



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 April 3, 2023 – 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 3/27/2023 and 4/3/2023
 - b. Order for payroll ending 3/29/2023 bi-weekly #7
 - c. Order for supplemental payroll period ending 3/29/2023 bi-weekly #7
 - d. Early check release dated 3/20/2023 to GIA Insurance Agency, LLC check number AP00461463
 - e. Internal audit report of the District Clerk's Registry and Trust Audit for period of 1/1/2022 - 12/31/2022 with response letter from Honorable John D. Kinard, dated 3/20/2023
 - f. Internal audit report of the Financial Assistance Program for period of 1/1/2022 - 12/31/2022 with response memorandum from Chief Financial Officer, Sergio Cruz, dated 3/23/2023

- g. Indemnification request from the Tax Assessor Collector's Office, dated 3/20/2023
- h. Indemnification request from the Tax Assessor Collector's Office, dated 3/20/2023
- i. Pursuant to Local Government Code 111.0106 certification of funds from Boon Chapman
- j. Pursuant to Local Government Code 111.0106 certification of funds from Texas Class Investment Pool
- k. Pursuant to Local Government Code 111.0106 certification of funds from Texas Class Investment Pool
- l. FY2023 Investment Policy
- *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 #6, March 2 - 15, 2023* submitted by Human Resources
- *6. Consideration of *approval and execution of the letter agreement extending the lease for Suite 100, 600 Gulf Freeway, Texas City with Lauterburg, LTD. for 1 month beginning May 1, 2023 through May 31, 2023* submitted by Human Resources
- *7. Receive and file *Galveston County Justice and Mental Health System Modernization Project Annual Report* submitted by Commissioner, Precinct 3
- *8. Receive and file *change order request #12 for Sovereign dba Construction LTD. for Medical Examiners Bldg. Project - 1205 Oak - La Marque TX* submitted by Facilities
- *9. Receive and file *change order request #3 for Durotech, Inc. for League City Annex TempCamp rental extension to 04/27/23* submitted by Facilities
- *10. Receive and file *direct deposit authorization for Opioid Abatement Trust Fund Direct Deposit Authorization* submitted by Professional Services
- *11. Receive and file *letter of censure to Arkitektura Development, Inc.* submitted by General Counsel

- *12. Receive and file *notice to terminate interlocal agreement for the provision of medical services and limited pharmacy services to their employees and their dependents for the following* submitted by the Legal Services Manager:
 - a. Willis Independent School District
 - b. Galveston Independent School District
 - c. Galveston County Health District
- *13. Consideration of *approval to update the Facility Permitting Policy to include two (2) new rental spaces*, submitted by Parks & Cultural Services
- *14. Consideration of *approval of change order #13 for Sovereign dba Construction LTD. for Medical Examiners Bldg. Project - 1205 Oak - La Marque TX*. submitted by Facilities
- *15. Consideration of *approval of second amendment to contract for sale of real property JMK5 Mall of the Mainland, LLC* submitted by County Clerk
- *16. Consideration of *approval of updated subscription of the Thompson Reuters Law Library Appendix D* submitted by Personal Bond/Collections
- *17. Consideration of *approval of Frontier phone service transferred to Lumen Account, no-cost with CenturyLink DBA Lumen* submitted by Information Technology
- *18. Consideration of *execution of a lease for State Representative Greg Bonnen at the Calder Road Annex Building* submitted by Legal Services Manager
- *19. Consideration of *execution of a lease for Senator Mayes Middleton at the Calder Road Annex Building* submitted by Legal Services Manager
- *20. Consideration of *execution of a lease for Congressman Randy Weber at the Calder Road Annex Building* submitted by Legal Services Manager
- *21. Consideration of *authorizing agreement for magistrate services with Stephen W. Baker appointed under the interlocal agreement between Galveston County and City of Hitchcock for magistration services* submitted by Legal Services Manager
- *22. Consideration of *authorizing professional services contract with The Meadows Mental Health Policy Institute for Texas for implementation of system improvement recommendations from the justice system assessment* submitted by Legal Services Manager
- *23. Consideration for *authorization to extend the contract for RFP #B212026, Alarm Services on behalf of the Facilities* submitted by the Purchasing Agent

- *24. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements for the renewal of the HVAC maintenance agreement for Mid-County Annex on behalf of Facilities* submitted by the Purchasing Agent
- *25. Consideration for *authorization to extend the contract for ITB #B222023, Precoat Topping Rock on behalf of Road & Bridge* submitted by the Purchasing Agent
- *26. Consideration for *authorization to extend the contract for RFP #B222029, Heavy Equipment Rental on behalf of Road & Bridge* submitted by the Purchasing Agent
- *27. Consideration for *authorization to extend the contract for ITB #B222025, Malathion Insecticide on behalf of Mosquito Control* submitted by the Purchasing Agent
- *28. Consideration to *extend bid #B061039 On-Site Medical Services for Galveston County Employees Contract #CM07125 with Premise Health Employer Solutions, LLC through April 30, 2023* submitted by the Legal Services Manager
- *29. Consideration for *authorization to resolicit for desktop refresh project on behalf of Information Technology* submitted by the Purchasing Agent
- *30. Consideration for *authorization to issue a formal solicitation for network wireless upgrades at various County facilities on behalf of Information Technology* submitted by the Purchasing Agent
- *31. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to purchase desktop equipment on behalf of Information Technology* submitted by the Purchasing Agent
- *32. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to purchase rugged laptops for the Sheriff's office Patrol Division on behalf of Information Technology* submitted by the Purchasing Agent
- *33. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to purchase rapid deployment kits and ballistic shields on behalf of the Sheriff's office* submitted by the Purchasing Agent
- *34. Consideration for *authorization for Galveston County to be added to the list of participating counties for Tarrant County's Cooperative Purchasing Program* submitted by the Purchasing Agent
- *35. Consideration for *authorization to donate a surplus vehicle to Beat the Heat, Inc. on behalf of Road & Bridge* submitted by the Purchasing Agent
- *36. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent

- *37. Consideration of *approval of amendment #1 with M.I. Lewis for the Financial Assistance Program* submitted by Professional Services.

- *38. Consideration of authorization for *County Judge to sign U.S. Department of Housing and Urban Development Environmental Review forms for Texas General Land Office Community Development Block Grant* project as submitted by Professional Services:
 - a. 113 Blue Heron Drive, Friendswood, Texas
 - b. 122 Blue Heron Drive, Friendswood, Texas
 - c. 123 Blue Heron Drive, Friendswood, Texas
 - d. 131 Moss Point Drive, Friendswood Texas
 - e. 133 Blue Heron Drive, Friendswood, Texas
 - f. 134 Moss Point Drive, Friendswood, Texas

- *39. Consideration of *approval of the following budget amendments* submitted by Professional Services:
 - a. 23-106-0403-A
Professional Services - Request transfer from North County Annex - CIP Building Improvements to General Fund - Budgeted Reserves to reclassify expenditures under ARPA lost revenue
 - b. 23-107-0403-B
Professional Services - Request transfer from General Fund - Budgeted Reserves to Professional Services - Membership and Dues to fund membership related expenses for FY 2023.
 - c. 23-108-0403-C
Professional Services - Request transfer within American Rescue Plan Stimulus from Various Accounts - Other Financial Assistance to Various Accounts - Various Divisions fund remaining ARP projects approved by Commissioners Court on 03/06 workshop
 - d. 23-109-0403-D
Veterans Treatment Court - Request transfer within Veteran's Treatment Court from Administrative Supplies to Contract Medical Services to fund invoice price increase

- e. 23-110-0403-E
Professional Services - Request transfer from Finance Enterprise Update - Software to Law Enforcement Records Management System - Software to fund law enforcement records management system project
 - f. 23-112-0403-G
Professional Services - Request transfer from North County Annex - CIP Building Improvements to General Fund - Budgeted Reserves to reclassify expenditures under ARPA lost revenue
 - g. 23-113-0403-H
District Clerk - Request transfer from General Fund - Budgeted Reserves to District Clerk - Administrative Supplies to fund increase cost of supplies for the remainder of FY 2023
 - h. 23-114-0403-I
Professional Services - Request transfer from Bacliff Annex - CIP Buildings to General Fund - Budgeted Reserves to reclassify expenditures under ARPA lost revenue
 - i. 23-115-0403-J
Professional Services - Request transfer within American Rescue Plan Stimulus from Border Security Response Team - Various Line Items to Other Financial Assistance to reappropriate funds back into qualifying projects
 - j. 23-116-0403-K
Mental Health Court Program - Request transfer within County Specialty Court - Mental Health Court Program from Contract Medical Services to Extraordinary Supplies to fund the purchase of a printer, monitor, and fund the remainder of FY 2023
 - k. 23-117-0403-L
Professional Services - Request transfer from Cyber Security - Interest Revenue to Tfm ARP Stimulus to record the interest earnings funding One-Solution change order #3 for Koa Hills services
 - l. 23-118-0403-M
Professional Services - Request transfer from ERP Upgrade - Interest Revenue to ERP - Tfm ARP Stimulus to record the interest earnings used to fund ARPA IT designated projects
- *40. Consideration of *approval of road opening request No. 232 from Teresa Flores for Ave I, San Leon* submitted by Platting & Right-of-Way
- *41. Consideration of *approval of a street dedication plat for "Noble Carl Drive"* submitted by Platting & Right-of-Way

- *42. Consideration of *approval of application from Texas Property Relief, LLC for a partial replat of San Leon Farm Home Tracts* submitted by Platting & Right-of-Way
- *43. Consideration of *approval of application from Currland, LLC for a partial replat of Driftwood Addition* submitted by Platting & Right-of-Way
- *44. Consideration of *approval of application from Noble Carl Development, LLC and Julio Luna for a partial replat of the Crystal Square plat* submitted by Platting & Right-of-Way
- *45. Consideration of *approval of application from Clifford and Sharon Dupree for a partial replat of Speed Road Addition* submitted by Platting & Right-of-Way
- *46. Consideration of *approval of application from Joni McCrary for a partial replat of High Island Subdivision No(s) 1 & 2* submitted by Platting & Right-of-Way
- *47. Request for *waiver or refund of penalty and interest due to clerical errors as recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector
- *48. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector

Action Agenda

49. **Commissioner, Precinct 2**

- a. Request to add plexiglass barriers to the customer work stations in the Tax Office at the North County Annex

50. **Purchasing**

- a. Consideration of approval of awarding the following bids and authorizing the County Judge to execute the contracts for the following:
 1. ITB #B232010A, Reinforced Concrete Pipe for Culverts
 2. RFP #B232012, Local Trucking Company
 3. ITB #B232011, Permethrin 31% & & 66% Piperonyl Butoxide

51. **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. 22-CV-1495; Steven Harvey vs. Dwight Sullivan et al, in the District Court of Galveston County, 56th Judicial District
 2. Cause No. 22-40819; Dennis Reynard Benson vs Galveston County et al, in the United States Court of Appeals for the 5th Circuit
 3. Contractual issues with the Children’s Center
 4. Cause No. 22-CV-0068; Boon Chapman Benefit Administrators Inc. v. County of Galveston, Cause No. in the 56th Judicial District Court of Galveston County, Texas
- c. **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.
