



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Darrell Apffel Joe Giusti Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA July 29, 2019 – 9:30 AM

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 7/22/19 and 7/29/19
 - b. Order for payroll period ending 7/24/19 bi-weekly #16
 - c. Order for supplemental payroll period ending 7/24/19 bi-weekly #16
 - d. Quarterly audit report for the Court Collections Office for period of April - June 2019
 - e. Quarterly audit report for the Juvenile Justice Department for period of April - June 2019
 - f. Quarterly audit report for Sheriff's Office Bond Division for period of April - June 2019
 - g. Quarterly audit report for Justice of the Peace, Precinct 1 for period of April - June 2019
 - h. Quarterly audit report for Justice of the Peace, Precinct 2 for period of April - June 2019

- i. Quarterly audit report for Justice of the Peace, Precinct 3 for period of April - June 2019
- j. Quarterly audit report for Justice of the Peace, Precinct 4 for period of April - June 2019
- *2. Receive and file *restitution check list from Odyssey* submitted by Collections Improvement Program
- *3. Receive and file *refund check list from Odyssey* submitted by the County Clerk
- *4. Receive and file *refund check list from Odyssey* submitted by the District Clerk
- *5. Receive and file *summary of bi-weekly personnel movements pay period #15, June 27 - July 10, 2019* submitted by Human Resources
- *6. Consideration of *execution of investment option election with American United Life Insurance Company/OneAmerica for contract G74855* submitted by Human Resources
- *7. Consideration of a *resolution honoring the retirement of Rick Whelton from the Galveston County District Clerk* submitted by County Legal
- *8. Consideration of a *resolution in honor of Samuel D. Parr upon his 181st anniversary where he settled Bolivar Peninsula on August 5, 1838* submitted by Commissioner, Precinct 1
- *9. Receive and file *June 2019 collections and personal bond report* submitted by Personal Bond/Collections Office
- *10. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) to Bay Area Rugby for use of the Athletic Fields at Walter Hall Park for their annual Love Survivor Rugby Tournament held Saturday, November 9, 2019* submitted by the Parks & Cultural Services Department
- *11. Consideration of *approval for a construction contract with TUCON LLC for the Bayshore and Gregory Park Pavilion B191040* submitted by the Parks & Cultural Services Department
- *12. Consideration of *approval of reappointment to the Gulf Coast Water Authority Board* submitted by the County Judge
- *13. Consideration of *approval of nominations to H-GAC Regional Homeland Security Coordinating Council* submitted by the County Judge

- *14. Consideration of *approval of nominations to H-GAC Unified Area Coordination Committee* submitted by the County Judge
- *15. Consideration of *approval of appointment to the Alternative Dispute Resolution Mediation Services Board* submitted by the County Judge
- *16. Consideration of *finding by Commissioners' Court that strategic planning and revision of regulations related to coastal areas including beaches, dunes, and adjacent land are a professional service* submitted by Commissioner, Precinct 1
- *17. Consideration for *authorization to issue a formal solicitation (RFQ) for strategic planning and revision of regulations related to coastal areas including beaches, dunes, and adjacent land* submitted by Commissioner, Precinct 1
- *18. 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
- *19. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector
- *20. Consideration for *authorization to issue formal solicitations for the following projects for the Engineering Department* submitted by the Purchasing Agent:
 - a. 10th Street Reconstruction
 - b. Galveston Seawall Rip Rap Deficiencies West of 61st Street
 - c. 9th & 11th Avenue Drainage
 - d. Bacliff Villas Drainage Restoration
 - e. Texas Avenue Reconstruction 14th Street to Loop 197
- *21. Consideration for *authorization to extend the contracts for the following RFP's* submitted by the Purchasing Agent:
 - a. RFP #B172017, Nuisance Abatement Services
 - b. RFP #B172019A, HVAC Supplies & Equipment
- *22. Consideration for *authorization to cancel RFQ #B171010, North County (Calder Road) Annex Parking Expansions* submitted by the Purchasing Agent
- *23. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent

- *24. Consideration for *authorization to accept into inventory and then dispose of forfeited vehicles on behalf of the Sheriff's Department* submitted by the Purchasing Agent
- *25. Receive and file *Round 1, 2.2 and 2.3 CDBG non-housing grant extension amendments* requested by the Grants Administration
- *26. Consideration of *authorization for County Judge to sign Mainland Center's Partnership 2019 ESG program application which will provide Emergency Shelter Activities* submitted by Grants Administration
- *27. Ratification of *application amendments to the FY 2019/2020 County Essentials Grant Application to the Office of the Governor Criminal Justice Division* as submitted by Grants Administration
- *28. Consideration of *approval to submit the Damage Description and Dimensions (DDD) for the Paul Hopkins Park Pedestrian Bridge at Dickinson Bayou with the Federal Emergency Management Administration (FEMA)* as submitted by Grants Administration
- *29. Consideration of *approval to submit the damage description and dimensions for the Crystal Beach County Annex to the Federal Emergency Management Administration (FEMA)* as submitted by Grants Administration
- *30. Consideration of *acceptance of award for the roads and culverts Batch One Harvey Project from the Federal Emergency Management Administration (FEMA)* as submitted by Grants Administration
- *31. Consideration of *acceptance of FY 2019/2020 Veterans Treatment Court grant award from the Texas Veterans Commission* as submitted by Grants Administration
- *32. Consideration of *approval of first amendment to financial assistance program contract for the following entities* submitted by Professional Services:
 - a. Salvation Army
 - b. St. Vincent's House
 - c. M.I. Lewis Social Service Center
- *33. Consideration of *approval of the following budget amendments* submitted by Professional Services:
 - a. 19-172-0729-A
Justice of the Peace #3 - Request reallocation of Justice of the Peace #3 Extraordinary Supplies from three (3) chairs to the purchase of a desk

- b. 19-173-0729-B
District Court - Request transfer from District Clerk Business Mileage account to District Clerk Travel and Conference account for travel to Fort Bend County to observe jury selection for the upcoming capital case
- c. 19-174-0729-C
Galveston County Museum - Request transfer from General Fund Budgeted Reserves account to Galveston County Museum Building Maintenance for Crescent Electric invoice
- d. 19-175-0729-D
Limited Tax County Building Bonds 2019 - Request transfer from Limited Tax Building Bonds Series 2019 Designated for Capital Projects account for purchase of property at 54th and Broadway (Lowe's property)
- e. 19-176-0729-E
Sheriff Department - Request transfer from General Fund Budgeted Reserves account to Sheriff Department Administration Uniforms account for additional personnel and bullet proof vests
- f. 19-177-0729-F
Flood Control Request - transfer from General Fund Budgeted Reserves to Flood Control Section 408 Applications Corps of Engineer Review Application Fee account for an MOU between Galveston County and the U.S. Army Engineer Galveston District
- g. 19-178-0729-G
Sheriff's Department - Request transfer from General Fund Budgeted Reserves for Sheriff's Department overtime and associated benefits for Warrants, Corrections and Bailiffs for the remainder of FY 2019
- h. 19-179-0729-H
Senior Citizens - Request transfer from General Fund Senior Citizens Vehicles account to General Fund Senior Citizens TTo Grant Match - Discretionary account due to an increase in the amount of seniors being served congregate meals
- i. 19-180-0729-I
County Treasurer - Request transfer from County Treasurer Extraordinary Supplies account to County Treasurer Travel and Conference account for the remainder of FY 2019

*34. Consideration of *approval of an interlocal agreement between Galveston County and City of Hitchcock for the 2017 Road Bonds* submitted by the County Engineer

- *35. Consider the *approval of waiving development permit fees for the construction and/or addition to County owned facilities located in the unincorporated part of the County* submitted by the County Engineer
- *36. Consideration of *approval of a Galveston Seawall permit to Great Lakes Dredge & Dock Company, LLC to use the Galveston Seawall, Seawall sidewalk, Seawall Blvd, Seawall groins, stairways and rip rap to stage construction activities for the Galveston Seawall Nourishment Project at Babe's Beach – 61st to 83rd Street* submitted by the County Engineer
- *37. Consideration of *approval to execute two temporary work area easements for the Texas City and Vicinity Hurricane Flood Protection project with the rights to remove obstruction in the right-of-way* submitted by Platting & Right-of-Way
- *38. Consideration of *approval of application from Daniel and Jennifer Erwin for a partial replat of Sandpiper Beach Section 1 subdivision* submitted by Platting & Right-of-Way
- *39. Consideration of *approving and authorizing County Judge to execute beach dune easements with Galveston County as grantee and the Texas General Land Office and the City of the Village of Jamaica Beach as grantees on each of the following County-owned parcels, each of which is a buy-out lot* submitted by County Legal:
 - a. GCAD Property ID # 124990, GCAD Account Number 4204-0001-0010-000, at 16702 West Beach Road, Jamaica Beach;
 - b. GCAD Property ID # 124991, GCAD Account Number 4204-0001-0011-000, at 16706 West Beach Road, Jamaica Beach;
 - c. GCAD Property ID # 125003, GCAD Account Number 4204-0002-0010-000, at 16734 West Beach Road, Jamaica Beach;
 - d. GCAD Property ID # 125371, GCAD Account Number 4215-0000-0002-000, at 16929 Jamaica Beach Road, Jamaica Beach;
 - e. GCAD Property ID # 125372, GCAD Account Number 4215-0000-0003-000, at 16925 Jamaica Beach Road, Jamaica Beach;
 - f. GCAD Property ID # 125373, GCAD Account Number 4215-0000-0004-000, at 16921 Jamaica Beach Road, Jamaica Beach;
 - g. GCAD Property ID # 125376, GCAD Account Number 4215-0000-0007-000, at 16913 Jamaica Beach Road, Jamaica Beach;
 - h. GCAD Property ID # 125377, GCAD Account Number 4215-0000-0008-000, at 16905 Jamaica Beach Road, Jamaica Beach;

- i. GCAD Property ID # 125379, GCAD Account Number 4215-0000-0010-000, at 16930 Beachcomber, Jamaica Beach; and
 - j. GCAD Property ID # 125430, GCAD Account Number 4187-0000-0000-013, at 16501 Jamaica Beach Road, Jamaica Beach
- *40. Consideration of *approving interlocal cooperation agreement by and between The University of Texas Medical Branch at Galveston and the County of Galveston relating to the Galveston County Medical Examiner's Office* submitted by County Legal
 - *41. Consideration of *approving sales order agreement and amendment to sales order agreement with Cummins-Allison Corporation for currency counters for the Galveston Sheriff's Office* submitted by County Legal
 - *42. Consideration of *approving and adopting resolution electing to continue to be eligible to participate in tax abatement, including approving and adopting the 2019-2021 Guidelines and Criteria Governing Tax Abatement agreements and the application for tax abatement which are attached thereto*, submitted by County Legal
 - *43. Receive and file *County Clerk's Records Preservation and Restoration Plan* submitted by the County Clerk
 - *44. Consideration of *setting a public hearing for August 12, 2019 on the County Clerk's proposed records archive fee established under §118.025 and §118.011(f) of the Texas Local Government Code* submitted by the County Clerk
 - *45. Receive and file *District Clerk's Records Preservation and Restoration Plan* submitted by the District Clerk
 - *46. Consideration of *setting a public hearing for August 12, 2019 on the District Clerk's proposed records archive fee established under §51.305 of the Texas Government Code* submitted by the District Clerk
 - *47. Consideration of *granting authority to County Judge to sign a resale deed on the following tax foreclosed property* submitted by the County Judge:
 - a. 5182-0128-0001-002

Action Agenda

- 48. **Commissioner, Precinct 2**
 - a. Consideration of approval of certificate pay for Sergeant in Communications Division in the Sheriff's Department
- 49. **County Judge**

- a. Selection of 9 public members and 31 alternates to serve on the Galveston County Salary Grievance Committee pursuant to section 152.015 of the Texas Local Government Code
- b. Consideration of granting authority to County Judge to sign a resale deed on the following tax foreclosed property:
 1. 5182-0217-0004-000

50. **Purchasing**

- a. Consideration of approval of awarding the following:
 1. RFP #B192015, Mass Notification System Service for Galveston County
- b. Consideration of approval of awarding the following bid and authorizing the County Judge to execute the contract for the following:
 1. Bid #B192018, Malathion Insecticide

51. **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, 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 each of the following items:
 1. ACLU lawsuit - 3:18-CV-00104, Aaron Booth, on behalf of himself and all others similarly situated v. Galveston County, et. al., a Class Action in the United States District Court for the Southern District of Texas, Galveston Division
 2. Magistrate hearings and jail docket
- c. **Executive Session:** Texas Government Code, Section 551.072, Deliberation Regarding Real Property: 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 551.072 of the Texas Government Code,-

Deliberation Regarding Real Property: to deliberate the purchase, exchange, lease or value of real property because deliberation in an open meeting would have a detrimental effect on the position of Galveston County in negotiations with a third person relating to each of the following items:

1. Property located at 54th & Broadway
- d. **Reconvene into Regularly Scheduled Meeting**
- e. Consideration of authorizing the County Judge to execute a contract for sale of real property with Lowe's Home Centers LLC for an approximately 10.1 acre tract of land at 54th and Broadway in Galveston, Texas

Adjourn

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.
