

MINUTES

BE IT REMEMBERED, That on October 25, 2016, Commissioners Court of Galveston County, Texas, met at a regular meeting with the following present:

Mark Henry, County Judge

Ryan Dennard, Commissioner Precinct 1

Joe Giusti, Commissioner Precinct 2

Stephen D. Holmes, Commissioner Precinct 3

Kenneth D. Clark, Commissioner Precinct 4

Dwight D. Sullivan, County Clerk by Mae Ross, Deputy

CALL TO ORDER

Call to Order by Judge Henry at 1:30 P.M. at the Galveston County Courthouse.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Giusti led the Court in the Pledge of Allegiance.

The Invocation was given by Commissioner Holmes.

CONSENT AGENDA

- *1. Submitted by Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 10/18/16, 10/21/16, and 10/25/16
 - b. Order for Payroll period ending 10/19/16 Bi-Weekly #22
 - c. Order for Supplemental Payroll period ending 10/19/16 Bi-Weekly #22
 - d. Certification of funds pursuant to Local Government Code 111.0106 from Texas Conference of Urban Counties in the amount of \$4,987.72
 - e. Certification of funds pursuant to Local Government Code 111.0106 from Texas Conference of Urban Counties in the amount of \$18,032.38
 - f. Certification of funds pursuant to Local Government Code 111.0106 from Shell Pipeline and Brewster Procurement in the amount of \$500.00

- g. [Early check release dated 10/11/16 J. P. Morgan](#)
- h. [Early check release dated 10/12/16 to Deborah Nowinski](#)
- i. [Early check release dated 10/12/16 to Associated Supply Company](#)
- j. [Early release check dated 10/18/16 to United States Postal Service](#)
- *2. [Receive and file *Restitution Check List from Odyssey* submitted by Collections Improvement Program](#)
- *3. [Receive and file *Restitution Check List* submitted by Collections Improvement Program](#)
- *4. [Receive and file *Refund Check List from Odyssey* submitted by the County Clerk](#)
- *5. [Receive and file *Refund Check List from Odyssey* submitted by the District Clerk](#)
- *6. [Receive and file *Summary of Biweekly Personnel Movements pay period #21, September 22-October 5, 2016* submitted by Human Resources](#)
- *7. [Consideration of *approving exemption to the 4 pay period mandatory vacancy policy for Facilities Technician III \(Psn #12\)* submitted by Human Resources on behalf of Facilities](#)
- *8. [Receive and file *Appointment & Oath of Office for Deputy Constable* submitted by Human Resources on behalf of Constable Pct. 1-A](#)

Motion to defer by Commissioner Holmes, seconded by Commissioner Clark.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- *9. [Receive and file *notice pursuant to H.B. 3059, Section 366.005 of Texas-New Mexico Power Company providing utility service to Galveston County* submitted by the County Judge](#)
- *10. [Receive and file *Galveston County Health Protection Plan Amendment #14 effective January 1, 2015* submitted by the County Judge](#)
- *11. [Receive and file *Galveston County Health Protection Plan Amendment #15 effective January 1, 2016* submitted by the County Judge](#)

- *12. [Receive and file the Fiscal Year 2015 - 2016 Collections and Personal Bond Report submitted by the County Judge](#)
- *13. [Receive and file donation check from Shell Pipeline sent to Galveston County Sheriff's Office Communications Division submitted by Sheriff's Office](#)
- *14. [Receive and file donation of bingo equipment from Galveston County Senior Citizens Activities, Inc. for the Parks & Cultural Services Department, submitted by Parks & Cultural Services](#)
- *15. [Receive and file Interfaith Ministries of Greater Houston monitoring results from 9/21/16, submitted by Parks & Cultural Services Department](#)
- *16. [Consideration of approval of granting a reduction of a permit fee \(Facility Permitting Policy, Section 5.1.2 and 5.1.3\) for Santa Fe High School, for use of Runge Park for a holiday concert on Tuesday, December 13, 2016, submitted by the Parks & Cultural Services Department](#)
- *17. [Consideration of approval of granting a reduction of a permit fee \(Facility Permitting Policy, Section 5.1.2 and 5.1.3\) for Living Faith Assembly of God, for use of the indoor banquet hall at Walter Hall Park for a first responders appreciation dinner on Saturday, January 21, 2017, presented by the Parks & Cultural Services Department](#)
- *18. [Consideration of acceptance of donation from Texas Cloud Busters Kitty Hawk Model Plane Flying Field at Jack Brooks Park, submitted by Parks & Cultural Services Department](#)
- *19. [Consideration of a resolution authorizing the Department of Parks & Cultural Services to begin negotiations with Interfaith Ministries of Greater Houston for the operations of home delivered "Meals on Wheels" service, presented by the Parks & Cultural Services Department](#)
- *20. [Consideration for authorization to rebid the following RFP submitted by the Purchasing Agent:](#)
 - a. [RFP #B161005 Galveston County Stop Loss for 2016](#)
- *21. [Consideration for authorization to dispose of Salvage or Surplus Property submitted by the Purchasing Agent](#)
- *22. [Consideration for authorization to issue a Request for Qualification on the following projects on behalf of the County Architect submitted by the Purchasing Agent:](#)
 - a. [Medical Examiners' Office](#)
 - b. [Crystal Beach Road - County Campus](#)

- *23. [Consideration for authorization to cancel the contract for Bid #B152024 Indexing Project for County Clerk submitted by the Purchasing Agent](#)
- *24. [Consideration for authorization to extend the contract for RFP #B142023, Property and Casualty Insurance and to choose an option for the windstorm insurance premium for policy period of November 1, 2016 to November 1, 2017 and issuing payment of policy premiums submitted by the Purchasing Agent](#)

Motion to approve consent agenda item 24 only by County Judge Henry, seconded by Commissioner Giusti.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

- *25. [Consideration for authorization to grant an exemption from the competitive bidding requirements to acquire municipal advisory services from Hutchinson, Shockey, Erley & Co. submitted by the Purchasing Agent](#)

Motion to approve consent agenda item 25 only by County Judge Henry, seconded by Commissioner Giusti.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

- *26. [Consideration of approval for Annual Odyssey Software Maintenance with Tyler Technologies submitted by Information Technology](#)
- *27. [Consideration of an Order designating that all monies that otherwise would be deposited in an Officers' Salary Fund be deposited in Galveston County's General Fund submitted by County Legal](#)
- *28. [Consideration of acceptance of the FY 2017 Violence Against Women Act \(VAWA\) Grant Award #3111101 from the Office of the Governor - Criminal Justice Division as submitted by the Grants Manager](#)
- *29. [Consideration of acceptance of the FY 2017 Violence Against Women Act \(VAWA\) Grant Award #2704104 from the Office of the Governor-Criminal Justice Division as submitted by the Grants Manager](#)

- *30. [Consideration of acceptance of the 2016 Homeland Security Grant Program \(HSGP\) Grant Award #2986202 from the Office of the Governor - Homeland Security Grants Division and authorize County Judge to sign supporting resolution as submitted by the Grants Manager](#)
- *31. [Consideration of acceptance of the 2016 Homeland Security Grant Program \(HSGP\) Grant Award #2972202 from the Office of the Governor - Homeland Security Grants Division and authorize County Judge to sign supporting resolution as submitted by the Grants Manager](#)
- *32. [Consideration of acceptance of the 2016 Homeland Security Grant Program \(HSGP\) Grant Award #2972302 from the Office of the Governor - Homeland Security Grants Division and authorize County Judge to sign supporting resolution as submitted by the Grants Manager](#)
- *33. [Consideration of acceptance of 2016 Homeland Security Grant Program \(HSGP\) Grant Award #3168401 from the Office of the Governor - Homeland Security Grant Division and authorize County Judge to sign supporting resolution as submitted by the Grants Manager](#)
- *34. [Consideration of acceptance of FY 2017 DWI Task Force Grant from the Houston-Galveston Area Council as submitted by the Grants Manager](#)
- *35. [Consideration of approval to submit FY 2017 Texas Indigent Defense Commission grant application and authorize County Judge to sign supporting resolution as submitted by the Grants Manager](#)
- *36. [Consideration of approval to submit FY 2017 Veterans Treatment Court Grant application to the Texas Veterans Commission and authorize County Judge to sign required documents as submitted by the Grants Manager](#)

Motion to approve consent agenda item 36 only by County Judge Henry, seconded by Commissioner Giusti.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- *37. [Consideration of authorization to execute renewal contract with City of Galveston Fire Department for fire protection services submitted by Director of Contract Services](#)
- *38. [Consideration of authorization to execute contract with Pattillo, Brown & Hill, L.L.P. for accounting and auditing services submitted by Professional Services](#)

- *39. [Consideration of authorization to execute contract with Hutchinson Shockey Erley & Co. for Financial Advisory Services submitted by Professional Services](#)

Motion to defer by County Judge Henry, seconded by Commissioner Holmes.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- *40. [Consideration of approval of the following budget amendments submitted by Professional Services:](#)

- a. [16-179-1025-A](#)
[**Various Departments-** Request for transfers and additional funds for various transactions for fiscal year 2016](#)

Motion to approve consent agenda item 40a only by County Judge Henry, seconded by Commissioner Clark.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- b. [17-010-1025-A](#)
[**Professional Services-** Request transfer from General Fund Budgeted Reserves to various salaries and benefits accounts for a \\$250 supplement for part-time benefit eligible employees for FY 2017](#)

- c. [17-011-1025-B](#)
[**Professional Services-** Request transfer from General Fund Budgeted Reserves to various SRIA projects](#)

Motion to approve consent agenda item 40c only by County Judge Henry, seconded by Commissioner Clark.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- d. [17-012-1025-C](#)

[Sheriff's Department - ISD'S Request transfer from General Fund Budgeted Reserves for salary increases associated with the Clear Creek ISD contract](#)

Motion to approve consent agenda item 40d only by Commissioner Clark, seconded by Commissioner Holmes.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- e. [17-013-1025-D](#)
[Beach and Parks- Request transfer from Beach and Parks Fund Budgeted Reserves for the purchase of a surf rake for the Bolivar beaches](#)
- f. [17-014-1025-E](#)
[Professional Services- Request transfer from Road and Bridge Fund Budgeted Reserves for the attached spreadsheet and transfer funds from within the IT Print Center to the correct account for administrative supplies for FY 2017](#)
- g. [17-015-1025-F](#)
[Law Enforcement Education Fund- Request carry over of Law Enforcement Education Funds for Constables #1 - #4 for FY 2017](#)
- h. [17-016-1025-G](#)
[Parks Department Capital Projects- Request transfer from General Fund Budgeted Reserves for access road into 64 Acre \(formerly Spillway\) Park](#)

Motion to defer by County Judge Henry, seconded by Commissioner Giusti.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- i. [17-017-1025-H](#)
[Donations to Galveston County- Request carry over of donations to Galveston County for Reliant CARE - Summer Relief FY 2017](#)
- j. [17-018-1025-I](#)
[Donations to Galveston County- Request establishing a budget for a private donation for the Sheriff's Department for FY 2017](#)

Motion to approve consent agenda item 40j only by Commissioner Holmes, seconded by

County Judge Henry.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- k. [17-019-1025-J](#)
[**Facilities Services & Maintenance- Request transfer from General Fund Budgeted Reserves to Facilities & Maintenance for the purchase of Jail Kitchen Equipment**](#)

Motion to approve consent agenda item 40k only by Commissioner Dennard, seconded by Commissioner Holmes.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

- l. [17-020-1025-K](#)
[**County Clerk Rec Mgt & Pres Fund- Request transfer from County Clerk Rec Mgt & Pres Fund Budgeted Reserves to Extraordinary Supplies for the purchase of Breakroom Chairs**](#)
- m. [17-021-1025-L](#)
[**County Clerk Rec Mgt & Pres Fund- Request transfer from County Clerk Rec Mgt & Pres Fund Budgeted Reserves to Extraordinary Supplies for the purchase of two mini tower PC's**](#)

- *41. [*Consideration of approval to authorize the County Judge to execute the first amendment to contract CM16238 Bolivar Peninsula Beach Dune & Restoration project to correct the Davis Bacon prevailing wage rates submitted by the County Engineer*](#)

Motion to approve consent agenda item 41 only by Commissioner Holmes, seconded by Commissioner Giusti.

Failed: 2-3

Aye: Commissioner Giusti, Commissioner Holmes

Nay: County Judge Henry, Commissioner Dennard, Commissioner Clark

- *42. [*Consideration of change order no. 3 to the Lucas Construction Co. Inc. contract for the Galveston Seawall Endcap Repair & Replacement project submitted by the County Engineer*](#)

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

a.	<u>R123305</u>	\$3,785.13	SUPP Adjustment
	<u>R510205</u>	\$7,757.25	SUPP Adjustment

*44. Request for waiver or refund of penalty and interest due to clerical errors submitted by the Tax Assessor/Collector:

a.	<u>R227738</u>	Lanigan, William	2015	\$10.89(R)
b.	<u>R131952</u>	Ellis, Robert	1999	\$6.97(R)
	<u>R131952</u>	Ellis, Robert	2000	\$60.50(R)
	<u>R131952</u>	Ellis, Robert	2001	\$58.38(R)
	<u>R131952</u>	Ellis, Robert	2002	\$58.68(R)
	<u>R131952</u>	Ellis, Robert	2003	\$62.15(R)
	<u>R131952</u>	Ellis, Robert	2004	\$57.16(R)
	<u>R131952</u>	Ellis, Robert	2005	\$52.31(W)
	<u>R131952</u>	Ellis, Robert	2006	\$50.29(W)
	<u>R131952</u>	Ellis, Robert	2007	\$44.62(W)
	<u>R131952</u>	Ellis, Robert	2008	\$39.98(W)
	<u>R131952</u>	Ellis, Robert	2009	\$37.72(W)
	<u>R131952</u>	Ellis, Robert	2010	\$33.87(W)
	<u>R131952</u>	Ellis, Robert	2011	\$29.53(W)
	<u>R131952</u>	Ellis, Robert	2012	\$25.04(W)
	<u>R131952</u>	Ellis, Robert	2013	\$21.01(W)
	<u>R131952</u>	Ellis, Robert	2014	\$16.47(W)
	<u>R131952</u>	Ellis, Robert	2015	\$12.41(W)

Motion to approve consent agenda item 44a - b only by Commissioner Clark, seconded by County Judge Henry.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

*45. 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.	<u>R102947</u>	Glen, Charlie	2015	\$5.47(R)
b.	<u>R102633</u>	Eunice, Anthony	2015	\$57.49(W)

R128075	Orr, Hershel	2015	\$93.38(W)
R128329	Forbes, Elaine	2015	\$29.20(W)
R123078	Polly, Richard	2015	\$23.63(W)
R118685	Poretto, Rosemarie	2015	\$61.83(W)
R103936	England, Elizabeth	2015	\$140.89(R)
R504012	Home Sweet Home	2015	\$149.20(W)
R189234	Hatcher, Meshell	2015	\$151.57(R)
R123234	Randall Grambo LLC	2015	\$4,216.42(W)
R123235	Randall Grambo LLC	2015	\$6,185.77(W)
R213463	Bergquist, Michael	2015	\$447.72(W)

*46. 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. R194590	Cielo El Rio LLC	2015	\$539.49(W)
R193198	Cielo El Rio LLC	2015	\$260.73(W)
R415004	Cielo El Rio LLC	2015	\$135.12(W)
R193602	Cielo El Rio LLC	2015	\$412.12(W)
R210651	Aguilar, Melva	2015	\$282.27(W)
R366608	Forbus, Arthur	2015	\$1,197.19(W)
R297116	Knoblock, Pam	2015	\$3,954.57(R)
R214824	Jowell, Tracy	2015	\$132.38(R)
R215197	Jowell, Tracy	2015	\$25.86(R)
R214941	Jowell, Tracy	2015	\$38.59(R)
R214823	Jowell, Tracy	2015	\$29.65(R)
R304615	Jowell, Tracy	2015	\$180.77(R)
R513680	Jowell, Tracy	2015	\$27.42(R)
R133362	Owens, Jimmy	2015	\$1,491.28(W)
R510611	Cieszkiewias, Edward	2015	\$936.85(R)

*47. Consideration of authorizing approval to submit a letter to Pelican Island Bridge stakeholders regarding project communications submitted by Commissioner, Precinct 1

Motion to approve consent agenda item 47 only by Commissioner Dennard, seconded by Commissioner Giusti.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

*48. Consideration of approval the FY17 Joint Funding Agreement with the United States Geological Survey for surface-water data collection submitted by Road and Bridge

*49. [Consideration of approval of the following liens submitted by the Nuisance Abatement Officer:](#)

- a. [731 12th St., San Leon, TX 77539](#) (Filed in Real Property Records of County Clerk's Office, having instrument File No. 2016075616.)
- b. [1521 Quarles Ave., Port Bolivar, TX 77650](#) (Filed in Real Property Records of County Clerk's Office, having instrument File No. 2016075617.)
- c. [2317 Old Mexico Rd, High Island, TX 77623](#) (Filed in Real Property Records of County Clerk's Office, having instrument File No. 2016075618.)
- d. [3006 19th St., Dickinson, TX 77539](#) (Filed in Real Property Records of County Clerk's Office, having instrument File No. 2016075619.)

*50. [Consideration of approval of a renewal contract with Gulf Coast Center for a mental health deputy submitted by the Sheriff](#)

Motion to approve consent agenda items 1 - 50 by County Judge Henry, seconded by Commissioner Giusti with the exception of item(s): 8, 24, 25, 36, 39, 40a, 40c-d, 40h, 40j-k, 41, 44a-b and 47. (Agenda items 8, 24, 25, 36, 39, 40a, 40c-d, 40h, 40j-k, 41, 44a-b and 47 voted on separately.)

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

ACTION AGENDA

51. **Commissioner, Precinct 2**

- a. [Consideration of approval of requested waiver to policy HR010- Law Enforcement Career Path Program for Constable, Precinct 2 - Deputy IV position](#)

Motion to deny request by County Judge Henry, seconded by Commissioner Dennard.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

52. **County Judge**

- a. [Consideration of granting authority to County Judge to sign Trustee's Deed on the following tax foreclosed property:](#)
 1. [CAD#: 3735-0000-0052-000](#)

Motion to deny request by County Judge Henry, seconded by Commissioner Holmes.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

53. **Emergency Management**

- a. [Consideration of issuing Order Prohibiting Outdoor Burning in all Unincorporated Areas of Galveston County, Texas \(Outdoor Burn Ban\) and authorizing the County Judge to execute same.](#)

Item deferred by County Judge Henry.

54. **Right of Way**

- a. [Consideration of execution of an encroachment agreement between the County of Galveston and Joseph E. Lorino and Catherine A Lorino permitting a partial encroachment of a house located on what is now known as 1222 Ave A ½, San Leon Texas, San Leon Townsite Abstract 10A Edwards Lot 19-20](#)

Motion to approve by Commissioner Dennard, seconded by County Judge Henry that the above action be taken by the Court. (Filed in Real Property Records of County Clerk's Office, having instrument File No. 2016066694.)

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

55. **Sheriff**

- a. [Consideration to authorize County Judge to execute an agreement with Leads Online for online reporting for secondhand dealers \(Pawnshops\) submitted by County Legal](#)

Motion to approve by Commissioner Holmes, seconded by Commissioner Giusti that the above action be taken by the Court.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

- b. [Consideration of authorizing the County Judge to execute a letter agreement setting the Compensation Schedule for Fiscal Year 2017 for the Interlocal Governmental Agreement between the County of Galveston, Texas and the Clear Creek Independent School District for law enforcement services](#)

Motion to approve by Commissioner Dennard, seconded by Commissioner Holmes that the above action be taken by the Court.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

56. **County Legal**

Motion by County Judge Henry, seconded by Commissioner Dennard to add to Executive Session under Texas Government Code 551.071 for legal advice before voting on item 41. Consideration of approval to authorize the County Judge to execute the first amendment to contract CM16238 Bolivar Peninsula Beach Dune & Restoration project to correct the Davis Bacon prevailing wage rates.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark
Nay: (None)

- a. **Break into Executive Session:**

Break into Executive Session at 2:20 P.M.

- 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 rendering](#)

legal advice regarding contractual obligations between Galveston County and UTMB for operations of the Galveston County Medical Examiner's Office and statutory obligations of the Medical Examiner's Office.

- 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 3:14-CV-300, Kyle Springer v. Unknown Rekoff, et. al., in the United States District Court for the Southern District of Texas.
- 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 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.
- 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 the Texas General Land Office and Rollover Pass.
- 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 the Severe Repetitive Loss Elevation Projects at 1525 103rd Street, Galveston.

- 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 October 5, 2016 letter from Honorable John Ellisor.

- i. **Reconvene into Regularly Scheduled Meeting**

Reconvene into Regularly Scheduled Meeting at 3:38 P.M.

- j. Consideration of response to October 5, 2016 letter from Honorable John Ellisor

Motion to defer by County Judge Henry, seconded by Commissioner Dennard.

Passed: 5-0

Aye: County Judge Henry, Commissioner Dennard, Commissioner Giusti, Commissioner Holmes, Commissioner Clark

Nay: (None)

ADJOURN

Commissioners Court adjourned at 3:40 P.M. on Tuesday, October 25, 2015.