



# **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 November 1, 2021 – 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**

#### **Public Comment**

#### **Consent Agenda**

- \*1. Submitted by the Auditor's Office:
  - a. Approval of the accounts payable checks dated 10/25/21 and 11/1/21
  - b. Order for payroll period ending 10/27/21 bi-weekly #22
  - c. Order for supplemental payroll period ending 10/27/21 bi-weekly #22
  - d. Early check release to GIA Insurance Agency check number AP00447392
  - e. Internal audit report of the Department of Parks and Cultural Services for period of 9/1/20-8/31/21 with response letter from Director Julie Diaz dated 10/25/21
  - f. Internal audit report of Galveston County Child Welfare for period of 7/1/20 - 6/30/21 with response letter from Jim Gentile, Director of Grants Administration dated 10/22/21
  - g. Quarterly audit report for Constable, Precinct 1 for period of 7/21-9/21
  - h. Quarterly audit report for Constable, Precinct 2 for period of 7/21-9/21

- i. Quarterly audit report for Constable, Precinct 3 for period of 7/21-9/21
  - j. Quarterly audit report for Constable, Precinct 4 for period of 7/21-9/21
  - k. Quarterly audit report for Justice of the Peace, Precinct 1 for period of 7/21-9/21
  - l. Quarterly audit report for Justice of the Peace, Precinct 2 for period of 7/21-9/21
  - m. Quarterly audit report for Justice of the Peace, Precinct 3 for period of 7/21-9/21
  - n. Quarterly audit report for Justice of the Peace, Precinct 4 for period of 7/21-9/21
  - o. Quarterly audit report for Court Collections for period of 7/21-9/21
  - p. Quarterly audit report for Juvenile Justice for period of 7/21-9/21
  - q. Monthly financial report for period ending 9/30/2021
  - r. Quarterly audit report of the continuous monitoring for period of 7/21-9/21
  - s. Quarterly audit report of the payroll audit for period of 7/21-9/30/21
- \*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 #21, September 30 - October 13, 2021* submitted by Human Resources
  - \*6. Consideration of *approval of adoption of updates to HR Policy Manual (Policy HR011- Leaves of Absence: Mental Health Leave for Peace Officers)* submitted by Human Resources
  - \*7. Consideration of *approval of an addendum extending the terms and conditions of the consulting services agreement with McGriff Insurance Services, Inc. for 1 year* as submitted by Human Resources
  - \*8. Receive and file *resolution of gratitude by Kinney County* submitted by the County Judge

- \*9. Receive and file *recovery settlement for property damage to Walter Hall Park in the amount of \$433.10* submitted by Legal Services Coordinator
- \*10. Receive and file *recovery settlement for property damage to Galveston County vehicle in the amount of \$2,495.29* submitted by Legal Services Coordinator
- \*11. Consideration of *approval of an order to approve online education for Galveston County Commissioners* submitted by Commissioner, Precinct 1
- \*12. Consideration of *approval of adoption of fifteenth revision to Galveston County's Investment Policy* submitted by Legal Services Coordinator on behalf of the Investment Committee
- \*13. Consideration of *approval of a renewal contract between Harris County Area Agency on Aging Providers, Houston Galveston Area Senior Nutrition Consortium Providers and Valley Services, Inc. DBA Trio Community Meals for congregate meals for the senior program*, submitted by The Parks & Cultural Services Department
- \*14. Consideration of *approval of an electric distribution easement at 5115 Hwy 3* submitted by Road & Bridge
- \*15. Consideration of *approval for annual maintenance support software with Frontier Precision for the mosquito spray system* submitted by Mosquito Control
- \*16. Consideration of *approval of a contract with Jana Wheeler for CPS as special prosecutor* as submitted by District Attorney
- \*17. Consideration of *approval of purchasing body cams and associated software and hardware through Texas BuyBoard from WatchGuard Video* submitted by County Judge on behalf of Sheriff
- \*18. Consideration of *approval of renewal of a fire protection services contract between Galveston County and the Crystal Beach VFD* submitted by Grants Administration
- \*19. Consideration of *approval of renewal of a fire protection services contract between Galveston County and the City of La Marque* submitted by Grants Administration
- \*20. Receive and file *resolution in support of FY 2022 grant to Bay Area Meals on Wheels* as submitted by Grants Administration
- \*21. Consideration of *acceptance of FY 2022 Victims Of Crime Act (VOCA) grant award #2550008 (Victim Assistance Coordinator Program) from the Office of the Governor Criminal Justice Division* as submitted by Grants Administration

- \*22. Consideration of *acceptance of FY 2022 Violence Against Women Act (VAWA) grant award #2704109 (Prosecutor) from the Office of the Governor Criminal Justice Division* as submitted by Grants Administration
- \*23. Consideration of *acceptance of FY 2022 Victims Of Crime Act (VOCA) grant award #3702303 (Santa Fe High School Victims Advocate) from the Office of the Governor Criminal Justice Division* as submitted by Grants Administration
- \*24. Consideration of *acceptance of FY 2022 Criminal Justice grant award from the Office of the Governor Criminal Justice Division (Patrol Division - bulletproof vests)* as submitted by Grants Administration
- \*25. Consideration of *acceptance of FY 2022 Project Safe Neighborhoods grant award (Patrol Division) from the Office of the Governor Criminal Justice Division* as submitted by Grants Administration
- \*26. Consideration of *acceptance of 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) award (annual allocation grant) from the U.S. Department of Justice and authorize County Judge to sign required documents* submitted by Grants Administration
- \*27. Consideration of *acceptance of FY 2022 Violence Against Women Act (VAWA) grant award #3111106 (Protective Order Attorney) from the Office of the Governor Criminal Justice Division* as submitted by Grants Administration
- \*28. Consideration of *approval to submit Operation Lone Star grant application to the Office of the Governor Homeland Security Division and authorize County Judge to sign supporting resolution* as submitted by Grants Administrator
- \*29. Consideration of *acceptance of FY 2022 STEP - Impaired Driving Mobilization grant award from the Texas Department of Transportation and authorize County Judge to sign required forms* as submitted by Grants Administration
- \*30. Consideration of *approval to submit 2022/2023 Veterans Treatment Court grant application to the Texas Veterans Commission and authorize County Judge to sign required documents* as submitted by Grants Administration
- \*31. Consideration of *approval of authorizing the County Judge to sign the following forms for the CDBG Harvey Round 1 project "City of Friendswood Frenchmen's Creek Acquisition"* submitted by Grants Administration:
  - a. Request for Release of Funds and Certification
  - b. Affidavit of Posting
  - c. Determination of Finding of No Significant Impact, with Affirmation of Mitigation Measures and Conditions

- \*32. Consideration for *authorization to issue formal solicitations for EOC Technology Enhancement on behalf of the Emergency Management Department* submitted by the Purchasing Agent
- \*33. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to purchase one (1) John Deere Z997R (diesel) commercial zero turns mower with the 72" mower deck and canopy on behalf of the Parks and Cultural Services Department* submitted by the Purchasing Agent
- \*34. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent
- \*35. Consideration for *authorization to extend the contracts for RFP #B191022, Flood Mitigation Assistance Home Elevation & Mitigation Reconstruction Services* submitted by the Purchasing Agent
- \*36. Consideration for *authorization to issue formal solicitations for maintenance milling of Cemetery Rd. and maintenance HMAC overlay of Cemetery Rd. on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*37. Consideration for *authorization to extend the contract for RFP #B181040, Flood Assistance Program Administrator on behalf of Grants Administration* submitted by the Purchasing Agent
- \*38. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to procure fire and security systems and monitoring services - Buy/Board contract #654-21 on behalf of Facilities* submitted by the Purchasing Agent
- \*39. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to procure personal and professional services from Koa Hills for staff augmentation for Central Square – One Solution Finance & Payroll support on behalf of the Information Technology* submitted by the Purchasing Agent
- \*40. Consideration of *authorizing amendment for FY2022 to the 2021-2024 interlocal governmental agreement for School Liaison Officer Program with Texas City Independent School District and Galveston County* submitted by Sheriff's Office
- \*41. Consideration of *authorizing amendment for FY2022 to the 2021-2024 interlocal governmental agreement for School Liaison Officer Program with Dickinson Independent School District and Galveston County* submitted by Sheriff's Office
- \*42. Consideration of *authorizing an amendment for FY2022 to the 2021-2024 interlocal governmental agreement for law enforcement services with Galveston Community College District and Galveston County* submitted by the Sheriff's Office

- \*43. Consideration of *approval for the following budget amendments* submitted by the Auditor's Office:
- a. 21-164-1101-B  
**Law Library** - Request transfer from Law Library Fund Budgeted Reserves to Law Library Books, Periodicals and Subscriptions to fund August and September LexisNexis invoices
  - b. 21-165-1101-C  
**Medical Claims Insurance** - Request transfer from Medical Claims Insurance Admin Fees-Medical/HSA (BC) to Vision Claims Paid for additional vision claims submitted for funding by Boon Chapman
  - c. 21-166-1101-D  
**Employee Benefits** - Request transfer from Employee Benefits Building Leases/Rental to GalCo Onsite Clinic/Pharmacy to fund final September invoice
  - d. 21-167-1101-E  
**Employee Benefits** - Request transfer from General Fund Budgeted Reserves to Employee Benefits Medical Claims Paid for remainder of FY 2021 claims
  - e. 21-168-1101-F  
**Information Technology** - Request transfer from Information Technology Software Licensing and Maintenance to Extraordinary Supplies to cover remainder of FY 2021 expenditures
  - f. 22-025-1101-A  
**Identification Division** - request transfer from General Fund Budgeted Reserves to Identification Division Salaries and Related Benefits, along with needed IT equipment and software, for a new Digital Support Analyst Position
  - g. 22-026-1101-B  
**Admin Sheriff Dept** - Request transfer from General Fund Budgeted Reserves to Admin Sheriff Dept Equipment for 200 body cameras and accessories
  - h. 22-027-1101-C  
**Sheriff Services ISDs** - Request transfer from General Fund Budgeted Reserves to Sheriff Services ISDs Administrative Supplies account. This is funded by prior year revenue received from Texas State University for tobacco stings performed that has now rolled into the General Fund fund balance.
  - i. 22-028-1101-D  
**Beach Maintenance** - Request transfer from Galveston County Beach and Parks Budgeted Reserves to Vehicles for the purchase of five utility vehicles (UTVs) budgeted for in FY2021, but not able to be purchased or encumbered for in FY2021

- j. 22-029-1101-E  
**District Attorney** - request transfer from General Fund Budgeted Reserves to General Government Transfer to Grant Match-Discretionary to cover an additional \$3,091 in payroll expenditures for a position change from Attorney III to Chief ADA. The grant fund will not cover this increase; therefore the General Fund will need to fund it through a transfer to the grant fund
- k. 22-030-1101-F  
**Sewer/Storm Water Infrastructure Improvements** - To request transfer from American Rescue Plan Stimulus Fund Budgeted Reserves to Sewer/Storm Water Infrastructure Improvements Interlocal Agreements to fund the county's contribution to the City of Santa Fe for the Avenue P drainage improvement project
- l. 22-031-1101-G  
**Flood Control** - To request transfer from Flood Control Heavy Equipment to Equipment to cover increase in prices for trailers and light tower/generator from previous quotes
- m. 22-032-1101-H  
**FM & Lateral Road** - To request transfer from Flood Control Heavy Equipment and FM & Lateral Road Extraordinary Supplies to FM & Lateral Road Equipment to cover increase in price for arrow board from previous quotes
- n. 22-033-1101-I  
**Facilities** - To request transfer from Self Insurance Fund to the General Fund Facilities Furniture and Fixtures to fund the replacement of cubicles lost in the Justice Center fire.
- o. 22-034-1101-J  
**Parks** - To request transfer from Self Insurance Fund to Parks Grounds Maintenance & Salaries for repairs to Walter Hall Park gate. This is being funded by a check the County received from the insured party.
- p. 22-035-1101-K  
**Grants Administration** - To request transfer from General Fund Budgeted Reserves to Grant Administration Other Contract Services to fund the GrantWorks FEMA HMGP application.
- q. 22-037-1101-M  
**Information Technology** - Request transfer from General Fund Budgeted Reserves to Information Technology Other Contract Services for staff augmentation to support Central Square's OneSolution Financials and Payroll for six months while the County advertises for and fills positions to bring support back in-house

- \*44. Consideration of *authorizing the County Judge to execute change order no. 1 with Lucas Construction Co., Inc for the City of Hitchcock Street Rehabilitation Project* submitted by the County Engineer
- \*45. Consideration of *authorizing the County Judge to execute an interlocal agreement between Galveston County and the City of Santa Fe to partially fund drainage improvements within the city limits of Santa Fe* submitted by the County Engineer
- \*46. Consideration of *approval of Dolphin Waves II subdivision* submitted by Platting & Right-of-Way
- \*47. Consideration of *approval of Coastal Dreams subdivision* submitted by Platting & Right-of-Way
- \*48. Consideration of *application from Jerry Robinson and Patricia Robinson for permission to convey portions of the H.B. Baylan Survey by metes & bounds without revising the plat in accordance with Sec. 232.101 of the Local Government Code, Chapter 232 (Subchapter A) And Sec. 232.0015 (Subchapter E) whereas a lot is sold, given or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity* submitted by Platting & Right-of-Way
- \*49. Consideration of *approval of application from BBCRV Partners, LLC, c/o Newcoast Management LLC, Brad Ballard for a partial replat of Avocet subdivision* submitted by Platting & Right-of-Way
- \*50. Consideration of *approval of application from Marfil Investments, LLC for a partial replat of San Leon Townsite subdivision* submitted by Platting & Right-of-Way
- \*51. 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
- \*52. Request for *waiver or refund of penalty and interest due to clerical errors* submitted by the Tax Assessor/Collector

**Action Agenda**

53. **County Engineer**

- a. Dune mitigation permit for 715 Magnolia Lane, Port Bolivar
  - 1. Receive public comments
  - 2. Consideration of approval of permit



54. **Purchasing**

- a. Consideration of approval to award the following:
  1. ITB #B211046, Utility Terrain Vehicles for Parks Department
  2. RFP #B211047, Portable Restroom Trailers
- b. Consideration of approval of awarding the following bid and authorizing the County Judge to execute the contract for the following:
  1. ITB #B212030, Sheriff's Office Uniforms and Supplies
  2. ITB #B222002, Hot Mix Asphalt

55. **Right of Way**

- a. Replat of Lot 17 Waterways Section Three (3)
  1. Receive public comments
  2. Consideration of approval of replat
- b. Replat of Outlot 202 of the Alta Loma Outlots
  1. Receive public comments
  2. Consideration of approval of replat
- c. Amending Plat of Lot 5, Lot 6 and Part of Lot 7. Block 31 of the Revised Plat of Algoa Suburbs
  1. Receive public comments
  2. Consideration of approval of amending plat

56. **General Counsel**

- 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. County of County of Galveston v. Purdue Pharma, Inc., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, removed to MDL 2804, N.D. OH.
  2. No. 3:21-CV-256; Estate of Jeffrey Peters, et al. v. Galveston County, et al. in the United States District Court for the Southern District of Texas, Galveston Division
- c. **Reconvene into Regular Meeting**
- d. Consideration of authorizing the County Judge to execute order regarding a settlement offer in the matter of Texas opioid multi-district litigation for the County in the matter of County of Galveston v. Purdue Pharma, Inc., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, removed to MDL 2804, N.D. OH.
- e. Consideration of authorizing waiver of service regarding No. 3:21-CV-256; Estate of Jeffrey Peters, et al. v. Galveston County, et al. in the United States District Court for the Southern District of Texas, Galveston Division

## **Adjourn**

## **WORKSHOP AGENDA**

1. Discuss update on engineering capital projects submitted by the County Engineer
2. Discussion of waterproofing the building envelope of the Justice Center and purchasing roofing materials through the CO-OP submitted by Facilities

### **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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