



# **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 29, 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 11/22/21 and 11/29/21
  - b. Order for payroll period ending 11/24/21 bi-weekly #24
  - c. Order for supplemental payroll period ending 11/24/21 bi-weekly #24
  - d. Internal audit report of the Alternative Dispute Resolution Fund for period of 9/1/20 - 8/31/21 with response letter from Thayer Evans dated 11/12/21
  - e. Monthly financial report for period ending 10/31/2021
  - f. Execution of IRS form 8038-CP, Return for Credit Payments to Issuers of Qualified Bonds
  - g. Internal audit report of the Sheriff's Office Petty Cash Fund for period of 10/1/20 - 9/30/21 with response letter from Honorable Henry Trochesset dated 11/18/21
  
- \*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 Personal Bond/Collections
- \*4. Receive and file *summary of bi-weekly personnel movements pay period #23, October 28 - November 10, 2021* submitted by Human Resources
- \*5. Receive and file *October 2021 collections and personal bond report* submitted by Personal Bond/Collections
- \*6. Receive and file *October 2021 monthly report* submitted by Personal Bond/Collections
- \*7. Consideration of *approval of extension of Declaration of Local Disaster related to COVID-19* submitted by the County Judge
- \*8. Consideration of *approval of appointments to the H-GAC Transportation Policy Council (TPC)* submitted by the County Judge
- \*9. Consideration of *approval of appointments to the H-GAC Technical Advisory Committee (TAC)* submitted by the County Judge
- \*10. Receive and file *Galveston County Community Supervision and Corrections Department statement of financial position ended August 31, 2021* submitted by Adult Probation
- \*11. Receive and file *Road & Bridge response letter to accept 1,314 cubic yards of TXDOT RAP material and 143 pieces of portable concrete traffic barrier through the Local Government Assistance Program* submitted by Road and Bridge
- \*12. Consideration of *approval of a donation of 20 trees from TXU Energy for Roy J Wollam Elementary and Kubacak Elementary in Santa Fe ISD and Stewart Elementary and Hitchcock Primary in Hitchcock ISD* submitted by Commissioner Precinct 2
- \*13. Consideration of *approval of memorandum of understanding with Lighthouse Christian Ministries for the distribution of food at Bayshore Park for 2022*, submitted by the Parks & Cultural Services Department
- \*14. Consideration of *approval of a renewal for maintenance agreement on Datacard CD800 Duplex with IdentiSys Inc.* submitted by the County Clerk
- \*15. Consideration of *approval of OnBase professional services for technical, consulting, development, and training with DataBank IMX LLC* submitted by Information Technology
- \*16. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent

- \*17. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of formal bidding to procure one (1) 420 407A Backhoe Loader on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*18. Consideration for *authorization to extend the contract for RFQ #B181004, Community Preparedness Program Administration* submitted by the Purchasing Agent
- \*19. Consideration for *authorization to cancel and re-solicit for RFP #B221003, Design and Printing of Emergency and Disaster Preparedness Guides* submitted by the Purchasing Agent
- \*20. Consideration of *approval of authorization to grant sole source exemption to purchase PM813 2-in-1 rugged tablets from Peacemaker Technologies, LLC* submitted by the Purchasing Department on behalf of Constable, Precinct 4
- \*21. Consideration for *authorization to cancel and re-bid ITB #B222001, Asphalt, Oils & Emulsions* submitted by the Purchasing Agent
- \*22. Consideration for *authorization to extend the contract for ITB #B172009, Aerial Adulticide Application Services* submitted by the Purchasing Agent
- \*23. Consideration of *approval to submit FY 2022 Body Worn Camera grant application to the Office of the Governor Criminal Justice Division and authorize County Judge to sign supporting resolution* as submitted by Grants Administration
- \*24. Consideration of *approval of resultant contracts for RFP #B212033A Financial Assistance Program and approval to execute same with the following providers* submitted by Grants Administration:
  - a. M.I. Lewis
  - b. Salvation Army
  - c. St. Vincent's House
  - d. Catholic Charities of the Archdiocese of Galveston-Houston
- \*25. Consideration of *approval for the following budget amendments* submitted by the Auditor's Office:
  - a. 21-171-1129-A  
**American Rescue Plan Stimulus** - Request transfer from American Rescue Plan Budgeted Reserves to American Rescue Plan Stimulus Salary and Benefits to fund the ARP administrator for FY21-FY24. Funding approved in CC on October 4, 2021.

- b. 21-172-1129-B  
**Border Security Response Team** - Request transfer from American Rescue Plan Budgeted Reserves to Border Security Response Team various expenditures to fund the salaries, benefits and other expenditures related to public safety and the border security response team. Funding approved in CC on October 4, 2021.
- c. 21-173-1129-C  
**Road and Bridge Facility** - Request transfer from American Rescue Plan Budgeted Reserves to Road and Bridge Facility CIP Buildings. Funding approved in CC on October 4, 2021. This is the "lost revenue" as calculated per the ARP directive.
- d. 21-174-1129-D  
**Medical Examiner-La Marque** - Request transfer from Medical Examiner-La Marque CIP Buildings to Limited Tax Building Bonds, Series 2017A Designated for Capital Projects. The grant match originally planned to be paid out of Fund 3016 was later decided to be paid out of General Fund. The budget is no longer needed in this fund.
- e. 22-053-1129-A  
**Tax Assessor Collector Reimb** - Request transfer from General Fund Budgeted Reserves to Tax Assessor Collector Reimbursements Seasonal Help for expenditures budgeted for in FY21, but delayed due to COVID and late receipt of census data. Revenue to cover these expenditures was received in FY21 through a reimbursement from the City of Friendswood.
- f. 22-054-1129-B  
**Auditor Administration** - Request transfer from American Rescue Plan Stimulus Budgeted Reserves to Auditor Administration Salary and Benefits to fund the ARP accountant for FY22-FY24. Funding approved in CC on October 4, 2021.
- g. 22-055-1129-C  
**American Rescue Plan Stipend** - Request transfer from American Rescue Plan Stimulus Budgeted Reserves to American Rescue Plan Stipend Salary and Benefits to fund the fund the employee stipend and related benefits approved in CC on October 4, 2021.
- h. 22-057-1129-E  
**Galveston County Museum** - Request transfer from General Fund Budgeted Reserves (approx. \$350) and Galveston County Museum various expenditures to Galveston County Museum Contract Services-GalCo Museum for the contract services with Galveston County History, Inc to assume operation and maintenance of the Galveston County Museum.

- i. 22-058-1129-F  
**Beach Maintenance** - Request transfer from Beach Maintenance Improvements Other than Buildings to Beach Maintenance Vehicles to cover the price increase for a new UTV
  - j. 21-175-1129-E  
**Warrants - Sheriff Dept.** - Request transfer from Corrections Other Contract Services to Warrants Prisoner Extradition Travel to cover August and September travel expenditures
  - k. 21-176-1129-F  
**Road and Bridge Facility** - Request transfer from Road and Bridge Facility CIP Buildings to Limited Tax Building Bonds Series 2017A Designated for Capital Projects. Funding for Road & Bridge Facility expenditures after March 3, 2021 will be covered by ARP Stimulus funding as approved in CC on October 4, 2021.
  - l. 22-059-1129-G  
**Communications Division** - To request transfer from General Fund Budgeted Reserves to Communications Division Salaries and Related Benefits, along with needed IT equipment and software, for (4) new Bond Condition Analysts. This will be one position covered by four employees working different shifts
- \*26. Consideration of *approval of resultant contract from RFP B212032 Guardianship Services between Galveston County and Friends for Life* submitted by Legal Services Coordinator
- \*27. Consideration of *approval of renewal of surety bond for Polygraph Examiner, Mark D Bonner* submitted by Legal Services Coordinator
- \*28. Consideration of *approval of reduction of charges on a nuisance abatement lien at 3511 Emmerson Ave., Bacliff, TX a/k/a Abst 153 J Miles Sur Lots 9 & 10 Blk B C E Gordy Estate MH 2000 28x56 Label PFS0639048/9; Document No. 2021013980 and execution of necessary documents to release the lien* submitted by Legal Services Coordinator
- \*29. Consideration of *approving state case registry and local customer service cooperative agreement between the Office of the Attorney General of the State of Texas and Galveston County, Texas* submitted by Legal Services Coordinator on behalf of the District Clerk
- \*30. Consideration of a *resolution of award and execution of a special warranty deed for sale of a County right of way to Jack V. Horne and Jerry W. Radicioni* submitted by Right of Way

- \*31. Consideration of *authorizing the County Judge to execute the HUD settlement statement for the Riley Tract for the CDBG Round 1 project "Lauderdale Dock"* submitted by Platting & Right-of-Way
- \*32. Consideration of *approval of road opening request #229 from Michael Duke for south of Ave A, Algoa* submitted by Platting & Right-of Way

**Action Agenda**

33. **Commissioner, Precinct 4**

- a. 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
- b. Consideration of approval of the following budget amendment:
  - 1. 22-056-1129-D  
**Road Construction Management** - Request transfer from Unlimited Tax Road Bonds Series 2017 Designated for Capital Projects (interest earned in prior years) to Road Construction Management CIP Road and Bridge to cover engineering costs associated with County road projects

34. **County Judge**

- a. Consideration of adopting the Galveston County Museum Collections Policy and authorizing a management agreement by and between Galveston County and Galveston County History, Inc. for the operation of the Galveston County Museum submitted by Legal Services Coordinator

35. **Purchasing**

- a. Consideration of approval of awarding the following bids and authorizing the County Judge to execute the contract for the following:
  - 1. ITB #B212028A, Vehicle Collison & Body Repair
  - 2. ITB #B212039, Vehicle Repairs-Galveston Island
- b. Consideration for authorization to award the following:
  - 1. RFP #B221004, Mental Health Court Public Defender's Office Buildout
  - 2. ITB #B211048 La Marque Various Roads

36. **Right of Way**

- a. Cleveland Norman Subdivision replat
  - 1. Receive public comments
  - 2. Consideration of approval of replat
- b. Mary Estates replat
  - 1. Receive public comments
  - 2. Consideration of approval of replat
- c. Sandcastles on the Strand replat
  - 1. Receive public comments
  - 2. Consideration of approval of replat

37. **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. Bolivar Beach Vending Applications and Permit
  - 2. No. 14-19-00774-CV; Gilchrist Community Association v. County of Galveston, Texas in the Court of Appeals for the 14th District of Texas at Houston
  - 3. Cause No. 19-CV-0551; Woytek v. Galveston County in the 10th Judicial District Court of Galveston County, Texas
  - 4. In re Leif James Putnam, Cause No. 14-21-00528-CV in the Court of Appeals for the 14th District of Texas

5. Cause No. 3:21-CV-00191; Alfy L. Mayes v. Galveston County Sheriff's Office in the United States District Court for the Southern District of Texas
  6. Charge No. 460-2019-00601 L.E. v Galveston County Sheriff's Office
  7. Courthouse Security at the Galveston County Justice Center
  8. Claims against Boon Chapman
- 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 the following item:
1. Property at 54th and Broadway
- d. **Reconvene into Regular Meeting**

## **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.

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