



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 May 17, 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 County Auditor's office:
 - a. Approval of the accounts payable checks dated 5/10/21 and 5/17/21
 - b. Order for payroll period ending 5/12/21 bi-weekly #10
 - c. Order for supplemental payroll period ending 5/12/21 bi-weekly #10
 - d. Internal audit report of Justice of the Peace, Precinct 3 for period of 2/1/2020 - 1/31/2021 with response letter from Honorable Billy A. Williams dated 4/23/2021
 - e. Internal audit report of Court Collections for period of 3/1/2020 - 2/28/2021 with response letter from Director of Personal Bonds & Collections, Aaron Johnson dated 5/4/2021
 - f. Monthly financial report for period ended 4/30/2021
 - g. Comprehensive Annual Financial Report for the fiscal year ended 9/30/2020

- h. Pursuant to Local Government Code 111.0106 certification of funds: Receipt of Stop Loss Reimbursement for FY2020
 - i. Consideration for action to be taken with the Texas Comptroller of Public Accounts-unclaimed property capital credits for counties-Sect. 74.602 of the Texas Property Code
- *2. Receive and file *restitution check list from Odyssey* submitted by Collections Improvement Program
 - *3. Receive and file *refund check list from Odyssey* submitted by the County Clerk
 - *4. Receive and file *refund check list from Odyssey* submitted by the District Clerk
 - *5. Receive and file *summary of bi-weekly personnel movements pay period #9, April 15-28, 2021* submitted by Human Resources
 - *6. Receive and file *notice of termination of professional services agreement between Mammoth Tech, Inc., f/k/a Credit Adjustments Inc., and Galveston County* submitted by County Judge
 - *7. Receive and file *April 2021 collections and personal bond report* submitted by Personal Bond/Collections Office
 - *8. Receive and file *second quarter investment report* submitted by the Treasurer's Office
 - *9. Receive and file *annual broker/dealer listing* submitted by the Treasurer's Office
 - *10. Consideration of a *resolution acknowledging the humanitarian crisis at the U.S. southern border* submitted by County Judge
 - *11. Consideration of *acceptance of a donation of supplies and labor for the Jack Brooks Park Mountain Bike Trail* submitted by the Parks & Cultural Services Department
 - *12. Consideration of *approval to increase the hourly rate of security detail for rentals and special events in County Parks*, submitted by the Parks & Cultural Services Department
 - *13. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) to Arcadia First Baptist Church for use of the community center & Quonset outdoor pavilion at Runge Park for church fellowship/community ministry events held Monday, July 19th through Friday, July 23, 2021* submitted by the Parks & Cultural Services Department
 - *14. Consideration for *authorization to cancel and re-solicit for ITB #B212012, Trash Barrel Pickup for Bolivar Peninsula* submitted by the Purchasing Agent

- *15. Consideration for *authorization to dispose of salvage or surplus property* submitted by the Purchasing Agent
- *16. Consideration for *authorization to cancel and re-solicit for the following bids on behalf of the Parks and Cultural Services Department* submitted by the Purchasing Agent:
 - a. RFP #B212018, Softball Fields in Ray Holbrook Park
 - b. RFP #B212019, Baseball Fields in Runge Park
- *17. Consideration for *authorization to utilize Texas Local Government Cooperative Purchasing Program in lieu of competitive bidding for telecommunication services solutions on behalf of the Information Technology Department* submitted by the Purchasing Agent
- *18. Consideration for *authorization to rescind the contract award to WestWay Construction Services for RFP #B201043, Medical Examiners Facility Rebuild and award the contract to the next highest rated offeror, Sovereign Builders, Inc. dba Construction, Ltd. on behalf of the Professional Services Department* submitted by the Purchasing Agent
- *19. Consideration for *authorization to utilize Texas Cooperative Purchasing Program in lieu of formal bidding for maintenance services for Magistrate Court and the County jail's camera system on behalf of the Information Technology Department* submitted by the Purchasing Agent
- *20. Consideration for *authorization to dispose of a forfeited vehicle by public auction (GOVDEALS) and for the proceeds to go to the Bayou Vista Police Department* submitted by the Purchasing Agent
- *21. Consideration of *approval authorizing the County Judge to sign Texas Division of Emergency Management attestation for duplication of benefits form for Hazard Mitigation Grant Program disaster number 1791-059* submitted by Grants Administration
- *22. Consideration of *acceptance of FY 2021 NIBIN grant award from the Office of the Governor Criminal Justice Division* as submitted by Grants Administration
- *23. Consideration of *approval to submit FY 2022 Victims of Crime Act (VOCA) grant application #3702303 to the Office of the Governor and authorize County Judge to sign supporting resolution* as submitted by Grants Administration
- *24. Consideration of *renewal of public official bond for Randall Rice, County Auditor, of Galveston County* submitted by Professional Services

- *25. Consideration of *approval of the following budget amendments* submitted by Professional Services:
 - a. 21-092-0517-A
JP Pct. 3 - Request transfer from General Fund Budgeted Reserves to JP Pct. 3 Salaries and Benefits accounts for the addition of a part time Deputy County Clerk III position
 - b. 21-093-0517-B
District Court Admin - Request transfer from General Fund Budgeted Reserves to District Court Administration Family/Child Protection Expense account to cover remaining attorney vouchers received in FY 21
 - c. 21-094-0517-C
Court Reporter Services - Request transfer from Court Reporter Services Budgeted Reserves to District Attorney Court Reporter Transcript account for FY 21 court reporter transcript expenditures
 - d. 21-095-0517-D
Employee Benefits - Request transfer from Employee Benefits Fund Utilization Review (AHH) account to Admin Fee Medical/HSA account to cover the admin fees from Boon Chapman through March 31, 2021
- *26. Consideration of *rescinding Commissioners' Court order dated December 28, 2020* submitted by the County Engineer
- *27. Consideration of *authorizing Commissioners' Court order effective May 17, 2021 to replace rescinded order and agreement for a Local On-System Improvement Project (LOSA) with TxDOT for Clear Lake Shores 2017 Road Bonds Project "Daniel Dror Avenue" and authorizing County Judge to execute same* submitted by the County Engineer
- *28. Consideration of *authorizing the County Judge to sign the Certificate of Construction Completion for the CDBG Round 2.2 project "Gum Bayou Tributary Channel Improvements"* submitted by the County Engineer
- *29. Consideration of *approval of change order no. 1 to the Gum Bayou Tributary Channel Improvements project with WadeCon, LLC* submitted by the County Engineer
- *30. Consideration of *approval of an order to abandon a portion of road right-of-way in the Carr Subdivision that has been fenced in for longer than 20 years* submitted by the Platting & Right-of-Way
- *31. Consideration of *approval of road opening request #226 from Mr. & Mrs. Tim Baker for Crescent Mood Drive, Santa Fe*, submitted by the County Engineer

- *32. Consideration of *approval of application from Ramon Armendariz and Sorina Armendariz for a partial replat of Alta Loma Outlots* submitted by Platting & Right-of-Way
- *33. Consideration of *execution of contract with Tandem Services, LLC for the Highland Bayou Jay Road Ditch Improvements project* submitted by County Engineer
- *34. Consideration of *request of tax refunds in excess of \$2,500.00* submitted by the Tax Assessor/Collector
- *35. 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
- *36. Request for *ratification of denial of request for waiver or refund of penalty and interest as recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector

Action Agenda

37. **Purchasing**

- a. Consideration of approval of awarding the following bid and authorizing the County Judge to execute the contract for the following:
 - 1. ITB #B212008, Aqua-Permethrin Insecticide

38. **Right of Way**

- a. Marfil Subdivision replat
 - 1. Receive public comments
 - 2. Consideration of approval of replat
- b. Charles Brown Subdivision replat
 - 1. Receive public comments
 - 2. Consideration of approval of replat
- c. Outlot 294, Alta Loma Outlots replat
 - 1. Receive public comments
 - 2. Consideration of approval of replat

39. **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. 4:21-cv-00809; Joe Miranda v. Henry A Trochesset, in the United States District Court for the Southern District of Texas, Houston Division
 - 2. Benson claim
- 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.
