



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Ryan Dennard Joe Giusti Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA March 3, 2015 – 1:30 PM

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

REGULARLY SCHEDULED MEETING

Call to Order

Invocation and Pledge of Allegiance

Consent Agenda

- *1. Submitted by Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 2/24/15 & 3/3/15
 - b. Order for Payroll period ending 2/25/15 Bi-Weekly #5
 - c. Order for Supplemental Payroll period ending 2/25/15 Bi-Weekly #5
 - d. Internal Audit report for the close out of Honorable Sonny James accounts (previously JP3) performed on 12/1/14 - 1/28/15 (revised)
- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #4, January 29 - February 11, 2015* submitted by Human Resources.
- *3. Receive and file *Notice pursuant to H.B. 3059, Section 366.005 of Texas-New Mexico Power Company providing utility service to Galveston County* submitted by the County Judge.
- *4. Receive and file *Tier 1 - Partial Exemption Racial Profiling Report for the calendar year 2014* submitted by the Sheriff.

- *5. Receive and file *full and final settlement for claimant Joseph Louis Macaluso* submitted by County Legal.
- *6. Consideration of *authorizing County Judge to sign the following contract renewal letter for FY2015* submitted by Director of Contract Services:
 - a. The Children's Center
- *7. Consideration of *Commissioners Court Order approving application by County Judge regarding the creation of a Jail Population Impact Control Coordinator* submitted by the County Judge.
- *8. Consideration to *authorize an extension on the following RFP* submitted by the Purchasing Agent:
 - a. RFP #B132007 Heavy Equipment Rental
- *9. Consideration for *authorization to rebid the following bids* submitted by the Purchasing Agent:
 - a. Bid #B122021 Abatement of Junked Vehicles
 - b. Bid #B122022 Sheriff Department Uniforms
 - c. Bid #B122020 Alarm Services
- *10. Consideration for *authorization to issue a formal solicitation for the following bids* submitted by the Purchasing Agent:
 - a. Utility Usage Billing Audit Services
 - b. CDBG Round 2-Real Property Sales-March 2015
 - c. Inmate Health Care Medical Services
- *11. Consideration of *approval for the solicitation of an auction for the sale of the following property* submitted by the Housing Department:
 - a. 4713 Bayou Lane Hitchcock Lot Eleven (11), in Block Twenty-Five (25), of Addition No. Three (3) to Wittjen Subdivision No. Seven (7), a subdivision in Galveston County, Texas, according to the map or plat thereof Recorded in Volume 254-A, Page 78, and transferred to Plat Record 11, Map No. 21, all in the Map Records in the Office of the County Clerk of Galveston County, Texas.
- *12. Consideration of *authorizing acceptance of Reliant Care funds to assist with utilities for eligible Galveston County residents* submitted by Director of Contract Services.

- *13. Consideration of approval of the *First Addendum and Amendment to Professional Services Agreement by and between Galveston County, Texas and Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA and authorizing County Judge to execute same* submitted by the Grants Manager.
- *14. Consideration of *accepting a petition from Patrick T. Peyton III, et al, for the abandonment of a part of 2nd Street and adjacent alley, Live Oak Ridge subdivision, Port Bolivar* submitted by Right of Way.
- *15. Consideration of *approval for Maricella R. Elkins to convey portions of subdivisions "C" & "D", Lot 1 Block 86 Angell-Runge Addition by metes & bounds without revising the plat* submitted by the County Engineer.
- *16. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and the City of Dickinson to provide election services for their May 2015 election* submitted by the County Clerk.
- *17. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and Texas City ISD to provide election services for their May 2015 election* submitted by the County Clerk.
- *18. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and Dickinson ISD to provide election services for their May 2015 election* submitted by the County Clerk.
- *19. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and the City of Santa Fe to provide election services for their May 2015 election* submitted by the County Clerk.
- *20. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and WCID #1 to provide election services for their May 2015 election* submitted by the County Clerk.
- *21. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and the City of Hitchcock to provide election services for their May 2015 election* submitted by the County Clerk.
- *22. Consideration of *approval for the County Judge to sign an agreement between the County of Galveston and the City of Kemah to provide election services for their May 2015 election* submitted by the County Clerk.
- *23. Consideration of *Request of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor Collector:

a.

P237112	\$11,113.28	Duplicate Payment
P237433	\$ 8,802.63	Duplicate Payment
P384275	\$30,190.65	Duplicate Payment
P413941	\$29,273.77	Over Payment
P506170	\$150,586.89	Over Payment
R104150	\$ 2,790.88	Duplicate Payment
R113605	\$ 3,109.07	Duplicate Payment
R118215	\$ 3,426.48	Duplicate Payment
R123282	\$ 5,610.34	Duplicate Payment
R126481	\$10,179.63	Over Payment
R127507	\$ 8,784.41	Duplicate Payment
R136499	\$ 5,454.04	Duplicate Payment
R144634	\$ 4,630.48	Duplicate Payment
R166740	\$ 3,031.06	Over Payment
R181935	\$41,715.88	Over Payment
R195307	\$ 2,575.67	Duplicate Payment
R195570	\$ 3,048.39	Duplicate Payment
R215691	\$ 2,779.99	Over Payment
R215738	\$ 4,589.49	Duplicate Payment
R231101	\$ 4,143.50	Duplicate Payment
R231903	\$17,230.35	Over Payment
R287682	\$ 3,453.62	Over Payment
R304740	\$ 8,982.18	Over Payment
R310651	\$ 2,604.69	Duplicate Payment
R361997	\$ 2,646.55	Duplicate Payment
R374997	\$26,326.74	Over Payment
R381185	\$ 3,564.07	Duplicate Payment
R399042	\$ 2,958.98	Duplicate Payment
R402501	\$ 4,337.22	Over Payment
R405354	\$16,170.93	Duplicate Payment
R405867	\$ 5,878.28	Duplicate Payment
R418550	\$ 2,856.85	Duplicate Payment
R423915	\$ 2,617.75	Duplicate Payment
R424080	\$ 2,892.04	Duplicate Payment
R424783	\$ 4,448.65	Duplicate Payment
R431072	\$ 3,032.02	Duplicate Payment
R431227	\$ 3,729.00	Duplicate Payment
R440429	\$ 2,503.89	Duplicate Payment
R504060	\$ 4,764.17	Duplicate Payment
R512752	\$ 5,282.02	Duplicate Payment
R517769	\$ 3,756.95	Duplicate Payment
R524010	\$ 2,572.55	Duplicate Payment
R524686	\$ 4,781.22	Over Payment

*24. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors by the USPS as Recommended by Penalty & Interest Review Committee in accordance with County Policy* submitted by the Tax Assessor/Collector:

a.

N20408711	Harvest Petroleum Inc.	2014	\$333.47
R100622	Luckett, Joyce	2012	\$19.00
R105468	Luckett, Joyce	2013	\$41.32

*25. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a.

R124566	McAndrews, Walter & Kathy	2014	\$29.84
R232902	Agregard, Joan	2013	\$786.09
R290769	Shotwell, William	2013	\$274.08

*26. Consideration of *approval for the Galveston County Auto Crimes Task Force to pay for Software and hardware upgrade and maintenance for the Susteen Cellular Data Recovery System* submitted by Auto Crimes Task Force.

*27. Receive and file *Designation of Applicant's Agent (FEMA 1791 DR TX form)* submitted by the County Judge.

*28. Consideration of *acceptance of donation from Moody Gardens of seven (7) one day passes to Palm Beach for Bolivar Beach Logo Competition finalists* submitted by Commissioner, Precinct 1.

*29. Receive and file *Galveston County Emergency Services District No. 2's annual audit report for the fiscal year ending September 30, 2014* submitted by the County Judge.

*30. Consideration of *approval of Indemnification Request* submitted by the County Clerk.

*31. Receive and file *Certificate of Course Completion for Open Meetings Act and Public Information Act* submitted by Commissioner, Precinct 2.

*32. Consideration of *approval of construction project for Suite 142 at the Calder Annex* submitted by the County Architect.

Action Agenda

33. Commissioner, Precinct 1

a. Adoption of Bolivar Beach logo for use in signage, website, and beach-related marketing and communications.

34. **County Legal**

- a. Consideration of authorizing County Judge to execute First Amendment to Memorandum of Understanding with Boon-Chapman Benefit Administrators, Inc., dated October 1, 2013 concerning provision of inmate health care services at the Galveston County Jail.
- b. **Break into Executive Session.**
- c. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: rendering legal advice about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct conflicts with the Open Meetings Act relating to DJ # 204-74-343, The United States of America and Galveston County, Texas under the Americans with Disabilities Act.
- d. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-1112, Kimberly Sullivan v. Galveston County Commissioners Court, Et Al, in the 212th Judicial District Court.
- e. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:14-CV-00186, Tomasa Duran v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- f. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: rendering legal advice about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct conflicts with the Open Meetings Act relating to 14-CV-0031, Triple B Services, LLP v. Galveston County in the 122nd Judicial District Court.

- g. **Reconvene into Regularly Scheduled Session.**
- h. Consideration of entering into an engagement letter retaining services as an expert with Carla Cotropia regarding Cause No. 3:14-CV-00186, Tomasa Duran vs Galveston County.

35. **Housing Department**

- a. Consideration for approval of the following appointment of a Labor Standards Officer for the Round 2 CDBG Rental Program.

36. **Professional Services**

- a. Consideration of authorizing the County Judge to execute Amendment to the Bay Area Houston Economic Partnership contract submitted by the Director of Contract Services.
- b. Consideration of authorizing County Judge to execute renewal contract with Galveston County Health District for Emergency Medical Services for Galveston County West.
- c. Consideration of authorizing County Judge to execute renewal contract with Galveston County Health District for Emergency Medical Services for Galveston County East.
- d. Consideration of approval of the following Budget Amendments:
 - 1. 15-055-0303-A
Information Technology - Request transferring funds from General Fund Reserves for an Application Support position in Information Technology.
 - 2. 15-056-0303-B
District Attorney - Request for title and pay grade changes in the District Attorney's office (see attached schedule).
 - 3. 15-057-0303-C
Professional Services - Request creating Jail Population Impact Control Unit Coordinator position in General Government.
 - 4. 15-058-0303-D
Professional Services - Request transferring funds from General Fund Reserves for EHRA contract.
 - 5. 15-059-0303-E
County Architect - Request budget transfer for renovations at the North County Annex.

Adjourn

WORKSHOP AGENDA

1. Discussion regarding organization of Commissioners Court administrative responsibilities related to the judicial system:
 - a. Collection Improvement Program

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

Executive Sessions

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.
