



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 July 7, 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 6/30/15 and 7/7/15
 - b. Order for Payroll period ending 7/1/15 Bi-Weekly #14
 - c. Order for Supplemental Payroll period ending 7/1/15 Bi-Weekly #14
 - d. Reappointment and Oath of Office for the County Auditor
 - e. Release of check to Appraisal & Collection Technologies
 - f. Indemnification Request for County Clerk's Office
 - g. Internal Audit report on the San Luis Toll Booth Review with response letter from Facilities Director, Mike Bell dated June 22, 2015
 - h. Internal audit report on Internal Lockbox Review with response letter from Galveston County Tax Assessor-Collector, Honorable Cheryl E. Johnson dated June 16, 2015

- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #13, June 4-17, 2015* submitted by Human Resources.
- *3. Consideration of a *Resolution honoring the retirement of Judith Ahlhorn from the Dickinson Independent School District* submitted by Juvenile Justice.
- *4. Consideration of a *Resolution Recognizing July as Parks and Recreation Month* submitted by Parks and Cultural Services.
- *5. 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.
- *6. Receive and file *Distinguished Service Award to the Galveston County Historical Commission for outstanding preservation work accomplished in the 2014 year of service* submitted by the County Judge.
- *7. Consideration of approval for *consulting services agreement for Odyssey Project with Eddy C Gorman* submitted by Information Technology.
- *8. Consideration of *approval for Comcast Network Upgrade with Comcast of Houston LLC* submitted by Information Technology.
- *9. Receive and file *Declaration of Local State of Disaster for Galveston County due to threat to the seafood industry issued by the County Judge on June 26, 2015*, submitted by the Galveston County Office of Emergency Management.
- *10. Receive and file *final settlement for claimant Charlotte Lynn Hardy for recovery of worker's compensation lien in the amount of \$38, 852.64* submitted by County Legal.
- *11. Consideration for *authorization to issue a formal solicitation for the following bids* submitted by the Purchasing Agent:
 - a. Bayview MUD Water Plant and Wastewater Plant Generators
 - b. CDBG Round 2 Real Property Sales - July 2015
- *12. Consideration for *authorization to extend the contract on the following RFP* submitted by the Purchasing Agent:
 - a. RFP #B122025 Travel Management Services
- *13. Consideration of *approval to close grant and release remaining funds from the FY 2013 Urban Area Security Initiative Maintenance & Administration (UASI M&A) and authorize County Judge to sign required documents* submitted by the Grants Manager.

*14. Consideration of *approval of the Interlocal Government Agreement Between the County of Galveston, The City of Texas City and the City of Galveston regarding the 2015 Bryne Justice Assistance Grant (JAG) Program Award and authorize County Judge to sign agreement* submitted by the Grants Manager.

*15. Consideration of *approval of letter to the Secretary of State's Office regarding House Bill 2027* submitted by Commissioner, Precinct 4.

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

a. **R105006** \$3,773.20 Duplicate Payment
 R115022 \$2,672.18 Over Payment

*17. 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. R225711 Geswender, Christian & Ann 2014 \$48.14

*18. 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. **R193637** Barwell, Betty 2014 \$102.63
 1268130020013 Santos, Raelyn & Viscariello, A 2012-2013 \$446.40

*19. 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. **R207296** DeGaugh, Annie 2014 \$159.14
 R177471 Wing, George & Jackie 2014 \$6.35
 R302586 Barracuda Vacation Rentals 2014 \$791.29
 R416545 Vasta, Brenton D. & Susanne 2014 \$128.31
 R605946 Dickerson, Russell 2014 \$85.57
 R605928 Girouard, Melissa 2014 \$45.86
 R186907 Sidenstricker, Ted 2014 \$24.64
 N20407954 Ludwig, Howard 2008 \$133.21
 N20407954 Ludwig, Howard 2012-14 \$95.95
 1301440010008 Emmons, Gregory & Jill 2012 \$383.55

*20. Consideration of *approval of Proposed Interlocal Tax Collection Agreements with Dickinson ISD* submitted by the Tax Assessor/Collector.

- *21. Consideration of *approval of Proposed Interlocal Tax Collection Agreements with Galveston ISD* submitted by the Tax Assessor/Collector.
- *22. Consideration of *approval of Proposed Interlocal Tax Collection Agreements with the City of Friendswood* submitted by the Tax Assessor/Collector.
- *23. Consideration of *approval of Proposed Interlocal Tax Collection Agreements with Galveston County WCID # 1* submitted by the Tax Assessor/Collector.
- *24. Consideration of *approval of contract renewal with Vigilant Video to continue access to private license plate reader data through the Law Enforcement Archival Reporting Network (LEARN)* submitted by the Sheriff's office.
- *25. Consideration of *approval for the solicitation of an auction for the sale of the following property* submitted by the Housing Department:
 - a. 2609 8th Ave N Texas City: Lots Two (2), Three (3), and Four (4), in Block Four (4) of TEXAS CITY HEGHTS SUBDIVISION NO. 1, a subdivision in Galveston County, Texas , according to the map or plat thereof as recorded in Volume 215, Page 416, of the Deed/Map Records in the Office of the County Clerk of Galveston County, Texas
- *26. Consideration of *approval of agreement for Crystal Beach Fueling Station with J.W. Kelso Company, Inc.* submitted by the County Architect.

Action Agenda

27. **County Architect**

- a. Consideration of acceptance of an Agreement with Bury, Inc. to provide Mechanical, Electrical, and Plumbing engineering services to design renovations to 823 Grand Ave. Bacliff for use as a Law Enforcement building.

28. **County Judge**

- a. Consideration of approval of appointment of C. B. "Bix" Rathburn as the Director of Economic Development.
- b. Consideration of granting authority to the County Judge to sign Resale Deeds on the following tax foreclosed properties:
 - 1. **CAD#: 6240-0070-0007-000**
 - 2. **CAD#'s: 1100-0013-0007-000 & 1100-0013-0009-000** (Combined Bid)

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

- 1. **CAD#:0179-0005-0000-000**

29. **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, 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 DJ # 204-74-343, The United States of America and Galveston County, Texas under the Americans with Disabilities Act.
- 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, 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 a property claim by JaMarques D. Lundy.
- 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, 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-0031, Triple B Services, LLP v. Galveston County in the 122nd Judicial District Court.
- 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, 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.

- 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 15-CV-0583, The Hon. Lonnie Cox V. The Hon. Mark Henry, County Judge of Galveston County in the 405th Judicial District Court.
- g. **Executive Session:** Texas Government Code Section 551.072, Deliberations about Real Property: 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 551.072 of the Government Code, to deliberate the purchase, exchange, lease, or value of real property located in the North County for construction of a County building to house administrative, branch, and/or satellite offices of county or district officials because deliberation in an open meeting would have a detrimental effect on the position of the County in negotiations with a third person.
- 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 inmate medical service issues.
- i. **Reconvene Into Regularly Scheduled Meeting.**
- j. Consideration of settlement of property claim damages for Claimant JaMarques D. Lundy in the amount of \$3,500.00.
- k. Consideration of authorizing retention of commercial real estate broker for professional services in the purchase, exchange, lease, or value of real property.

30. **Professional Services**

- a. Consideration of approval of the following Budget Amendments:

1. 15-109-0707-A
Parks & Cultural Services/Senior Services - Request budget transfer from Heavy Equipment account to Travel & Education account for emergency trips/contingency plans for transportation enrichment programs
 2. 15-110-0707-B
Child Welfare - Request to budget donation for Child Welfare
 3. 15-111-0707-C
Engineering - Request transfer from General Fund Budgeted Reserves for salary increase and change in pay grade in Engineering for new County Engineer
 4. 15-112-0707-D
Facilities Services - Request transfer from General Fund Budgeted Reserves for temporary Carpenter and temporary General Laborer positions in Facilities Services and associated expenses related to repairs
 5. 15-113-0707-E
Treasurer - Request transfer from General Fund Budgeted Reserves for overtime in the Treasurer's Office
 6. 15-114-0707-F
Flood Control - Request transfer from Flood Control Fund Budgeted Reserves for overtime in Seawall Maintenance
 7. 15-115-0707-G
Information Technology - Request transfer from General Fund Budgeted Reserves for summer intern in Information Technology
 8. 15-116-0707-H
Beach Sticker Fund - Request transfer from Repairs and Maintenance to Supplies in the Beach Sticker Fund for the purchase of additional beach parking stickers for the rest of the FY
 9. 15-117-0707-I
Debt Service - Request transfer of balance of cash from retired debt service fund to an active debt service fund
 10. 15-118-0707-J
County Architect - Request transfer of funds from Mid-County Annex to fund renovations at 823 Grand, Bacliff, TX
- b. Consideration of authorizing County Judge to execute an Agreement between the County of Galveston and the City of Galveston to House City Inmates in the-

Galveston County Jail.

31. **Purchasing**

- a. Consideration to award the properties associated with the following bid:
 1. Bid #B151021 CDBG Round 2-Real Property Sales-May 2015
- b. Consideration of authorization of the following:
 1. RFP #B152010 Financial Assistance Program for Galveston County
 2. Bid #B151020 Galveston County Lawrence Road Area Streets Improvements
 3. RFP #B151018 Crystal Beach Fueling Station

Adjourn

WORKSHOP AGENDA

1. Discussion of proposed settlement with Department of Justice.
2. Discussion: Public Health Lab presented by Galveston County Health District
3. Discussion of Gulf Freeway gateway signage submitted by Commissioner, Precinct 1.
4. SharePoint Upgrade/ADA Compliance discussion submitted by Information Technology.
5. Discussion: HR Annual Update
6. Budget Workshop discussion

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.
