



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 April 14, 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 the Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 4/7/15 and 4/14/15
 - b. Order for Payroll period ending 4/8/15 Bi-Weekly #8
 - c. Order for Supplemental Payroll period ending 4/8/15 Bi-Weekly #8
 - d. Order for approving monthly payments of Workers' Compensation Claims for month ending 11/30/14
 - e. Order for approving monthly payments of Workers' Compensation Claims for month ending 12/31/14
 - f. Order for approving monthly payments of Workers' Compensation Claims for month ending 1/31/15
 - g. Order for approving monthly payments of Workers' Compensation Claims for month ending 2/28/15
 - h. Request for action to be taken with the Texas Comptroller of Public Accounts Unclaimed Property Division Sect. 74.602 of the Texas Property Code

- i. Monthly Financial Report for month ending 1/31/15
 - j. Receive and file District Judges' Order certifying changes in positions/titles and approved appointees to the Galveston County Auditor's office
- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #7, March 12-25, 2015* submitted by Human Resources.
 - *3. Consideration of a *resolution honoring Lighthouse Christian Ministries* submitted by Commissioner, Precinct 1.
 - *4. Consideration of a *resolution honoring the 20th Anniversary of Save Our Shores* submitted by Commissioner, Precinct 1.
 - *5. Consideration of a *resolution designating the week of April 26 - May 3, 2014 as Soil and Water Stewardship Week* submitted by County Judge.
 - *6. Consideration of a *resolution designating April 19 - 25, 2015 as National Crime Victims' Rights Week in Galveston County* submitted by the County Judge.
 - *7. Consideration of *approval proclaiming April 2015 as Fair Housing Month* submitted by the Housing Department.
 - *8. Receive and file *acceptance letter for RAP and flexible base material* submitted by Road and Bridge.
 - *9. Receive and file *Home Delivered Meal Waiver Form 2027 for compliance with the Houston-Galveston Area Council Title III Services RFP* submitted by the Parks & Cultural Services Department.
 - *10. Receive and file *Galveston County Activities Report from Bay Area Houston Economic Development for December 2014 through February 2015* submitted by Director of Contract Services.
 - *11. Receive and file *letter from the State of Texas Criminal Justice Division verifying Galveston County Veterans Treatment Court compliance with statutory requirements under Subtitle K, Texas Government Code Section 121.002* submitted by the County Judge.
 - *12. Receive and file *correction to item No. 34 j. (Consideration of authorization of abatement of (10) Public Nuisances) on the March 17, 2015 agenda* submitted by the Nuisance Abatement Officer.

*13. Consideration of *release of irrevocable standby letter of credit # 1031 in the amount of \$105,000.00 dated October 8, 2013 issued by Southside Bank of Tyler, Texas on behalf of Falcon Residential 1, L.P. and acceptance of Bolivar Circle street (0.070 miles) into the County Road Maintenance System* submitted by Engineering.

*14. Consideration of *approval of the replat of lot 28 Guidry Place subdivision* submitted by Engineering.

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

a.	P233861	\$351,871.09	SUPP Adjustment
	P273154	\$3,125.12	SUPP Adjustment
	P511179	\$5,612.73	SUPP Adjustment
	P516892	\$21,884.48	SUPP Adjustment
	P142878	\$3,160.98	SUPP Adjustment
	P103938	\$5,798.21	SUPP Adjustment
	P428478	\$4,090.92	SUPP Adjustment

*16. Consideration of *Request for Waiver or Refund of Penalty and Interest by the Property Owner* submitted by the Tax Assessor/Collector:

a.	R148212	Manhavier, Jean	2014	\$ 3.43
	R148213	Manhavier, Jean	2014	\$ 3.43
	R148214	Manhavier, Jean	2014	\$14.13

*17. Consideration of *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.	R205927	Luna, Mary Alice	2014	\$5.04
	R205926	Luna, Mary Alice	2014	\$5.04

*18. Request for *Ratification of Denial of Requests for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a.	R188263	Honey, Lyle	2014	\$5.45
	P236785	Honey, Lyle	2014	\$587.58
	P237600	Honey, Lyle	2014	\$438.26
	R109667	Honey, Lyle	2014	\$309.81
	R293040	Honey, Lyle	2014	\$308.33
	R188261	Honey, Lyle	2014	\$56.85
	P240726	Honey, Lyle	2014	\$159.47
	R188262	Honey, Lyle	2014	\$2.71
	R188260	Honey, Lyle	2014	\$0.85

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

a. **R192537** Timmons, James & Floetta 2008-2014 \$15.70/\$258.51

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

a. **R118390** Dudley, Deborah 2014 \$76.46
R102071 Tolzmann, Scott & Dori 2014 \$268.48

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

a. **R212467** Knochel, Gina 2013 \$18.87

*22. 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. **P403929** Carnival Cruise Lines 2014 \$1,303.02
R203147 Dickey, Audrey 2014 \$47.36
1043390000019 Smith, Thomas & Sandra 2014 \$29.73 / \$118.12
R105400 Edwards, Johnase R 2014 \$5.88
R167068 Leisey, David 2014 \$6.66
R163260 Leisey, David 2014 \$3.50
R153968 Leisey, David 2014 \$0.56
R153966 Leisey, David 2014 \$3.55
R153967 Leisey, David 2014 \$0.27

*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. **R216699** Gale, William 2014 \$28.30
R216049 Lawrence, Noble & Eleanor 2014 \$384.68
R128562 Hernandez, Matilde 2014 \$431.90
R111387 Mendez, Bernardo De Jesus 2014 \$100.42
R311529 Tritter, Davis 2014 \$75.44
R311525 Tritter, Davis 2014 \$737.34
P423320 CAB East LLC 2014 \$113.65
P502023 CAB East LLC 2014 \$83.06
P502024 CAB East LLC 2014 \$75.27
P514429 CAB East LLC 2014 \$32.72
P514430 CAB East LLC 2014 \$55.45

- *24. Consideration for *authorization to extend the contract for the following bid* submitted by the Purchasing Agent:
 - a. Bid #B112018 Janitorial Services for Galveston County
- *25. Consideration for *authorization to issue a formal solicitation for the following RFP* submitted by the Purchasing Agent:
 - a. Justice Center Courts Audio Visual Refresh Project
- *26. Receive and file *the following items* submitted by the Purchasing Agent:
 - a. Citibank Rebate Check
 - b. Office Depot Rebate Check
- *27. Consideration of *approval for the renewal of AIX 5.3 Services and Support on IFAS IBM Machines with IBM Corporation* submitted by Information Technology.
- *28. Consideration of *approval for Blade enclosures and switches that support servers in Galveston County data center with Xnet Systems Inc.* submitted by Information Technology.
- *29. Consideration of *approval of hardware purchase and infrastructure support to the Odyssey database servers with Dell Inc.* submitted by Information Technology.
- *30. Consideration of *approval of Comcast Enterprise Internet service at the Galveston County Public Service Building with Comcast* submitted by Information Technology.
- *31. Consideration of *approval for the purchase of AS400 Tape Library for Galveston County Emergency Management Facility with NetData* submitted by Information Technology.
- *32. Consideration of *approval of online reference library for IT's application team members with Pluralsight* submitted by Information Technology.
- *33. Consideration of *approval of an agreement with the Texas Health and Human Services, the Galveston County District Attorney and the County of Galveston* submitted by the District Attorney.

Action Agenda

34. **County Judge**

- a. Consideration of granting authority to the County Judge to sign a Trustee's Deed on the following tax foreclosed property:

1. **CAD#: 3015-0149-0003-000**

- b. Consideration of granting authority to the County Judge to sign a Resale Deed on the following tax foreclosed property:

1. **CAD#: 5182-0070-0001-001** (for reconsideration from 9/16/14 CC agenda)

35. **County Legal**

- a. Consideration of authorizing County Judge to execute an Interlocal Agreement between the County of Galveston and Dickinson Independent School District concerning Donation of Right of Way and Construction of a Road Providing Access to Certain Tracts of Land Owned by the County and the School District and the Recording of Road and Drainage Easement Agreement regarding same.

- b. Consideration of authorizing County Judge to execute an addendum to an Interlocal Agreement with the City of League City to partially fund improvements to certain City streets in order to generate increased ad valorem tax revenues.

- c. **Break into Executive Session.**

- d. **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, or duties of a public employee, the County Road Administrator.

- e. **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, or duties of a public employee, the Assistant Road Administrator/Safety Director.

- f. **Executive Session:** 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 conduct a private consultation with its attorney 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 a request for approval of an assignment of interest in Permit to Use a Portion of the 61st Street Rock Groin, Galveston, Galveston County, Texas to Austin Kimbrough.

- 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, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney 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 DJ # 204-74-343, The United States of America and Galveston County, Texas under the Americans with Disabilities Act.
- 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, 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 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, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney 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-0031, Triple B Services, LLP v. Galveston County in the 122nd Judicial District Court.
- j. **Reconvene into Regularly Scheduled Session.**

36. **Human Resources**

- a. Consideration of execution of Temporary Staffing Agreement with A1 Best Staffing.

37. **Professional Services**

- a. Consideration of authorizing County Judge to execute renewal contract between Galveston County, Galveston County Children's Services Board, and UTMB to provide services for the Texas Department of Family and Protective Services submitted by Director of Contract Services.
- b. Consideration of approval of the following Budget Amendments:
 1. 15-076-0414-A
Human Resources - Request transfer from General Fund Budgeted Reserves for temporary staffing agreement.
 2. 15-077-0414-B
Facilities Services - Request transfer from General Fund Budgeted Reserves for salary increase and change in pay grade in the Facilities Services Department.
 3. 15-078-0414-C
Justice Administration - Request transfer to Veteran's Court department for Court Appointed Representative for FY 2015.
 4. 15-079-0414-D
Justice Court Precinct #4 - Request transfer from General Fund Budgeted Reserves for temporary help in Justice Court Precinct #4.
 5. 15-080-0414-E
District Courts - Request transfer from General Fund Budgeted Reserves for travel and education for District Court Judges.

38. **Purchasing**

- a. Consideration to award contracts for the following bids:
 1. Bid #B152008 Aqua-Permethrin Insecticide
 2. Bid #B152009 Permethrin 31% & 66% Piperonyl Butoxide
- b. Consideration to authorize the use of DIR pricing to procure items for Information Technology's use.

Adjourn

WORKSHOP AGENDA

1. Discussion by Commissioners' Court and District and County Court Representative to discuss Department of Justice Administration; organization of Commissioners' Court administrative responsibilities related to the judicial system; Personal Bond Office; Collection Improvement Program; law library; Jail Impact Population Control Coordinator; pre-trial release of criminal defendants and pre-trial services; alternative dispute resolution systems; administrative justice system processes; and Department & Director of Court Administration and Director of Justice and Public Safety.
2. Discussion of funding and construction of improvements to building located at 823 Grand, Bacliff.
3. Discussion and update on Coastal surge suppression.
4. Discuss report from League City TIRZ No. 4 (Westwood Subdivision).

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.
