



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

March 15, 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 3/8/16 and 3/15/16
 - b. Order for Payroll period ending 3/9/16 Bi-Weekly #6
 - c. Order for Supplemental Payroll period ending 3/9/16 Bi-Weekly #6
 - d. Certification of funds for fund 1101 General Fund and 23010 Road and Bridge Fund
 - e. Certification of funds for fund 2303 FM/Lateral Road/Road, Bridges & ROW Fund
 - f. Internal Audit Report of the Galveston County Collection Improvement Program for period covered 8/1 - 12/10/15 with response letters from Mr. Darren Bertin, dated 3/4/16 and Honorable Jim Schweitzer, dated 2/23/16
 - g. Receive and file the approval of early check release for Accounts Payable Check dated 3/10/16

- *2. Receive and file *Refund Check List from Odyssey* submitted by the District Clerk.

- *3. Receive and file *Summary of Biweekly Personnel Movements pay period #5, February 11-24, 2016* submitted by Human Resources.
- *4. Consideration of *approval of a resolution honoring the life of Mr. James A. "Jimmy" Hayley* submitted by the County Judge.
- *5. Consideration of a *resolution honoring the retirement of Deputy Stacy Killgore* submitted by the Sheriff's Office.
- *6. Consideration of *approval of a resolution honoring the retirement of Robert Cloud from the Galveston County Community Supervision and Corrections Department* submitted by County Legal.
- *7. Consideration of *approval of (re) appointments for the United Board of Health* submitted by the County Judge.
- *8. Receive and file *fully executed Tender Agreement between Galveston County, Texas Bonding Company, and Byrdson Services L.L.C. d/b/a Excello Homes for property at 631 Clear Lake Road and associated correspondence* submitted by County Legal.
- *9. Consideration of *authorization to close the boat ramp at Walter Hall Park on Monday, May 2, 2016 thru Monday, May 9, 2016 for the "Village Fair" event with a 30-day advance notice posted* submitted by the Parks & Cultural Services Department.
- *10. Consideration of *approval of granting a fee reduction for the Dickinson Optimist Club's use of Paul Hopkins Park for the free "Little Buddy Fishing Tournament" on Saturday, June 25, 2016*, submitted by the Parks & Cultural Services Department.
- *11. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for the Mark Kilroy Foundation for use of the Runge Community Center for the S.A.F.E. Summer Program in June 2016 & 2017*, presented by the Parks & Cultural Services Department.
- *12. Consideration of *approval for annual subscription renewal of Auto cad with SHI Government Solutions* submitted by Information Technology on behalf of County Engineer's Office.
- *13. Consideration of *approval for Annual Software Renewal for Crimentel for Sheriff's Office with CI Technologies* submitted by Information Technology.
- *14. Consideration of *approval for Installation of 32 Network drops for the county jail for the Core EMR project (medical) with Texas Teledata* submitted by Information Technology.

- *15. Consideration of *approval for Citrix License Purchase for virtual desktop environment with SCW* submitted by Information Technology.
- *16. Consideration of *approval for Citrix-Antivirus protection with ESET North America* submitted by Information Technology.
- *17. Consideration of *approval for Netbackup Maintenance Renewal 2016 with Veritas Technology, LLC* submitted by Information Technology.
- *18. Consideration of *approval for ESRI-Mapping and & Drawing software for County Engineering Office with Environmental Systems Research Institute, Inc.* submitted by Information Technology on behalf of the county Engineer's office.
- *19. Consideration of *approval for Statement of work for Onbase Upgrade with Databank* submitted by Information Technology.
- *20. Consideration of *approval of an agreement with Schneider Electric for programming of jail door system* submitted by the Sheriff's Office.
- *21. Consideration of *approval of the Pro Rata Tobacco Settlement Distribution County Expenditure Statement – 2016 and authorizing the County Judge to sign the County Expenditure Statement* submitted by the Chief Financial Officer.
- *22. Consideration of *approval of an Interlocal Agreement for Emergency Medical Response Services in Unincorporated Portions of Galveston County Adjacent to the City of Dickinson and authorizing the Judge to sign* submitted by the Chief Financial Officer.
- *23. Consideration of *approval of Grant Adjustment Notice regarding Galveston County's Time Extension Request for the FY 2014 State Homeland Security Program Grant Award from the Texas Department of Public Safety and authorize County Judge to sign* as submitted by the Grants Manager.
- *24. Receive and file *Denial of Alternate Project Request for FEMA Project Worksheets #7132, #4425 & #4034* as submitted by the Grants Manager.
- *25. Consideration for *authorization to extend the contract on the following RFQ* submitted by the Purchasing Agent:
 - a. RFQ #B132005 Auditing and Related Services (previously approved on 07/21/2015 correct engagement letter attached).
- *26. Consideration for *authorization for Discretionary Exemptions for San Leon Water Tower Mezzanine Addition* submitted by the Purchasing Agent.

- *27. Consideration for *authorization to utilize State of Texas Cooperative Purchasing Program to purchase one (1) replacement vehicle for Auto Crimes Task Force* submitted by the Purchasing Agent.
- *28. Consideration for *authorization to approve an Inter-local Agreement between Galveston County and the Port of Galveston* submitted by the Purchasing Agent.
- *29. Consideration for *authorization to cancel and re-bid the following Bid* submitted by the Purchasing Agent:
 - a. Bid #B161007 CDBG Round 2 Real Property Sales - December 2015
- *30. Consideration for *authorization to rebid the following RFPs* submitted by the Purchasing Agent:
 - a. RFP #B112005 Food Services for Juvenile Justice
 - b. RFP #B112018 Janitorial Services for Galveston County
- *31. Consideration for *authorization to terminate the contract for RFP #B152006 Laser Printing of County Tax Statements and for authorization to issue another solicitation for these services* submitted by the Purchasing Agent.
- *32. Consideration of *authorization of the abatement of twelve (12) Public Nuisances* submitted by Nuisance Abatement Officer:
 - a. 4715 Orange St. - Bacliff
 - b. 4021 Pickfair - Bacliff
 - c. 4118 Schwartz - Bacliff
 - d. 731 5th St. - San Leon
 - e. 731 12th St. - San Leon
 - f. 2375 East FM517 - San Leon
 - g. 2413 Ave D - Dickinson
 - h. 1205 27th St. - Port Bolivar
 - i. 1521 Quarles Ave - Port Bolivar
 - j. 1331 Trinidad Ln - Port Bolivar

- k. 1103 Nelson Lane - Crystal Beach
- l. 2317 Old Mexico Rd - High Island
- *33. Consideration of *approval of application from David P. Hoelzer, of Gulf Coast RV Resort LP., President of Hoelzer Management Company, LLC, it's General Partner for a partial replat of Coconut Grove subdivision* submitted by the County Engineer.
- *34. Consideration of *approval of application from Paul Pierre and Anthony Iannone for a partial replat of Map of Nicholston subdivision* submitted by the County Engineer.
- *35. Consideration of *approval of replat of Blue Water Addition No. 2 subdivision* submitted by the County Engineer.
- *36. Consideration of *approval of replat of The Palms subdivision* submitted by the County Engineer.
- *37. Consideration of *approval of replat of Bird's Gulf Addition to Caplen subdivision* submitted by the County Engineer.
- *38. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:
 - a. **R157411** Brightwell, Dan 2014 \$144.99 Refund
- *39. Consideration of *Request of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:
 - a.

P368679	\$186,127.62	Over Pay
P391808	\$688,542.38	Over Pay
P502996	\$5,633.51	Over Pay
R101302	\$5,736.66	Duplicate
R107355	\$2,647.30	Duplicate
R112739	\$2,602.99	Duplicate
R113233	\$4,866.34	Duplicate
R118848	\$3,258.15	Duplicate
R119369	\$2,818.57	Duplicate
R120347	\$2,743.59	Over Pay
R120858	\$4,737.03	Duplicate
R121576	\$3,336.91	Over Pay
R122262	\$6,767.07	Duplicate
R122442	\$17,008.25	Duplicate
R125771	\$7,433.99	Duplicate
R127347	\$3,898.77	Duplicate
R132313	\$2,627.84	Duplicate
R142196	\$3,301.21	Duplicate

	R144521	\$10,006.90	Duplicate
	R156019	\$5,950.66	Duplicate
	R162338	\$7,154.40	Duplicate
b.	R183957	\$8,287.65	Duplicate
	R191670	\$3,944.81	Duplicate
	R213800	\$3,926.01	Over Pay
	R214204	\$9,804.83	Duplicate
	R218310	\$4,428.68	Duplicate
	R219642	\$7,396.55	Duplicate
	R222056	\$7,902.59	Over Pay
	R222259	\$6,802.56	Over Pay
	R296481	\$4,691.52	Duplicate
	R299139	\$5,098.94	Duplicate
	R376170	\$4,786.25	Over Pay
	R380600	\$2,938.70	Duplicate
	R393075	\$8,139.66	Duplicate
	R393352	\$30,450.37	Duplicate
	R417674	\$3,944.29	Over Pay
	R421490	\$3,480.33	Over Pay
	R421772	\$3,682.09	Duplicate
	R421901	\$2,809.46	Duplicate
	R434050	\$2,611.81	Over Pay
	R439796	\$3,368.84	Over Pay
	R505854	\$3,323.89	Duplicate
	R505854	\$3,323.89	Duplicate
	R506118	\$3,762.29	Duplicate
	R507475	\$5,835.48	Duplicate
	R510265	\$7,796.16	Duplicate
	R512397	\$5,679.29	Duplicate
	R518592	\$9,717.45	Duplicate
	R523874	\$4,161.04	Duplicate
	R601965	\$2,976.55	Duplicate
	R603721	\$4,846.78	Duplicate
	R606857	\$2,642.74	Over Pay
c.	R126142	\$3,766.84	SUPP Adjustment

*40. Consideration of *granting authority to County Judge to sign the resolution giving governmental approval for the aerial spraying for the abatement of mosquitoes within the regulations and constraints of The Federal Aviation Administration, The Environmental Protection Agency, and other authoritative federal and state agencies* submitted by the County Judge.

*41. Consideration of *granting authority to County Judge to sign Trustee's Deed on the following tax foreclosed property* submitted by the County Judge:

- a. **CAD#: 2902-0000-0013-003**

Action Agenda

42. **County Architect**

- a. Consideration of approval of a Change Order 01 to agreement CM15197 between Galveston County and DSW Homes, LLC on the Renovation for Sheriff and Constable Offices 823 Grand Ave Bacliff, Texas (initially approved on 9-1-15)

43. **County Engineer**

- a. Consideration of change order no. 4 to the J.W. Kelso Company, Inc. construction contract for the Lee & Joe Jamail Bay Park project.

44. **Parks & Senior Services**

- a. Consideration of approval to enter into an Interlocal Agreement with the Galveston Parks Board of Trustees in regards to management of Beach Pocket Parks 1 and 2 submitted by the Parks & Cultural Services Department.
- b. Consideration of approval to execute a specialty area user group contract/agreement with the Texas Cloud Busters for use of the Kitty Hawk Model Plane Flying Field at Jack Brooks Park, submitted by the Parks & Cultural Services Department.

45. **Professional Services**

- a. Consideration of approval of the following budget amendments:
 - 1. 16-075-0315-A
Beach and Parks Fund - Request transfer from Beach and Parks Fund Vehicles account to Vehicle Make Ready account for four (4) light packages associated with the UTVs for beach safety patrol
 - 2. 16-076-0315-B
Information Technology - Request re-allocation of Maintenance of Software account in Information Technology for additional Engineering licenses and upgrades
 - 3. 16-077-0315-C
Juvenile Justice Fund - Request transfer from Juvenile Justice Budget Reserves for additional mattresses for FY 2016

4. 16-078-0315-D
District Clerk Records Management - Request transfer from District Clerk Records Management Budget Reserves for purchase of binders and archival folders to preserve and protect records
5. 16-079-0315-E
Sheriff's Department - Request transfer from General Fund Budgeted Reserves for one (1) additional Sheriff position associated with the Texas City ISD School Liaison Program
6. 16-080-0315-F
Information Technology/Emergency Management - Request transfer from General Fund Budgeted Reserves to replace three (3) computers for Emergency Management

46. **Purchasing**

- a. Consideration for authorization of the following:
 1. RFP #B162001 Automotive Parts & Supplies

47. **Sheriff**

- a. Consideration of authorizing of authorizing Amendment 2015-01 to the 2015 Interlocal Governmental Agreement for School Liaison Officer Program between Texas City Independent School District and Galveston County submitted by County Legal on behalf of the Sheriff's Office.

48. **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 3:14-CV-00186, Tomasa Duran v. Galveston County, 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 Texas City Hurricane Flood Protection Levee-Floodgate.

- 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 claims on bonds in the County's Severe Repetitive Loss Elevation Program.
- 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 Cause No. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court of Texas.
- 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 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.
- h. **Reconvene Into Regularly Scheduled Meeting.**

- i. Consideration of approval of agreements in each of the thirteen homes in the Severe Repetitive Loss Elevation Program for which Expert House Movers served as the Elevation Contractor and in which claims on performance bonds have been made to complete each project and authorizing the County Judge to execute each agreement; such projects are at: 20 Edgewater Street, Hitchcock; 53 Lakeside Drive, Hitchcock; 58 Lakeside Drive, Hitchcock; 79 Bayou Vista Drive, Hitchcock; 320 Empress Lane, League City; 616 Bel Road, Kemah; 631 Clear Lake Road, Clear Lake Shores; 1010 Rosewood Drive, Dickinson; 1629 Dick Bay Drive, San Leon; 1653 Dick Bay Drive, San Leon; 7026 Terrasso Drive, Hitchcock; and 16511 Jamaica Beach Road, Jamaica Beach.

Adjourn

WORKSHOP AGENDA

1. Discussion on change to the DOT minimum random drug testing rate submitted by Human Resources.

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.
