



# **GALVESTON COUNTY, TEXAS**

**COMMISSIONERS COURT** 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry      Darrell Apffel      Joe Giusti      Stephen Holmes      Robin Armstrong, MD  
County Judge    Commissioner, Precinct 1    Commissioner, Precinct 2    Commissioner, Precinct 3    Commissioner, Precinct 4

## **AGENDA**

**December 12, 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 Auditor's Office:
  - a. Approval of the accounts payable checks dated 12/5/22 and 12/12/22
  - b. Order for payroll period ending 12/7/22 bi-weekly #25
  - c. Order for supplemental payroll period ending 12/7/22 bi-weekly #25
  - d. Monthly financial report for the period ending 11/30/2022
  - e. Per Local Government Code 130.902 recommending a change fund for the District Attorney's Office
  - f. Receive and file account change for budget amendment 22-273-1128-E
- \*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 #24, November 10 - 23, 2022* submitted by Human Resources
- \*6. Consideration of *approval of agreements between Galveston County and The Texas Association of Counties effective January 1, 2023 and authorizing County Judge to sign the same* submitted by Human Resources:
  - a. Administrative Services Agreement
  - b. Stop-Loss Agreement
- \*7. Consideration of *execution of renewal contract with Interface Behavioral Health for benefit eligible employees, eligible COBRA and retiree EAP counseling services* submitted by Human Resources
- \*8. Consideration of *approval and execution of the letter agreement extending the terms and conditions of services for on-site medical services with Premise Health (CareHere) through March 31, 2023 (proposed salary increases)* submitted by Human Resources
- \*9. Receive and file *appointment of Delegate and Alternate to the H-GAC General Assembly and Board of Directors for 2023 (previously on November 28, 2022 agenda)* submitted by the County Judge
- \*10. Receive and file *Galveston County Community Supervision and Corrections Department statement of financial position ending August 31, 2022* submitted by Adult Probation
- \*11. Receive and file *November 2022 personal bond monthly report* submitted by Personal Bond/Collections
- \*12. Receive and file *November 2022 collections and personal bond report* submitted by Personal Bond/Collections
- \*13. Consideration for *approval of USACE permit for mechanized beach maintenance associated with the removal of sargassum and other debris along 25 miles of Bolivar beach frontage* submitted by Road & Bridge
- \*14. Consideration for *change order #10 with O'Haver Contractors for Road & Bridge Project - 5115 Hwy 3 - Dickinson TX* submitted by Facilities
- \*15. Consideration of *approval of change order #11 with Sovereign dba Construction LTD for the Medical Examiners office* submitted by Facilities

- \*16. Consideration of *approval of change order #1 with F.W. Walton for the Joe Max Taylor Law Building* submitted by Facilities
- \*17. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent
- \*18. Consideration for *authorization to cancel and re-bid ITB #B231007, Rotary Slope Mower Tractor on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*19. Consideration for *authorization to issue formal solicitations for local trucking services on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*20. Consideration for *authorization to cancel and re-solicit for RFQ #B231002, Architectural Design Services for Juvenile Justice Facilities on behalf of Facilities* submitted by the Purchasing Agent
- \*21. Consideration for *authorization to issue formal solicitations for Jackson Ave Drainage Phase II on behalf of the Engineering* submitted by the Purchasing Agent
- \*22. Consideration for *authorization to cancel ITB #B231004, 8 YD Dump Truck with Drawbar (Single Axle Dump Truck) on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*23. Consideration for *authorization to cancel ITB #B231005, 26 Foot Box Truck with Railift on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*24. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to purchase a Single Axle Dump Truck on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*25. Consideration for *authorization to cancel ITB #B231006, Pneumatic Tire Forklift on behalf of the Road & Bridge Department* submitted by the Purchasing Agent
- \*26. Consideration of *approval of the following budget amendments* submitted by Professional Services:
  - a. 23-40-1212-A  
**Parks** - Request transfer from Galveston County Beach and Parks - Budgeted Reserves to Beach Maintenance - Heavy Equipment to fund beach tractor from fiscal year 2022
  - b. 23-41-1212-B  
**Professional Services** - Request transfer from General Government - Mobile Phone Expense to Information Technology - Mobile Phone Expense to fund county-wide phone expenses under Information Technology

- c. 23-42-1212-C  
**Parks** - Request transfer from Galveston County Beach and Parks - Budgeted Reserves to Beach Maintenance - Improvements Other than Buildings to fund a shed previously approved in fiscal year 2022
  - d. 23-43-1212-D  
**Parks** - Request transfer from General Fund - Budgeted Reserves to Jack Brooks Park - CIP Buildings to fund Clay Shooting Range project previously approved in fiscal year 2022
  - e. 23-44-1212-E  
**Information Technology** - Request transfer within American Rescue Plan Stimulus from ERP Upgrade - Other Financial Assistance to Subscription-Based IT Agreement to fund ERP Upgrade project
  - f. 23-45-1212-F  
**Juvenile Justice** - Request transfer from General Fund - Budgeted Reserves to Juvenile Justice - Various Line Items to fund salary increase for Records Technician position
  - g. 23-46-1212-G  
**Professional Services** - Requesting transfer from General Fund - Budgeted Reserves to Drug Court Program - Various Line Items to fund Specialty Court Judge position effective January 1, 2023
  - h. 22-277-1212-A  
**Auditor's Office** - Request transfer from General Fund - Budgeted Reserves to Employee Benefits - Administrative Fee- Prescription & Prescription Drug Claims Paid to fund fiscal year 2022 TAC prescription invoices
- \*27. Consideration of *acceptance for FEMA-Uri Texas City Mid-County Annex award from the Federal Emergency Management Administration* submitted by Professional Services
  - \*28. Ratification of *submission of FY 2023/2024 Veterans Treatment Court grant application to the Texas Veterans Commission* by Professional Services
  - \*29. Consideration of *acceptance for FY 2023 STEP IDM grant award from the Texas Department of Transportation and authorize County Judge to sign required documents* by Professional Services
  - \*30. Consideration of *approval of amendment #3 with MasterWord Services, Inc. for professional interpreter services* submitted by Professional Services

- \*31. Consideration of *approval of a renewal contract between Galveston County and the Galveston County Health District for EMS services in the unincorporated east* submitted by Legal Services Manager
- \*32. Consideration of *approval of a renewal contract between Galveston County and the Galveston County Health District for EMS services in the unincorporated west* submitted by Legal Services Manager
- \*33. Consideration of *approval of a renewal contract between Galveston County and the Galveston County Health District for EMS services in the Kemah/Clear Lake Shores area* submitted by Legal Services Manager
- \*34. Consideration of *approval of a renewal contract between Galveston County and Dickinson EMS for services in the unincorporated portions of Galveston County* submitted by Legal Services Manager
- \*35. 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 Manager
- \*36. Consideration of *renewal of public official bonds for Galveston County District Clerk, District Clerk John Kinard, JP Pct. 3 Billy A. Williams, JP Pct. 1 Greg Rikard, Commissioner Pct 4 Robin Armstrong, County Judge Mark Henry, District Attorney Jack Roady, Commissioner Pct. 2 Joseph Giusti, Galveston County Clerk and Surety Bond for Polygraph Examiner Mark D. Bonner* submitted by Legal Services Manager
- \*37. Consideration of *authorizing TXU Energy Contract Service Point Change Request form for Service Contract 85030061 for January 1, 2020 to May 31, 2026 deleting 3 ESI ID's for Lobit Park 1901 E FM 646, League City, TX 77573* submitted by Legal Services Manager
- \*38. Consideration of *authorizing TXU Energy Contract Service Point Change Request form for Service Contract 85036237 for June 1, 2026 to May 31, 2030 deleting 3 ESI ID's for Lobit Park 1901 E FM 646, League City, TX 77573* submitted by Legal Services Manager
- \*39. Consideration of *approval of Varonis DatAdvantage, DatAlert, and DatAnswers software maintenance with FreeIT Data Solutions for file servers/directories* submitted by Information Technology
- \*40. Consideration of *approval of installing a badge reader on IT doors to be CJIS compliant with Stanley Convergent Security Solutions* submitted by Information Technology
- \*41. Consideration of *approval of Lenel support license renewal with Stanley Convergent Security Solutions* submitted by Information Technology

- \*42. Consideration of *approval of OpenGov permitting software with Vertosoft* submitted by Information Technology
- \*43. Consideration of *approval of OpenGov implementation services with Vertosoft* submitted by Information Technology
- \*44. Consideration of *approval to authorize the County Engineer to issue a sand pit permit to Stuart Standley* submitted by the County Engineer
- \*45. Consideration of *approval of a Texas City Hurricane Levee permit to Todd Sullivan/Texas International Pipeline System, LLC to install three 24" pipelines over the Texas City Hurricane Levee* submitted by the County Engineer
- \*46. Consideration of *approval of an order of abandonment of unopened portions of Ave A and Ave A 1/2 and a boundary line agreement for portions of 3rd Street in San Leon* submitted by Platting & Right-of-Way
- \*47. Consideration of *approval of application from Richard Branstetter for a partial replat of Brigham Lane Addition* submitted by Platting & Right-of-Way
- \*48. Consideration of *approval of application from Karen Nelson for a partial replat of Alta Loma Outlots* submitted by Platting & Right-of-Way
- \*49. Consideration of *approval of application from Cristian A. Castillo Rodriguez, Beatris Luevano, Karen Luevano and Miguel Luevano for a partial replat of Orchard Place subdivision* submitted by Platting & Right-of-Way
- \*50. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector
- \*51. Consideration of *approval of a vendor payment for services for Shawn Byars for programming/development of entitlements audit tool for Voter Registration Department* submitted by the Tax Assessor/Collector

## **Action Agenda**

### 52. **Purchasing**

- a. Consideration for authorization to award the following:
  - 1. ITB #B231003, Various Vehicles
- b. Consideration of approval of awarding the following bid and authorizing the County Judge to execute the contract for the following:

1. ITB #B232002, Asphalt, Oils & Emulsions

53. **Right of Way**

- a. Hughes Subdivision Section 3 replat
  1. Receive public comments
  2. Consideration of approval of replat
- b. The Linda Kelly Estate replat
  1. Receive public comments
  2. Consideration of approval of replat
- c. Brint Bayview replat
  1. Receive public comments
  2. Consideration of approval of replat

54. **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. Cause No. 3:21-CV-00200; Dennis Reynard Benson vs. Galveston County et al, in the United States District Court for the Southern District of Texas, Galveston Division
  2. Cause No. 3:21-CV-00098; Kelly Stevenson-Cotton, and Estate of Ronald Glen Cotton vs. Galveston County et al, in the United States District Court for the Southern District of Texas, Galveston Division

3. Cause No. 3:22-CV-00061; Rodrigo Ledezma Perales Individually and as Representative of the Estate of Efraim Ariel Ledezma Perales, deceased vs. Sergeant Jonathan Wuneburger et al, in the United States District Court for the Southern District of Texas, Galveston Division
4. Cause No. 3:22-CV-337; Steven Harvey v Dwight D. Sullivan, et al, in the United States District Court for the Southern District of Texas, Galveston Division
5. Charge No. 460-2022-05141 J.M. v Galveston County Sheriff's Office

c. **Reconvene into Regular Meeting**

- d. Consideration of authorizing counsel to execute a waiver of service in Ledesma v. Wuneburger, et al., Cause No. 3:22-cv-61 in the United States District Court for the Southern District of Texas, Galveston Division.
- e. Consideration of authorizing the County Judge to execute a joint defense agreement in Ledesma v. Wuneburger, et al., Cause No. 3:22-cv-61 in the United States District Court for the Southern District of Texas, Galveston Division

**Adjourn**

**WORKSHOP AGENDA**

1. Discussion of ERP financials and payroll solution submitted by Information Technology
2. Presentation of statistical report for volunteer fire departments by Galveston County Firefighters Association submitted by Commissioner, Precinct 1

**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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