

MEETING OF APRIL 19, 2016

On this the 19 day of April, 2016, at 9:00 o'clock a.m., the Court met in Special Session; present and presiding were County Judge Scott M. Felton, Commissioners Kelly Snell, Lester Gibson, Will Jones and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

**THE COMMISSIONERS COURT *
McLENNAN COUNTY *
THE STATE OF TEXAS *
TO ALL PERSONS INTERESTED:**

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 19th day of April, 2016 at 9:00 a.m.** in the Commissioners' Courtroom, 1st Floor, West Wing, McLennan County Courthouse, City of Waco, Texas, at which time, the subjects below will be considered.

AGENDA

- I. PROOF OF POSTING OF NOTICE** in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.
- II. A MOMENT OF SILENCE / INVOCATION; PLEDGES OF ALLEGIANCE**
- III. CONSIDERATION OF, AND / OR ACTION ON, THE FOLLOWING:**
 - A. APPROVAL / RATIFICATION OF PROCLAMATION / RESOLUTIONS**
 1. Proclamation Recognizing & Honoring Mrs. Olivia Henry Ross on her 100th Birthday
 - B. HEARING FROM MEMBERS OF THE PUBLIC ON COUNTY BUSINESS MATTERS**
 - C. ITEMS PREVIOUSLY DEFERRED**
 1. *Regarding Contracts / Lease Agreements / Interlocal Agreements:*
 - a. Authorization of Professional Surveying and Civil Engineering Services Proposals and related Short Form of Agreements with Walker Partners:
 - 1) Surrey Ridge Road Improvement Project
 - 2) Speegleville Road Improvement Project
 2. *Regarding the FY 16 Budget:*
 - a. Justice of the Peace, Precinct 3: Expenditure Authorization (re: Security Equipment)
 3. *Regarding County Department Heads / Staff Departmental Reports / Updates*
 - a. County Auditor: Financial Report, September 2015 - March 2016
 - D. RIGHT OF WAY PURCHASE, USE, CONVEYANCE and/or CONDEMNATION:** *Authorization / Action on:* Expansion/Repair Projects including, but not limited to: Easements / Offers / Contracts to Purchase ROW; Contracts for Sale; Contracts re: Appraisal / Surveying Services, ROW Acquisition / Sale; Authorization for Legal Counsel re: Eminent Domain / Condemnation Proceedings, Execution of Legal Documents
 - E. REGARDING COUNTY PROPERTY and/or CONSTRUCTION PROJECTS:** Renovations, Repairs, Indemnification Regarding Cleaning / Maintenance Projects, Space Allocations / Furnishings / Equipment / Architectural Services / Invoices / Approval of Pay Applications / Change Orders / Contracts / Lease Agreements / Certifications of Substantial Completion / Authorizations Regarding Sale / Lease / Acquisition or Property
 - F. AUTHORIZATIONS RE: CONTRACTS / LEASE AGREEMENTS / INTERLOCAL AGREEMENTS:**
 1. Economic Development:
 - a. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consultant Services; Proposed Projects / Program Project Agreements / Addendums / Pay Apps
 - 1) Regarding the Program Project Agreement with Sherwin-Williams Company: Authorization of Payment Request #1
 - 2) Authorization of First-Amended Program Project Agreement: Area 51 Manufacturing, LLC and Let's Gel, Inc.
 2. Authorization of Lease Agreement: Darr Equipment Co. (re: Forklift for Maintenance of Buildings)
 3. Authorization of Professional Services Agreement Renewal: HUB International Insurance Services (re: Group Health Insurance)
 4. Authorization of Warranty, Support, and License Agreement Addendum Renewal: Hart InterCivic (re: Electronic Voting Equipment)
 - G. REGARDING THE COUNTY BUDGET:** Amendments / Requests for Amendments and related Certification of Additional Revenue, if applicable, Expenditure Requests, Other Budgetary Requests
 1. **Regarding the FY 16 Budget:**
 - a. 74th District Court
 - b. Justice of the Peace, Precinct 1 Place 2 (Fund 140)
 - c. County Judge
 - d. Road & Bridge, Precinct 2
 - e. Economic Development
 - f. Veterans Service Office
 - g. Information Technology
 - h. County Sheriff (Jail)
 - i. District Attorney
 - j. Justice of the Peace, Precinct 4 (Fund 130)
 - k. Permanent Improvement Fund (Fund 401)
 - H. COUNTY SHERIFF / JAIL / CRIMINAL JUSTICE ISSUES** (County Operated / Privately Operated Jail Facilities): Change Orders, Pay Apps, Repairs / Renovations / Infrastructure Improvements / Personnel / Salary Matters / Updated Reports / Equipment Purchases / RFP's; Authorization of Contracts / Agreements / Amendments
 1. Authorization of Interlocal Cooperation Agreement: City of Waco (re: Lead Abatement at Firing Range)
 2. Regarding the United States Marshals Service Agreement No. 80-10-0033: Ratification of Modification of Intergovernmental Agreement No. 10
 - I. HEART O' TEXAS FAIR / EXTRACO EVENTS CENTER:** Authorization re: Contracts / Professional Services / Lease / Rental Agreements / Contract Addendums / Change Orders / Extensions; Property Transactions / Deeds, Insurance, Surveys / Proposals / HOT Fair, Equipment / Supplies; *Authorizations re:* Purchases, Plans & Specifications, Construction, Operations, Pay Apps, Bids / RFP's; Repairs / Renovations, Expenditure Authorizations, related matters
 1. Regarding the Moisture Intrusion / Exterior Envelope Renovations / Repairs to the Extraco Events Center:
 - a. *Structural Engineering Services – Winton Engineering:* Authorization of Change Orders / Payment Requests, Acceptance of Reports, Updates, related matters
 2. Discussion and/or Action re: Asbestos Inspection Proposal from Environmental Concerns, Inc. (ECI)
 - J. GRANTS / PROPOSALS / SPECIAL PROJECTS:** Authorization of Grant Applications / Contracts / Grants, Administration & Reporting Matters / Consulting Services / Pay Apps / Change Orders / Bids / Invoices / related Legal Matters / Documents
 1. Regarding the Texas Department of Public Safety / Texas Division of Emergency Management (DPS/TDEM): Ratification of Public Assistance Grant 4223 Award Letters:
 - a. FEMA Project Number PA-06-TX-4223-PW01000
 - b. FEMA Project Number PA-06-TX-4223-PW00975
 - c. FEMA Project Number PA-06-TX-4223-PW01001
 - d. FEMA Project Number PA-06-TX-4223-PW01033
 - e. FEMA Project Number PA-06-TX-4223-PW00976

- K. BIDS / RFP'S / RFQ'S / QUOTATIONS for GOODS & SERVICES**, including Recording of Vendor HB 914 Conflict Disclosure Statements, if applicable
1. Discussion and/or Action regarding Proposal from Smith Inland Environmental Services, Inc. for Emulsion Tank Removal (Old County Garage)
- L. CONSENT AGENDA ITEMS:**
1. **Reading / Approval of Previous Meeting Minutes:** Acceptance of Amendments / Supplements / Corrections; Recording into the Court Minutes of Previously Approved Documents, Items Not Requiring Court Action, HB 914 Conflict Disclosure Statements, as applicable
 - a. Recording of City of Hallsburg Resolution regarding Reinstatement of the Hallsburg Precinct Box
 2. **Financial Obligations of McLennan County:**
 - a. Authorization for Co. Treasurer to Pay County Checks / Wire / Electronic Transfers Issued Since the Last Authorization
 - b. County Treasurer: Interest / Investment Reports / Authorizations / Recording of McLennan County Investment Policy / Acknowledgement Forms / Pooled Cash Account Balance Reports
 3. **Human Resources / Salary Matters:** Benefits / Status Forms / Revisions to Salary Schedules; Authorizations Regarding Human Resources Issues / Revisions to Human Resources Policies; Compensation / Classification Issues / Personnel Reviews/ Reclassifications, Administrative Guidelines; Consultant Reports, Recommendations, Job Descriptions / Postings / Approvals Necessary for Statutory or Constitutional Qualifications / Acceptance of Resignations of Appointed or Elected Department Heads
 - a. County Veterans Office
 - b. District Attorney
 - c. Criminal Justice Program Analyst: Acceptance of Resignation Letter
 4. **Authorizations / Ratifications re: RFP's / RFQ's / Bids / Advertisements / Publications / Public Notices / Sole Source Determinations / Surplus / Scrap Property Determinations / Recording of Legal Notifications**
 - a. Authorization of Advertisements for RFQ's / Bids / RFP's / Public Notices
 5. **Travel and/or Education Requests / Ratifications:**
 - a. County Treasurer
 - b. Justice of the Peace, Precinct 4
 - c. Spaceport Development Corporation
 6. **Acceptance / Non Acceptance of Officials /County Department Heads /Staff /Departmental Reports/ Organization Reports / Updates; Reports relative to County Contracts/Agreements/Programs; Recording of Educational or Insurance Certificates/ Awards/ Bonds/ Recording of Conflict Disclosure Statements, Presentations to the Court**
 - a. Texas Association of Counties: Presentation regarding the Risk Control Reimbursement Program
 7. **Commissioners Court, Discussion on, Consideration of and/or Action on:**
 - a. Ratification of Purchase / Designation of Authorized Purchaser:
 - b. Regarding the McLennan County Burn Ban: Authorization of Red Flag Warning Burn Ban Order
 - c. Regarding Americans with Disabilities Act Compliance Project:
 - 1) Discussion and/or Action regarding Training Session Proposal from Southwest ADA Center at ILRU
 - d. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 17 Budget
 - e. Regarding the On-Site Sewage Facility (O.S.S.F.) Program: Authorization of March 2016 Billing / Reports
 - f. Discussion and/or Action regarding Armored Car Delivery Destination and Services
 - g. County Board Appointment: Authorization of Appointment to the Heart of Texas Region MHMR Center Board of Trustees
 - h. Regarding the County Treasurer: Authorization of TexPool Resolution Amending Authorized Representatives
 - i. Regarding the Sock It To Diabetes Walk: Authorization of County Notification and Participation Encouragement
 - j. Authorization to Submit Request for Unclaimed Capital Credits: Texas Comptroller of Public Accounts (ref: Section 74.602 of the Texas Property Code / Local Government Code Section 381.004)
 - k. Ratification of Transfer Agreement: United States K-9 Unlimited, Inc.
 - l. Discussion and Action on Responding or Taking Action in Response to Attorney General Threat of Litigation and Penalties Regarding Courthouse and Courthouse Annex Restriction on Handguns
 8. **Regarding McLennan County Subdivision Regulations:**
 - a. Approval of Final Plat of "Lakeland Hills Addition, Phase One, Lot 17, Block 3" to McLennan County, Texas Precinct 2
- M. COMMISSIONERS COURT WORK SESSION:** Information Gathering, Discussions, Status Reports / Updates and/or Presentations on any or all of the items listed below (*no action will be taken by the Court on items presented in this part of the meeting*): Discussion / Suggestions Regarding: *Future Work Session Items*
1. **Discussion re: Criminal Justice Issues:** Updates regarding the Electronic Monitoring Program / Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Creation of a Criminal Justice Work Group / Discussion on Ways to Control the Jail Population / MHMR Services at the County Jail / Pretrial Services / Veterans & Mental Health Courts / Courthouse Security / Video Conferencing Utilization / Public Nuisance Reporting & Enforcement Process / County Essentials Reimbursement, related matters
 2. **Discussion re: Capital Expenditures:** including Discussion Regarding the Time Schedule for Capital Outlay / Recommendations from the Finance Committee Regarding the Spending Policy / Equipment Financing, related matters
 3. **Discussion re: County Property:** including Discussion Regarding Space Availability & Utilization of County Buildings, Utilization Planning, Consultant, Joint Facilities Master Plan or Study / Updates re: Maintenance at Highway 6 or Downtown Jail / Maintenance at Tradinghouse Lake/Park / Recommendations from Tradinghouse Lake/Park Advisory Committee / ADA Capital Improvements / Policy for County Right of Ways / Surrey Ridge Road, Speegleville Road, and/or Chapel Road / Themis Statue / Policy re: Office Remodeling / Discussion regarding Lincoln City Road Flooding / Roofing Projects for Various County Buildings and Matters Related Thereto
 4. **Discussion re: Texas Department of Transportation:** including Discussion re: Rural/Public Transportation, related matters
 5. **Discussion re: Upcoming Contracts**
 6. **Discussion re: OpenGov / Financial Reporting**
 7. **Discussion re: Franklin and Washington Avenue Conversion Public Meeting**
 8. **Discussion re: Time Keeping System**
 9. **Discussion re: Agenda Item Submission**
- IV. Executive Session:** A closed meeting will be held pursuant to:
- A. **Section 551.071 of the Government Code (V.C.T.A.):** An executive/closed session will be held so that the Commissioners Court can seek and receive legal advice from its attorneys regarding pending or threatened litigation, settlement offers, claims, or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct Conflicts with the Open Meetings Act (Ch.551, Gov. Code) if necessary for a subject contained on this agenda, and legal issues and potential liabilities regarding handgun laws and regulation of handguns in certain County buildings, including: OAG Complaint No. 30.

- B. **Section 551.072 of the Government Code (V.C.T.A.):** Regarding Real Property, including, but not limited to: (1) Right-Of-Way Acquisitions re: Expansion / Repair Project/s; and/or (2) Real Estate Purchase / Sale / Transfer / Trade / Offers to Purchase, Acquisition / Value / Donations of Real Property / Leases relative to Real Property, including, but not limited to, Potential Properties for Use by County / Public Facilities & Valuation of Current Property for Trade or Sale
- C. **Section 551.074 of the Government Code (V.C.T.A.):** Regarding Personnel Matters including but not limited to: Personnel Review / Evaluation of Commissioners Court Appointed Department Heads; Personnel Matters Identified in any Open Session Item if Necessary, and related matters
- D. **Section 551.076 of the Government Code (V.C.T.A.):** Deliberations regarding Security Devices or Security Audits
- E. **Section 551.087 of the Government Code (V.C.T.A.):** Regarding Economic Development Negotiations including, but not limited to (1) Discussion of Commercial / Financial Information Received from a Business Prospect/s; (2) Pending Negotiations / Potential Prospects and Projects; and/or (3) Discussion re: Offers of Financial or Other Incentives to Business Prospect/s

Signed this the 14th day of April, 2016

Scott M. Felton

SCOTT M. FELTON, County Judge

STATE OF TEXAS *
COUNTY OF McLENNAN *

I, J.A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a NOTICE OF MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted this the 14th day of April, 2016 at 11:55 o'clock a.m.

Witness my hand and seal of office at Waco, McLennan County, Texas this 14th day of April, 2016

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY: *Myrcotez Gowan* (Deputy)

Notice: Persons with disabilities in need of auxiliary aide or services may contact the County Judge's Office, (254) 757-5049, prior to the meeting date

FILED: APR 19 2016

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas
By Myrcotez Gowan DEPUTY

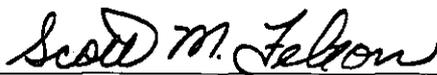
IN THE COMMISSIONERS COURT OF MCLENNAN COUNTY
THE STATE OF TEXAS *
COUNTY OF MCLENNAN *
TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, that a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 19th day of April, 2016 at 9:00 o'clock a.m.** in the Commissioners Courtroom, First Floor, West Wing, of the McLennan County Courthouse in the City of Waco, Texas, at which time **the following SUPPLEMENT to the AGENDA** previously posted on April 14, 2016 **will be considered:**

SUPPLEMENTAL AGENDA

1. ***Proof of posting of notice*** in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.
2. ***Regarding County Sheriff / Jail / Criminal Justice Issues:*** Authorization of Agreement for Temporary Nurse Practitioner Services (re: Highway 6 Jail)

Signed this the 15th day of April, 2016



SCOTT M. FELTON, COUNTY JUDGE

THE STATE OF TEXAS *
COUNTY OF MCLENNAN *

I, J. A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a **SUPPLEMENTAL NOTICE OF MEETING** posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted, on this the 15th day of April, 2016 at 4:30 o'clock P.m.

Witness my hand and seal of office at Waco, McLennan County, Texas, on this 15th day of April, 2016.

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY  (Deputy)

NOTICE: Persons with disabilities who plan to attend the meeting and who may need auxiliary aids or services are requested to contact the Office of the County Judge at (254) 757-5049 prior to the meeting date.

FILED: APR 19 2016

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas
By Myrcatiz Bowan DEPUTY