



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

March 7, 2022 – 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 2/28/22 and 3/7/22
 - b. Order for payroll period ending 3/2/22 bi-weekly #5
 - c. Order for supplemental payroll period ending 3/2/22 bi-weekly #5
 - d. Early check release to Laser Printers and Mailing Services dated 2/11/22 check no. AP00450392
 - e. Internal audit report of the District Clerk's Fee Audit that covered the period of 1/1/21 - 12/31/21 with response letter from Honorable John D. Kinard, dated 2/9/22
 - f. Internal audit report of the cash counts for the Tax Offices with response letter from Honorable Cheryl E. Johnson, dated 2/20/22

- *2. Receive and file *refund check list from Odyssey* submitted by the County Clerk

- *3. Receive and file *refund check list from Odyssey* submitted by the District 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 #4, February 3 - 16, 2022* submitted by Human Resources
- *6. Consideration of *approval of the Affordable Care Act Reporting and Tracking Service (ARTS) renewal between Galveston County and The Texas Association of Counties for 2022 and authorizing County Judge to sign the same* submitted by Human Resources
- *7. Receive and file *2022 Eminent Domain Report with Texas Comptroller of Public Accounts and Summary Report as required by S.B. 1812* submitted by Legal Services Coordinator
- *8. Consideration of a *resolution honoring the retirement of Jocelyn Paz from the Galveston County Auditor's Office* submitted by Legal Services Coordinator
- *9. Consideration of a *resolution honoring the retirement of Dennis Murphy from the Galveston County Constable's Office Precinct 4* submitted by Legal Services Coordinator
- *10. Consideration of *approval to amend the Bolivar Beach Vending Policy*, submitted by the Parks & Cultural Services Department
- *11. Consideration of *authorization to close the boat ramp at Walter Hall Park on Thursday, May 5th thru Sunday, May 8th, 2022 for the League City Music Festival & BBQ Cook-off event with a 30-day advance notice posted* submitted 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 Texas Gulf Coast Bull Terrier Club Rescue for use of the indoor banquet hall, BBQ Shed, and North Pavilion at Walter Hall Park for their rescue fundraiser held Saturday, November 12th, 2022 & date TBD in 2023*, submitted by the Parks & Cultural Services Department
- *13. Consideration of *authorizing an interlocal agreement for management of the Galveston County Indigent Healthcare Program between Galveston County and the Galveston County Health District* submitted by Director of Government Affairs
- *14. Consideration of *ratification of term date beginning February 23, 2022 and terminates February 22, 2023 on interlocal agreement with TxDOT to provide uniformed, armed peace officers and equipment for law enforcement general surveillance and traffic control for the Ferry Landings approved on January 24, 2022* submitted by Sheriff's Office

- *15. Consideration of *approval of LastPass Business password management tool-security compliance with SHI Govt Solutions* submitted by Information Technology
- *16. Consideration of *approval of Livestream streaming service for Commissioners' Court with Vimeo* submitted by Information Technology
- *17. Consideration of *approval of Microsoft Enterprise infrastructure support with Microsoft Corporation* submitted by Information Technology
- *18. Consideration of *approval of the second amended Galveston County Misdemeanor Mental Health Public Defender's office Oversight Board Bylaws* submitted by Mental Health Public Defender's office
- *19. Consideration for *authorization to issue a formal solicitation for a construction contractor for the proposed EOC/MUD 12 generator on behalf of the Grants Department* submitted by the Purchasing Agent
- *20. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to procure monitors, laptops, desktops, docking stations, and additional memory on behalf of the Information Technology Department* submitted by the Purchasing Agent
- *21. Consideration for *authorization to issue formal solicitations for a consultant for public safety system requirements for the Galveston County Sheriff's office on behalf of the Information Technology Department* submitted by the Purchasing Agent
- *22. Consideration of *approval of task order #3 with Huitt Zollars, Inc. for a generator project at Municipal Utility District 12* submitted by Grants Administration
- *23. Consideration of *approval for a contract amendment #3 between Galveston County and Huitt Zollars for engineering services for Hurricane Harvey* submitted by Grants Administration
- *24. Consideration of *authorization of extension of amendment #5 for Texas Water Development Board (TWDB) contract no. 1500012085 FMA FY 2015 Elevation Services* as submitted by Grants Administration
- *25. Consideration of *authorization for County Judge to sign task order #8 resultant contract RFP #B181009, Contract No. CM18064 GrantWorks, Inc. to add and meet all applicable requirements of contract between Galveston County and the Texas Water Development Board, TWDB Contract No. 1900012535* submitted by Grants Administration

- *26. Consideration of *authorization for County Judge to sign grant addendum for the FY 2022 Beach Cleaning and Maintenance Program from the Texas General Land Office* as submitted by Grants Administration
- *27. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent
- *28. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to procure labor & installation services for the roof rejuvenation projects for 722 Moody & Joe Max Taylor Building on behalf of the Facilities Department* submitted by the Purchasing Agent
- *29. Consideration for *authorization to issue formal solicitations for the following equipment for the Road & Bridge Department* submitted by the Purchasing Agent:
 - a. Gradall
 - b. Dump Truck
 - c. Vibratory Roller
- *30. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to procure one (1) surface rake on behalf of the Parks and Cultural Services Department* submitted by the Purchasing Agent
- *31. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to procure the service of playground rubber resurfacing from Adventure Playground Systems on behalf of the Parks and Cultural Services Department* submitted by the Purchasing Agent
- *32. Consideration for *authorization to re-solicit for food service for Jerry J. Esmond Juvenile Justice Center* submitted by the Purchasing Agent
- *33. Consideration of *approval for the following budget amendments* submitted by the Auditor's Office:
 - a. 22-108-0307-A
Facilities Services & Maintenance - Request transfer from General Fund Budgeted Reserves to Facilities Services & Maintenance Building Maintenance to cover costs of A/C units ordered in FY21, but not received until FY22
 - b. 22-109-0307-B
Sheriff Services ISD's - Request transfer from Sheriff Services ISD's Administrative Supplies to Vehicle Make Ready for costs associated with preparing vehicles for use

- c. 22-110-0307-C
Desktop Refresh - Request transfer from Information Technology Extraordinary Supplies and Software Licensing & Maintenance to Desktop Refresh Extraordinary Supplies to account for desktop refresh expenditures in the proper cost center and increase budget to cover all costs. Additional budget will come from the software maintenance budget.
 - d. 22-111-0307-D
Dror Avenue-CL Shores - Request increase in budget for Dror Avenue Road Project based on the City's contribution for Change Order No. 1. This will increase the project costs by \$2,716.00, bringing the overall project total to \$710,293.
 - e. 22-112-0307-E
Ave S Galveston - Request increase in budget for Avenue S Road Project based on the City's contribution and County's share. The overall costs, excluding project management is \$10,600,885.66.
 - f. 22-113-0307-F
FM517 Fr Brazoria C/L to FM646 - Request transfer from Unltd Tax Road Bonds Sr 2009 Designated for Capital Projects to FM517 from Brazoria County Line to FM646 Interlocal Agreements account for an interlocal agreement with TxDOT for a road project involving a portion of the county
 - g. 22-114-0307-G
Professional Services - Request transfer from Professional Services Travel and Conference to Membership and Dues to pay the application fees for the GFOA Budget Book award certification
 - h. 22-115-0307-H
Community Assistance-ARP - Request transfer from American Rescue Plan Stimulus Budgeted Reserves to Community Assistance-ARP Assistance to Agencies for Interfaith Ministries Meals on Wheels program
- *34. Consideration of *authorizing the County Judge to execute the contract with SER Construction Partners, LLC for the 2017 Road Bonds project "Avenue S Reconstruction from 53rd St. to Seawall Blvd"* submitted by the County Engineer
 - *35. Consideration of *authorizing the County Judge to execute change order no. 1 to the Lucas Construction Co., Inc contract for the Daniel Dror Ave project* submitted by the County Engineer
 - *36. Consideration of *authorizing the County Judge to execute change order no. 1 to the Tandem Services, LLC contract for the Highland Bayou Jay Road Ditch Improvements project* submitted by the County Engineer

- *37. Consideration of *authorizing the County Judge to execute engineering agreements for the following American Rescue Plan funded projects* submitted by the County Engineer:
 - a. IDS Engineering Group - Jackson Ave Sewer Extension
 - b. Schaumburg & Polk, Inc. - Algoa/Alta Loma Culvert Replacement Project
 - c. DE Corp - Bacliff Drainage Improvements
 - d. RPS Infrastructure, Inc. - De-Snag/Clear East Gum Bayou Tributary Project
- *38. Consideration of *approval of resolution and interlocal agreement with TxDOT to contribute right of way funds to make certain highway improvements on Highway No. FM 517 from Brazoria County line to FM 646* submitted by the County Engineer
- *39. Consideration of *acknowledging receipt of an application for a sand pit permit on Bolivar Peninsula from Monika Patel and authorizing the County Engineer to run the required newspaper notice* submitted by the County Engineer
- *40. Consideration of *approval of application from Marcella A. Stulce and Steven S. Stulce for Lot 17 of Sand Castle Beach subdivision for a setback variance of a previously platted lot without revising the plat* submitted by Platting and Right-of-Way
- *41. Consideration of *an order of abandonment of an alley between 11th and 12th Streets, Block 291 of Port Bolivar Townsite* submitted by Platting & Right-of-Way
- *42. Consideration of *approval of application from Magdalena Schleh, Jose Romualdo Perez and Maria B Sanchez Arroyo for a partial replat of San Leon Farm Home Tracts* submitted by Platting & Right-of-Way
- *43. Consideration of *approval of application from Mark R. Janson and Deborah K. Janson for permission to convey portions of Charles Bigelow Survey by metes & bounds without revising the plat* submitted by Platting & Right-of-Way
- *44. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector

Action Agenda

45. **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 Galveston v. Purdue Pharma, Inc., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, removed, pending remand, to MDL 2804, N.D. OH.
 2. Terry Petteway, et al. v. Galveston County, et al., Cause No. 3:22-CV-57 in the United States District Court for the Southern District of Texas, Galveston Division
 3. Bonnie Quiroga v. Galveston County, Texas, Case No. 14-CV-1289 in the 212th Judicial District Court of Galveston County, Texas
 4. Mickey Andrews v. Owen McIntyre, et al., Cause No. 3:22-cv-46 in the United States District Court for the Southern District of Texas
- c. **Reconvene into Regular Meeting**
- d. Consideration of authorizing the Galveston County Judge to execute order regarding settlement offers in the matter of Texas opioid multi-district litigation for Galveston County in the matter of County of Galveston v. Purdue Pharma, Inc., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152nd District Court of Harris County, Texas, removed, pending remand, to MDL 2804, N.D. OH.
- e. Consideration of authorizing counsel to waive or accept service in Terry Petteway, et al., v. Galveston County, Texas, et al. Case No. 3:22-cv-00057 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.
