



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

November 9, 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. Order for Payroll period ending 11/4/15 Bi-weekly #23
 - b. Order for Supplemental Payroll period ending 11/4/15 Bi-Weekly #23
 - c. Approval of Accounts Payable Checks dated 11/3/15 and 11/9/15
 - d. Order for payment of the monthly Indigent Healthcare Fund for services made by Boon Chapman for month ending September 30, 2015
 - e. Monthly Financial Report for month ending 8/31/15
- *2. Receive and file *Restitution Check List from Odyssey* submitted by Collections 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 Pre-Trial Services for the Fiscal Year of 2014-2015* submitted by Collections Improvement Program.

- *6. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #22, October 8-21, 2015* submitted by Human Resources.
- *7. Consideration of *approving exemption to the 4 pay period mandatory vacancy policy for Administrative Clerk/Receptionist (Psn #8)* submitted by Human Resources.
- *8. Consideration of a *Resolution honoring the retirement of Deputy Richard Gillam*, in the Corrections Division of the Galveston County Sheriff's Office, submitted by County Legal.
- *9. Consideration of *approval of 2017 holiday schedule* submitted by the County Judge.
- *10. Consideration of *approval for Timothy Byrom to convey portions of a reconfiguration of Tracts 126-A, 126-B and 126-C 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.
- *11. Consideration of *approval of Sale and Transfer of eSlate Voting Equipment to Coryell County* submitted by the County Clerk.
- *12. Consideration of *approval of a no-cost amendment to SRL Change Order #4, Task Order 2012-1 FEMA SRL, for additional outreach*, submitted by the Housing Department.
- *13. Receive and file *annual Inspection of Juvenile Justice Center/10-19-2015*, submitted by Juvenile Justice.
- *14. Receive and file *full and final settlement in the amount of \$560.35 to Claimant Danny Schaeper* submitted by County Legal.
- *15. Receive and file *three orders issued by County Judge under the Texas Disaster Act of 1975 ensuing from heavy wind and rain event due to remnants of Hurricane Patricia: 1.) Declaration of Local Disaster for the County of Galveston, Texas; 2.) Order of Voluntary Evacuation from Unincorporated Areas of Galveston County, Texas on Bolivar Peninsula; and 3.) Order Terminating Declaration of Local State of Disaster for Galveston County, Texas* submitted by the County Judge.
- *16. Consideration of *approval to submit FY 2016 Texas Indigent Defense Commission Formula Grant Application and authorize County Judge to sign supporting resolution* submitted by the Grants Manager.
- *17. Consideration of *acceptance of FY 2016 Juvenile Mental Health Services Allocation Grant from the Houston-Galveston Area Council and authorize the County Judge to sign Contract documents* signed by the Grants Manager.

- *18. Consideration of *acceptance of Grant Adjustment Notice for FY 2013 Urban Area Security Initiative Grant for the Office of Emergency Management and authorize County Judge to sign required documents* submitted by the Grants Manager.
- *19. Consideration of *approval of FY 2016 Interlocal Agreements for the Auto Crimes Task Force with the City of La Marque, City of Hitchcock, and the City of Galveston and authorize County Judge to sign agreements* submitted by the Grants Manager.
- *20. Consideration of *authorization for the County Judge to sign environmental documents for Hurricane Ike CDBG Round 2.2 Freddiesville Streets and water lines project*, presented by CDBG Project Coordinator.
- *21. Consideration of *authorization of entering into contract negotiations with Nerie Construction LLC., for Texas Department of Agriculture, CDBG Program Grant for WCID #1 utility improvements* presented by CDBG Project Coordinator.
- *22. Consideration for *authorization to issue a formal solicitation for the following bids* submitted by the Purchasing Agent:
 - a. Aircraft Maintenance - Mosquito Control Department
 - b. Aerial Adulticide Application Services
- *23. 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. **R288650** Lorene Webb & Richard & Heather Fogg 2014 \$61.33 (W)
- *24. Consideration of *approval of purchase of cisco router C819-G 4G Router for San Luis Pass with SCW with changes (previously approved on 08/18/2015 Item #15)* submitted by Information Technology.
- *25. Consideration of *approval for purchase of Microsoft Professional support 5 pack with Microsoft Corporation* submitted by Information Technology.
- *26. Consideration of *approval for annual maintenance and anti-virus subscription with Kaseya* submitted by Information Technology.
- *27. Consideration of *approval of maintenance renewal of Tree Size Professional User Licenses with SHI Government Solutions* submitted by Information Technology.
- *28. Consideration of *approval for temperature and environmental monitoring for the Galveston County Data Center with AvTech* submitted by Information Technology.

- *29. Consideration for *authorization to extend a contract on the following bid* submitted by the Purchasing Agent:
 - a. Bid #B142021 Corrugated Polyethylene Pipe for Culverts
- *30. Consideration of *execution of continuing education agreement with College of the Mainland to use their firing range for Sheriff deputies' firearms qualification training* submitted by the Sheriff's office.
- *31. Consideration of *execution of continuing education agreement with College of the Mainland to use their driving facility located at Gulf Greyhound Park (south parking lot) for Sheriff deputies' professional police driving training purposes* submitted by the Sheriff's office.
- *32. Consideration of *granting authority to the County Judge to sign a Trustee's Deed on the following tax foreclosed properties* submitted by the County Judge:
 - a. **CAD#: 4383-0019-0019-000**
 - b. **CAD#: 4109-0000-0028-000**
- *33. Consideration of *approval of an annual renewal contract with Cummins Southern Plains for diagnostic software for shop* submitted by the Fleet Director.

Action Agenda

34. **Commissioner, Precinct 1**

- a. Consideration of approving Memorandum of Understanding by and between Galveston County, Texas and the City of Galveston Texas, relating to the development of a new expanded vehicular bridge and future rail bridge between Galveston Island and Pelican Island and authorizing the County Judge to execute same.

35. **County Judge**

- a. Consideration of granting authority to the County Judge to sign a Trustee's Deed on the following tax foreclosed properties:
 - 1. **CAD#: 2902-0000-0013-003**
 - 2. **CAD#: 5960-0342-0023-002**
 - 3. **CAD#: 4168-0000-0004-000**

36. **Professional Services**

- a. Consideration of executing CDBG Round 2.2 Hurricane Ike Disaster Recovery Project for Bayview MUD generators presented by CDBG Project Coordinator.
- b. Consideration of executing contract for CDBG Round 2.2 Hurricane Ike Disaster Recovery project, BPSUD generators presented by CDBG Project Coordinator.
- c. Consideration of approval of the following Budget Amendments:
 1. 15-175-1109-A
Justice Court Precinct # 4 - Request transfer from supplies and materials to travel and education
 2. 15-176-1109-B
FM & Lateral Road - Request transfer from FM & Lateral Road Fund Budgeted Reserves for September inventory adjustment
 3. 16-019-1109-B
Parks Department - Request transfer from General Fund Budgeted Reserves for replacement of ball field poles and lights for the Sport Field Complex in Jack Brooks Park
 4. 16-020-1109-C
Road and Bridge - Request transfer from Road & Bridge Fund Budgeted Reserves for additional funds needed for Broce Broom budgeted in FY2016
 5. 16-021-1109-D
Legal Department - Request transfer from Supplies and Materials to Non-Capitalized Equipment for purchase of Adobe Acrobat Pro DC Licensing
 6. 16-022-1109-E
Professional Services - Request transfer from various budgeted object codes to new object codes
 7. 16-023-1109-F
Professional Services - Budget request to roll forward budgets for various departmental contracts and projects which were not completed in FY 2015 to FY 2016
 8. 16-024-1109-G
Flood Control - Request transfer from Flood Control Fund Budgeted Reserves for additional funds needed for overtime in FY2016

- a. Authorization to award a bid on the following:
 1. RFP #B152012 Utility Usage Billing Audit Services
 2. Bid #B161003 CDBG Round 2-Real Property Sales-October 2015
 3. Bid #B161002 Jack Brooks Park Road Reconstruction

38. **County Legal**

- a. **Break into Executive Session:**
- b. **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 City of Galveston Tax Increment Reinvestment Zone No. 11.
- 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 3:15-CV-238, Bonnie Quiroga v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- 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 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.
- 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 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.

- 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 Galveston County Medical Examiner's Office's facilities.

- g. **Reconvene Into Regularly Scheduled Meeting.**

Adjourn

WORKSHOP AGENDA

1. Discussion about Diversionary Canal in Hitchcock submitted by Commissioner, Pct. 2
2. Discussion about Beach Pocket Park #3 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.
