



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 17, 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 3/10/15 and 3/17/15
 - b. Order for Payroll period ending 3/11/15 Bi-Weekly #6
 - c. Order for Supplemental Payroll period ending 3/11/15 Bi-Weekly #6
- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #5, February 12-25, 2015* submitted by Human Resources.
- *3. Consideration of a *Resolution honoring the retirement of John Sanchez, Jr. from the Galveston County Auditor's Department* submitted by County Legal.
- *4. Consideration of a *Resolution honoring the retirement of Ron Chapa from the Galveston County Auditor's Department* submitted by County Legal.
- *5. 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.

- *6. Receive and file *Letter to Lieutenant Governor David Dewhurst requesting exemption from mandate regarding Prostitution Prevention Program* submitted by the County Judge.
- *7. Receive and file *executed Amendment #3 between Galveston County and the General Land Office* submitted by the Housing Department.
- *8. Consideration of *approval of the FY2015 Tobacco Settlement Report and authorizing the County Judge to sign the County Expenditure Statement* submitted by Director of Contract Services.
- *9. Consideration of *approval of change to requirements for Gym Membership Reimbursement (The current requirement: Employee must work out at least three (3) times per week, at least three (3) weeks a month. Proposed requirement: Employee must work out at least nine (9) times per calendar month)* submitted by Human Resources.
- *10. Consideration of *authorization for the County Judge to sign Grant Adjustment Notice regarding a No-Cost Time Extension for the FY 2013 Urban Areas Security Initiative Grant from the Texas Department of Public Safety* submitted by the Grants Manager.
- *11. Consideration of *authorization of acceptance of donation of \$1000.00 to the Galveston County Local Emergency Planning Committee (LEPC)* submitted by the Interim Emergency Management Coordinator.
- *12. Consideration of *approval of granting a recurring use fee reduction (Facility Permitting Policy, Section 5.1.6) for the Covenant House COGIC for use of the Pioneer House at Carbide Park for Sunday church service from 8:15 am - 11:15 am through September 30, 2015* submitted by the Parks & Cultural Services Department.
- *13. Consideration of *approval of a Code of Conduct policy for individuals that participate at Galveston County Community Centers* submitted by the Parks & Cultural Services Department.
- *14. Consideration of *approval from George Lee Campbell, Jr. to convey portions of Lot 9, Cades Subdivision on Bolivar Peninsula by metes & bounds without revising the plat* submitted by the County Engineer.
- *15. Consideration of *approval of the application of Mark Harken to revise the plat of Guidry Place subdivision* submitted by the County Engineer.
- *16. Consideration of *approval from Mike and Sissy Hauptman to convey portions of Lot 4, Block 29 San Leon Farm Home Tracts on the mainland by metes & bounds without revising the plat* submitted by the County Engineer.

- *17. Consideration of *Request for Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:
 - a. **R430919** \$4,006.40 Over Payment

- *18. Consideration of *Request for Waiver or Refund of Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:
 - a. **R402478** Pias, Daniel & Ramona

2007	\$7.50
2008	\$9.86
2009	\$119.09
2010	\$104.74
2011	\$88.06
2012	\$64.48

- *19. Consideration of *Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:
 - a. **R154707** \$4,630.48 Duplicate Payment

- *20. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:
 - a. **R108834** Leal, Reyes G & Pura 2014 \$188.16
R167238 Rogers, Allison 2014 \$ 41.32
R210959 Price, James E 2014 \$ 31.80

- *21. Consideration of *approval of the annual renewal subscription for Workman's Comp services with Microniche, Inc.* submitted by Information Technology.

- *22. Consideration of *approval for Cisco Meraki Advanced Security Subscription with CDW-Government* submitted by Information Technology.

- *23. Consideration of *approval of software maintenance renewal for McAfee Security for Sharepoint with SHI Government Solutions* submitted by Information Technology.

- *24. Consideration of *approval of Energize updates and Instant Replacement Message Archiver renewal with SHI Government Solutions* submitted by Information Technology.

- *25. Consideration of *approval of the financial and administrative automation -Phase 2 change order with Databank, IMX* submitted by Information Technology.

- *26. Consideration of *approval of annual Crimentel Software renewal for Galveston County Sheriff's Office with CI Technologies* submitted by Information Technology.

- *27. Consideration of *approval for renewal of monthly IFAS remote service processing with Sungard Public Sector* submitted by Information Technology.
- *28. Consideration for *authorization to grant a refund for an automobile purchased from Galveston County through a GovDeals transaction.*
- *29. Consideration of *authorization to donate equipment to the Clear Lake Shores Police Department* submitted by the Purchasing Agent.
- *30. Consideration for *authorization to issue a formal solicitation for the following bid* submitted by the Purchasing Agent:
 - a. Crystal Beach Fueling Station
- *31. Consideration for *authorization to rebid properties associated with Bid #B151014 CDBG Round 2-Real Property Sales-January 2015* submitted by the Purchasing Agent.
- *32. Consideration for *authorization to cancel and rebid the following bid* submitted by the Purchasing Agent:
 - a. Bid #B122026 Asphalt, Oils & Emulsions
- *33. Consideration for *authorization to cancel an agreement with Siemens Industry, Inc.* submitted by the Purchasing Agent.
- *34. Consideration of *authorization of the abatement of (10) Public Nuisances* submitted by the Nuisance Abatement Officer:
 - a. 7404 Ave C Santa Fe
 - b. 3018 Charles Bayview
 - c. 400 5th St. San Leon
 - d. 1508 Quarles Port Bolivar
 - e. 7129 West Hunter Hitchcock
 - f. 1205 12th St. San Leon
 - g. 1196 24th St. San Leon
 - h. 1011 15th St. San Leon
 - i. 4723 Oleander Bacliff

- j. 731 5th St. Bacliff

Action Agenda

35. **Commissioner, Precinct 1**

- a. Discussion and possible action to extend tobacco cessation program benefits to spouses and dependents enrolled in Galveston County's employee health plan.

36. **County Legal**

- a. Consideration of authorizing the County Judge to execute a Rent Commencement Date Agreement with Inland American Management, LLC for payment of tenant construction allowance for the League City CareHere Clinic.
- b. Consideration of Agreement for Use of Facilities for the use of Walter Hall Park Indoor Pavilion and grounds by and between the County of Galveston and the League City Evening Lions Charities, Inc./Space City Cruisers, Inc., D.B.A. League City Lions Club for the purpose of holding the Space City Cruisers Car & Bike Show.
- c. Consideration of an Amendment to Agreement between Galveston County and the Dickinson Festival of Lights Society, Inc. for the Use of Paul Hopkins Park.
- d. **Break into Executive Session.**
- e. **Executive Session:** 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 Interim Facilities Director.
- f. **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.
- 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 454-15-0308.E, Galveston County v. TWIA, in the State Office of Administrative Hearings.

- 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 3:14-CV-00186, Tomasa Duran v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- i. **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 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.
- j. **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.
- k. **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 affirmative action plan and equal employment opportunity requirements.
- l. **Reconvene into Regularly Scheduled Session.**

- m. Consideration of authorizing waiver of attorney-client privilege for discussion in open meeting of affirmative action plan and equal employment opportunity requirements.
- n. Consideration of adopting Affirmative Action Plan, appointment of Equal Employment Opportunity (EEO) Administrator, and authorization of certification and submission of EEO Utilization Report to the United States Department of Justice.

37. **Parks & Senior Services**

- a. Consideration and approval of revision to the Facility Permitting Policy for Special Events submitted by the Parks Department.

38. **Professional Services**

- a. Consideration of approval of the following Budget Amendment:
 - 1. 15-064-0317-A
Sheriff's Department/Identification - Request title and pay grade change in the Sheriff's/Identification Division.

39. **Purchasing**

- a. Consideration to sell properties associated with Bid #B151014, CDBG Round 2-Real Property Sales-January 2015.

40. **Sheriff**

- a. Consideration of authorizing approval of an Interlocal agreement between Galveston County and the Galveston County Sheriff's Office and Fort Bend County and the Fort Bend County Sheriff's Office for housing of Galveston County inmates in the event of an emergency or natural disaster submitted by County Legal.

Adjourn

WORKSHOP AGENDA

- 1. Discussion to establish 2015 Fee submitted by the Tax Assessor/Collector:

a.			
	Fee Summary	2011-2014	2015 Proposed
	Galveston County Properties	\$0.27	\$0.256
	Harris County Properties	\$1.01	\$1.010

2. Cellphone Discussion submitted by the Director of Finance & Administration.

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.
