



# GALVESTON COUNTY, TEXAS

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

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

## AGENDA

November 22, 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 Accounts Payable Checks dated 11/15/16 and 11/22/16](#)
  - b. [Order for Payroll period ending 11/16/16 Bi-Weekly #24](#)
  - c. [Order for Supplemental Payroll period ending 11/16/16 Bi-Weekly #24](#)
  - d. [Indemnification request for Toll Bridge](#)
  - e. [Internal Audit Report of the inventory of fixed assets of the Sheriff's Office with response letter dated 11/8/16 from Henry Trochesset, Galveston County Sheriff](#)
  - f. [Internal Audit Report of the inventory of fixed assets of the Department of Parks and Cultural Services with response letter dated 11/14/16 from Julie Diaz, Director of Parks and Cultural Services](#)
  - g. [Internal Audit Report of the payroll audit conducted 10/1/15 - 9/30/16](#)
- \*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 Biweekly Personnel Movements pay period #23, October 20 - November 2, 2016* submitted by Human Resources
- \*6. Consideration of *execution of temporary staffing agreement with AI Best Staffing* submitted by Human Resources on behalf of Office of Emergency Management
- \*7. Consideration of *execution of contract with Healthcare Bluebook* submitted by Human Resources
- \*8. Receive and file *October 2016 Collections and Personal Bond Report* submitted by the County Judge
- \*9. Receive and file *FY2017 budget for fund 2242, Sheriff's Forfeiture Account*, submitted by the Sheriff
- \*10. Receive and file *acceptance of check for additional funding in the amount of \$995.71 in support of the 2016 Reliant CARE program* submitted by Professional Services
- \*11. Receive and file *correspondence regarding CIAP dune restoration and beach nourishment project on Bolivar Peninsula concerning easements and compatible uses*, submitted by County Legal
- \*12. Receive and file *Galveston County Community Supervision and Corrections Department statement of financial position* submitted by Adult Probation
- \*13. Canvass of the *November 8, 2016 General Election as required by the Texas Election Code* submitted by the County Clerk
- \*14. Consideration of *approval of (re)appointment(s) to the Children Services Board* submitted by the County Judge
- \*15. Consideration of *approval of (re)appointment to the Harris-Galveston Subsidence District* submitted by the County Judge
- \*16. Consideration of *adopting Order lifting Outdoor Burn Ban in All Unincorporated Areas of Galveston County and authorizing the County Judge to execute same* submitted by County Legal
- \*17. Consideration of *approval of a contract with Bay Area Houston Economic Partnership (BAHEP) for economic development plan* submitted by the Director of Economic Development

- \*18. Receive and file 2016 Annual Report from Bay Area Houston Economic Partnership (BAHEP) submitted by the Director of Economic Development
- \*19. Consideration of approval of Texas City Hurricane Levee permit to GEL Texas Pipeline, LLC to install a 24" pipeline above the levee and construct the CHOPS connection facility east of SH 146 and SH 3 intersection submitted by the County Engineer
- \*20. Consideration of approval of application from Paul H. Doyle (aka Paul Doyle) and Sara Doyle to convey portions of Tracts in the Abraham Van Nordstrand Survey by metes and bounds without revising the plat submitted by the Platting & ROW Agent
- \*21. Consideration of authorizing the County Judge to sign the following insurance applications submitted by Property Manager:
  - a. County Clerk
  - b. District Clerk
- \*22. Consideration of approval for change order authorization No. 6 between Galveston County and Tetra Tech Inc. submitted by Housing
- \*23. Consideration of acceptance of FY 2017 Texas Department of Aging and Disability Services (DADS) vendor grant award to the Houston-Galveston Area Council - Area Agency on Aging and authorize the County Judge to sign required documents as submitted by Professional Services
- \*24. Consideration of approval to submit FY 2017 Texas Association of Specialty Courts Annual Training Stipend Grant application to Sam Houston State University Correctional Management Institute of Texas and authorize County Judge to sign required documents as submitted by Professional Services
- \*25. Consideration of approval to remove the 64-Acre Park Access Road Project from the Project Worksheet #15158 project list with the Federal Emergency Management Agency (FEMA) as submitted by Professional Services
- \*26. Consideration of approval to remove the N-16 Drainage Ditch Improvement Project from the Project Worksheet #15158 project list with the Federal Emergency Management Agency (FEMA) as submitted by Professional Services
- \*27. Consideration to allow County Judge to sign environmental re-evaluation letters for Hurricane Ike CDBG Round 1 projects presented by CDBG Project Coordinator on behalf of Professional Services
- \*28. Consideration of request of tax refunds in excess of \$2,500.00 submitted by the Tax Assessor/Collector:

a.	<u>R124110</u>	\$4,929.51	SUPP Adjustment
	<u>R155505</u>	\$4,631.77	SUPP Adjustment

\*29. Consideration of request of tax refunds in excess of \$2,500.00 submitted by the Tax Assessor/Collector:

a.	<u>R133012</u>	\$16,200.00	Over Payment
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\*30. Request for waiver or refund of penalty and interest due to clerical errors submitted by the Tax Assessor/Collector:

a.	<u>R110076</u>	Lacey, Jean	2014	\$124.71 (R)
	<u>R110076</u>	Lacey, Jean	2015	\$66.36 (R)

\*31. 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.	<u>R407112</u>	Kinsey, Todd	2015	\$42.78 (W)
	<u>R127682</u>	Cook, Gene	2015	\$819.73 (W)
	<u>R425502</u>	McClearly, Phillip	2015	\$2,014.58 (W)

\*32. Consideration of approval for renewal for PerfectDisk for servers to maintain performance with Raxco Software Inc. submitted by Information Technology

\*33. Consideration of approval for Avid NEXIS system server specifically designed and manufactured for storage and creation of professional video with TM Television submitted by Information Technology

\*34. Consideration of approval for Odyssey integration tool kit-jail manager with Tyler Technologies submitted by Information Technology

\*35. Consideration of approval for OnBase Annual maintenance renewal with Databank IMX submitted by Information Technology

\*36. Consideration of approval for OneSolution Employee Online SSL Certificate with Digicert submitted by Information Technology

\*37. Consideration of approval for H-GAC contract with Sprint Solutions submitted by Information Technology

\*38. Consideration for authorization to extend the contracts on the following bids submitted by the Purchasing Agent:

- a. [Bid #B142022 Indigent Burial Services](#)
- b. [Bid #B152018 Inmate Clothing & Supplies](#)
- \*39. [Consideration for authorization to utilize cooperative purchasing program to purchase metered machines and postage for the Information Technology Department submitted by the Purchasing Agent](#)
- \*40. [Consideration for authorization to utilize cooperative purchasing program to purchase one \(1\) vertical emulsion tank and one \(1\) asphalt distributor truck for the Road and Bridge Department submitted by the Purchasing Agent](#)
- \*41. [Consideration for authorization to utilize cooperative purchasing program to purchase one \(1\) F-450 Truck for the Sheriff's Department submitted by the Purchasing Agent](#)
- \*42. [Consideration for authorization to cancel Bid #B161024 4 Wheel drive Sport Utility Vehicle - Marked and utilize cooperative purchasing program to purchase a Ford Expedition for the Sheriff's Department submitted by the Purchasing Agent](#)
- \*43. [Consideration for authorization to sell surplus vehicles and equipment to the Bayou Vista Police Department submitted by the Purchasing Agent](#)
- \*44. [Consideration for authorization for the City of Hitchcock to purchase one \(1\) Gradall Truck-Mounted Excavator from Galveston County submitted by the Purchasing Agent](#)
- \*45. [Consideration of approval of the following budget amendments submitted by Professional Services:](#)
  - a. [16-183-1122-A](#)  
[\*\*Professional Services\*\* - Request transfer from Various Fund Budgeted Reserves and departmental transfers for the transactions associated with FY 2016](#)
  - b. [16-184-1122-B](#)  
[\*\*Professional Services\*\* - Request clean-up of various Capital Projects Information Technology accounts associated with FY 2016](#)
  - c. [17-026-1122-A](#)  
[\*\*Facilities Services\*\* - Request transfer from General Fund Budgeted Reserves for Building Automation Upgrade for the Juvenile Justice Center](#)
  - d. [17-027-1122-B](#)  
[\*\*Emergency Management\*\* - Request transfer from General Fund Budgeted Reserves for the difference between the ASE Com Satellite Phones and the \(20\) chairs for Emergency Management](#)

- e. [17-028-1122-C](#)  
[Facilities Services - Request transfer from Furnitures and Fixtures to Extraordinary Supplies for Jail Equipment by Facilities Services](#)
- f. [17-029-1122-D](#)  
[Justice Courts - #2/#4 Request transfer from General Fund Budgeted Reserves for Grade/Step increase from 10A to 10C for Deputy Court Clerks in Justices of the Peace #2 and #4](#)
- g. [17-030-1122-E](#)  
[Mosquito Control - Request transfer from Capital Outlay to Extraordinary Supplies for an A/C Refrigerant Recover System for Mosquito Control](#)
- h. [17-032-1122-G](#)  
[Professional Services - Request transfer from General Fund Budgeted Reserves for Interlocal Agreement related to Galveston County Medical Examiner's Office](#)
- i. [17-034-1122-I](#)  
[District Clerk - Request reallocation of Extraordinary Supplies from a monitor to a back-up camera for passport services](#)
- j. [17-035-1122-J](#)  
[Professional Services - Request clean-up of various Capital Projects Information Technology accounts associated with FY 2017](#)
- k. [17-037-1122-L](#)  
[Professional Services - Request transfer from various Capital Projects accounts for clean-up for FY 2017](#)

## Action Agenda

### 46. **Professional Services**

- a. [Consideration of approval of the following budget amendments:](#)
  - 1. [17-033-1122-H](#)  
[Sheriff's Department Corrections - Request transfer from General Fund Budgeted Reserves for contract services for inmate housing](#)
  - 2. [17-039-1122-N](#)  
[Professional Services - Consideration of approval of Budget Amendment \[regarding Professional Services Department staffing and structure\]](#)

### 47. **Purchasing**

- a. [Consideration of approval to award the following:](#)

1. [RFP #B162006 Inmate Telephone & Inmate Video Visitation System](#)
  2. [RFP #B161033 Renovations for ADA Compliance \(other than 722 Moody\)](#)
  3. [Bid #B161023 2 Wheel Drive Sport Utility Vehicle - Marked](#)
  4. [Bid #B161025 2 Wheel Drive Sport Utility Vehicle - Unmarked](#)
  5. [Bid #B161026 One Ton 15 Passenger Van](#)
  6. [Bid #B161029 Mid-Size Sport Utility Vehicles - Unmarked](#)
- b. [Consideration of approval of awarding the following bid and authorizing the County Judge to execute the contract for:](#)
1. [Bid #B162016 Newspaper Publication of Legal Notices](#)

48. **Sheriff**

- a. [Consideration of authorizing approval of an Interlocal Cooperation Agreement between Galveston County and Jefferson County for Jail Services submitted by County Legal on behalf of the Galveston County Sheriff](#)
- b. [Consideration of authorizing approval of an Interlocal Cooperation Agreement between Galveston County and Limestone County for Jail Services submitted by County Legal on behalf of the Galveston County Sheriff](#)

49. **County Legal**

- a. **Break into Executive Session:**
- b. **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 131 Pecan Dr., League City, Tx 77573 described as ABST 3 PAGE 8 RESERVES E, F & PT of B Pecan Forest Business Park together with Approx. 26,888 Sq. Ft. of adjacent land.](#)
- c. **Executive Session:** [Texas Government Code Section 551.074, Personnel Matters: 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, duties, discipline, or dismissal of a public officer or employee: the CDBG Project Coordinator (Community Development Block Grant Project Coordinator).

- 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 inconsistencies in benefits of elected officials.
  
- 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 rendering legal advice regarding contractual obligations between Galveston County and UTMB for operations of the Galveston County Medical Examiner's Office.
  
- 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 closure requirements of the Severe Repetitive Loss Elevation Grant Program, and relating to the Severe Repetitive Loss Elevation Projects at 1525 103rd Street, Galveston.
  
- 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 3:16-CV-00065, Diane Jacobs, et. al. v. Henry Trochesset, et. al. in the U.S. District Court for the Southern District of Texas, Galveston Division.

- 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 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.
- i. **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.
- 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 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 operation of Personal Bond Office and release of defendants under personal bonds.
- 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 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 proposed jail services Interlocal Cooperation Agreements with Limestone County and Jefferson County.
- l. **Reconvene into Regularly Scheduled Meeting**
- m. Consideration of approval of an agreement relating to 131 Pecan Dr., League City, Tx 77573 described as ABST 3 PAGE 8 RESERVES E, F & PT of B Pecan Forest Business Park together with Approx. 26,888 Sq. Ft. of adjacent land

- n. [Consideration of approving dune easement on the property with Parcel No. R520898, corresponding to 1684-1/2 Highway 87, Gilchrist \(previously approved on November 8, 2016, but parcel was conveyed to new owners on November 10, 2016\)](#)
- o. [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](#)
- p. [Consideration of authorizing County Legal to file suit in Severe Repetitive Loss Elevation Project at 1525 103rd Street, Galveston, Texas 77554](#)

## **Adjourn**

## **WORKSHOP AGENDA**

- 1. [Discussion of introduction to employee online services submitted by Information Technology](#)
- 2. [Discussion of adopting annual county Space Utilization Plan](#)

### **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.

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