



# **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**

**December 13, 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 12/6/21 and 12/13/21
  - b. Order for payroll period ending 12/8/21 bi-weekly #25
  - c. Order for supplemental payroll period ending 12/8/21 bi-weekly #25
  - d. Internal audit report of the Community Supervision and Corrections Department for period of 10/1/20 - 9/30/21 with response letter from Willie Lacy, Director, dated 11/22/21
  - e. Internal audit report for the Mosquito Control office for the period of 10/1/20 - 9/30/21 with response letter from John Marshall, Director of Mosquito Control, dated 12/3/21
  - f. FY 2021 Chapter 59 Asset Forfeiture report for Constable, Precinct 3 for period of 10/1/20 - 9/30/21

- g. FY 2021 Chapter 59 Asset Forfeiture report of the Sheriff's Office for period of 10/1/20 - 9/30/21
  - h. FY 2021 Chapter 59 Asset Forfeiture report of the District Attorney's Office for period of 9/1/20 - 8/31/2021
  - i. FY 2021 Chapter 59 Asset Forfeiture report for Constable Precinct 4 for period of 10/1/20 - 9/30/21
  - j. Indemnification request from the Tax Assessor Collector's office
- \*2. Receive and file *refund check list from Odyssey* submitted by the District Clerk
  - \*3. Receive and file *refund check list from Odyssey* submitted by the County Clerk
  - \*4. Receive and file *restitution check list from Odyssey* submitted by Personal Bond/Collections
  - \*5. Receive and file *summary of bi-weekly personnel movements pay period #24, November 11 - 24, 2021* submitted by Human Resources
  - \*6. Consideration of *approval of the final confirmation statement of fixed costs with Texas Association of Counties (TAC) Health and Employee Benefits Pool for Plan Year 2022* as submitted by Human Resources
  - \*7. Consideration of a *resolution recognizing The Salvation Army for 130 years of service to Galveston County* submitted by the County Judge
  - \*8. Consideration to *approve resolution and ballot for selection of Galveston Central Appraisal District Board of Directors* submitted by the County Judge
  - \*9. Consideration of *approval of appointment of delegate and alternate to the H-GAC 2022 General Assembly and Board of Directors* submitted by the County Judge
  - \*10. Consideration of *approval of (re)appointment to the Galveston County Emergency Services District No. 2* submitted by the County Judge
  - \*11. Consideration of *approval of granting a three year reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) to CCISD for use of the outdoor grounds at Walter Hall Park for their annual Adapted PE Day on Wednesday, April 13, 2022 and two other dates TBD in 2023 and 2024*, presented by the Parks & Cultural Services Department

- \*12. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) to Life Church for use of the indoor banquet hall and outdoor grounds at Walter Hall Park for their annual 5K & fundraising event on Saturday, February 26, 2022, presented by the Parks & Cultural Services Department*
- \*13. Consideration of *approval to accept a donation of materials and labor from GHORBA and Steve Booker for the installation of limestone to the mountain bike trails at Jack Brooks Park presented by the Parks & Cultural Services Department*
- \*14. Consideration of *approval of change order no. 00002 with O'Haver Contractors for pass through cost adjustments for Galveston County Road & Bridge facilities rebuild project's material increases for steel, lumber, copper and PVC submitted by Facilities*
- \*15. Consideration of a *resultant contract with Tucon LLC for RFP #B221004 Mental Health Court Public Defender's Office build-out at County Courthouse - 722 Moody - Galveston submitted by Facilities*
- \*16. Consideration of *approval of ServiceDesk Plus subscription for ITIL ready service management with ManageEngine submitted by Information Technology*
- \*17. Consideration of *approval of Open Text prime support renewal for RightFax with Open Text Inc submitted by Information Technology*
- \*18. Consideration of *approval of software as a service hosting fees for TechShare magistration with TechShare Local Government Corporation submitted by Information Technology*
- \*19. Consideration of *approving memorandum of understanding among Habitat for Horses, Inc., Galveston County and the Galveston County Sheriff's Office relating to horses in times of a declared disaster and authorizing the County Judge to execute same submitted by Sheriff's Office*
- \*20. Consideration of *approval for the County Judge to sign the Hartford CrimeShield advanced renewal application for commercial, non-profit and governmental entities submitted by Legal Services Coordinator*
- \*21. Consideration of *approval to authorize the Purchasing Agent to go out for RFP for payroll services submitted by Purchasing*
- \*22. Consideration for *authorization to dispose of salvage or surplus property submitted by the Purchasing Agent*
- \*23. Consideration for *authorization to cancel and re-solicit for ITB #B222006, Reinforced Concrete Pipe for Culverts submitted by the Purchasing Agent*

- \*24. Receive and file *Local Government Purchasing Cooperative - BuyBoard rebate check* submitted by the Purchasing Agent
- \*25. Consideration for *authorization to grant a sole source exception to purchase Greykey forensic software and training courses from Grayshift, LLC on behalf of the Galveston County Sheriff's Office* submitted by the Purchasing Agent
- \*26. Consideration for *authorization to sell surplus materials to the Galveston Wharves on behalf of the Galveston County Road & Bridge Department* submitted by the Purchasing Agent
- \*27. Consideration for *authorization to re-solicit for inmate clothing & supplies on behalf of the Galveston County Sheriff's Office* submitted by the Purchasing Agent
- \*28. Consideration of *approving the following agreement 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. Brydson Services, LLC
- \*29. Receive and file *Request for Additional Funding form for the County's Emergency Rental Assistance Program (ERA2)* submitted by Grants Administration
- \*30. Consideration of *approval for the following budget amendments* submitted by the Auditor's Office:
  - a. 21-177-1213-A  
**Veteran's Treatment Court** - Request transfer from Veteran's Treatment Court In-House Meetings and Food to Administrative Supplies to cover September P-Card expenditure
  - b. 21-178-1213-B  
**District Court Administration** - Request transfer from District Court Indigent Defense Other Litigation Expenditures to District Court Administration Competency to Stand Trial Evaluations due to changes required per new Indigent Defense guidelines
  - c. 21-179-1213-C  
**County Court Administration** - Request transfer from County Court Indigent Defense Other Litigation Expenditures to County Court Administration Competency to Stand Trial Evaluations due to changes required per new Indigent Defense guidelines

- d. 21-180-1213-D  
**Warrants - Sheriff Dept** - Request transfer from Corrections Other Contract Services to Warrants Travel and Conference and Prisoner Extradition Travel to cover remaining FY21 P-Card expenditures
- e. 21-181-1213-E  
**Flood Control** - Request transfer from Flood Control Budgeted Reserves to Culverts to cover the inventory year-end adjustment
- f. 21-182-1213-F  
**Disasters-Tropical Storm Nicholas** - Request transfer from various operating accounts into salaries expenditures for payroll expenditures related to Tropical Storm Nicholas. These were initially posted to the 2021 Disasters Fund, but the storm was never declared a Federal Disaster. Therefore, these expenditures need to be reported in their home fund/cost centers.
- g. 21-183-1213-G  
**Co Transp Infrastructure 2020** - Request transfer from General Government Grant Match-Mandatory to Grant Match-Discretionary to County Transportation Infrastructure 2020 Grant Match-Discretionary to fund the shortage in Other Contract Services
- h. 22-061-1213-B  
**District Court Administration** - Request transfer from District Court Indigent Defense Other Litigation Expenditures to District Court Administration Competency to Stand Trial Evaluations due to changes required per new Indigent Defense guidelines
- i. 22-062-1213-C  
**County Court Administration** - Request transfer from County Court Indigent Defense Other Litigation Expenditures to County Court Administration Competency to Stand Trial Evaluations due to changes required per new Indigent Defense guidelines
- j. 22-063-1213-D  
**Sheriff Dept Administration** - Request transfer from General Fund Budgeted Reserves to Sheriff Department Administration Vehicle Make Ready. These expenditures were budgeted in FY21, but with the delay in receiving vehicles, will be needed in FY22.
- k. 22-064-1213-E  
**Hitchcock Roads Projects** - Request transfer from Hitchcock Road Projects Other Contract Services to Professional Services to cover additional engineering services per amendment to original contract

- l. 22-065-1213-F  
**Mental Health Public Defender** - Request transfer from General Fund Budgeted Reserves to Grant Match-Discretionary to Mental Health Public Defender Building Improvements to fund increase in construction costs for the Mental Health Court Public Defender's Office build-out
  - m. 22-066-1213-G  
**Economic Development** - Request transfer from General Fund Contract Services Other Contract Services to Economic Development Other Contract Services for payment to Gulf Coast Rail District as support in their activities related to economic growth
- \*31. Consideration of *authorizing the County Judge to sign requests for CDBG contract extensions* submitted by the County Engineer:
- a. Galveston County DRS 010052, Contract #10-5052-000-5028 (Round 1)
  - b. Galveston County DRS 230052, Contract #16-209-000-9676 (Round 2.3)
- \*32. Consideration of *approval of amendment no. 1 to the Schaumburg & Polk Inc. engineering agreement for the City of Hitchcock Street Rehabilitation project* submitted by the County Engineer
- \*33. Consideration of *authorizing the County Judge to execute the contract with Mar-Con Services, Inc. for the Jackson Ave paving & drainage improvements project* submitted by the County Engineer
- \*34. Consideration of *authorizing the County Judge to sign the final closing documents for the Riley Tract for the Lauderdale Dock project* submitted by Platting & Right-of-Way
- \*35. Consideration of *execution of an easement to Galveston County WCID #1 for the purpose of a sanitary sewer lift station* submitted by Platting & Right-of-Way
- \*36. Consideration of *approval of application from Michael L. Whitaker and Petra J. Whitaker for a partial replat of Alta Loma Outlots* submitted by Platting & Right-of-Way
- \*37. Consideration of *approval of application from the Razz Halili Trust for a partial replat of San Leon Townsite* submitted by Platting & Right-of-Way
- \*38. Consideration of *approval of application from KN Brand, LLC for a partial replat of Clifton by the Sea subdivision* submitted by Platting & Right-of-Way
- \*39. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector

## Action Agenda

### 40. Commissioner, Precinct 3

- a. Consideration of approval of the following budget amendment:
  - 1. 22-060-1213-A  
**Communications Division** - request transfer from General Fund Budgeted Reserves to Communications Division Salaries and Related Benefits for revised salary rate for (4) new Bond Condition Analysts. This will be one position covered by four employees working different shifts.

### 41. Professional Services

- a. Public hearing regarding the submission of an application to the Texas Department of Housing and Community Affairs under the CDBG-CV Texas Community Resiliency Program (CRP)
- b. Consideration of approval to submit CDBG-CV Texas Community Resiliency Program (CRP) grant application to the Texas Department of Housing and Community Affairs

### 42. Purchasing

- a. Consideration of approval of awarding the following bids and authorizing the County Judge to execute the contract for the following:
  - 1. ITB #B222005, Trap Rock
  - 2. ITB #B222007, Corrugated Polyethylene and Polypropylene Pipe for Culverts
  - 3. RFP #B212040, Portable Toilet Services - Galveston/Mainland
- b. Consideration for authorization to award the following:
  - 1. RFQ #B221001, Professional Engineering Services for American Rescue Plan Act Drainage Projects

### 43. Right of Way

- a. Avocet partial replat no. 2
  - 1. Receive public comments
  - 2. Consideration of approval of replat

- b. Marfill II replat
  - 1. Receive public comments
  - 2. Consideration of approval of replat

44. **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 the following item:
  - 1. 3:20-CV-374; Stephen Patrick Bryant III v. Galveston County, Texas, et al in the U.S. District Court for the Southern District of Texas, Galveston Division
- 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. Lobit Park
- d. **Reconvene into Regular Meeting**

**Adjourn**

**WORKSHOP AGENDA**

- 1. Discuss update of status of healthcare plans with benefit consultant McGriff, Seibels & Williams of Texas, Inc. submitted by Human Resources



### **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.

\*\*\*