



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

February 1, 2016 – 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 1/26/16 and 2/2/16
 - b. Order for Payroll period ending 1/27/16 Bi-Weekly #3
 - c. Order for Supplemental Payroll period ending 1/27/16 Bi-Weekly #3
 - d. Quarterly Audit Report for the Juvenile Justice Dept. Oct - Dec 2015
 - e. Quarterly Audit Report for Justice of the Peace Pct 1 Oct - Dec 2015
 - f. Quarterly Audit Report for Justice of the Peace Pct 2 Oct - Dec 2015
 - g. Quarterly Audit Report for Justice of the Peace Pct 3 Oct - Dec 2015
 - h. Quarterly Audit Report for Justice of the Peace Pct 4 Oct - Dec 2015
 - i. Quarterly Audit Report for Constable Pct 1 - Bacliff Oct - Dec 2015
 - j. Quarterly Audit Report for Constable Pct 1 - Texas City Oct - Dec 2015

- k. Quarterly Audit Report for Constable Pct 2 - Galveston Oct - Dec 2015
 - l. Quarterly Audit Report for Constable Pct 2 - Santa Fe Oct - Dec 2015
 - m. Quarterly Audit Report for Constable Pct 3 - Galveston Oct - Dec 2015
 - n. Quarterly Audit Report for Constable Pct 3 - La Marque Oct - Dec 2015
 - o. Quarterly Audit Report for Constable 3 Pct 3 Crystal Beach Oct - Dec 2015
 - p. Quarterly Audit Report for Constable Pct 4 - League City Oct - Dec 2015
 - q. Internal Audit Report close out inventory for Constable Pct 3 - Crystal Beach
 - r. Internal Audit Report of the Sheriff's Commissary and Inmate Property accounts for period of 9/1/14 - 8/31/15 with response letter from Honorable Sheriff Henry Trochesset dated 1/25/16
- *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 District Clerk.
 - *4. 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.
 - *5. Receive and file *Appointment & Oath of Office for Reserve Deputy Constable (W. Comeaux)* submitted by Human Resources on behalf of Constable Pct. #3-A.
 - *6. Receive and file *Appointment & Oath of Office for Deputy Constable (R. Loftin)* submitted by Human Resources on behalf of Constable Pct. #3-A.
 - *7. Receive and file *Appointment & Oath of Office for Deputy Constable (C. Smith)* submitted by Human Resources on behalf of Constable Pct. #3-A.
 - *8. Consideration of a *resolution honoring Deputy Jesse Falcon and Deputy Natalie Wilson* submitted by the County Judge.
 - *9. Consideration of *approval of appointments to League City TIRZ positions and Public Improvement District #1* submitted by the County Judge.
 - *10. Consideration of *approval of submitting a letter to the U.S. Corps of Engineers to officially withdraw from the Cost Sharing Agreement and no longer participating as non-Federal cost sharing sponsor under the 2001 cost sharing agreement* submitted by the County Engineer.

- *11. Consideration of *approval of a special prosecutor agreement between Galveston County Criminal District Attorney and Attorney at Law, Sheelah M. Wooten*, submitted by the District Attorney.
- *12. Consideration of *approval for an extension of contract between Galveston County and Bay Area Real Property Appraisers & Consultants* submitted by the Housing Department.
- *13. Consideration of *approval to utilize FEMA Project Worksheets #7132, #4425 & #4034 for an Alternate Project* as submitted by the Grants Manager.
- *14. Receive and file *acknowledgement of receipt and check in the amount of \$1,561.98 from Reliant an NRG Company for additional funds for the Reliant CARE Program* submitted by Professional Services.
- *15. Consideration of *approval of annual software and support maintenance renewal for Doubletake with SHI Government* submitted by Information Technology.
- *16. Consideration of *approval for IMB Service Suite renewal with NorthEast Texas Data Corporation* submitted by Information Technology.
- *17. Consideration of *approval for the renewal of DocuShare with Xerox Corporation* submitted by Information Technology.
- *18. Consideration of *authorization for the County Judge to sign contracts for election services between the County Elections Division and the Galveston Community College District to conduct their May 2016 entity elections* submitted by County Clerk.
- *19. Consideration of *authorization for the County Judge to sign contracts between the County Elections Division and Dickinson I.S.D. to conduct their May 2016 entity elections* submitted by the County Clerk.
- *20. Consideration of *authorization for the County Judge to sign contracts between the County Elections Division and Texas City Independent School District to conduct their May 2016 entity elections* submitted by the County Clerk.
- *21. Consideration of *authorization for the County Judge to sign contracts for election services between the County Elections Division and Hitchcock I.S.D. to conduct their May 2016 entity elections* submitted by the County Clerk.
- *22. Consideration of *authorization for the County Judge to sign contracts between the County Elections Division and the City of Santa Fe, Texas to conduct their May 2016 entity elections* submitted by the County Clerk.
- *23. Consideration of *authorization for the County Judge to sign contracts for election-*

services between the County Elections Division and the City of Jamaica Beach to conduct their May 2016 entity elections submitted by the County Clerk.

*24. Consideration to *authorization for the County Judge to sign contracts for election services between the County Elections Division and the Galveston County MUD #12 to conduct their May 2016 entity elections* submitted by the County Clerk.

*25. Consideration for *authorization to dispose of seized vehicles by the Galveston County Sheriff's Department* submitted by the Purchasing Agent.

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

a. **R429952** Boone, Bradley 2014 \$2,373.32 (W)

*27. 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. **R421880** Bracken, Clinton & Nunez, Christy 2014 \$671.92
 R166282 Virginia May Abney 2011-2014 \$1,881.12 (R) \$1,723.9(W)
 R517808 Virginia May Abney 2013-2014 \$99.06 (R) \$77.08 (W)

*28. Consideration of *approval of application from David B. Warner, President of Falcon Residential, Inc., General Partner of Falcon Residential I, L.P., and General Partner of Falcon Builders L.P. and lien holder, Southside Bank, by David Geeslin, Sr. VP for partial replat of The Palms subdivision* submitted by the County Engineer.

*29. Consideration of *approval of application from G & A Cobb Family Limited Partnership for partial replat of Bird's Gulf Addition to Caplen subdivision* submitted by the County Engineer.

*30. Consideration of *approval of application from John Manley for partial replat of Emerald Beach Section 2 subdivision* submitted by the County Engineer.

*31. Consideration of *approval of application from Jim J. Barrett and Kathy Barret for partial replat of Blue Water Addition No. 2 subdivision* submitted by the County Engineer.

*32. Consideration of *approval of annual maintenance for spray system equipment* submitted by Mosquito Control.

*33. Receive and file *Eminent Domain Report with Texas Comptroller of Public Accounts and Summary Report as required by S.B. 1812* submitted by County Legal.

- *34. Consideration of *authorizing County Judge to execute Release of Lien under County Clerk File No. 2004047183 for removal and elimination of the nuisance for the following real property CAD #6240-0028-0031-000, Abst. 10 A Edwards Lots 31-34, Block 28, San Leon, a subdivision in Galveston County, Texas, submitted by County Legal.*
- *35. Consideration of *granting authority to County Judge to sign a Deed of Correction of Trustee's Deed on the following property* submitted by the County Judge:
 - a. **CAD#: 2775-0023-0000-019**

Action Agenda

36. **County Engineer**

- a. Consideration of approval of Change Orders 1, 2 and 3 for the J W Kelso contract for the Lee & Joe Jamail Bay Park (61st Street Boat Ramp and Washington Park) project.

37. **County Judge**

- a. Consideration of *granting authority to County Judge to sign Trustee's Deeds on the following tax foreclosed properties* submitted by the County Judge:
 - 1. **CAD#: 5182-0248-0008-000**
 - 2. **CAD#: 2775-0011-5901-000**

38. **Emergency Management**

- a. Consideration of approving Order Allowing Sale of Fireworks to the Public by a Retail Fireworks Permit Holder for the Texas Independence Day and authorizing the County Judge to execute same.

39. **Professional Services**

- a. Consideration of approval of the following budget amendments:
 - 1. 16-053-0201-A
Professional Services - Request to budget donation for Summer Relief Program
 - 2. 16-054-0201-B
Co. Clerk Record Mgmt. & Preservation Fund - Request transfer from Supplies & Materials Accounts to Dept. Supplies Non Capital for chairs

3. 16-055-0201-C
Co. Clerk Record Mgmt. & Preservation - Fund Request reallocation of budgeted request for desktop computers to include laptops
4. 16-056-0201-D
Election Services Contract - Fund Request transfer from Supplies & Materials to Uniform Expense for on call staff and Dept. Supplies Non Capital for monitors
5. 16-057-0201-E
District Clerk - Request transfer from General Fund Budgeted Reserves for District Clerk Professional Services Interpreter account

40. **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 pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, 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 Medical Examiner's Office and the process for disinterment of remains.
- 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 pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, 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 claims on bonds in the County's Severe Repetitive Loss Elevation Program.
- 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 pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, 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. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court 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 pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, 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 pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, 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.
- g. **Reconvene Into Regularly Scheduled Meeting.**
- h. Consideration of approving payment to Hayes Funeral Home, Inc. for disinterment of remains of unidentified person for identification purposes after vendor packet information is received by County.
- i. Consideration of approval of agreements in each of the thirteen homes in the Severe Repetitive Loss Elevation Program for which Expert House Movers served as the Elevation Contractor and in which claims on performance bonds have been made to complete each project and authorizing the County Judge to execute each agreement; such projects are at: 20 Edgewater Street, Hitchcock; 53 Lakeside Drive, Hitchcock; 58 Lakeside Drive, Hitchcock; 79 Bayou Vista Drive, Hitchcock; 320 Empress Lane, League City; 616 Bel Road, Kemah; 631 Clear Lake Road, Clear Lake Shores; 1010 Rosewood Drive, Dickinson; 1036 E. Canal Street, Crystal Beach; 1629 Dick Bay Drive, San Leon; 1653 Dick Bay Drive, San Leon; 7026 Terrasso Drive, Hitchcock; and 16511 Jamaica Beach Road, Jamaica Beach.

Adjourn

WORKSHOP AGENDA

1. Discussion of the Medical Examiner facility presented by the County Architect

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.
