



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 August 18, 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 the Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 8/11/15 and 8/18/15
 - b. Order for Payroll period ending 8/12/15 Bi-Weekly #17
 - c. Order for Supplemental Payroll period ending 8/12/15 Bi-Weekly #17
 - d. Monthly Financial Report for period ending 5/31/15
 - e. Monthly Financial Report for period ending 6/30/15
 - f. Internal Audit Report of the cash count and inventory of Constable, Precinct 4 - League City
 - g. Certification of Revenues Pursuant to Local Government Code Section 111.0706: Donation from Reliant Energy to the Galveston County Social Services

- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #16, July 16-29, 2015* submitted by Human Resources.

- *3. Presentation of *certificates recognizing the winners of Walk Across Texas* submitted by the County Judge.
- *4. Presentation of *resolution to DSW Homes* submitted by the County Judge.
- *5. Consideration of *approval of appointments to the Gulf Coast Water Authority* submitted by the County Judge.
- *6. Consideration of *approval of the subdivision plat entitled Sea Breeze West, Section 2* submitted by County Engineer.
- *7. Consideration of *approval for Alan Cramer, as managing partner of ESTATEPRO, LLC. to convey portions of Lots 1, 2, 3 and 4, the westerly 10 feet of Lots 5 and 17, Block 3 of Blalock Subdivision 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.
- *8. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for the Galveston-Houston Families Exploring Down Syndrome for use of Walter Hall Park for the Step Up for Down Syndrome Walk on Saturday, October 3, 2015*, presented by the Parks & Cultural Services Department.
- *9. Consideration of *authorizing signature to add two Crystal Beach Road and Bridge Facilities to current county insurance policies for flood, wind and property effective 8/18/2015 through 11/1/2015* submitted by the Director of Professional Services.
- *10. Consideration of *approval for Software Maintenance Renewal for Internet Filter (Barracuda Web Filter 610) with SCW* submitted by Information Technology.
- *11. Consideration of *approval for Hardware Maintenance Renewal for Data Domain Model DD2500 with SCW* submitted by Information Technology.
- *12. Consideration of *approval to purchase Cisco Catalyst Switch 2960X-24PD-L with SCW* submitted by Information Technology.
- *13. Consideration of *approval to purchase Cisco Catalyst 2960X-48LPD-L Switch with SCW* submitted by Information Technology.
- *14. Consideration of *approval to purchase Cisco Wireless Access Points and Cisco Smartnet Extended Service Agreement with SCW* submitted by Information Technology.
- *15. Consideration of *approval to purchase Cisco Router C819G- 4G Router for San Luis Pass with SCW* submitted by Information Technology.
- *16. Consideration of *approval for One Solution Enhancement & File Conversion with-*

Sungard Public Sector submitted Information Technology.

- *17. Consideration of *approval with purchase of Cisco Catalyst 3850-24P-S Switch with SCW* submitted by Information Technology.
- *18. Consideration of *approval to purchase Cisco Firesight Management Devices with Presidio* submitted by Information Technology.
- *19. Consideration of *approval to purchase Barracuda Load Balancer 440 with SCW* submitted by Information Technology.
- *20. Consideration of *approval to purchase new Cisco equipment to replace end of life equipment with Cisco Asa Firepower with Gov Connection* submitted by Information Technology.
- *21. Consideration of *approval to purchase equipment needed to provide Network Connectivity to Parks for WiFi Implementation with Datavox* submitted by Information Technology.
- *22. Consideration of *approval for Barracuda Web Filter 810 appliance with CDW Government* submitted by Information Technology.
- *23. Consideration of *approval for Barracuda Spam 400 Filter Instant Replacement & Energize Subscription Renewal with SCW* submitted by Information Technology.
- *24. Consideration of *approval for Kaseya Antivirus Support with Kaseya* submitted by Information Technology.
- *25. Consideration of *approval for PerfectDisk Annual Maintenance Renewal with Raxco Software Inc* submitted by Information Technology.
- *26. Consideration for *authorization to issue a formal solicitation for the following bids* submitted by the Purchasing Agent:
 - a. CDBG Round 2-Real Property Sales-August 2015
 - b. WCID #1 Sewer Rehabilitation Project
- *27. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
- *28. Consideration for *authorization to cancel and re-bid the following bid/RFPs* submitted by the Purchasing Agent:
 - a. Bid #B151025 CDBG Round 2-Real Property Sales-July 2015

- b. RFP #B152016 Shelf-Stable Emergency Meals for Senior Services Division
- c. RFP #B141022A CDBG Round 2 Rental Program for Galveston County, Texas

*29. Consideration for *authorization to cancel Contract #CM14286 for Bid #B142013A, Chlorpyrifos 1.5 LB/Gal Insecticide* submitted by the Purchasing Agent.

*30. 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.	R417585	Boudreau, Beau	2014	\$294.79
	R179402	Crystal Beafch Vacation Rentals	2014	\$107.82
	R603561	Herzog, Mark & Theresa	2009-2013	\$436.28
	R127783	Jordan, Erica & Brian	2014	\$444.72
	N9904830	Scott Miller Lifetime Trust	2014	\$91.08
	N9904842	Scott Miller Lifetime Trust	2014	\$3.86
	N20401273	Katherine Miller Lifetime Trust	2014	\$91.08
	N20401374	Katherine Miller Lifetime Trust	2014	\$1.13
	N20400415	Katherine Miller Lifetime Trust	2014	\$3.86
	0432150000203	Pham Mot Van	2014	\$117.88
	R399585	Reeder Charles, Nguyen Trang	2014	\$229.57
	R367093	Robichau, Rodney	2014	\$336.02
	P240080	Robinson, Joe & Julianne	2013	\$514.42
	P240080	Robinson, Joe & Julianne	2014	\$308.13
	R156534	Sledge, Suzanne	2014	\$156.22
	N9903839	Taylor, Katherine K	2014	\$24.84
	R372679	Estate of Taylor, Betty S	2014	\$33.20
	R372680	Estate of Taylor, Betty S	2014	\$32.51
	R372686	Estate of Taylor, Betty S	2014	\$31.10
	R372687	Estate of Taylor, Betty S	2014	\$7.78
	R372688	Estate of Taylor, Betty S	2014	\$9.03
	R372690	Estate of Taylor, Betty S	2014	\$3.37
	R100507	Williams, Cedric	2011	\$308.16
	R100507	Williams, Cedric	2012	\$404.65
	R100507	Williams, Cedric	2013	\$452.57

*31. Consideration of *Request of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

a.	R104873	\$2,886.59	Duplicate Payment
	R117276	\$5,630.07	Overpayment
	R117276	\$13,533.80	Overpayment
	R125524	\$6,556.40	Overpayment

R128111	\$5,404.21	Duplicate Payment
R148640	\$7,951.60	Duplicate Payment
R148640	\$3,307.84	Duplicate Payment
R195290	\$3,055.53	Duplicate Payment
R221813	\$4,262.24	Duplicate Payment
R380146	\$11,480.59	Duplicate Payment
R411524	\$4,539.74	Overpayment
R413029	\$4,482.93	Duplicate Payment
R434656	\$3,216.70	Overpayment
R510121	\$6,327.07	Duplicate Payment

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

a. **R310404** Burris, Gregory & Jennifer 2014 \$115.32

*33. Consideration of *approval of the appointment of Election Judges and Alternate Judges for the November 3, 2015 General Election* submitted by the County Clerk.

*34. Consideration of *approval of appointments to the Early Voting Ballot Board and Central Count for the November 3, 2015 General Election* submitted by the County Clerk.

*35. Consideration of *approval of deleting the Old Friendswood Junior High School polling location on Election Day (November 3rd)* submitted by the County Clerk.

*36. Consideration of *authorizing the County Judge to sign contracts for the Elections Division to provide election services to the City of League City as part of the November 3rd General Election* submitted by the County Clerk.

*37. Consideration of *authorizing the County Judge to sign contracts for the Elections Division to provide election services to the City of Clear Lake Shores as part of the November 3rd General Election* submitted by the County Clerk.

*38. Consideration of *authorizing the County Judge to sign contracts for the Elections Division to provide election services to the Bolivar Special Utility District as part of the November 3rd General Election* submitted by the County Clerk.

*39. Consideration of *approval of request for waiver or refund of penalty and interest by the Property Owner* submitted by the Tax Assessor/Collector:

a. **R126555** Richard Brake

Action Agenda

40. **County Judge**

- a. Consideration of granting authority to the County Judge to sign a Trustee's Deed on the following tax foreclosed property:

1. **CAD#: 6126-0000-0046-000**

41. **Information Technology**

- a. Consideration of executing an Amendment between Tyler Technologies and Galveston County regarding licensed software.

42. **Parks & Senior Services**

- a. Consideration and approval of adopting a User Group Contract/Agreement for current user groups utilizing County Parks and Facilities.
- b. Consideration and approval of adopting reservation fees for outdoor recreation spaces to be including in the current Facility Permitting Policy.

43. **Professional Services**

- a. Consideration of Resolution adopting Eligibility Standards, Application, Documentation, Verification Procedures, Optional Health Care Services, and authorizing Publication of Public Notice submitted by Director of Contract Services.
- b. Consideration of the following Budget Amendments:
1. 15-144-0818-A
Sheriff's Department - Request transfer from General Fund Budgeted Reserves for overtime in the Sheriff's Department - Patrol Division
 2. 15-145-0818-B
District Clerk - Request transfer from General Fund Budgeted Reserves for Regular Jurors District Court for the rest of the fiscal year
 3. 15-146-0818-C
AgriLife Extension - Request transfer from various operating accounts to the Travel and Education account in AgriLife Extension
 4. 15-147-0818-D
Tax Collector - Request transfer from General Fund Budgeted Reserves for overtime in General Government for special project in coordination with the City of League City

5. 15-148-0818-E
Justice Administration - Request transfer from General Fund Budgeted Reserves for court appointed attorneys in Justice Administration
6. 15-149-0818-F
Engineering - Request transfer from General Fund Budgeted Reserves for professional surveying services for Avenue A in San Leon
7. 15-150-0818-G
Beach Maintenance - Road and Bridge Request transfer from Beach Maintenance - Road and Bridge Equipment Rental/Lease to Supplies and Materials account

44. **Purchasing**

- a. Consideration of authorization of awarding bids on the following:
 1. Bid #B152011 Alarm Services
 2. Bid #B152014 Abatement of Junked Vehicles
 3. Bid #B152017 Hot Mix Asphalt
 4. Bid #B152016 Asphalt, Oils & Emulsions
 5. Bid #B152021 Altosid Pellets (IGR)

45. **Tax Assessor-Collector**

- a. Request for waiver of refund of penalty and interest by the Property Owner:
 1. **R126555** Richard Brake

46. **County Legal**

- a. Consideration of authorizing a Program Funded State and Local Task Force Agreement between the United States Department of Justice, Drug Enforcement Administration and the Galveston County Sheriff's Office.
- b. Consideration of adopting resolution electing to continue to be eligible to participate in Tax Abatement and adopting 2015-2017 guidelines and criteria governing Tax Abatement agreements by Galveston County, Texas and the Application for Tax Abatement thereto, submitted by Legal Department on behalf of the Director of Economic Development.

- c. Consideration of authorizing Interlocal Cooperation Contract with UTMB for Indigent Health Care Services and authorizing County Judge to execute same.
- d. **Break into Executive Session:**
- 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 protecting the security and confidentiality of County computer, network, and software systems and information.
- 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 the use of tax increment funds attributable to the City of Galveston Tax Increment Zone No. 11.
- g. **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.
- h. **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.

- i. **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 56th Judicial District Court.
- j. **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 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-00302, Timothy Lyons v. City of Galveston, Texas and Officer Geoffrey Gainer in the U.S. District Court for the Southern District of Texas, Galveston Division.
- k. **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 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 14TX0307, Galveston County, et al v. Stephanie A. McClain, et al, in the 122nd Judicial District Court.
- l. **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 real property in the vicinity of Rollover Pass.
- m. **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-0447, Wilford Lloyd Garvin vs. Phillip Gilliam, et al in the 122nd Judicial District Court.

- n. **Reconvene Into Regularly Scheduled Meeting.**
- o. Consideration of authorizing County Judge to execute a Project Civic Access Settlement Agreement with the United States of America, DJ #204-74-343.
- p. Consideration of authorizing settlement in 3:14-CV-00302, Timothy Lyons v. City of Galveston, Texas and Officer Geoffrey Gainer in the U.S. District Court for the Southern District of Texas, Galveston Division.
- q. Consideration of authorizing settlement of T.R.C.P. 652 violation in 14TX0307, Galveston County, et al v. Stephanie A. McClain, et al, in the 122nd Judicial District Court.
- r. Consideration of Project Cooperation Agreement between the General Land Office and Galveston County pertaining to Rollover Pass and CEPRA Project No. 1495.
- s. Consideration of authorizing the County Judge to execute a settlement agreement in Garvin v. Gilliam, et. al.; Cause No. 14-CV-0447 in the 122nd Judicial District Court of Galveston County, Texas.
- t. Selection of public members and alternates to serve on the Galveston County Salary Grievance Committee pursuant to section 152.015 of the Texas Local Government Code.

Adjourn

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.
