



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 27, 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 9/20/16 and 9/27/16
 - b. Order for Payroll period ending 9/21/16 Bi-Weekly #20
 - c. Order for Supplemental Payroll period ending 9/21/16 Bi-Weekly #20
 - d. Internal Audit Report of the cash count and inventory of Constable, Precinct 3B-Galveston
 - e. Internal Audit Report of the cash count and inventory of Constable, Precinct 1B - Texas City
- *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 #19, August 25-September 7, 2016* submitted by Human Resources
- *6. Receive and file *Appointment & Oath of Office for Deputy Constable* submitted by Human Resources on behalf of Constable Pct. 4-A
- *7. Consideration of a *resolution honoring the retirement of Corporal Ross Strickland from the Patrol Division from the Galveston County Sheriff's Office* submitted by County Legal
- *8. Consideration of a *resolution in support of D'Feet Breast Cancer, Inc. and proclaiming Saturday, October 22, 2016 as Celebration of Life Day*, submitted by County Judge
- *9. Consideration of a *resolution in recognition of UTMB being honored as the 2016 Galveston Economic Development Partnership (GEDP) Developer of the Year by the GEDP*, submitted by County Judge
- *10. Consideration of *approval of appointment to the Mediation Services Board* submitted by Commissioner, Precinct 4
- *11. Consideration of *approval of appointment of a Local Health Authority for Galveston County* submitted by the County Judge
- *12. Receive and file *Second Quarter and Third Quarter Investment Report* submitted by the County Treasurer
- *13. Receive and file *District Attorney Financial Statement for October 1, 2015 to September 30, 2016 and authorize County Judge to sign Order releasing Contraband funds* submitted by District Attorney
- *14. Consideration of *ratification of correspondence, request for extension of contract in SRL Program, issued to the Texas Water Development Board on September 13, 2016*, submitted by County Legal
- *15. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for La Vita Bella for use of the indoor banquet hall at Walter Hall Park for a Christmas Party for senior citizens on Friday, December 9, 2016*, presented by the Parks & Cultural Services Department
- *16. Consideration of *execution of an interlocal agreement with the City of Texas City - Congregate Meal Program for fiscal year 2017*, submitted by the Parks & Cultural Services Department
- *17. Consideration of *execution of an interlocal agreement with the City of League City - Congregate Meal Grant Program for fiscal year 2017*, submitted by the Parks & Cultural Services Department

- *18. Consideration of *execution of an interlocal agreement with the City of Friendswood - Congregate Meal Grant Program for fiscal year 2017*, submitted by the Parks & Cultural Services Department
- *19. Consideration of *execution of an interlocal agreement with Interfaith Ministries of Greater Houston Meals on Wheels for home delivered meal service for fiscal year 2017*, submitted by the Parks & Cultural Services Department
- *20. Consideration of *approval of acceptance of addition to sprinkler system and 2 rain barrels to the Joe Faggard AARP/Chamber of Commerce building at 1750 Hwy 87 - Crystal Beach TX from Keep Bolivar Beautiful* submitted by Facilities Department
- *21. Consideration of *approval of an interlocal agreement with the City of Galveston to conduct the Maritime Assessment Study for Galveston County* submitted by the Director of Economic Development
- *22. Consideration of *approval of the abatement of (1) public nuisance property (dilapidated structure)* submitted by the Nuisance Abatement Officer:
 - a. 3006 19th St., Dickinson, TX
- *23. Consideration of *approval for preventative maintenance for 7 large UPS's to ensure that they operate as designed and are not in need of immediate service with Millennium UPS* submitted by Information Technology
- *24. Consideration of *approval for annual Netmotion Mobility maintenance renewal with Mobile Wireless* submitted by Information Technology
- *25. Consideration of *approval for KIWI syslog server with Solarwinds* submitted by Information Technology
- *26. Consideration of *approval for annual Barracuda spam filter subscription renewal with SHI* submitted by Information Technology
- *27. Consideration of *acceptance of the FY 2017 Specialty Court - Veterans Treatment Court Grant Award from the Office of the Governor - Criminal Justice Division* as submitted by the Grants Manager
- *28. Consideration of *acceptance of the FY 2017 Victims Of Crime Act (VOCA) Grant Award from the Office of the Governor - Criminal Justice Division* as submitted by the Grants Manager
- *29. Consideration of *acceptance of the FY 2017 Specialty Court - Adult Drug Court Grant Award from the Office of the Governor - Criminal Justice Division* as submitted by the Grants Manager

- *30. Consideration of *approval to submit application for State Land Use Lease - Coastal Lease to the Texas General Land Office* as submitted by the Grants Manager
- *31. Consideration of *approval to submit FY 2017 Texans Feeding Texans grant application to the Texas Department of Agriculture and authorize County Judge to sign required documents and supporting resolution* as submitted by the Grants Manager
- *32. Consideration of *approval for FY 2017 service agreement renewal notice for Victim Information Notification Everyday (VINE) Program and authorize County Judge to sign* as submitted by the Grants Manager
- *33. Consideration of *authorization to execute letter of renewal to Galveston Windstorm Action Committee, Inc. for advisors on significant changes in the statute governing TWIA* submitted by Contract Services
- *34. Consideration of a *resolution amending the adoption of Optional Health Care Services to include vision care and colostomy supplies for indigent health care services for Fiscal Year 2016-2017*, submitted by Jim Gentile, Contract Services Officer
- *35. Consideration of *authorization to execute renewal contract with the following Fire Departments for fire protection services* submitted by Director of Contract Services:
 - a. City of La Marque Fire Department
 - b. Bayou Vista VFD
 - c. High Island Mercy Corps, Inc.
 - d. Bacliff VFD
 - e. Santa Fe VFD
 - f. Hitchcock VFD
 - g. Dickinson VFD
 - h. Friendswood VFD
 - i. San Leon VFD
 - j. Galveston County Firefighters Association
- *36. Consideration of *authorization to execute contract renewal for the following contracts* submitted by Director of Contract Services:

- a. Rosenberg Library-Galveston County Library System
 - b. Galveston County Emergency Services District #2 for EMS/Fire Services Contract
 - c. Resolve It- To provide intervention and support to at-risk youth through an evidence based cognitive behavioral therapy program
 - d. Advocacy Center/Rainbow Room- A team approach to investigating child abuse/neglect
 - e. Galveston County Health District- EMS for unincorporated Galveston County East.
 - f. Galveston County Health District- EMS for unincorporated Galveston County West.
 - g. UTMB-Physician Assistant Contract
- *37. Consideration of authorization to *execute Memorandum of Agreement for Van Scoyoc Associates, Inc. for Federal Lobbying Services* submitted by Contract Services
- *38. Receive and file *grant adjustment request and approval for Coastal Impact Assistance Program (CIAP) Grant #F13AF00087 submitted to the US Fish & Wildlife Service* as submitted by the Grants Manager
- *39. Receive and file *grant adjustment request and approval for Coastal Impact Assistance Program (CIAP) Grant #F13AF00018 submitted to the US Fish & Wildlife Service* as submitted by the Grants Manager
- *40. Receive and file *approval letter for ten (10) Projects in Project Worksheet #15158 under the FEMA Sandy Recovery Improvement Act (SRIA)* as submitted by the Grants Manager
- *41. Consideration of acceptance of *FY 2016 Coastal Erosion Planning and Response Act (CEPRA) Grant Award from the Texas General Land Office and authorization for County Judge to sign project cooperation agreement and special document* as submitted by the Grants Manager
- *42. Consideration of *approval of the following budget amendments* submitted by Professional Services:
- a. 16-165-0927-A
Parks Department- Request transfer from General Fund Budgeted Reserves for Parks Department salaries and benefits for remainder of the fiscal year.

- b. 16-166-0927-B
Emergency Management- Request transfer from Emergency Management Travel & Conference account to Printing account for training handbooks.
- c. 16-167-0927-C
Facilities Services & Maintenance- Request transfer from Facilities Services & Maintenance Electricity Account to the Water Account.
- d. 16-168-0927-D
Sheriff's Department- Corrections request transfer from General Fund Budgeted Reserves to Sheriff Department-Corrections for Jail Health Care for the rest of the fiscal year
- e. 16-169-0927-E
Juvenile Justice- Request transfer from Juvenile Justice Fund Budgeted Reserves to Juvenile Justice Detention and the Post Program salaries and benefits for the rest of the fiscal year
- f. 16-170-0927-F
Sheriff's Department- Warrants Request transfer from General Fund Budgeted Reserves to Sheriff Department-Warrants for the Travel & Conference and Prisoner Extradition Travel accounts for the rest of the fiscal year
- g. 16-171-0927-G
Tax Collector- Request change in Accounting Tech II position grade from 13G to 13A and an Accounting Tech III position from 14A to 14E
- h. 16-172-0927-H
Debt Service Funds- Request transfer for Debt Service Funds to clean up negative cash/fund balances
- i. 16-173-0927-I
Various Departments- Request for transfers and additional funds for various transactions for fiscal year 2016
- j. 16-174-0927-J
Election Services Contract Fund- Request transfer from Election Services Contract Fund Budgeted Reserves for Election Services salaries and benefits for remainder of the fiscal year.
- k. 16-175-0927-K
Court Administration- Request transfer from General Fund Budgeted Reserves to Court Administration Office for expenses for remainder of the fiscal year.

- l. 16-176-0927-L
County Clerk- Request transfer from Election Services Contract Fund Software account to Software Licensing & Maintenance account for the purchase of election management software
 - m. 17-001-0927-A
Various Departments- Request transfer from General Fund Budgeted Reserves for the attached spreadsheet for FY 2017
 - n. 17-002-0927-B
Child Welfare- Request transfer from Child Welfare Fund Budgeted Reserves for Physicians Assistant Contract
 - o. 17-003-0927-C
Economic Development - Request transfer from General Fund Budgeted Reserves for the Interlocal Agreement for Port/Maritime Study for FY 2017
- *43. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent
- *44. Consideration for *authorization to dispose of salvage or surplus property for the Automobile Crimes Task Force* submitted by the Purchasing Agent
- *45. Consideration for *authorization to add a seized vehicle into the Sheriff's Department Inventory* submitted by the Purchasing Agent
- *46. Consideration for *authorization to cancel and rebid the following Bid* submitted by the Purchasing Agent:
- a. Bid #B161021 CDBG-Round 2 Real Property Sales - August 2016
- *47. Consideration for *authorization to extend the contracts on the following Bids/RFPs* submitted by the Purchasing Agent:
- a. RFP #B132010 County of Galveston Guardianship Program
 - b. RFP #B152010 Financial Assistance Program for Galveston County (requested with amendments)
 - c. Bid #B152013 Sheriff Department Uniforms & Supplies
 - d. Bid #B152020 Vehicle Repairs
- *48. Consideration of *approval of a renewal contract with Ted P. Mora for JP Prosecutor Contract* submitted by the District Attorney

- *49. Consideration of *approval of a renewal contract with Roger Ezell for MHMR Prosecutor Contract* submitted by the District Attorney
- *50. Consideration of *Request of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:
 - a. **R125606** \$ 2595.75 SUPP Adjustment
 - R104144** \$ 3015.83 SUPP Adjustment
- *51. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:
 - a. **R101940** Anderson, Sven 2015 \$3,560.75(W)
 - b. **R601971** Cassada, Josh 2015 \$256.71(W)
- *52. Consideration of *approval to authorize the County Engineer to issue a sand pit permit to Bolivar Unlimited, LLC* submitted by the County Engineer
- *53. Consideration of *change order no. 6 to the J.W. Kelso Company, Inc. for the Lee & Joe Jamail Bay Park project* submitted by the County Engineer
- *54. Consideration of *Abandonment of Alley(s) Right of Way between Lots 1-19, Block 97-A, San Leon Subdivision* submitted by the County Engineer
- *55. Consideration of *executing a Permanent Pipeline Agreement between County of Galveston and HSC Pipeline Partnership, LLC* submitted by the County Engineer
- *56. Consideration of *permission for Robert D. Shaver to convey portions of Lot 5, Orchard Place Addition by metes & bounds without revising the plat* submitted by the County Engineer
- *57. Consideration of *permission for Vickie J. Beshears to convey portions of Lot 5, I. & G.N.R.R. Co. Tract, Abstract 621, Section 29 by metes and bounds without revising the plat* submitted by the County Engineer
- *58. Consideration of *approval of a Galveston Seawall permit to Artist Boat to renovate and install decorative & interpretive mosaic tile work on concrete benches between 6th St and 61st St* submitted by the County Engineer
- *59. Consideration for *authorization to amend the scope of work for RFP #B141022A CDBG-DRS Round 2 Rental Program for Galveston County, Texas* submitted by the Purchasing Agent
- *60. Consideration of *approving the Galveston County Animal Services agreement, which is an interlocal agreement with the Galveston County Health District and participating-*

municipalities, and authorizing the County Judge to execute same submitted by County Legal

- *61. Consideration of *approval of a renewal contract for Verizon Wireless Data line for a pole camera* submitted by the Sheriff's office
- *62. Consideration of *approval of appointment of Director of Personal Bond Office/Director of Collections* submitted by the County Judge
- *63. Consideration of *approval of a staffing contract for CPS liaison in the District Attorney's office* submitted by County Judge

Action Agenda

64. **County Engineer**

- a. Consideration of approval to authorize Purchasing Agent to publish Request for Qualifications for Engineering Services for a new Pelican Island Vehicular Bridge

65. **Emergency Management**

- a. Consideration of approving renewal contract on Blackboard Connect Services Agreement and authorizing the County Judge to execute same

66. **Housing Department**

- a. Consideration of approving the extension of Contract No. 1200011417 with the Texas Water Development Board for the Severe Repetitive Loss Elevation Grant Program and authorizing the County Judge to execute extension documents

67. **Parks & Senior Services**

- a. Consideration of approval to execute a specialty area user group contract/agreement with the Greater Houston Off-Road Biking Association ("GHORBA") for use of the Mountain Bike Trails/Multi-Use Trails at Jack Brooks Park

68. **Professional Services**

- a. Public Hearing on the FY 2017 Outdoor Recreation Grant Application with the Texas Parks & Wildlife Department
- b. Public Hearing on FY 2017 Boating Access Grant Application with the Texas Parks and Wildlife Department

- c. Consideration of approving interlocal Cooperation Act Contract to Provide Health Care Services between the University of Texas Medical Branch at Galveston and the County of Galveston, which pertains to indigent healthcare services, and authorizing the County Judge to execute such interlocal Cooperation Act contract
- d. Consideration of authorization to submit FY 2017 Outdoor Recreation Grant to the Texas Parks and Wildlife Department and authorize County Judge to sign required documents as submitted by the Grants Manager
- e. Consideration of approval to submit FY 2017 Boating Access Grant Application to the Texas Parks and Wildlife Department and authorize the County Judge to sign required documents and supporting resolution as submitted by the Grants Manager

69. **Purchasing**

- a. Consideration of approval of awarding the following:
 - 1. RFP #B161019 Economic Development Website
 - 2. Bid #B161018 Construction-Bolivar Peninsula Beach and Dune Restoration

70. **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, Diane Jacobs, et. al. v. Henry Trochesset, et. al. 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 16-0637, The County of Galveston, Texas v. Triple B Services, LLP-

in the Supreme Court of Texas.

- 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 the Texas General Land Office and Rollover Pass.
- 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 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 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 Cause No. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court of Texas.
- 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 14-CV-1112, Kimberly Sullivan v. Galveston County Commissioners Court, Et Al, in the 212th Judicial District Court.

- 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 Projects at 1525 103rd Street, Galveston, and 715 Oak Road, Clear Lake Shores.
- j. **Executive Session:** Texas Government Code, Section 551.072, Deliberation Regarding Real Property. 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 551.072 of the Texas Government Code, Deliberation Regarding Real Property: to deliberate the purchase, exchange, lease or value of real property because deliberation in an open meeting would have a detrimental effect on the position of Galveston County in negotiations with a third person relating to 131 Pecan Dr., League City, Tx 77573 described as ABST 3 PAGE 8 RESERVES E, F & PT of B Pecan Forest Business Park together with Approx. 26,888 Sq. Ft. of adjacent land.
- k. **Reconvene into Regularly Scheduled Meeting**
- l. Consideration of an Order designating the first Tuesday of each month as the Regular Term of the Galveston County Commissioners' Court
- m. Consideration of approving the Galveston County Animal Services Agreement, which is an interlocal agreement with the Galveston County Health District and participating municipalities, and authorizing the County Judge to execute same
- n. Consideration of authorizing a month to month agreement for Tax Collection Services with Linebarger, Goggan, Blair & Sampson, L.L.P. and Galveston County
- o. Consideration of Allison, Bass & Magee, LLP to file a petition for review in 14-CV-1112, Kimberly Sullivan v. Galveston County Commissioners Court, Et Al.

- p. Consideration of authorizing County Judge to execute an assignment to Galveston County by Magenta Fund, LLC of its interest in a commercial contract-improved property between Belinda Skloss as seller and Magenta Fund, LLC as buyer for the purchase of real property located at 131 Pecan Dr., League City, Tx 77573 and described as Abst. 3 Page 8 Reserves E, F, & Pt of B Pecan Forest Business Park together with approximately 26, 888 sq. ft. of adjacent land.

Adjourn

WORKSHOP AGENDA

1. Discussion regarding structure, policies and procedures, personnel, selection of a Director and Board authority relating to general oversight of the Pretrial Release department submitted by Commissioner, Precinct 2

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.
