



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 May 26, 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 5/19/15 and 5/26/15
 - b. Order for Payroll period ending 5/20/15 Bi-Weekly #11
 - c. Order for Supplemental Payroll period ending 5/20/15 Bi-Weekly #11
 - d. Monthly Financial Report for the month ended 3/31/15
 - e. Internal Audit Report for the asset inventory of the Department of Parks and Cultural Services for period of 2/26-3/11/15 with the response letter from Julie Diaz, Director of Parks and Cultural Services dated 4/17/15
 - f. Order for monthly payments of the Health Insurance Claims made by Boon Chapman for the month ending 4/30/15
 - g. Order for monthly payment of the Indigent Healthcare Fund made by Boon Chapman for the month ending 4/30/15
 - h. Receive and file Quarterly Audit Report for Justice of the Peace, Precinct 1 (Bacliff and Texas City locations) from January through March 2015.

- i. Receive and file Quarterly Audit Report for Justice of the Peace, Precinct 3 (Galveston, Crystal Beach, and La Marque locations) from January through March 2015.
- j. Receive and file Quarterly Audit Report for Justice of the Peace, Precinct 4 from January through March 2015.
- k. Receive and file Quarterly Audit Report for Juvenile Justice Department from January through March 2015.
- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #10, April 23 - May 6, 2015* submitted by Human Resources.
- *3. Consideration of a *resolution for Robert L. Williams in honor of his service to the community* submitted by Commissioner, Precinct 3.
- *4. Consideration of a *Resolution honoring the retirement of Roderick James* from the Galveston County Adult Probation Services submitted by County Legal.
- *5. Consideration of a *Resolution honoring the retirement of Peggy Davis* from the Galveston County Parks and Cultural Services submitted by County Legal.
- *6. Consideration of a *resolution authorizing the County Judge, as a director of the Corporation, to authorize the President of the Corporation to negotiate, execute and deliver the Second Amendment to the professional services agreement between Dannenbaum Engineering Corporation and Gulf Coast Community Protection and Recovery District, Inc. (GCCPRDI)* submitted by the County Judge.
- *7. Receive and file *Certificate of Course Completion of Texas Open Meetings Act training for Judge Jack Ewing and Judge Patricia Grady* submitted by County Clerk.
- *8. Receive and file *Galveston County Emergency Services District No. 1 Audit Report (2014)* submitted by the County Judge.
- *9. Consideration of approval of *nominations to the United Board of Health* submitted by the County Judge.
- *10. Consideration of *appointments to Galveston County Emergency Services District No. 2* submitted by Commissioner, Precinct 1.
- *11. Consideration of *Designation of Professional Services for the 10th Street Reconstruction Project* and authorize the *County Engineering Department* to negotiate contracts submitted by the Grants Manager.

- *12. Consideration of *Designation of Professional Services for the Gum Bayou Tributary Detention Basin Project* and authorize the *County Engineering Department* to negotiate contracts submitted by the Grants Manager.
- *13. Consideration for *approval authorizing the County Judge to sign various Texas Department of Agriculture forms required by CDBG Program*, submitted by CDBG Project Coordinator.
- *14. Consideration of *approval of a Memorandum of Understanding with College of the Mainland - Senior Adult Programs, to offer Yoga classes at the Wayne Johnson Community Center* submitted by Parks and Cultural Services.
- *15. Consideration of *authorizing execution of Texas General Land Office application for Beach Cleaning and Maintenance Assistance Program for Fiscal Year 2016 (beginning September 1, 2015)* submitted by Road & Bridge.
- *16. 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.	R151364	Mainsail Developers, Inc	2014	\$1.94
	R151365	Mainsail Developers, Inc	2014	\$11.27
	R151368	Mainsail Developers, Inc	2014	\$215.14
	R151374	Mainsail Developers, Inc	2014	\$201.40
	R151377	Mainsail Developers, Inc	2014	\$134.85
	R151378	Mainsail Developers, Inc	2014	\$43.00
	R151465	Mainsail Developers, Inc	2014	\$10.74
	R151423	Mainsail Developers, Inc	2014	\$25.14
	R151464	Mainsail Developers, Inc	2014	\$474.66
	R151468	Mainsail Developers, Inc	2014	\$15.08
	R151506	Mainsail Developers, Inc	2014	\$29.98
	R151507	Mainsail Developers, Inc	2014	\$15.08
	R151983	Mainsail Developers, Inc	2014	\$103.08
	R152008	Mainsail Developers, Inc	2014	\$15.08
	R152020	Mainsail Developers, Inc	2014	\$15.08
	R152021	Mainsail Developers, Inc	2014	\$19.28
	R152022	Mainsail Developers, Inc	2014	\$38.56
	R152023	Mainsail Developers, Inc	2014	\$38.56
	R152026	Mainsail Developers, Inc	2014	\$5.04
	R152027	Mainsail Developers, Inc	2014	\$1.88
	R152028	Mainsail Developers, Inc	2014	\$12.20
	R152045	Mainsail Developers, Inc	2014	\$38.96
	R152520	Mainsail Developers, Inc	2014	\$888.40
	R152522	Mainsail Developers, Inc	2014	\$275.49
	R152523	Mainsail Developers, Inc	2014	\$541.10

R308791	Mainsail Developers, Inc	2014	\$12.66
R371409	Mainsail Developers, Inc	2014	\$31.00
R376778	Mainsail Developers, Inc	2014	\$110.36
R402895	Mainsail Developers, Inc	2014	\$113.97

*17. 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.	R433526	Khurshid, Gibran	2014	\$330.72
	R118389	Anderson, Don	2014	\$183.60
	R208781	Blake, Donna	2014	\$349.98
	R179265	Collins, John R	2014	\$82.60
	R115617	Crouch, Ronny & Ann	2013-14	\$1,685.37
	R115596	Crouch, Ronny & Ann	2013	\$1,314.05 (W)
	R115596	Crouch, Ronny & Ann	2013	\$1,602.23 (R)
	R120944	Mullins, Kim & Tom	2014	\$194.00
	R136312	Everts, Tommy	2014	\$44.00

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

a.	P408026	\$4,575.82	Duplicate Payment
	P507580	\$2,728.21	Over Payment
	R109777	\$6,473.18	Duplicate Payment
	R365678	\$2,563.00	Over Payment
	R426818	\$3,656.11	Over Payment
	R431172	\$2,662.25	Duplicate Payment

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

a.	R221270	Clark, Lillian M & Mauldin, C	2012-2014	\$488.73
	R302006	SSN Investments LLC	2012-2014	\$142.77

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

*21. Consideration for *authorization to extend the contract on the following bid* submitted by the Purchasing Agent:

a. Bid #B142005A Nuisance Abatement Services

*22. Consideration of *approval for email protection software with Sendio, Inc.* submitted by Information Technology.

- *23. Consideration of *approval for Email Migration for Exchange Online with Planet Technologies* submitted by Information Technology.
- *24. Consideration of *approval for Access Point for Wifi Coverage for various county departments with Tiger Direct* submitted by Information Technology.
- *25. Consideration of *settlement of claim by Verizon in the amount of \$595.01* submitted by County Legal.
- *26. Consideration of *approval of GCESD No. 2 Fire/EMS Service and Funding Contract with Galveston County* submitted by Commissioner, Precinct 1.
- *27. Consideration of *resolution regarding Galveston County funding of Animal Resource Center programs operated by the Galveston County Health District* submitted by Commissioner, Precinct 1.

Action Agenda

28. **Commissioner, Precinct 2**

- a. Consideration of approval for Galveston County to extend its participation in League City TIRZ No. 4 to coincide with the term of the TIRZ at 72% of the County tax rate and extend the term for an additional 10 years to December 31, 2028.

29. **County Legal**

- a. Consideration of approval of a consulting services agreement with MGT of America, Inc. for a Cost Allocation Rate Study for the School Liaison Officer Program.
- b. **Break into Executive Session:**
- 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 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 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 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.
- 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 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 functions of and the performance of expert witness services and official duties by the Galveston County Medical Examiner's Office.
- 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 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 recovery of the lien arising from workers compensation benefits paid to a Sheriff's deputy as a result of a vehicular accident on or about December 30, 2013.
- h. **Reconvene Into Regularly Scheduled Meeting.**
- i. Consideration of authorizing outside legal counsel, Allison, Bass & Magee, LLP, to file mandamus action in the Texas Supreme Court against Hon. Lonnie Cox, Presiding Judge of 56th Judicial District Court of Galveston County, Texas and Local Administrative Judge, and wherein such authority to undertake litigation shall include any other litigation that may be necessary and against those parties necessary to restrain the interference of the District Court in the-

lawful exercise of the Commissioners Court's authority.

- j. Consideration of authorizing County Legal to pursue recovery of the lien arising from workers compensation benefits paid to a Sheriff's deputy as a result of a vehicular accident on or about December 30, 2013.

30. **Professional Services**

- a. Consideration of approval of the following Budget Amendments:
 - 1. 15-091-0526-A
Sheriff's Department - Request budget transfer for repairs and maintenance of Sheriff boats.
 - 2. 15-092-0526-B
Emergency Management - Request General Fund Budgeted Reserves for the Galveston County Hazard Mitigation Plan.
 - 3. 15-093-0526-C
Tax Assessor/Collector - Request budget transfer for funding of Customer Service Representative 1 in Tax Assessor/Collector from General Government.
 - 4. 15-094-0526-D
Emergency Management - Request transfer to General Fund Budgeted Reserves due to reorganization resulting in salary and pay grade changes in in the Emergency Management Department.
 - 5. 15-095-0526-E
Road & Bridge Administration - Request transferring funds from Road & Bridge Reserves for cellular phone for the Toll Bridge.
 - 6. 15-097-0526-G
Election Services Contract Fund/County Clerk - Request transferring funds from Election Services Unreserved Fund Balance for laptops.

31. **Purchasing**

- a. Consideration for authorization of the following:
 - 1. RFP #B152006 Laser Printing of County Tax Statements
 - 2. Bid #B151001 2 Wheel Drive Sport Utility Vehicle - Marked
 - 3. Bid #B151003 2 Wheel Drive Sport Utility Vehicle - Unmarked

- b. Consideration for authorization to utilize State of Texas approved Purchasing Cooperative Program FEMA SRIA Vehicle and Equipment Projects - PW #15158.

32. **Treasurer**

- a. Consideration of approval to accept the recommendations of the Bank Bid Committee on entering into banking contracts for the period October 2015 - September 2019.

Adjourn

WORKSHOP AGENDA

- 1. Update on Hurricane Ike CDBG Housing Program Round 2 and FEMA SRL Program presented by Galveston County Housing Department.

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.
