



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 15, 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 11/8/21 and 11/15/21
 - b. Order for payroll period ending 11/10/21 bi-weekly #23
 - c. Order for supplemental payroll period ending 11/10/21 bi-weekly #23
 - d. Pursuant to Local Government Code 111.0106 certification of Great American Insurance advanced payment on building and business personal property damage claim A00374923
 - e. Internal audit report of the FY2021 property tax refunds review for period of 10/1/20 - 9/30/21 with response letter from Honorable Cheryl E. Johnson dated 11/4/2021
 - f. Consideration of approval of a contract with Patillo, Brown Hill, LLP. for annual auditing services

- *2. Receive and file *refund check list from Odyssey* submitted by the District Clerk
- *3. Receive and file *restitution check list from Odyssey* submitted by Collections Improvement Program
- *4. Receive and file *summary of bi-weekly personnel movements pay period #22, October 14-27, 2021* submitted by Human Resources
- *5. Consideration of *approval of execution of a renewal contract with Interface Behavioral Health for benefit eligible employees, eligible COBRA and retiree counseling services* submitted by Human Resources
- *6. Consideration of *resolution honoring the retirement of Carolyn Branch, Justice of the Peace Precinct 1* submitted by the County Judge
- *7. Canvass of the *November 2, 2021 Constitutional Amendment Election as required by the Texas Election Code* submitted by the County Clerk
- *8. Consideration of *approving the nomination of Commissioner Ken Clark for a position on the Board of Directors of the Texas Conference of Urban Counties* submitted by Commissioner, Precinct 4
- *9. Consideration of *approval to renew the AARP - Bolivar Chapter 1591 lease agreement for one year for the Joe Faggard Building*, submitted by the Parks & Cultural Services Department
- *10. Consideration of *approval to renew the Bolivar Chamber of Commerce lease agreement for one year for the Joe Faggard Building*, submitted by the Parks & Cultural Services Department
- *11. Consideration of *approval of a change order for Tucon LLC, Texas City Annex Foundation and HVAC Project* submitted by Facilities
- *12. Consideration of *approval of Open Text prime support renewal for RightFax with Open Text, Inc.* submitted by Information Technology
- *13. Consideration of *approval of CrimeNtel annual software maintenance renewal for technical support and product upgrades with CI Technologies* submitted by Information Technology
- *14. Consideration of *approval of NetScout Packet-Level analysis for network, applications, and servers maintenance renewal with Set Solutions Inc* submitted by Information Technology

- *15. Consideration of *approval of agreement between Galveston County and Koa Hills Consulting, LLC for Information Technology consulting services as authorized by Order Granting Discretionary Exemption Local Government Code Section 262.024(4) on Commissioners' Court November 1, 2021* submitted by Information Technology
- *16. Consideration of *approval of McAfee Gold Business Support for McAfee Endpoint Advanced Suite software maintenance renewal with SHI Govt Solutions* submitted by Information Technology
- *17. Consideration of *approval of OneSolution Field Training Online annual software maintenance renewal with CentralSquare Technologies* submitted by Information Technology
- *18. Consideration of *approval of OnBase annual maintenance software support renewal with DataBank IMX LLC* submitted by Information Technology
- *19. Consideration of *approval of subscription renewal with Harris County Radio Services for Sheriff's Office radio console connection and service* submitted by Sheriff's Office
- *20. Consideration of *approving agreement between Galveston County and Raba Kistner Consultants, Inc. for professional residential inspection services in the Hazard Mitigation Grant Program, resultant contract in RFQ #B211042, and authorizing County Judge to execute same* submitted by Grants Administration
- *21. Consideration of *approving the following agreements for residential elevation construction services in the Hazard Mitigation Grant Program, resultant contracts in RFQ #B211041, and authorizing the County Judge to execute same* submitted by Grants Administration
 - a. Arkitektura Development, Inc.
 - b. Brydson Services, LLC
 - c. Planet Three Consulting Corporation
- *22. Ratification of *service agreement between Galveston County and GrantWorks, Inc. for application development for Hazard Mitigation Assistance Grant Programs (HMGP) DR-4572 and DR-4586* submitted by Grants Administration
- *23. Receive and file *FY2022/2023 Solid Waste Implementation Grant denial for FY 2023 Household Hazardous Waste Event from the Texas Commission on Environmental Quality through the Houston-Galveston Area Council* as submitted by Grants Administration

- *24. Receive and file *FY2022/2023 Solid Waste Implementation Grant denial for Parks Department vegetative chipper from the Texas Commission on Environmental Quality through the Houston-Galveston Area Council* as submitted by Grants Administration
- *25. Consideration of *approval for the following budget amendments* submitted by the Auditor's Office:
- a. 21-169-1115-A
Probate Court - Request transfer from Probate Court Cost Bill Commitment to Administrative Supplies to cover remainder of FY 2021 expenditures
 - b. 22-039-1115-A
Constable Precinct #2 - Request transfer from General Fund Budgeted Reserves to Constable Precinct #2 Extraordinary Supplies for pepper ball guns and associated equipment
 - c. 22-040-1115-B
Joe Faggard Community Center - Request to reclass budget for the monthly payment from Bolivar Chamber of Commerce from Facilities Srvs & Maintenance to Joe Faggard Community Center to record the revenue in the appropriate cost center
 - d. 22-041-1115-C
Facilities Services & Maintenance - Request transfer from General Fund Budgeted Reserves to Facilities Building Improvement for roof rejuvenation on 722 Moody and Joe Max facilities
 - e. 22-042-1115-D
Facilities Services & Maintenance - Request transfer from General Fund Budgeted Reserves to Facilities Building Improvement for waterproofing and stucco repair at the Justice Center
 - f. 22-043-1115-E
Friendswood Lakes Blvd - Request transfer from Unlimited Tax Road Bonds Series 2017 Designated for Capital Projects to Friendswood Lakes Blvd Professional Services for expenses related to an engineering agreement for this road project
 - g. 22-044-1115-F
Road Construction Management - Request transfer from Unlimited Tax Road Bonds Series 2017 Designated for Capital Projects to Road Construction Management CIP Road and Bridge to cover engineering costs associated with County road projects

- h. 22-045-1115-G
Flood Control - Request transfer from Flood Control Budgeted Reserves to Flood Control Equipment for a spray rig budgeted for in FY21, but not available until FY22
- i. 22-046-1115-H
Flood Control - Request transfer from Flood Control Heavy Equipment to Flood Control Equipment for purchase of a spray rig. Excess budget for the purchase of a Gradall will be used to cover purchase price increases for the spray rig.
- j. 22-047-1115-I
County Auditor - Request transfer from County Auditor Software Licensing and Maintenance to Cloud Subscription Services to correct FY22 adopted budget. The budget approved by the district judges had this in its own line item.
- k. 22-048-1115-J
Ike-Texas City Annex Foundation/HVAC - Request transfer from General Fund Budgeted Reserves to Transfers and Reserves Transfer to Grant Match-Discretionary/Texas City Annex Foundation/HVAC Transfer from Grant Match-Discretionary to increase the budget in Building Improvement to cover the costs of change orders not covered by FEMA funding
- l. 22-049-1115-K
District Attorney - Request transfer from General Fund Budgeted Reserves to District Attorney Salaries and Related Benefits for (1) new Attorney I position and (1) new Administrative Assistant 1 position
- m. 22-050-1115-L
Grants Administration - Request transfer from General Fund Budgeted Reserves to Grants Administration Grant Application Fee for anticipated FY22 expenditures related to grant applications
- n. 22-051-1115-M
Medical Claims Insurance - Request transfer from Employee Benefits Unreserved Retained Earnings to Medical Claims Insurance Admin Fee - Medical/HSA (BC) and Medical Claims Paid to cover the estimated remainder of the Boon Chapman runout from October through December, 2021
- o. 22-052-1115-N
General Government - Request transfer from General Fund Budgeted Reserves to General Government Technology Hardware and Internet/Data Service for computers and line access fees for the constables' and deputy constables' vehicles

- *26. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent
- *27. Consideration for *authorization to cancel and re-bid ITB #B212003, Corrugated Polyethylene and Polypropylene Pipe for Culverts* submitted by the Purchasing Agent
- *28. Consideration for *authorization to grant sole source exemption to purchase Patch N Pave high performance polymer modified cold asphalt from Waller County Asphalt* submitted by the Purchasing Department on behalf of Road and Bridge
- *29. Consideration for *authorization to cancel and re-bid ITB #B212002A, Trap Rock* submitted by the Purchasing Agent
- *30. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to procure phone services from Lumen, Inc. dba Century Link Communications, LLC on behalf of Information Technology* submitted by the Purchasing Agent
- *31. Consideration for *authorization for the County Judge to execute the contract for ITB #B212029, Vehicle Repairs* submitted by the Purchasing Agent
- *32. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to procure services for waterproofing and EIFS repair at the Justice Center and Roof Surface Restoration Materials for 722 Moody and Joe Max Taylor Building on behalf of Facilities* submitted by the Purchasing Agent
- *33. Consideration for *authorization to cancel and re-bid ITB #B212004, Reinforced Concrete Pipe for Culverts* submitted by the Purchasing Agent
- *34. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to purchase one (1) John Deere 210L Tractor Loader on behalf of the Parks and Cultural Services* submitted by the Purchasing Agent
- *35. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to procure one (1) 420 4EACA Backhoe Loader on behalf of Road & Bridge* submitted by the Purchasing Agent
- *36. Consideration of *approval of a contract between the Galveston County Tax Office and Laser Printers & Mailing Services, LLC. for printing of voter mass mailout agreement #CM21341* submitted by the Tax Assessor/Collector
- *37. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector

- *38. 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
- *39. Consideration of authorizing the County Judge to execute change order no. 1 to the RG Miller Engineers agreement for professional engineering services for program management of the 2017 Road Bonds projects submitted by the County Engineer
- *40. Consideration of authorizing the County Judge to execute amendment no. 3 to the Terra Associates, Inc. engineering agreement for Friendswood Lakes Blvd. submitted by the County Engineer
- *41. Consideration of order of abandonment for a unopened portion of Ave A, adjacent to Lots 21 and 22, Block 19 of San Leon Townsite submitted by Platting & Right-of-Way
- *42. Consideration of approval of application from George Scruggs for a partial replat of Bird's Gulf Addition to Caplen submitted by Platting & Right-of-Way
- *43. Consideration of approval of application from Steve Karamitsos, Jr. and mark G. Williams for a partial replat of Town of Dickinson Subdivision submitted by Platting & Right-of-Way
- *44. Consideration of approval of application from Lecia O'Neal for a partial replat of Port Bolivar Townsite submitted by Platting & Right-of-Way
- *45. Consideration of approval of (2) cell phone requests for the Constable Pct. 2 office submitted by Commissioner, Precinct 2

Action Agenda

46. **Purchasing**

- a. Consideration for authorization to award the following:
 - 1. RFP #B212033A, Financial Assistance Program for Galveston County
 - 2. ITB #B211044, Jackson Avenue Drainage Improvements

47. **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. Brent Cooley v. Galveston County Sheriff's Office, Cause No. 3:21-cv-00151 in the United States District Court for the Southern District of Texas
 - 2. Charge No. 460-2019-00601 L.E. v Galveston County Sheriff's Office
- c. **Reconvene into Regular Meeting**
- d. Consideration of authorizing waiver of service regarding Brent Cooley v. Galveston County Sheriff's Office, Cause No. 3:21-cv-00151 in the United States District Court for the Southern District of 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.
