



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

September 13, 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 9/6/16 and 9/13/16
 - b. Order for Payroll period ending 9/7/16 Bi-Weekly #19
 - c. Order for Supplemental Payroll period ending 9/7/16 Bi-Weekly #19
 - d. Request for change fund for District Attorney's Office to be used solely for CPS case inquiry and process service requests
 - e. Monthly financial report for period ending 8/31/2016
 - f. Receive and file Early Release Check
 - g. Order approving Galveston County Auditor's Budget for FY2017
 - h. Internal Audit report of Child Welfare for the period of June 1, 2015 through May 31, 2016 with response letter from James Gentile, Contract Services
 - i. Internal Audit report of the inventory of fixed assets of the Facilities Department with response letter from Mike Bell, Facilities Director

- j. Internal Audit report of the cash count and inventory of Constable, Precinct 2B-Galveston
- k. Internal Audit report of the cash count and inventory of Constable, Precinct 3A-La Marque
- *2. Receive and file *Restitution Check Lists 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 #18, August 11-24, 2016* submitted by Human Resources
- *6. Receive and file *Appointment & Oath of Office for Reserve Deputy Constable (Non-Paid)* submitted by Human Resources on behalf of Constable Pct. 2-B
- *7. 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
- *8. Consideration of *a resolution honoring College of the Mainland's (COM) 50th Anniversary* submitted by the County Judge
- *9. Consideration of *resolution designating September as Family Mealtime Month* submitted by Texas A&M AgriLife Extension Service
- *10. Receive and file *Certificate of Termination for Galveston County Health Facilities Development Corporation from the Office of the Secretary of State of Texas* submitted by County Legal
- *11. Receive and file *Discretionary Funds Budgets* submitted by Professional Services
- *12. Consideration of *approval of appointment to the Gulf Coast Waste Disposal Authority for a term ending August 31, 2017* submitted by the County Judge.
- *13. Consideration of *authorizing Galveston County Commissioners Court to execute letter of resolution of intent regarding Incorporation of San Leon Community* submitted by Commissioner, Precinct 1

- *14. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.6) for Covenant House COGIC for the recurring use of the Pioneer House at Carbide Park on Sundays from 8:15 am - 11:15 am* submitted by the Parks & Cultural Services Department
- *15. Consideration of *approval of a service agreement with Identisys Inc. for DataCard/CD800 equipment used for Elections* submitted by the County Clerk
- *16. Consideration of *granting authority to County Judge to sign Trustee's Deed on the following tax foreclosed property* submitted by the County Judge:
 - a. **CAD# 5320-0271-0013-000**
- *17. Consideration of *approval of resolution authorizing a County Grant to Bay Area Meals on Wheels, Inc. in support of their Texans Feeding Texans Grant Application with the Texas Department of Agriculture and authorize County Judge to sign* as submitted by the Grants Manager.
- *18. Consideration of *approving a "no-cost" time extension change order for the Hurricane Ike CDBG Round 2.2 Bayview MUD Generators Project* submitted by CDBG Project Coordinator.
- *19. Consideration of *authorization to execute renewal letters* submitted by Contract Services:
 - a. Gulf Coast Center-Connect Transit
 - b. Gulf Coast Rail District
- *20. Consideration of *authorization to execute renewal contract with the following Fire Department for fire protection services* submitted by Contract Services:
 - a. Port Bolivar VFD
 - b. Crystal Beach VFD
 - c. Jamaica Beach VFD
- *21. Consideration of *amendment to the Galveston County NIMS Training Implementation Plan* submitted by Office of Emergency Management
- *22. Consideration of *approval of a professional services agreement with The Goodman Corporation for project development and environmental assessment oversight for a new vehicular bridge to Pelican Island* submitted by the County Engineer

- *23. Consideration of *approval of Choate Shores subdivision plat* submitted by the County Engineer.
- *24. Consideration of a *Texas City Hurricane Levee permit to GEL Texas Pipeline, LLC to perform an approximately 10' x 18' excavation near the Texas City Hurricane Levee northeast of SH 3 and SH 146* submitted by the County Engineer
- *25. Consideration for *authorization to dispose of salvage or surplus property* 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.	R514473	Humphreys Foundation	2009	\$33.31(R)
	R514473	Humphreys Foundation	2010	\$29.80(R)
	R514473	Humphreys Foundation	2011	\$25.86(R)
	R514473	Humphreys Foundation	2012	\$21.79(R)
	R514473	Humphreys Foundation	2013	\$18.13(R)
	R514473	Humphreys Foundation	2014	\$14.02(R)
	R145349	Daumas, Maria Martha	2015	\$13.18(W)

- *27. 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.	R105712	Townsend, Monique	2015	\$524.55 (W)
	R381511	Gobare Inc.	2015	\$3,176.11 (W)

- *28. 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.	R149686	Wakefield, Norman	2015	\$280.50(R)
	R372733	Wakefield, Norman	2015	\$23.43(R)
	R411077	Wakefield, Norman	2015	\$27.55(R)
	R101163	Segars, Patty	2015	\$128.32(R)
	R357069	Walker, Jeanette	2015	\$50.46(W)
	R357069	Walker, Jeanette	2015	\$47.16(R)
	R370600	Walker, Jeanette	2015	\$50.29(W)
	R370600	Walker, Jeanette	2015	\$47.00(R)
	R291773	Welmaker, Leblanc	2015	\$99.91(R)
	R431214	Szatkowski, Deborah	2015	\$202.22(R)
	R158021	Hailey, Lee	2015	\$83.07(W)
	R158021	Hailey, Lee	2015	\$166.27(R)

	R290613	Fertitta Hospitality	2015	\$6.54(R)
	R112196	Island Hospitality	2015	\$29,872.48(R)
	R111895	Fertitta Hospitality	2015	\$37,447.43(R)
	R112213	Fertitta Hospitality	2015	\$2,556.36(R)
	P369474	IHOP	2015	\$286.34(R)
	R290609	Fertitta Hospitality	2015	\$1.57(R)
	R112187	Fertitta Hospitality	2015	\$77,978.67(R)
	R111888	Fertitta Hospitality	2015	\$0.43(R)
b.	R290265	Fertitta Hospitality	2015	\$881.11(R)
	R290245	Fertitta Hospitality	2015	\$881.11(R)
	R290242	Fertitta Hospitality	2015	\$881.11(R)
	R290239	Fertitta Hospitality	2015	\$881.11(R)
	R290229	Fertitta Hospitality	2015	\$881.11(R)
	R290177	Fertitta Hospitality	2015	\$660.86(R)
	R112171	Fertitta Hospitality	2015	\$7,956.71(R)
	P427983	Spa San Luis	2015	\$110.10(R)
	R364548	Bessinger, Stanley	2015	\$403.96(R)

*29. Consideration of *approval of the following budget amendments* submitted by Professional Services:

- a. 16-156-0913-A
212th District Court- Request transfer from 212th District Court Administrative Supplies account to Membership and Dues account
- b. 16-157-0913-B
County Court 2- Request transfer from County Court 2 Administrative Supplies account to Travel & Conference account
- c. 16-158-0913-C
Legal Department- Request transfer from General Fund Budgeted Reserves for outside attorney's fees for the remainder of the fiscal year.
- d. 16-159-0913-D
AgriLife Extension- Request transfer from AgriLife Extension Administrative Supplies account to Travel & Conference account for travel for the AgriLife Agents for the rest of the fiscal year
- e. 16-160-0913-E
Justice Court #3- Request transfer from Justice Court #3 Administrative Supplies account to Extraordinary Supplies account for the purchase of chairs

- f. 16-161-0913-F
Road and Bridge- Request transfer from Road and Bridge Fund Budgeted Reserves to Fleet Management Oils and Lubricants for the remainder of the fiscal year.
- g. 16-162-0913-G
Unlimited Tax Road Bonds Series 2009- Request transfer from various Unlimited Tax Road Bonds accounts to the Unlimited Tax Road Bonds Designated for Capital Projects account for projects that are complete.
- h. 16-163-0913-H
Unlimited Tax Road Bonds Series 2009- Request transfer from Unlimited Tax Road Bonds Designated for Capital Projects account to Calder Road Improvement Project account for the County's portion of the Calder Road Project

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

a.	R103938	\$3,370.74	Over Payment
	R111895	\$17,531.55	Over Payment
	R111895	\$6,241.24	Over Payment
	R112171	\$3,725.06	Over Payment
	R112187	\$36,506.86	Over Payment
	R112187	\$12,996.45	Over Payment
	R112196	\$4,978.75	Over Payment
	R112196	\$13,985.23	Over Payment
	R124179	\$7,082.28	Over Payment
	R129430	\$2,980.96	Duplicate
	R214219	\$3,448.60	Over Payment
	R217799	\$4,255.81	Over Payment
	R290139	\$6,000.00	Over Payment
	R359075	\$3,542.37	Over Payment
	R388294	\$3,301.53	Duplicate
	R404092	\$2,571.63	Over Payment
	R420098	\$3,753.23	Duplicate
	R437513	\$2,542.86	Over Payment

*31. Consideration of approval for *PowerEdge M630 Blade Servers to ensure fail-over capabilities for critical applications and needed for upcoming projects with Logical Front* submitted by Information Technology.

*32. Consideration of *approval to replace the Motorola Point to Point radio system at Crystal Beach with Motorola Solutions* submitted by Information Technology.

- *33. Consideration of *approval for OSSI JMS to COREMR annual maintenance renewal with SunGard Public Sector* submitted by Information Technology.

Action Agenda

34. **County Judge**

- a. Consideration of granting authority to County Judge to sign Trustee's Deed on the following tax foreclosed properties:
1. **CAD# 0064-0005-0000-001 (2 bids offered)**
 2. **CAD# 1100-0026-0023-000**

35. **Human Resources**

- a. Consideration and approval of the "FY17 Options for Consideration- Option E – Medical Plan Contributions (Exhibit A)" in relation to the Galveston County Employee Health Plan.

36. **Purchasing**

- a. Consideration of approval of awarding the following:
1. RFQ #B162015 Auditing and Related Services
 2. Bid #B161018 Construction-Bolivar Peninsula Beach and Dune Restoration

37. **Sheriff**

- a. Consideration of approval of Analyst Agreement between the County of Galveston and the United States Drug Enforcement Administration to provide drug enforcement analyst services submitted by County Legal

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 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 Gwendolyn Traeger v. Galveston County Sheriff.

- 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 16-CV-0659, Alicia Holt v. Galveston County in the 10th Judicial District Court.
- 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 3:16-CV-00065, Diane Jacobs, et. al. v. Henry Trochesset, et. al. in the U.S. District Court for the Southern District of Texas, Galveston Division.
- 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 the Texas General Land Office and Rollover Pass.
- 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 3:14-CV-00186, Tomasa Duran v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- 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 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.

- 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 Cause No. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court 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 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 Severe Repetitive Loss Elevation Project at 1525 103rd Street, Galveston, Texas.
- j. **Reconvene into Regularly Scheduled Meeting.**
- k. Consideration of authorizing County Legal to send correspondence to Texas Water Development Board in relation to the Severe Repetitive Loss Elevation Project at 1525 103rd Street, Galveston, Texas
- l. Consideration of an Order setting civil citation fees to be charged by the Galveston County Sheriff and Constables for Calendar year 2017

Adjourn

WORKSHOP AGENDA

1. Discussion of volunteer patrol program for the Bayshore communities

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.
