiance by Commissioner Dexter L. McCoy.
3. Approve minutes of regular meeting held on January 3, 2023.
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:

Acceptance of traffic control plan for Tamarron Section 21, Precinct 1.

CONSENT AGENDA ITEMS: 6-17

6. **OUT-OF-STATE TRAVEL: Approve out-of-state travel requests for County personnel:**
 - A. **Community Development: Approve out-of-state travel for C. Borrego to Philadelphia, Pennsylvania, March 31, 2023 through April 5, 2023, to attend the 2023 National Planning Conference (NPC23). (Fund: Community Development Block Grant and Emergency Solution Grant)**
 - B. **Environmental Health: Approve out-of-state travel for M. Schaffer and J. Norred to Norman, Oklahoma, February 19, 2023 through February 23, 2023, to attend the Mid-Contental Association of Food and Drug Officials (MCAFDO) 2023 Annual Educational Conference. (Fund: Public Health Workforce Grant)**

- C. **Risk Management: Approve out-of-state travel for E. Fellers to Clearwater Beach, Florida, January 27, 2023 through February 5, 2023, to attend the Health Benefits Conference & Expo. (Fund: Travel)**

7. **BUDGET TRANSFER(s):**

Road and Bridge: Approve transfer in the amount of \$9,000 from Operating and Supplies into Information Technology to allocate funds for the purchase of iPads.

8. **ECONOMIC DEVELOPMENT:**

Record into Minutes a copy of the Public Notice pursuant to Texas Tax Code Section 312.302 which was published on October 28, 2022, advising of Fort Bend County's intention to consider a First Amendment and Assignment to Tax Abatement Agreement with Sage Dulles, LTD (to assign to API Investments Company LLC), in accordance with Texas Tax Code Section 312.207(c).

9. **ENGINEERING-PAYMENTS:**

- A. **Approve payment of Invoice Nos. 0339851, 0339852 in the amount of \$4,191.25 and Invoice No. 0340826 in the amount of \$3,003.75 to Percheron, LLC for professional acquisition services for 2017 Mobility Projects within Precincts 1, 2, 3 and 4. (Fund: Right of Way)**
- B. **Approve payment of Invoice No. 082230C – Revision 1 in the amount of \$38,026.75, Invoice No. 092214C – Revision 1 in the amount of \$24,591.75, Invoice No. 102219C – Revision 1 in the amount of \$23,647.25, and Invoice No. 112221C in the amount of \$19,101.25 to Aviles Engineering Corporation for construction material testing and inspection services regarding Benton Road, Mobility Bond Project No. 17110, Precinct 2. (Fund: Mobility Bonds)**
- C. **Approve payment of Invoice No. 55503 in the amount of \$193,613.26 to Binkley & Barfield, Inc. for professional engineering services regarding FM 521, Mobility Bond Project No. 17111, Precinct 2. (Fund: Mobility Bonds)**

10. **ENGINEERING-PERMITS:**

- A. **Approve release of Performance Bond from Hurtado Construction Company/IDS Engineering for work completed along Texas Heritage Parkway, Permit No. 2021-49095, Precinct 1.**
- B. **Approve release of Performance Bond from Hurtado Construction Company for work completed along Sienna Parkway, Permit No. 2020-37882, Precinct 2.**
- C. **Approve release of Performance Bond from Hurtado Construction Company for work completed along Ricefield Road, Permit No. 2020-34786, Precinct 2.**
- D. **Approve release of Performance Bond from Crostex Construction, Inc. for work completed along Sienna Parkway, Permit No. 2021-49617, Precinct 2.**
- E. **Approve permit application from Comcast of Houston, LLC to install fiber optic cable along Roesner Road, Silver Hearth Lane, Gaston Road, and Creek Ledge Drive, Permit No. 2022-58883, Precinct 1.**
- F. **Approve permit application from Windstream Sugar Land, LLC to install fiber optic cable along West Belfort near Waterview Meadow Drive, Permit No. 2022-58855, Precinct 4.**
- G. **Approve permit application from Comcast of Houston, LLC to install fiber optic cable along April Ridge Drive and Tamayo Drive, Permit No. 2022-58882, Precinct 4.**
- H. **Approve permit application from Comcast of Houston, LLC to install fiber optic cable along W Grand Parkway S near Mason Road, Permit No. 2022-58856, Precinct 4.**

11. **ENGINEERING-DEVELOPMENT:**

- A. **Set public hearing for acceptance of traffic control plan for Sienna Section 48, Precinct 2. (Tuesday, February 7, 2023 at 1:00 p.m.)**
- B. **Set public hearing for acceptance of traffic control plan for Oasis at Clodine Partial Replat No. 1, Precinct 4. (Tuesday, February 7, 2023 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 Certificates of Obligation:**
- A. **Approve payment of Pay Application No. 16 in the amount of \$78,530.41 to Flintco for construction services regarding the New North Library;**
 - B. **Approve payment of Pay Application No. 2 in the amount of \$23,978.00 to Apex Consulting for design services regarding EMS Medic 614;**
 - C. **Approve payment of Invoice No. 3023710227 in the amount of \$15,714.28 to Huitt-Zollars for design services regarding the New North Library;**
 - D. **Approve payment of Invoice No. 45862144 in the amount of \$370,442.00 to Johnson Controls, for facility improvement measures regarding the Facilities Improvement Project.**
13. **GRANTS ADMINISTRATION: The grant application for the below item(s) has been approved by Commissioners Court; the Grants Coordinator has reviewed the acceptance documents and makes the following recommendation(s) to Commissioners Court:**
- Health and Human Services: Accept grant award in the amount of \$25,000 from the Center of Disease Control (CDC) for vaccination services, with no cash match required by Fort Bend County, effective through April 30, 2023.**
14. **HEALTH & HUMAN SERVICES:**
- Emergency Medical Services: Approve request from the Fort Bend History Association to waive EMS Event Standby fees on February 11, 2023 for the 4th Annual Black Cowboy Legacy Rodeo.**
15. **PARKS & RECREATION:**
- A. **Approve request for renewal of agreement between Fort Bend County and Houston Community Toolbank, Inc., to place a Community Toolbox container at Jones Creek Ranch Park.**

- B. **Approve payment of Invoice No. SVC198601 in the amount of \$1,187 to Convergentz for Fire Alarm AHU Shutdown repair at Fifth Street Community Center. (Fund: Capital Improvement Projects)**
- C. **Approve request from Boy Scout Troop No. 1985 to waive rental fees for use of space at Landmark Community Center on Tuesdays twice a month starting on January 17, 2023 through June 13, 2023, for meetings.**

16. **ROAD & BRIDGE:**

- A. **Road and Bridge: Approve payment of Invoice No. ESA020588 to ASCO Equipment in the amount of \$525,507.72 for a Gradall XL 4100. (Fund: Advanced Funding/Certificates of Obligation)**
- B. **Vehicle Maintenance: Approve payment of Invoice No. F73484 for an amount totaling \$35,685.35 to Lake Country Chevrolet for an approved 2021 vehicle. (Fund: Advance Funding Resolution/Certificates of Obligation)**
- C. **Vehicle Maintenance: Approve payment of multiple Invoices to Helfman Ford, Helfman Dodge and Lake Country Chevrolet for approved 2022 budget vehicles. (Fund: Advance Funding Resolution/Certificates of Obligation)**
- D. **Vehicle Maintenance: Approve payment of multiple invoices to Lake Country Chevrolet for approved 2023 budget vehicles. (Fund: Advance Funding Resolution/Certificates of Obligation)**

17. **SHERIFF'S OFFICE:**

Approve Interlocal Agreement for Additional Law Enforcement Services between Fort Bend County and Municipal Utility District No. 118, with services to be provided by the Sheriff's Office, effective through September 30, 2023.

18. COUNTY JUDGE:

- A. Take all appropriate action on the appointment of Jim Rice to the Fort Bend Toll Road Authority Board of Directors, effective January 10, 2023 through December 31, 2023.
- B. Take all appropriate action on the appointment of Jim Rice to the Fort Bend Grand Parkway Toll Road Authority Board of Directors, effective January 10, 2023 through December 31, 2023.
- C. Take all appropriate action to consider granting an exemption to the competitive bid process as authorized by Local Government Code 262.024 (a)(2) and (a)(4) for the purchase of professional and health services, for commitment hearings to state mental facilities for Fiscal Year 2023 from the following:

1.	Travis County for Austin State Hospital;
2.	Howard County for Big Spring Hospital;
3.	Cherokee County for Rusk State Hospital;
4.	Kerr County for Kerrville State Hospital;
5.	Wilbarger County for Vernon State Hospital;
6.	Bexar County for San Antonio State Hospital; and
7.	Kaufman County for Terrell State Hospital.

19. COMMISSIONER, PCT. 2:

- A. Take all appropriate action on request to create one (1) Deputy Constable Position, Grade L04 of the Law Enforcement salary structure, in the Constable Precinct 2 Office to serve as bailiff in the newly created Justice of the Peace, Precinct 2, Place 2, effective January 10, 2023. (Fund: Non-Departmental Contingency)
- B. Take all appropriate action on transfer in the amount of \$76,710 from Non - Departmental Contingency into Accounts detailed on Director's form dated January 5, 2023 to allocate funds for bailiff request for Justice of the Peace, Precinct 2 Place 2.

20. AUDITOR:

Take all appropriate action to set the mileage rate at 65.5 cents (same as Internal Revenue Service) effective January 11, 2023.

21. BUDGET & FINANCE:

Discuss and consider Amendments to the Fort Bend County American Rescue Plan Act Budget.

22. CONSTABLE, PCT. 1

- A. Take all appropriate action on the Interlocal Motorcycle Deputy Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Assistance District Nos 1, 7, 9, 10 and 11 with services to be provided by the Office of Constable Precinct 1 for six (6) Contract Deputies to which payment will be split equally amongst the participating districts (i.e nineteen percent between County Assistance District Nos. 1, 7, 9, 10, and 11), effective through September 30, 2023.
- B. Take all appropriate action on the Interlocal Motorcycle Deputy Agreement for Additional Law Enforcement Services between Fort Bend County and Fort Bend County Assistance District Nos 7 and 10 with services to be provided by the Office of Constable Precinct 1 for one (1) Contract Deputy to which payment will be split equally amongst the participating districts (i.e fifty percent between County Assistance District Nos. 7 and 10), effective through September 30, 2023.
- C. Take all appropriate action on approval of Police Motorcycle Lease Agreement between Fort Bend County and Fort Bend Precinct 1 Deputy Constables C. Bronsell and F. Turner for the use of police motorcycles during the course of their duties, effective through September 30, 2023.

23. COUNTY ATTORNEY:

Take all appropriate action on Grant Application to the Texas Bar Foundation, for funding in the amount of \$25,000, for the County Attorney's Office, with no cash match required by Fort Bend County for the term of June 1, 2023 through May 31, 2024.

24. ECONOMIC DEVELOPMENT:

Take all appropriate action on First Amendment and Assignment of Tax Abatement Agreement between Fort Bend County, and Sage Dulles, LTD (to assign to API Investments Company LLC) located within the City of Sugar Land Reinvestment Zone No. 2020-01.

25. ENGINEERING:

- A. Take all appropriate action on request for variance to the requirements as stated in Section 5.14.E.4 minimum lot size and Section 5.12.C.8 building setback requirements of the Fort Bend County Regulations of Subdivisions for Sienna Village of Bees Creek Section Thirty on behalf of PHHOU-SIENNA 34 LLC, Precinct 2.
- B. Take all appropriate action on the plat for the roads within Sienna Village of Bees Creek Section Thirty, Precinct 2.
- C. Take all appropriate action on the plat for the lots within Sienna Village of Bees Creek Section Thirty, Precinct 2.
- D. Take all appropriate action on Participation Agreement between Fort Bend County and Fort Bend County Municipal Utility District No. 50 regarding Bellaire Boulevard Turn Lanes, 20313x, Precinct 4.
- E. Take all appropriate action on Agreement for Construction and Maintenance of Sidewalk between Fort Bend County and Woodlake Estates Home Owners Association, Inc. regarding installation of sidewalks on Greenbusch Road, Mobility Bond Project No. 13312, Precinct 1.
- F. Take all appropriate action on Roadway Use and Maintenance Agreement between Fort Bend County and Braes Bayou Generating, LLC regarding maintenance of various roads within Precinct 2.
- G. Take all appropriate action on Interlocal Agreement for District-Managed Public Infrastructure Project between Fort Bend County and Fort Bend County Municipal Utility District No. 37 in an amount not to exceed \$250,000 regarding infrastructure improvements, Precinct 1. (Fund: American Rescue Plan Act (ARPA))

26. HEALTH & HUMAN SERVICES:

- A. Health & Human Services: Take all appropriate action on Amendment No. 1 between Fort Bend County and the Texas Department of State Health Services (DSHS), Contract No. HHS001025600001 (Triple Zero Grant) under the Regional Local Services System/Local Public Health Services Grant Program for the biannual submission of financial status reports.
- B. Health & Human Services: Take all appropriate action on request to create one full-time, grant-funded Position, Emergency Medical Services Medical Director, Grade 116 of the General Salary Structure, in the Health & Human Services Department, effective January 10, 2023. (Fund: American Rescue Plan Act -Health & Human Services)
- C. Health & Human Services: Take all appropriate action on Grant Application to the National Association of County and City Health Officials (NACCHO) for the Strengthening Disability Inclusion Efforts in Local Health Departments grant in the amount of \$25,000 effective through July 31, 2023 with no match required by the County.

27. HUMAN RESOURCES:

Take all appropriate action on request for approval to assist in relocation expenses for potential Chief of Emergency Medical Services candidate in the amount of \$6,814. (Fund: Emergency Medical Services Salaries)

28. PURCHASING:

- A. Take all appropriate action on Agreement between Fort Bend County and Whitley Penn, LLP, pursuant to RFP 20-083 for professional audit services in an amount not to exceed \$200,900 effective through July 31, 2023. (Fund: Non-Departmental - Fees)
- B. Take all appropriate action on Third Amendment to Agreement between Fort Bend County and Next Level Medical, LLC to renew and amend employee health and wellness clinical services, pursuant to RFP 19-072 in an amount not to exceed \$1,350,000 effective through December 31, 2023. (Fund: Employee Health Clinic)
- C. Take all appropriate action on RFP 23-019, Audio Visual System Upgrade for Courtroom.

- D. Take all appropriate action on Fifth Amendment to Project Management Agreement between Fort Bend County and Binkley & Barfield, Inc., to increase the contract in the amount of \$100,000 for a total contract amount not to exceed \$1,699,614, pursuant to SOQ 14-025, regarding Project Management Services for 2017 Mobility Bond Projects in Precincts 1, 2, 3 and 4. (Fund: Mobility Bonds)
- E. Take all appropriate action on Bid 23-012 for Construction of South Post Oak Sportsplex Baseball Fields Phase II.

29. SHERIFF'S OFFICE:

Take all appropriate action on Organized Crime Drug Enforcement Task Force Agreements to accept additional grant funds for the Strike Force/Strategic Initiative Programs administered by the Sheriff's Office, with no additional funds required by Fort Bend County, for the period of October 1, 2022 through September 30, 2023:

1.	\$170,012.80 for professional language analysts;
2.	\$4,141.28 for printers; and
3.	\$13,535.28 for rental vehicle and aircards.

- 30. Approve Bills.
- 31. Authorize the County Auditor to pay and release time-sensitive bills on January 19, 2023 to be ratified by Commissioners Court on January 24, 2023.
- 32. 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. Case No. 22-CCV-071480; Fort Bend County, Texas vs. Sixpack Enterprises LLC, et al; Eminent Domain Proceeding assigned to the Judge of the County Court at Law No. 4; Moore Road Project No. 17218X, Easement No. 7, Precinct 3 (formerly Precinct 2)

2. 22-CCV-072043 - Fort Bend County, Texas vs. Tidwell Tract LTD, et al; Bryan Road - Project No. 17118, Parcel 3, Precinct 4 (formerly known as Precinct 1).

- B. § 551.076 and § 551.089. Deliberation Regarding Security Devices or Security Audits. Commissioners Court will meet in Closed Session to discuss or deliberate regarding security assessments or deployments relating to information resources technology; network security information; or the deployment, or specific occasions for implementation of security personnel, critical infrastructure, or security devices.

Provision of Armored Car Services.

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

- A. § 551.071. Consultation With Attorney.

1. Case No. 22-CCV-071480; Fort Bend County, Texas vs. Sixpack Enterprises LLC, et al; Eminent Domain Proceeding assigned to the Judge of the County Court at Law No. 4; Moore Road Project No. 17218X, Easement No. 7, Precinct 3 (formerly Precinct 2)
2. 22-CCV-072043 - Fort Bend County, Texas vs. Tidwell Tract LTD, et al; Bryan Road - Project No. 17118, Parcel 3, Precinct 4 (formerly known as Precinct 1).

- B. § 551.076 and § 551.089. Deliberation Regarding Security Devices or Security Audits.

Provision of Armored Car Services.

34. 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.

*Signature Stamped by County Judge's Office
Submitted with County Clerk @ 5:00 P.M.*

KP George, County Judge

Notice of meeting/agenda was published by the Fort Bend County Judge's Office, Court Services Manager, and submitted to the County Clerk on Friday, January 6, 2023. 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 Risk Management, located at 301 Jackson Street, Suite 224, in Richmond, Texas, 77469, telephone 281-341-8630. The Director of Risk Management is designated to coordinate compliance with the non-discrimination requirements in Section 35.107 of the Department of Justice regulations.

Fort Bend County will, generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so that they can participate equally in the County's programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communication or modification of policies or procedures to participate in a program, service, or activity of Fort Bend County, should contact the office of the ADA Coordinator as soon as possible, but no later than 48 hours before the scheduled event.

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 5:37 P.M.
P.M.

January 6, 2023

Janice Richard
County Clerk Fort Bend Co. Texas