



# **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 May 24, 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 5/17/16 and 5/24/16
  - b. Order for Payroll period ending 5/18/16 Bi-Weekly #11
  - c. Order for Supplemental Payroll period ending 5/18/16 Bi-Weekly #11
  - d. Indemnification Request from Collections dated 5/3/16
  - e. Monthly Audit Report for April 2016
  - f. Internal Audit Report of The Children's Center, Inc. on behalf of the Professional Services Dept. for period of 3/1/15 - 2/29/16 with response letter from David Delac, Chief Financial Officer, dated 5/5/16
  - g. Internal Audit Report of Galveston County Housing Department- Severe Repetitive Loss Program for period of 3/1/15 - 2/29/16 with response letter from James Gentile, Director of Housing, dated 5/11/16
  - h. Quarterly Audit Report for Justice of the Peace, Precinct 2 (Galveston and Santa Fe locations) for period of Jan - March 2016

- i. Request for Early Release of check for JP Morgan dated 5/16/16
- \*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 Biweekly Personnel Movements pay period #10, April 21 - May 4, 2016* 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. Consideration of *resolution Proclaiming the Month of May 2016 as Older Americans Month* submitted by Adult Protective Services.
- \*8. Receive and file *full and final settlement for recovery of property claim damages in the amount of \$5,032.98* submitted by County Legal.
- \*9. Receive and file *fully executed Memorandum of Understanding between Galveston County and Port of Houston Authority for Pelican Island vehicular bridge and potential rail bridge* submitted by Commissioner, Precinct 1.
- \*10. Receive and file *Galveston County Emergency Services District No. 1 Audit Report* submitted by County Judge.
- \*11. Receive and file *Galveston County Emergency Services District No. 2 annual audit report for the fiscal year ended September 30, 2015* submitted by the County Judge.
- \*12. Consideration of *approval of (re) appointments to the Galveston County Emergency Services District # 1* submitted by the County Judge.
- \*13. Consideration of *approval of appointment to Galveston County Community Action Council* submitted by Commissioner, Precinct 3.
- \*14. Consideration of *acceptance of donation of service time from League City Spine and Injury for County Employees* submitted by Human Resources.
- \*15. Consideration of *approval of the abatement of (1) tax foreclosed property* submitted by the Nuisance Abatement Officer:
  - a. 1142 Bacliff Dr., Bacliff Texas

- \*16. Consideration of *approval of authorizing the County Judge to sign the Texas Workforce Data Exchange Request and Safeguard Plan* submitted by the Sheriff.
- \*17. Consideration of *approval to authorize the closure of the FY 2014 Urban Area Security Initiative (UASI) and authorize the County Judge to sign required documents* as submitted by the Grants Manager.
- \*18. Consideration of *approval of a contract with Hunton Services for mechanical, select, and scheduled maintenance for chillers at Mid County Annex at 9850A Emmett F. Lowry Expressway, Texas City* submitted by Facilities Dept.
- \*19. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
- \*20. Consideration for *authorization to use the Department of Information Resources (DIR) in lieu of formal bidding to purchase three (3) PowerEdge M1000e Blade Servers and eleven (11) Domain Controllers for the Information Technology Department* submitted by the Purchasing Agent.
- \*21. Consideration of *approval of OSSI Annual Software Maintenance Renewal with Sungard Public Sector* submitted by Information Technology.
- \*22. Consideration of *approval of annual renewal of satellite phone airtime for OEM with G.Comm* submitted by Information Technology.
- \*23. Consideration of *approval for annual renewal of Barracuda Message Archiver Subscription with SHI* submitted by Information Technology.
- \*24. Consideration of *approval for wireless router for backup communications with Step CG LLC* submitted by Information Technology.
- \*25. Consideration of *approval of OEM's annual renewal of Broadban maintenance for satellite phones with G. Comm* submitted by Information Technology.
- \*26. Consideration of *authorizing County Judge to execute a resolution and interlocal agreement by, between, and among the City of Santa Fe, Texas, Galveston County Drainage District No. 1, and the County of Galveston, Texas* submitted by Road and Bridge.
- \*27. Consideration of *approving Mutual Aid Agreement between Harris County and Galveston County and authorizing County Judge to execute same* submitted by Emergency Management.
- \*28. 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	2015	\$155.27 (R)
	<b>R119946</b>	Cox, Judy	2015	\$ 70.23 (W)
	<b>R380598</b>	Bourassa, Steven	2014	\$ 1,647.82 (W)

\*29. 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.	<b>R127410</b>	W. Keith & Cindy	2014	\$ 659.78 (W)
	<b>R124042</b>	Kernahan, Pitman	2015	\$ 654.83 (R)

\*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.	<b>R510589</b>	Hollis, Ellen	2014	\$ 709.83 (R)
	<b>R510589</b>	Hollis, Ellen	2015	\$ 381.20 (W)
	<b>R103853</b>	Ross, Jason	2015	\$ 230.67 (W)
	<b>R601770</b>	Dissinger, Michelle	2015	\$ 109.35 (R)
	<b>R293837</b>	Kahla, Rodney	2005	\$ 616.51 (W)
	<b>R293837</b>	Kahla, Rodney	2006	\$ 519.15 (W)
	<b>R293837</b>	Kahla, Rodney	2007	\$ 54.31 (W)
	<b>R293837</b>	Kahla, Rodney	2007	\$ 340.66 (R)
	<b>R293837</b>	Kahla, Rodney	2008	\$ 352.87 (R)
	<b>R118081</b>	Fuller, Lonnie	2015	\$105.34 (R)
	<b>R507482</b>	McMillion, Lee Ann	2015	\$ 286.03 (R)
	<b>R507493</b>	McMillion, Lee Ann	2015	\$ 314.91 (R)
	<b>R163581</b>	AutoZone Inc.	2015	\$ 326.56 (R)
	<b>P379111</b>	AutoZone Inc.	2015	\$ 392.44 (R)

## Action Agenda

### 31. County Engineer

- a. Consideration of approval of change order no. 2 to the JW Kelso contract for the Galveston Seawall Endcap Repair and Replacement project.

### 32. Professional Services

- a. Consideration of approval of the following budget amendments:

1. 16-093-0524-A

**Parks Department** - Request transfer from Parks Open Space Account to Senior Citizens Extraordinary Supplies Account for treadmill and bike at-

Dickinson Community Center

2. 16-094-0524-B  
**Professional Services** - Request transfer from Beach Maintenance Road & Bridge Budgeted Reserves to GC Beach & Parks budgeted reserves.
3. 16-095-0524-C  
**Professional Services** - Request transfer from General Fund Budgeted Reserves to Parks/Beaches Proj Grant Fund mandatory match
4. 16-096-0524-D  
**District Attorney** - Request transfer from General Fund Budgeted Reserves for additional computers for District Attorney's office.
5. 16-097-0524-E  
**Professional Services** - Request transfer from Self Insurance for settlement payment.
6. 16-098-0524-F  
**Galveston County Beach and Parks** - Request transfer from GC Beach & Parks Budgeted Reserves for the purchase of additional beach stickers.
7. 16-099-0524-G  
**Tax Collector Assessor** - Request transfer from Tax Collector Assessor Furniture & Fixtures account to Extraordinary Supplies account for the purchase of two (2) chairs

33. **Purchasing**

- a. Consideration of approval of the following:
  1. RFP #B161013 Freddiesville Area Water Line Replacement and Paving Improvements

34. **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 3:16-CV-00065, Estate of Jesse C. Jacobs, Jesse R. Jacobs and Diane-

S. Jacobs Individually and Heirs of the Estate of Jesse C. Jacobs and Representative of the Estate of Jesse C. Jacobs v Galveston County Sheriff-Henry Trochesset, in his Individual Capacity and Galveston County, and John Doe Galveston County Jailers 1-20, in their Individual Capacities, in the U.S. District Court for the Southern District of Texas, Galveston Division.

- 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 property claim settlement with Texas Department of Public Safety.
- 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 Civil Action No. 3:14-CV-406; Raymond Benoist vs Galveston County and Henry Trochesset, Individually and in his Official Capacity.
- 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. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court 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. **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 Texas City Flood Protection Levee.

- 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 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.
- 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 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 CDBG-DRS Non-Housing grant requirements (wastewater treatment).
- j. **Executive Session:** Texas Government Code Section 551.074, Personnel Matters: the Commissioners Court will enter into executive session as permitted under the Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.074 of the Texas Government Code, Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, respectively:
  - 1. Chief Financial Officer (f/k/a Director of Professional Services or Finance and Administration)
  - 2. Chief Human Resources Officer
  - 3. Chief Information Officer
  - 4. County Architect
  - 5. County Engineer

6. Director of County Legal Department
  7. Director of County Parks & Cultural Services
  8. Director of Facilities Department
  9. Emergency Management Coordinator
  10. Jail Population Impact Control Coordinator
  11. Mosquito Control Manager
  12. Road and Bridge Administrator
  13. Veteran Services Officer
- k. **Reconvene Into Regularly Scheduled Meeting.**
- l. Consideration of approval of agreements in each of the following 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 County Judge to execute such agreements: these remaining projects are at 320 Empress Lane, League City; 7026 Terrasso Drive, Hitchcock; and 1653 Dick Bay Drive, San Leon.
  - m. Consideration of approval of property claim settlement in the amount of \$2,113.20 for the Texas Department of Public Safety.

## **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.

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