



# **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**

**October 13, 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 10/6/15 and 10/13/15
  - b. Order for Payroll period ending 10/7/15 Bi-weekly #21
  - c. Order for Supplemental Payroll period ending 10/7/15 Bi-weekly #21
  - d. Order for monthly Indigent Healthcare Fund made by Boon Chapman for month ending 8/31/2015
- \*2. Receive and file *Restitution Check List from Odyssey* submitted by Collection Improvement Program.
- \*3. Receive and file *Refund Check List from Odyssey* submitted by the County Clerk.
- \*4. Receive and file *Refund Check List from Odyssey* submitted by the District Clerk.
- \*5. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #20, September 10-23, 2015* submitted by Human Resources.

- \*6. 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.
- \*7. Receive and file *in accordance with the Trust Indenture of The Moody Foundation, audit reports as of December 31, 2013 and December 31, 2014* submitted by the County Judge.
- \*8. Consideration of a *resolution authorizing and directing the Dissolution of the Galveston County Health Facilities Development Corporation* submitted by County Judge.
- \*9. Consideration of a *resolution honoring the retirement of Lieutenant Daniel L. Sheppard, Commander of the Galveston County Auto Crimes Task Force in the Criminal Investigation Division within the Galveston County Sheriff's Office* submitted by County Legal.
- \*10. Consideration of an *Order designating that all monies that otherwise would be deposited in an Officers' Salary Fund be deposited in Galveston County's General Fund* submitted by County Legal.
- \*11. Consideration of *approval of nominations for the Galveston Central Appraisal District Board of Directors* submitted by the County Judge.
- \*12. Consideration of *appointment of Galveston County representatives to serve on the Animal Services Advisory Committee* submitted by Commissioner, Precinct 1.
- \*13. Consideration of *approval of appointments to the Children Services Board* submitted by the County Judge.
- \*14. Consideration of *approval of appointment to the Galveston County Mosquito Control District* submitted by Commissioner, Precinct 1.
- \*15. Consideration of *approval of a resolution relative to Proposition 7* submitted by Commissioner, Precinct 4.
- \*16. Consideration of *approval of a resolution urging the extension of the positive train control implementation deadline under the Rail Safety Improvement Act* submitted by Commissioner, Precinct 4.
- \*17. Consideration of *approval to submit FY 2016 Texans Feeding Texans Grant to the Texas Department of Agriculture and authorize County Judge to sign required documents* submitted by the Grants Manager.
- \*18. Consideration of *acceptance of FY 2016 Violence Against Women Act Grant from the Office of the Governor-Criminal Justice Division* submitted by the Grants Manager.

- \*19. Consideration of *acceptance of FY 2016 Coastal Erosion Planning & Response Act (CEPRA) Grant from the Texas General Land Office and authorize County Judge to sign required documents* submitted by the Grants Manager.
- \*20. Consideration of *acceptance of Contract Amendment #2 to the Intergovernmental Cooperative Reimbursement Agreement with the Texas Commission on Environmental Quality under the Local Initiative Project (LIP) Program and Authorize County Judge to sign required documents* submitted by the Grants Manager.
- \*21. Consideration of *approval to submit FY 2016/2017 Solid Waste Implementation Grant Application to the Houston-Galveston Area Council* submitted by the Grants Manager.
- \*22. Consideration of *acceptance of FY 2016 Texas Traffic Safety eGrant Grant Award from the Texas Department of Transportation* submitted by the Grants Manager.
- \*23. Consideration of *approval of donations of pet food and supplies from Interfaith Ministries of Greater Houston through the AniMeals program to be used for Galveston County's home delivered meal program*, submitted by the Parks & Cultural Services Department.
- \*24. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for GCCHS, Inc. for use of Walter Hall Park for family fun night/outdoor movie event on Friday, November 6, 2015*, presented by the Parks & Cultural Services Department.
- \*25. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
- \*26. Consideration for *authorization to issue a formal solicitation for the following RFP* submitted by the Purchasing Agent:
  - a. CDBG-DRS Round 2 Rental Program for Galveston County, Texas
- \*27. Consideration for *authorization to be granted for GovDeals to release a press release utilizing information regarding Galveston County's participation in their program* submitted by the Purchasing Agent.
- \*28. Consideration of *approval for Touch Panel refresh for Justice Center with Itech Solutions* submitted by Information Technology.
- \*29. Consideration of *authorization to execute renewal contract with the following Fire Department for fire protection services in the unincorporated county* submitted by Director of Finance and Administration:
  - a. City of Galveston

- b. Bacliff VFD
- c. Kemah VFD
- \*30. Consideration of *authorization to execute contract with M I Lewis for the Financial Assistance Program* submitted by Director of Finance and Administration.
- \*31. Consideration of *authorization to execute renewal contract with Advocacy Center/Rainbow Room to investigate child abuse/neglect* submitted by Director of Finance and Administration.
- \*32. Consideration of *approval of replat of Maryland subdivision* submitted by the County Engineer.
- \*33. Consideration of *approval from Timothy Byrom as President of Texas Frog Fest to convey portions of a 33.667 acre tract out of the Jones Shaw Survey by metes and bounds without revising the plat and authorizing the County Judge to sign the application* submitted by the County Engineer.
- \*34. Consideration of *Request of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:
  - a. **R290176**      \$3,372.01      Overpayment
  - b. **R402666**      \$3,307.65      Overpayment

**Action Agenda**

35. **County Architect**

- a. Consideration of authorization of approval for an agreement for HOK to perform a Relocation Feasibility Analysis for the offices of the Galveston County Medical Examiner.

36. **Housing Department**

- a. Consideration of approval of Agreement with SLSCO LTD in Galveston County Severe Repetitive Loss Elevation Grant Program and authorization for County Judge to execute same.

37. **Professional Services**

- a. Consideration of authorizing resolution Certifying Policies Protecting Individuals Engaged in Non-Violent Civil Rights Demonstrations as required for Community Development Block Grant Funding submitted by County Legal.

- b. Consideration of approval of the following Budget Amendments:
1. 15-173-1013-A  
**10th District Court**-Request transfer from the Supplies and Materials account to Travel & Education account
  2. 15-174-1013-B  
**County Legal**- Request transfer from General Fund Budgeted Reserves and JP Litigation account for Professional Services Legal Expenses
  3. 16-009-1013-A  
**Collections Office**-Request change in title and pay grade for three employees in the Collections Office
  4. 16-010-1013-B  
**District Attorney**-Request transfer from General Government Salary and Benefit accounts to District Attorney Salary and Benefit accounts for staff raises for FY 2016
  5. 16-011-1013-C  
**Justice Court Precinct #4**- Request transfer from General Fund Budgeted Reserves for Justice Court Precinct #4 salary and benefit changes in FY 2016
  6. 16-012-1013-D  
**County Architect**- Request transfer from General Fund Budgeted Reserves for feasibility study and conceptual plan for renovations to The Galveston County Medical Examiner's building
  7. 16-013-1013-E  
**Personal Bond Office**-Request transfer of position from Personal Bond Office to Collections Office

38. **Purchasing**

- a. Consideration for authorization of awarding a bid on the following:
1. Bid #B152024 Indexing Project Services for County Clerk

39. **County Legal**

- a. Consideration of Unimproved Property Contract between Galveston County, Seller and Willie Faye Thomas, Buyer for Lot 1, Block 7 Abstract 150 Page 2 Austin Place Addition, City of La Marque, County of Galveston, Texas known as 715 Grafton Street, La Marque, TX 77568, submitted on behalf of the Housing Department.

- b. Consideration of authorizing County Legal to submit proposed accessibility consultant to the Department of Justice for approval as the ILA under the Project Civic Access settlement agreement.
- c. Consideration of repealing all prior Commissioners Court Orders regulating the possession of firearms on County property.
- 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 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: 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 performance of Expert House Movers, Inc. in the County's Severe Repetitive Loss Elevation Program.
- 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 3:15-CV-238, Bonnie Quiroga v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- 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 Cause No. 01-15-00583-CV, Hon. Mark Henry, v. Hon. Lonnie Cox , in the Court of Appeals for the First Court of Appeals District of Texas.

- 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 Cause No. 01-15-00797-CV, Hon. Lonnie Cox v. Hon. Mark Henry, et. al., in the Court of Appeals for the First Court of Appeals District of Texas.
- 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 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 Galveston County Medical Examiner's Office.
- k. **Reconvene Into Regularly Scheduled Meeting.**
- l. Consideration of approval of Interlocal Cooperation Agreement by and between The University of Texas Medical Branch at Galveston and the County of Galveston relating to the Galveston County Medical Examiner's Office and authorizing County Judge to execute same.
- m. Consideration of the removal of appointment of Paul J. Boor, M.D., as the Medical Examiner of Galveston County, Texas, and the appointment of Erin A. Barnhart, M.D. as the Medical Examiner of Galveston County, Texas.
- n. Consideration of the approval of appointment of each of the following persons as a Deputy Medical Examiner in the Galveston County Medical Examiner's Office under the newly appointed Medical Examiner:  
Judith F. Aronson, M.D.  
Timothy Craig Allen, M.D., J.D.  
Paul J. Boor, M.D.

Gerald A. Campbell, M.D.  
Benjamin B. Gelman, M.D.  
Lee Ann Grossberg, M.D.  
Hal K. Hawkins, M.D.  
Nobby C. Mambo, M.D.  
Juan P. Olano, M.D.  
Bill A. (Al) Rampy, M.D.  
Landon C. Stout, Jr., M.D.  
David H. Walker, M.D.

## **Adjourn**

### **WORKSHOP AGENDA**

1. Discussion of the I-9 Audit presented by Human Resources
2. Discussion of a commercial use permit policy in parks presented by the Parks Department

### **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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