



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 June 9, 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 6/2/15 and 6/9/15
 - b. Order for Payroll period ending 6/3/15 Bi-Weekly #12
 - c. Order for Supplemental Payroll period ending 6/3/15 Bi-Weekly #12
 - d. Quarterly Audit Report for Constable 3 - Galveston for period January - March 2015

- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #11, May 7-20, 2015* submitted by Human Resources.

- *3. Receive and file *Appointment & Oath of Office for Deputy Constable* submitted by Human Resources on behalf of Constable, Precinct 1.

- *4. Consideration of a *resolution honoring retirement of County Engineer Mike Fitzgerald* submitted by the County Judge.

- *5. Consideration of a *resolution recognizing Artist Ted T. Ellis* submitted by Commissioner, Precinct 4.
- *6. Consideration of *recognizing Julie Van Horsten for voluntarily gracing Galveston County with a mural at the employee walking track to encourage employee wellness* submitted by the County Judge.
- *7. Consideration of a *resolution concerning Coastal Storm Surge Protection* submitted by Commissioner, Precinct 4.
- *8. Consideration of a *resolution supporting the actions of Keep Bolivar Beautiful* submitted by Commissioner, Precinct 1.
- *9. Consideration of *approval of reappointments to the Children Services Board* submitted by Commissioner, Precinct 1 and Precinct 3.
- *10. Receive and file *Letter Recognizing Donation from DeMontrond to the Children's Service Board* submitted by the Director of Contract Services.
- *11. Consideration of *acceptance of contract amendment to the Intergovernmental Cooperative Reimbursement Agreement between the Texas Commission on Environmental Quality and Galveston County* and authorize County Judge to sign required documents submitted by the Grants Manager.
- *12. Consideration of setting a *Public Hearing for June 23, 2015 on the submission of an application to the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant Program* submitted by the Grants Manager.
- *13. Consideration of *approval of the subdivision plat entitled Seagrass Beach* submitted by County Engineer.
- *14. Consideration of *approval for Drew Watkins and Kristen Watkins to convey portions of that certain 18.519 acres out of the Joseph Dunman 1/3 League, Abstract 52 on the Bolivar Peninsula by metes and bounds without revising the plat* submitted by the County Engineer.
- *15. Consideration of *approval for George Scruggs and Valinda Scruggs to convey portions of Lot 16 out of Hogans Landing on the Bolivar Peninsula by metes and bounds without revising the plat* submitted by the County Engineer.
- *16. Consideration for *authorization to cancel and re-bid the following bid* submitted by the Purchasing Agent:
 - a. Bid #B142010 Altosid Pellets (IGR)

- *17. Consideration for *authorization to extend the contracts on the following bids* submitted by the Purchasing Agent:
 - a. Bid #B142012 Road Signs & Material
 - b. Bid #B142019 HVAC Supplies & Equipment
 - c. Bid #B142004A Portable Toilet Service Galveston & Mainland
 - d. Bid #B152011A Portable Toilet Service - Port Bolivar Peninsula
 - e. Bid #B142006 Trap Rock

- *18. Consideration for *authorization to re-bid the following bids* submitted by the Purchasing Agent:
 - a. Bid #B122028 Vehicle Repairs
 - b. Bid #B122030 Vehicle Collision & Body Repairs

- *19. Consideration for *authorization to issue a formal solicitation for the following bids* submitted by the Purchasing Agent:
 - a. Playground Equipment for Jack Brooks Park
 - b. Indexing Project Services for County Clerk

- *20. Consideration for *authorization to dispose of Salvage and/or Surplus Property* submitted by the Purchasing Agent.

- *21. Consideration of *approval for yearly subscription for Broadband Global Area Network Service with Gardline Communications Inc.* submitted by Information Technology.

- *22. Consideration of *approval for yearly subscription for Iridium Satellite Phone and Satellite Air time Usage with Gardline Communications Inc.* submitted by Information Technology.

- *23. Consideration of *approval for Solarwinds Annual Software Maintenance Renewal with Tech Depot* submitted by Information Technology.

- *24. Consideration of *settlement of property claim damages for Claimant JaMarques D. Lundy in the amount of \$3,500.00* submitted by County Legal.

- *25. Consideration of *approval for the extension of contract, with the CDBG Round 2 non-rental builders, contract # 72120014* submitted by Housing:

- a. Tegrity TH 1, LLC dba Tegrity Homes
- b. Ilcor Homes, Inc.
- c. Sullivan Land Services, Ltd.
- d. American Homestar Corporation
- e. James W. Turner Construction, Ltd.
- f. DSW Homes, LLC.

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

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

- a. **R174185** Turner, Jo Ann 2011-2014 \$103.82 (Refund)
R174185 Turner, Jo Ann 2011-2014 \$63.10 (Waiver)

*28. 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. **P511289** Magnifique Perfumes 2014 \$396.63

*29. 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. **P507580** A-1 Fire and Equipment 2014 \$884.14
R437029 Bhagia, Vasdev & Veena 2014 \$308.20
R120799 Bhagia, Vasdev & Veena 2014 \$313.71
R221854 Cason, Gregory & Jonica 2014 \$127.28
R297154 E & K Properties 2011-2014 \$863.56
1280880030043 Fossati, Jason & Courtney 2014 \$412.95
R524030 Hurd, Terry & Leslie 2014 \$11.27
R298041 J.L Watts Company 2014 \$219.36
R522825 Lewis, Mary 2014 \$32.51
R196132 Rivera, Robert & Melissa 2014 \$690.85

R164494

Trainer, Norman G

2014

\$89.74

Action Agenda

30. County Engineer

- a. Consideration of amendment No. 2 to the Binkley Barfield Professional Engineering Services contract for the FM 646 widening project in Santa Fe.

31. 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 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.
- 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 DJ # 204-74-343, The United States of America and Galveston County, Texas under the Americans with Disabilities Act.
- 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 Civil Action No. 01-14-00820-CV; In re Galveston County Judge Mark Henry et al, in Their Official Capacities, in the First Court of Appeals, Houston.

- 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 application by county and district court judges for authority to appoint administrative employees.
- 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-0031, Triple B Services, LLP v. Galveston County in the 122nd 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, 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 obligations and official duties and functions of and by the Galveston County Medical Examiner's Office.
- h. **Reconvene Into Regularly Scheduled Meeting.**
- i. Consideration of 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.
- j. Consideration of application by county and district court judges for authority to appoint administrative employees.

32. **Human Resources**

- a. Consideration of approving exemption to the 4 pay period mandatory vacancy policy for Disaster Recovery and Data Center Coordinator (Psn #28) submitted by Human Resources on behalf of Information Technology.

- b. Consideration of approving out of policy Request for Appointment for Disaster Recovery & Data Center Coordinator (#28) – submitted by Human Resources on behalf of Information Technology.

33. **Professional Services**

- a. Consideration of approval of the following Budget Amendments:
 - 1. 15-099-0609-A
District Clerk - Request budget transfer from Office Supply account to Travel & Education account for CPA continuing education.
 - 2. 15-100-0609-B
Emergency Management - Request budget transfer from Heavy Equipment account to Travel & Education account for emergency trips/contingency plans for transportation enrichment programs.
 - 3. 15-101-0609-C
Flood Control Engineering - Request transfer from Flood Control Budgeted Reserves to contract services for surveying services for Avenue M.
 - 4. 15-102-0609-D
Justice Administration - Request transferring funds from Mediation Services Program Fund Reserves for Mediation Services.
 - 5. 15-103-0609-E
Facilities Management - Request transfer of Deputy - Special Projects from Facilities Management to Sheriff's Department - Corrections.
 - 6. 15-104-0609-F
Texas A&M AgriLife Extension - Request budget transfer from Office Supply account to Maintenance/Repairs account for repair to lawn mower.
 - 7. 15-105-0609-G
County Judge - Request budget transfer from Travel & Education account to Supplies and Materials & Meeting Expense accounts.
 - 8. 15-106-0609-H
County Architect - Request Emergency Management Fund budgeted reserves to be transferred to Disaster Recovery - Ike fund for additional funding for Crystal Beach Fueling Station.
- b. Consideration of an Order granting various residence homestead exemptions from the 2015 Tax Levy pursuant to the provisions of V.T.C.A. Tax Code §11.13 and §11.131.

- c. Consideration of an Order authorizing the split payment of 2015 ad-valorem taxes pursuant to the provisions of V.T.C.A Tax Code §31.03.

34. **Purchasing**

- a. Consideration of authorization of the following:
 - 1. **RFP #B151018** Crystal Beach Fueling Station
 - 2. **Bid #B151001** 2 Wheel Drive Sport Utility Vehicle - Marked
 - 3. **Bid #B151003** 2 Wheel Drive Sport Utility Vehicle - Unmarked

35. **Tax Assessor-Collector**

- a. Request for Waiver or Refund of Penalty and Interest by the Property Owner:
 - 1.

R153716	Ronan, George & Claudette	2014	\$526.88
R144682	Ronan, George & Claudette	2014	\$334.79
R165156	Ronan, George & Claudette	2014	\$234.23
P513355	Ronan, George & Claudette	2014	\$56.51

Adjourn

WORKSHOP AGENDA

- 1. Update on the FM 646 project in Santa Fe submitted by the County Engineer.
- 2. Discussion: HR Annual Update.

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.
