



# **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 July 21, 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 7/14/15 and 7/21/15
  - b. Order for Payroll period ending 7/15/15 Bi-Weekly #15
  - c. Order for Supplemental Payroll period ending 7/15/15 Bi-Weekly #15
  - d. Internal Audit report of the cash count and inventory of Constable, Precinct 1 - Bacliff
  - e. Internal Audit report of Justice of the Peace, Precinct 3 for period of 1/1/15 - 3/31/15 with response letter from Honorable Penny L. Pope dated 6/22/15
  - f. Internal Audit report of the Sheriff's Office Asset Inventory for period of 3/25/15 - 4/17/15 with response letter from Honorable Henry Trochesset dated 7/1/15
  - g. Quarterly Audit Report for Constable Precinct 1 - Bacliff for period 4/15 - 6/15
  - h. Quarterly Audit Report for Constable Precinct 1 - Texas City for period of 4/15 - 6/15

- i. Quarterly Audit Report for Constable Precinct 2 - Galveston for period of 4/15 - 6/15
  - j. Quarterly Audit Report for Constable Precinct 2 - Santa Fe for period 4/15 - 6/15
  - k. Quarterly Audit Report for Constable Precinct 3 - Crystal Beach for period 4/15 - 6/15
  - l. Quarterly Audit Report for Constable Precinct 3 - Galveston for period 4/15 - 6/15
  - m. Quarterly Audit Report for Constable Precinct 3 - La Marque for period 4/15 - 6/15
  - n. Quarterly Audit Report for Constable Precinct 4 - League City for period 4/15 - 6/15
  - o. Quarterly Audit Report for the Juvenile Justice Department for period 4/15 - 6/15
  - p. Consideration of approval of IDEA software annual license renewal with Audimation Services, Inc.
- \*2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #14, June 18-July 1, 2015* submitted by Human Resources.
  - \*3. Consideration of *approving appointment of Nuisance Abatement Officer* submitted by Human Resources/Emergency Management.
  - \*4. Consideration of *appointments to the Houston Galveston Area Council Technical Advisory Committee (updated from 12/23/14)* submitted by Commissioner, Precinct 4.
  - \*5. Receive and file *Texas Department of Public Safety Request for Access Rights to e-Grants System* authorization form submitted by the Grants Manager.
  - \*6. Consideration of *acceptance of FY 2015 Emergency Management Performance Grant (EMPG) from the Texas Department of Public Safety* submitted by the Grants Manager.
  - \*7. Consideration of acceptance of *FY16 & 17 Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) Grant from the Texas Commission on Environmental Quality and authorize the County Judge to Request the FY16 Disbursement* submitted by the Grants Manager.
  - \*8. Receive and file *donation of 23 trees for Paul Hopkins Park from City of Dickinson in conjunction with the Texas Department of Transportation and Keep Texas Beautiful-*

submitted by the Parks Department.

- \*9. Receive and file *written Procedure for the County of Galveston Records & Recycling* submitted by Facilities.
- \*10. Receive and file *Notice to Operator and Request for State Funds from Railroad Commission of Texas for Crystal Beach SWD (071641)* submitted by the County Clerk.
- \*11. Receive and file *Notice to Operator and Request for State Funds from Railroad Commission of Texas for Hudnell Zinn & Forman (23390)* submitted by the County Clerk.
- \*12. Receive and file *Notice to Operator and Request for State Funds from Railroad Commission of Texas for Simpton (105710)* submitted by the County Clerk.
- \*13. Consideration of *approval of a contract for Election Services between the Galveston County Elections Division and the Terra Glen MUD for conducting its November 3rd election* submitted by the County Clerk.
- \*14. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for the New Beginnings Ministry Galveston County for use of Walter Hall Park for the No Limits Fundraiser on August 22, 2015*, submitted by the Parks & Cultural Services Department.
- \*15. Consideration of *approval of a permit to Great Lakes Dredge & Dock to use the Galveston Seawall, Seawall sidewalk, Seawall Blvd., Seawall groins, stairway and rip rap for construction activities for the Galveston Seawall Nourishment project and authorizing the County Judge to sign permit document* submitted by the County Engineer.
- \*16. Consideration of *approval for Justin Thomas Massengale and Bridgette Nicole Woodruff, also Donald W. Massengale and Rhonda G. Massengale to convey portions of Lots 254, 255 and 256 of Blue Water, Addition No. 4 on Bolivar Peninsula by metes and bounds without revising the plat and authorizing the County Judge to sign the application* submitted by the County Engineer.
- \*17. Consideration of *Request of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

a.	<b>P511630</b>	\$3,823.88	Over Payment
	<b>R126307</b>	\$3,852.06	Duplicate Payment
b.	<b>P501569</b>	\$18,379.56	SUPP Adjustment
	<b>P511602</b>	\$10,420.25	SUPP Adjustment
	<b>R144430</b>	\$7,279.38	SUPP Adjustment
	<b>R196161</b>	\$4,926.90	SUPP Adjustment

**R311551** \$4,035.73 SUPP Adjustment

\*18. 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. **R604114** Seeberger, Mark J 2014 \$187.75

\*19. 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. **R516674** Tai Tran, Hang Bui Thi 2014 \$445.21

\*20. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a. **R124950** DeBlance, Wayne & Janice 2014 \$317.71

\*21. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:

a.	<b>R119946</b> Cox, Judy Marie	2013	\$33.51
	<b>R124146</b> Lavender, Jay & Jala	2014	\$556.49 (R)
	<b>R102924</b> Watts, Jerald Leon Jr	2014	\$59.24 (W)
	<b>R103131</b> JS Acquisition Group LP	2014	\$2,303.54 (W)
	<b>R110468</b> DiMarco, Paul F	2014	\$325.96 (W)
	<b>R132344</b> Tavarez, Lus Jr & Katherine	2014	\$204.47 (W)
	<b>R109074</b> Garcia, Carina & Ceaser R Martinez	2014	\$122.26 (W)
	<b>R119142</b> Cokins, David & Yvonne	2014	\$86.64 (W)
	<b>R101454</b> Cokins, Ronald	2014	\$182.53 (W)
	<b>R109935</b> Sikes, Aleitha Y	2014	\$100.50 (W)
	<b>R207401</b> LaRocca, Della A	2014	\$76.73 (W)
	<b>R148476</b> Miles, William J	2014	\$558.10 (W)
	<b>P508924</b> Winner Zone	2014	\$323.04 (W)
	<b>R219353</b> Clark, Jean	2014	\$95.41 (W)
	<b>R120678</b> Yoak, Ted & Edwina	2014	\$177.14 (W)
	<b>R187000</b> Mendez, Marco	2014	\$38.46 (W)
	<b>R198186</b> Gibbons, Cecile Carin	2014	\$33.52 (W)
	<b>R111158</b> Lyons, Steve	2014	\$140.90 (W)
	<b>R106659</b> Padilla, Anthony	2014	\$76.77 (W)
	<b>R143737</b> Springer, Sheryl H	2014	\$325.27 (R)
	<b>R132548</b> Carter, Keith	2014	\$101.84 (W)

	<b>P378605</b>	Galveston Wedding Chapel	2014	\$31.63 (W)
	<b>R403450</b>	Jenson, John K	2014	\$606.32 (W)
	<b>R101076</b>	Gatch, Nathan	2014	\$129.03 (W)
b.	<b>R514553</b>	Stoeckel, Dennis C & Diaz, Danny	2014	\$73.38 (W)
	<b>R514552</b>	Stoeckel, Dennis C & Diaz, Danny	2014	\$74.55 (W)
	<b>R107613</b>	Stoeckel, Dennis C & Diaz, Danny	2014	\$72.23 (W)
	<b>R101665</b>	Stoeckel, Dennis C & Diaz, Danny	2014	\$260.41 (W)
	<b>P511686</b>	Advantage Fabric & Upholstery	2014	\$11.31 (W)
	<b>R101646</b>	Diaz, Danny M	2014	\$70.36 (W)
	<b>R106550</b>	Stoeckel, Dennis C & Diaz, Danny	2014	\$216.15 (W)
	<b>R200079</b>	Stoeckel, Dennis C & Diaz, Danny	2014	\$69.05 (W)
	<b>R110430</b>	Kemp, Donald	2014	\$65.56 (W)
	<b>R218854</b>	Moorehead, Robert W	2014	\$132.29 (W)
	<b>R414794</b>	Santos, Juan M & Lisa M	2014	\$215.03 (W)
	<b>P241663</b>	Potter's Liquor #2	2014	\$78.56 (W)
	<b>P292607</b>	Potter's Liquor #3	2014	\$90.02 (W)
	<b>P296313</b>	Roy's American Electric Co	2014	\$46.44 (W)
	<b>R101486</b>	Torres, Roberto & Nora	2014	\$136.48 (W)
	<b>R101990</b>	Anthony, Beatrice Marie	2014	\$74.39 (W)
	<b>R115446</b>	Anthony, Beatrice Marie	2014	\$18.19 (W)
	<b>R115455</b>	Anthony, Beatrice Marie	2014	\$17.40 (W)
	<b>R117767</b>	Anthony, Beatrice Marie	2014	\$13.31 (W)
	<b>R117768</b>	Anthony, Beatrice Marie	2014	\$13.31 (W)
	<b>R117769</b>	Anthony, Roy Jr	2014	\$13.31 (W)
	<b>R117770</b>	Anthony, Beatrice Marie	2014	\$167.87 (W)
	<b>R117771</b>	Anthony, Beatrice Marie	2014	\$13.31 (W)
	<b>R117783</b>	Anthony, Beatrice Marie	2014	\$72.13(W)
	<b>R117784</b>	Anthony, Beatrice Marie	2014	\$17.13 (W)
	<b>R117785</b>	Anthony, Beatrice Marie	2014	\$17.13 (W)
	<b>R117786</b>	Anthony, Beatrice Marie	2014	\$17.13 (W)
	<b>R119969</b>	Orange, William & Mary	2014	\$26.17 (W)
	<b>R168388</b>	D Potter Investments	2014	\$16.64 (W)
	<b>R192727</b>	Johnson, Timothy & Melissa	2014	\$13.41 (W)
	<b>R203163</b>	D Potter Investments	2014	\$24.08 (W)
	<b>R290006</b>	Lively, David R	2014	\$2.85 (W)
	<b>R404196</b>	Colonna, Sue S	2014	\$52.21 (R)
	<b>R601658</b>	Potter, Dwight Martin & Shawn M	2014	\$88.86 (W)

\*22. Consideration of *granting authority to the County Judge to sign a Trustee's Deed on the following tax foreclosed property* submitted by the County Judge:

- a. **CAD#: 2775-0011-6100-002**
- b. **CAD#: 7725-0025-0000-0002**

- c. **CAD#: 5985-0000-0006-000**
  - d. **CAD#: 5986-0000-0019-000**
  - e. **CAD#: 3150-0016-0001-000**
- \*23. Receive and file *County Clerk's Records Preservation and Restoration Plan* submitted by the County Clerk.
  - \*24. Consideration of *Setting a Public Hearing for August 4, 2015 on the County Clerk's Proposed Records Archive Fee Established under §118.025 and §118.011(f) of the Texas Local Government Code* submitted by the County Clerk.
  - \*25. Receive and file *District Clerk's Records Preservation and Restoration Plan* submitted by the District Clerk.
  - \*26. Consideration of *Setting a Public Hearing for August 4, 2015 on the District Clerk's Proposed Records Archive Fee Established under §51.305 of the Texas Government Code* submitted by the District Clerk.
  - \*27. Consideration of *approval for Extended support for Dell M1000E Blade Server Enclosures with SHI Government Solutions* submitted by Information Technology.
  - \*28. Consideration of *approval for Consulting Services Agreement with Charlotte Nichols* submitted by Information Technology.
  - \*29. Consideration for *authorization to donate or sell surplus vehicles to the Brazoria County Fire Department* submitted by the Purchasing Agent.
  - \*30. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
  - \*31. Consideration for *authorization to extend the contracts on the following RFQ/Bid* submitted by the Purchasing Agent:
    - a. RFQ #B132005 Auditing and Related Services
    - b. Bid #B142020 Prepare & Print Ballots & Election Supplies

**Action Agenda**

32. **Commissioner, Precinct 2**

- a. Consideration of approval of completion of the 646 project from F.M. 1764 to Highway 6.

33. **County Judge**

- a. Consideration of granting authority to the County Judge to sign a Resale Deed on the following tax foreclosed property (denied on 07/07/15):

1. **CAD#: 6240-0070-0007-000**

34. **Emergency Management**

- a. Consideration of approving Joint Resolution Establishing and Continuing Interjurisdictional Emergency Management Plan and authorizing County Judge to Execute same with each of the following municipalities: Bayou Vista, Clear Lake Shores, Hitchcock, Jamaica Beach, La Marque, Santa Fe, and Village of Tiki Island.

35. **Professional Services**

- a. Consideration of approval of the following Budget Amendments:

1. 15-119-0721-A

**Beach and Parks** - Request transfer of funds from Galveston County Beach and Parks Budgeted Reserves for contract with Danasi to increase the number of times trash barrels are emptied on the beach at Bolivar

2. 15-120-0721-B

**Beach and Parks** - Request transfer of funds from Galveston County Beach and Parks Budgeted Reserves for vehicle permit stickers for the beach parking sticker program

3. 15-121-0721-C

**Information Technology** - Request change in Print Shop Specialist from 16A to 15A resulting in savings in the Information Technology budgeted salaries and benefits

4. 15-122-0721-D

**Tax Collectors Office** - Request transfer from General Fund Budgeted Reserves for office supplies in the Tax Collector/Assessor Administration Department

5. 15-123-0721-E

**Justice Court Precinct #2** - Request transfer from General Fund Budgeted Reserves for an increase in a Deputy Court Clerk position in Justice Court Precinct #2

6. 15-124-0721-F

**Emergency Management** - Request transfer from General Fund-

Budgeted Reserves for an increase in salary and benefits for the Nuisance Abatement Officer in Emergency Management

7. 15-125-0721-G  
**General Government/Economic Development** - Request change in Economic Development Director salary from budgeted amount to actual amount
8. 15-126-0721-H  
**Justice Administration** - Request transfer from Forensic Testing account to Supplies and Materials account to cover supplies for both Justice Administration and the Courts through the rest of the fiscal year
9. 15-127-0721-I  
**Justice Administration/Mediation Fund** - Request transfer from Mediation Fund Budgeted Reserves to cover anticipated expenses through the rest of the fiscal year

- b. Consideration of approval of request for cell phones for the following positions:
  1. Chief Communications Officer
  2. Director of Economic Development
  3. Deputy Emergency Management Coordinator

36. **Purchasing**

- a. Consideration of authorization of the following:
  1. Bid #B151020 Galveston County Lawrence Road Area Streets Improvements
  2. RFP #B151022 Playground Equipment for Jack Brooks Park
  3. Bid #B151019 Justice Center Courts Audio Visual Refresh
- b. Consideration of awarding additional funding for RFP #B141022A, CDBG – Round 2 Rental Program for Galveston County, Texas.

37. **County Legal**

- a. Consideration of authorizing County Judge to execute Agreement with John S. Grounds, LJA Engineering for revision of floodplain regulations.
- b. **Break into Executive Session:**

- c. **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 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 15-CV-0661, Barbara Younie v. Santa Fe Police Department and County of Galveston Medical Examiner's Office, in the 405th 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 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.
- f. **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 15-CV-0583, The Hon. Lonnie Cox V. The Hon. Mark Henry, County Judge of Galveston County in the 405<sup>th</sup> Judicial District Court.
- g. **Executive Session:** Texas Government Code Section 551.072, Deliberations about Real Property: 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 551.072 of the Government Code, to deliberate the purchase, exchange, lease, or value of real property located in the North County for construction of a County building to house administrative, branch, and/or satellite offices of county or district officials because deliberation in an open meeting would have a detrimental effect on the position of the County in negotiations with a third person.

- h. **Reconvene Into Regularly Scheduled Meeting.**
- i. Consideration of authorizing County Judge to execute settlement agreement with Department of Justice.
- j. Consideration of authorizing action(s) concerning issues raised by Order dated July 6, 2015 entered in Cause No. 15-CV-0583, The Hon. Lonnie Cox v. The Hon. Mark Henry, County Judge of Galveston County, in the 56th Judicial District Court.

## **Adjourn**

## **WORKSHOP AGENDA**

1. Discuss new online County maps submitted by Engineering

### **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.

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