



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 3, 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 Auditor's Office:
 - a. Approval of the Accounts Payable checks dated 1/27/15 and 2/3/15
 - b. Order for Payroll period ending 1/28/15 Bi-Weekly #3
 - c. Order for Supplemental payroll period ending 1/28/15 Bi-Weekly #3
 - d. Quarterly Audit Report for the Juvenile Justice Department for period 10/1/14-12/31/14
 - e. Quarterly Audit Reports for Constables, Precinct 1, 3, 4, 6 for period of 10/1/14 - 12/31/14
 - f. Quarterly Audit Reports for Constable, Precinct 2 for period of 10/1/14 - 12/31/14
 - g. Quarterly Audit Report for Constable, Precinct 5 for period of 10/1/14 - 12/31/14
 - h. Quarterly Audit Report for Constable, Precinct 7 for period of 10/1/14 - 12/31/14

- i. Quarterly Audit Report for Constable, Precinct 8 for period of 10/1/14 - 12/31/14
 - j. Internal Audit Report on the cash count of the Tax Office's Texas City, League City, Crystal Beach, Galveston, Friendswood and Santa Fe Branch locations. Also the response letter from Honorable Cheryl E. Johnson dated 1/22/15
 - k. Order for monthly Worker's Compensation claims made by The Littleton Group for month ending 10/31/14
 - l. Order for payment of the monthly Indigent Healthcare Fund made by Boon Chapman for month ending 11/30/14
 - m. Internal Audit report of the cash count for the Road and Bridge Department with response from Layne Harding, Road Administrator
- *2. Receive and file *summary of Bi-Weekly Personnel Movements pay period #2, January 1-14, 2015* submitted by Human Resources.
- *3. Consideration of *approval to change providers from Elite Services to Carehere* submitted by Human Resources.
- *4. Consideration of *approving exemption to the 4 pay period mandatory vacancy policy for Business Asset Technician (Psn #41)* submitted by Human Resources on behalf of Information Technology.
- *5. Consideration of *approving exemption to the 4 pay period mandatory vacancy policy for Seawall Maintenance Operator (Psn #6)* submitted by Human Resources on behalf of Road and Bridge.
- *6. Consideration of *approval of a contract with The Rowland Group for Staffing Services* submitted by Professional Services/Human Resources.
- *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 *approval of appointments to the Galveston County Historical Commission* submitted by the County Judge.
- *9. Consideration of *approval of a resolution appointing Victor Pierson, president of Moody National Bank in Galveston, Texas, as the third at-large director of Gulf Coast Community Protection and Recovery District, Inc.* submitted by the County Judge.

- *10. Consideration of *approval to donate 2 light poles to the Galveston County Rodeo Association to be installed on the rodeo grounds at Jack Brooks Park* submitted by Facilities.
- *11. Receive and file *Order for Appointment of Court Reporter* as submitted by County Court at Law No. 3
- *12. Receive and file *Order for Appointment of Court Reporter* as submitted by 212th District Court.
- *13. Receive and file *Order for Appointment of Court Reporter* as submitted by 306th District Court.
- *14. Receive and file *Galveston County Community Supervision and Corrections Department (Adult Probation) Amended Statement of Financial Position for FY 2014 pursuant to Government Code 140.004* submitted by the Director of Galveston County Community Supervision and Corrections.
- *15. Receive and file *response to the Quarterly Audit Report for Constable Jerry Fisher for the period of October 2014 through December 2014* submitted by Constable, Precinct 8.
- *16. Consideration of acceptance of *2015 Texans Feeding Texans Grant Award* from Texas Department of Agriculture and authorize County Judge to sign required documents submitted by the Grants Manager.
- *17. Consideration of *approval of a renewal agreement between Gulf Coast Center and Galveston County for Mental Health Deputy* submitted by the Sheriff's Office.
- *18. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for the League City Volunteer Fire Department for use of the downstairs banquet hall at Walter Hall Park for their annual banquet on Friday, April 17, 2015* submitted by Parks & Senior Services.
- *19. Consideration of a *resolution requesting the Members of the 84th Legislature of the State of Texas to Support Increased Funding for the Texas Recreation & Parks Account, Large County & Municipality Recreation & Parks Account, Local Park Grant Programs, and the Texas State Park System* submitted by Galveston County Parks and Cultural Services.
- *20. Consideration of *approval for voice trunking (long distance) service renewal with TW Telecom* submitted by Information Technology.
- *21. Consideration of *approval for consulting services agreement renewal with Eddy C. Gorman for the Odyssey Project* submitted by Information Technology.

- *22. Consideration of *approval of software support renewal for Cisco Smartnet with Presidio* submitted by Information Technology.
- *23. Consideration of *approval for annual Doubletake Software maintenance renewal with SHI* submitted by Information Technology.
- *24. Consideration of *approval for annual software maintenance renewal for open text standard support with Dynamic Solutions Group, Inc.* submitted by Information Technology.
- *25. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
- *26. Consideration for *authorization to dispose of one (1) vehicle and also request funding be provided to replace it in the fleet* submitted by the Purchasing Agent.
- *27. Consideration for *authorization to cancel and rebid the following bid* submitted by the Purchasing Agent:
 - a. Bid #B151013 CDBG Round 2-Real Property Sales-December 2014
- *28. Consideration for *authorization to rebid the following bids* submitted by the Purchasing Agent:
 - a. Bid #B122013 Precoat Topping Rock
 - b. Bid #B122016 Aqua-Permethrin Insecticide
 - c. Bid #B122019 Permethrin 31% & 66% Piperonyl Butoxide
 - d. Bid #B122020 Alarm Services
- *29. Consideration for *authorization to issue a formal solicitation for the following bid* submitted by the Purchasing Agent:
 - a. CDBG Round 2-Real Property Sales-January 2015
- *30. Consideration for *authorization to re-solicit for the following bid* submitted by the Purchasing Agent:
 - a. Bid #B111040 61st Street Boat Ramp
- *31. Consideration of *approval an Interlocal Contract between Region III Education and Galveston County* submitted by the Purchasing Agent.

- *32. Consideration of *authorization for the County Judge to sign an agreement between the County of Galveston and the City of Jamaica Beach to provide election services for their May 2015 election* submitted by the County Clerk.
- *33. Consideration of *authorization for the County Judge to sign an agreement between the County of Galveston and Hitchcock ISD to provide election services for their May 2015 election* submitted by the County Clerk.
- *34. Consideration of *authorization for the County Judge to sign an agreement between the County of Galveston and the City of Clear Lake Shores to provide election services for their May 2015 election* submitted by the County Clerk.
- *35. Consideration of *authorization for the County Judge to sign an agreement between the County of Galveston and the City of La Marque to provide election services for their May 2015 election* submitted by the County Clerk.
- *36. Consideration of *authorization for the County Judge to sign an agreement between the County of Galveston and the City of Bayou Vista to provide election services for their May 2015 election* submitted by the County Clerk.
- *37. Consideration of *Request for Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor Collector:

a.

R107801	\$2,685.34	Duplicate Payment
R112348	\$7,026.47	Duplicate Payment
R113533	\$3,277.31	Duplicate Payment
R118866	\$2,847.79	Duplicate Payment
R120855	\$4,111.80	Duplicate Payment
R120923	\$4,364.02	Duplicate Payment
R122358	\$7,468.69	Duplicate Payment
R126821	\$3,483.84	Duplicate Payment
R142383	\$3,730.77	Duplicate Payment
R143683	\$5,471.78	Duplicate Payment
R147583	\$10,964.24	Duplicate Payment
R167021	\$3,896.71	Duplicate Payment
R178795	\$4,056.54	Duplicate Payment
R180348	\$3,102.86	Duplicate Payment
R186401	\$3,884.01	Duplicate Payment

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

a.

R163542	\$3,299.84	SUPP Adjustment
R401491	\$4,550.78	SUPP Adjustment

R412069 \$2,584.24 SUPP Adjustment
R412069 \$2,573.30 SUPP Adjustment
R429965 \$4,980.55 SUPP Adjustment
R432591 \$3,082.14 SUPP Adjustment

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

- a. **R162112** \$25,160.00 Over Payment
R519233 \$3,184.08 Duplicate Payment

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

- a.
R110767 Mitchell, Janet 2013 \$10.67
R104730 Sanders, Albert 2013 \$131.52

*41. 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.
R603125 Ender, Bradley 2013 \$75.79
R603124 Ender, Bradley 2013 \$1,647.77

*42. Ratification of *appointment of Joe Giusti to the Tax Increment Reinvestment Zone (TIRZ) No. 4 (West Oak) League City* submitted by Commissioner Precinct 2.

Action Agenda

43. County Legal

- a. Consideration of entering into an engagement letter retaining outside counsel, Minces PLLC to assist Galveston County in the legal defense of Galveston County in Cause No. 3:14-CV-00406 Raymond Benoist vs. Galveston County & Henry Trochesset.
- b. **Break into Executive Session.**
- c. **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 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 real property in the vicinity of Rollover Pass.

- d. **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 the County's property interests in Lots 5, 6, 7, 8, and 9 of Block 22 of the City and County of Galveston, Texas, together with the adjoining streets and alleyways.
 - e. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: rendering legal advice 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 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.
 - 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, 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-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.
 - g. **Reconvene into Regularly Scheduled Session.**
 - h. Consideration of authorizing County Legal to discuss the County's property interests in Lots 5, 6, 7, 8, and 9 of Block 22 of the City and County of Galveston, Texas, together with the adjoining streets and alleyways, with the Moody Foundation, including the disclosure of privileged information.
44. **Parks & Senior Services**
- a. Consideration of approval of facility permit policy changes:
 - 1. Addition of new facility to the permitting policy - Justice Assembly Room at the Justice Administration Building and associated fees.
 - 2. Revision to the photography policy to include filming and photography in County Parks with associated fees.

45. **Professional Services**

- a. Consideration of authorization approving contract with City of Dickinson to provide Emergency Medical Services to unincorporated areas of county adjacent to Dickinson submitted by Director of Contract Services.
- b. Consideration of approval of the following Budget Amendments:
 1. 15-042-0203-A
Justice Administration - Request transferring Supplies, Travel/Education, and Membership/Dues from Justice Administration to various court departments and accounts in the General Fund.
 2. 15-043-0203-B
Justice Administration - Request transferring funds from General Fund Reserves for the Second Administrative Judicial Region account.
 3. 15-044-0203-C
Road & Bridge Administration - Request transferring funds from Road & Bridge Fund Reserves for cellular phone for CSR on Bolivar Peninsula.
 4. 15-045-0203-D
Justice of the Peace #3 - Request transferring funds from General Fund Reserves for two positions changing pay grades, titles, and increasing salaries and benefits for two positions in Justice of the Peace #3.
 5. 15-046-0203-E
Justice of the Peace #2 - Request transferring funds from General Fund Reserves to increase the paygrade, title change and salary increase for a Deputy Clerk in Justice of the Peace #2.
 6. 15-047-0203-F
Professional Services - Request transferring funds from Child Welfare Fund Reserves for the Galveston County Protective Services PA/PNP Contract.

Adjourn

WORKSHOP AGENDA

1. Discussion/update of the Galveston County Economic Alliance work on the Galveston County Economic Development project submitted by the County Judge.

2. Refunding Presentation on taxable to tax exempt conversion structure submitted by the Chief Financial Officer
3. Presentation of restructuring County Fleet Program submitted by Fleet Director
4. Discussion of the rodeo arena at Jack Brooks Park submitted by the Parks Department.
5. Discussion of Justice Administration reorganization submitted by the County Judge.
6. Discussion regarding Galveston County floodplain regulations submitted by Commissioner, Precinct 1.

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.
