



# **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 July 10, 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 7/3/2023 and 7/10/2023
  - b. Order for payroll ending 7/5/2023 bi-weekly #14
  - c. Order for supplemental payroll period ending 7/5/2023 bi-weekly #14
  - d. Early check release dated 6/23/2023: Multiple Vendors check number 00464079-82
  - e. Consideration of approval authorizing the County Judge to sign IRS Form 720 for tenth annual filing for Galveston County for the 2022 benefit plan year as it relates to ACA Patient Centered Outcomes Research Institute ("PCORI") and authorize payment to IRS
  - f. Internal audit report of the Juvenile Justice Department audit for period of 5/1/2022 - 4/30/2023 with response letter from Glen Watson, Director of Juvenile Justice, dated 6/13/2023

- g. Internal audit report of the San Luis Toll Booth with response letter from Facilities Director, William Riordan, dated 6/29/2023
  - h. Internal audit report of the cash count and inventory of Constable, Precinct 1
  - i. Internal audit report of the cash count and inventory of Constable, Precinct 2
  - j. Internal audit report of the cash count and inventory of Constable, Precinct 3
  - k. Internal audit report of the cash count and inventory of Constable, Precinct 4
  - l. Monthly financial report for the period ending 4/30/2023
  - m. Monthly financial report for the period ending 5/31/2023
  - n. Pursuant to Local Government Code 111.0106, certification of funds from Great American Insurance
  - o. Pursuant to Local Government Code 111.0106, certification of funds from Boon Chapman
- \*2. Receive and file *summary of bi-weekly personnel movements pay period #13, June 8 - 21, 2023* submitted by Human Resources
  - \*3. Receive and file *County Auditor's June 22, 2023 correspondence to the District Court Judges of Galveston County, order of June 22, 2023 signed by the District Court Judges appointing the Auditor, Auditor's Statement of Officer and Oath of Office dated June 22, 2023, order of June 22, 2023 signed by the District Court Judges accepting and approving Auditor's Official Bond* submitted by the District Clerk
  - \*4. Receive and file *official bond and oath for the County Auditor* submitted by the County Clerk
  - \*5. Receive and file *Galveston Central Appraisal District's proposed 2024 operating budget* submitted by the County Judge
  - \*6. Consideration of *resolution honoring the retirement of Sergeant Dwayne Rouse from Constable, Precinct 4 office* submitted by Commissioner, Precinct 2
  - \*7. Consideration of a *resolution recognizing July 16-22, 2023 as Pretrial, Probation, Parole Supervision Week* submitted by Commissioner, Precinct 3
  - \*8. Consideration of a *resolution recognizing the Professional Services Department for achieving the FY2022 GFOA Distinguished Budget Presentation Award* submitted by the County Judge

- \*9. Consideration of *approval of LULAC Council 151 request for Dia de Los Muertos Fall Fiesta on Saturday, October 28, 2023 on the grounds of 722 Moody Avenue, Galveston* submitted by the County Judge
- \*10. Consideration of *approval of request from Brian Lepo for Albatross Old Smokey Cookoff Throwdown on July 15, 2023 for permission to utilize the Ball Street parking lot for a tent setup as a judging tent at 722 Moody Avenue, Galveston* submitted by the County Judge
- \*11. Consideration of *approval of a donation of a 3' x 6' beach toy library to be placed at beach entry points on the Bolivar beaches from Heaven's Toy Box* submitted by Parks & Cultural Services
- \*12. Consideration of *approval of an agreement with Cobalt Community Research for visitor information for the Bolivar Beach Parking Program* submitted by Parks & Cultural Services
- \*13. Consideration of an *interlocal agreement between Regional Public Defender Office Local Government Corporation (RPDO-LGC) and Galveston County to provide defense services to indigent defendants* submitted by Legal Services Manager
- \*14. Consideration of *approval of software maintenance renewal for VMWare Horizon Virtual Desktop Interface Environment with Netsync Network Solutions* submitted by Information Technology
- \*15. Consideration of *approval of Reportal annual maintenance renewal for technical support and product upgrades with Shahrabani and Associates LLC* submitted by Information Technology
- \*16. Consideration of *approval of Pingdom global performance availability monitor to replace Thousand Eyes with SHI Govt Solutions* submitted by Information Technology
- \*17. Consideration of *approval of change order to implement grants module of Workday ERP with Cognizant Technology Solutions* submitted by Information Technology
- \*18. Consideration of *approval of Workday grants subscription with Precision Task Group* submitted by Information Technology
- \*19. Consideration of *approval of jail access control system replacement architecture with Burns Architecture LLC* submitted by Information Technology
- \*20. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent

- \*21. Consideration for *authorization to issue formal solicitations for rehabilitation services for Galveston County Specialty Court participants on behalf of Professional Services* submitted by the Purchasing Agent
- \*22. Consideration for *authorization to issue formal solicitations for console furniture for the Emergency Communications Center on behalf of the Sheriff's office* submitted by the Purchasing Agent
- \*23. Consideration for *authorization to issue formal solicitations for air monitoring equipment on behalf of the Emergency Management* submitted by the Purchasing Agent
- \*24. Consideration for *authorization to extend the contract for ITB #B212030 Sheriff Department Uniforms and Supplies* submitted by the Purchasing Agent
- \*25. Consideration for *authorization to extend the contract for RFP #B222015, Food Service for Jerry J. Esmond Juvenile Justice Center* submitted by the Purchasing Agent
- \*26. Consideration for *authorization to utilize cooperative purchasing agreement in lieu of competitive bidding requirements to purchase emergency equipment and installation of emergency equipment for County vehicles on behalf of the Sheriff's office* submitted by the Purchasing Agent
- \*27. Consideration of *approval of the following budget amendments* submitted by Professional Services:
  - a. 23-157-0710-A  
**Professional Services** - Request transfer from Security Camera System-Parks - Transfer-From Grant Match Discretionary to Security Camera System-Parks - Technology Hardware to fund security camera installation costs
  - b. 23-158-0710-B  
**Veterans Treatment Court** - Request transfer within Veteran's Treatment Court from Court Appointed Attorney's to Travel and Conference to fund conference expenses for remainder of FY 2023
  - c. 23-159-0710-C  
**Parks** - Request transfer within Parks Dept Capital Projects - Bayside Regional Park from Bayside Regional Park to Parks and Open Space to consolidate expenditures within the same object code
  - d. 23-160-0710-D  
**Information Technology** - Request transfer within American Rescue Plan Stimulus from Jail Control System Retrofit from Technology Hardware to Other Financial Assistance and Other Consultants/Special Studies to reallocate ARP funds

- e. 23-161-0710-E  
**County Engineer** - Request transfer within Flood Control Fund - Budgeted Reserves to County Engineering - Professional Services to fund development of the priority list of mobility & drainage projects
  - f. 23-162-0710-F  
**Information Technology** - Request transfer from American Rescue Plan Stimulus - Interest Revenue to ERP Upgrade - Subscription-Based IT Agreement to fund additional collaborative solutions to workday module
  - g. 23-163-0710-G  
**Information Technology** - Request transfer within Information Technology from Maintenance and Repairs Equipment, Software Licensing and Maintenance, and Other Contract Services to Technology Hardware to fund network and wireless RFP
  - h. 23-164-0710-H  
**Sheriff's Office** - Request transfer within Sheriff's Department - Corrections - from Travel and Conference to Marketing and Advertising to fund reclassified marketing expenses
  - i. 23-165-0710-I  
**County Engineer** - Request transfer within fund 3307 from Unltd Tx Road Bonds Sr 2003B Fund Balance to San Luis Pass Bridge Improvmt - CIP Road and Bridge to fund Engineering Services for the San Luis Pass-Vacek Bridge Renovations
  - j. 23-166-0710-J  
**Galveston County Mental Health Court** - Request transfer within County Specialty Court Fund from Contract Medical Services to Business Mileage Reimbursement to cover remaining fiscal year expenses
  - k. 23-167-0710-K  
**Galveston County Mental Health Court** - Request transfer within County Specialty Court Fund from Contract Medical Services to Reimbursement CSCD-Health Insurance to cover remaining fiscal year expenses
- \*28. Consideration of *authorization for County Judge to sign required documents for the FY 2024 Senior Meal Grant from the Houston-Galveston Area Council - Area Agency on Aging* as submitted by Professional Services
- \*29. Consideration of *acceptance for DR-4332 Hazard Mitigation Grant Program grant amendment and time extension from the Texas Division of Emergency Management* as submitted by Professional Services

- \*30. Consideration of *approval of an agreement with Emphasys Computer Solutions, Inc. for SymPro Investments Solution software system* submitted by Professional Services
- \*31. Consideration of *authorizing the County Judge to sign the Grant Completion Report for GLO Contract No. 20-065-006-C004 (Harvey)* submitted by the County Engineer
- \*32. Consideration of *authorizing the County Judge to execute change order #2 to the Phoenix Fabricators and Erectors, LLC contract for the BPSUD Elevated Water Storage Tank project* submitted by the County Engineer
- \*33. Consideration of *approval to authorize the County Engineer to issue a sand pit permit to Stuart Standley* submitted by the County Engineer
- \*34. Consideration of *approval to authorize the County Engineer to issue a sand pit permit to David Altemus* submitted by the County Engineer
- \*35. Consideration of *acknowledging receipt of a sand pit permit application from Sidney Bouse and authorizing the County Engineer to run the required newspaper notice* submitted by the County Engineer
- \*36. Consideration of *acknowledging receipt of a sand pit permit application from Colton Thomas and authorizing the County Engineer to run the required newspaper notice* submitted by the County Engineer
- \*37. Consideration of *approval of road opening request #233 from Anna Kalil for Youree Street, San Leon submitted by Platting & Right-of-Way*
- \*38. Consideration of *approval of Villas at Bolivar subdivision with conditions* submitted by Platting & Right-of-Way
- \*39. Consideration of *approval of application from Antonio Rodriguez for a partial replat of San Leon Farm Home Tracts* submitted by Platting & Right-of-Way
- \*40. Consideration of *approval of application from GV & T Innovations LLC for a partial replat of Bay Breeze Addition* submitted by Platting & Right-of-Way
- \*41. Consideration of *approval of application from Cindy Langton as Independent Executrix of the Estate of Roderick Thomas Foster a/k/a R.T. Foster, deceased, for a partial replat of San Leon Farm Home Tracts* submitted by Platting & Right-of-Way
- \*42. Consideration of *approval of application from Correct Inc. Investments, LLC for a partial replat of San Leon Townsite* submitted by Platting & Right-of-Way
- \*43. Consideration of *approval of application from Matthew D. Wiggins, Jr. for a partial replat of San Leon Townsite* submitted by Platting & Right-of-Way

- \*44. Consideration of *approval of application from David and Mary Phillips for a partial replat of San Leon Townsite* submitted by Platting & Right-of-Way

### **Action Agenda**

45. **Purchasing**

- a. Consideration for authorization to award the following:
1. RFP #B231017, Walter Hall Park (Observation Deck Repairs)
  2. RFP #B231020, Network Wireless Upgrades at Various County Facilities
  3. RFQ #B231022, Professional Design Services for Mental Health Extended Observation Unity Facility
  4. ITB #B231019, De-Snag/Clear East Gum Bayou Tributary

46. **Right of Way**

- a. Hill Hideaway replat
1. Receive public comments
  2. Consideration of approval, approval with conditions or disapprove of replat
- b. Hunter Estates replat
1. Receive public comments
  2. Consideration of approval, approval with conditions or disapprove of replat

47. **Tax Assessor-Collector**

- a. Consideration of approval of refund/waiver of penalty/interest submitted by the taxpayer: Accounts 515745 & 185800

48. **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. 22-CV-1495; Steven Harvey vs. Dwight Sullivan et al., in the District Court of Galveston County, 56th Judicial District
  2. 3:23-CV-00119; Hatem Tawfiq Alghuti vs. U.S. DOJ, et al., in the United States District Court for the Southern District of Texas, Galveston Division
  3. 3:22-CV-264; Save R Hood, Inc. vs. Galveston County, et al., in the United States District Court for the Southern District of Texas, Galveston Division
  4. 3:22-CV-61; Rodrigo Ledezma Perales, Individually and as Representative of the Estate of Efrin Ledezma Perales v. Jonathan Wuneburger, et al., in the United States District Court for the Southern District of Texas, Galveston Division
  5. No. 22-40674; Lindsey Bage, Individually and as the heir of Kirk Andrew Swartz, and as representative of the estate of Kirk Andrew Swartz v. Galveston County, et al., in the United States Court of Appeals for the Fifth Circuit
  6. County of Galveston v. Purdue Pharma, L.P., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas
  7. 3:18-cv-104; Aaron Booth v. Galveston County in the United States District Court for the Southern District of Texas
- c. **Executive Session:** Texas Government Code Section 551.0725, Deliberation Regarding Contract Being Negotiated; Closed Meeting: the Commissioners Court will enter into an executive session as permitted under the Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.0725 of the Texas Government Code, Deliberation Regarding Contract Being Negotiated, to deliberate business and financial issues relating to the following, because deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person:



1. Property located at 54th Street and Broadway Blvd. in the City of Galveston Texas
- d. **Reconvene into Regular Meeting**
- e. Consideration of authorizing the County Judge to execute reinstatement and first amendment to a contract for sale of approximately 8.7957 acres of land located at 54th Street and Broadway Blvd. in the City of Galveston Texas
- f. Consideration of authorizing the County Judge or other authorized officials to execute Settlement participation and release forms regarding new settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multi-district litigation for the County in the matter of County of Galveston v. Purdue Pharma, L.P., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas

## **Adjourn**

## **WORKSHOP AGENDA**

1. Discussion of exemptions for Bolivar Beach parking permits presented by the Parks & Cultural Services Department
2. Budget Workshop Discussion

### **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.

\*\*\*