

**MEETING OF JULY 5, 2016**

On this the 5 day of July, 2016, at 9:02 o'clock a.m., the Court met in Regular 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:

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**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 regular meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 5<sup>th</sup> day of July, 2016 at 9:00 a.m.** in the Commissioners' Courtroom, 1<sup>st</sup> Floor, West Wing, McLennan County Courthouse, City of Waco, Texas, at which time, the subjects below will be considered. In addition, notice is hereby given that this July 5, 2016 meeting will be recessed and reconvened on Wednesday, the 6<sup>th</sup> day of July, 2016 at 1:00 p.m. at the same location, to complete discussion and action on the agenda items set forth below, including the Budget Work Session, unless the meeting on July 5, 2016 is adjourned by decision of the Commissioners Court.

**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 Honoring & Recognizing Mr. Thomas Brooks for 30 Years of Dedicated Service to the Antioch Missionary Baptist Church
    2. Proclamation Recognizing the Rosenthal/Downsville All School Reunion & Recognizing July 8-10, 2016 as Rosenthal/Downsville All School Reunion Days in McLennan County
  - B. HEARING FROM MEMBERS OF THE PUBLIC ON COUNTY BUSINESS MATTERS**
  - C. ITEMS PREVIOUSLY DEFERRED**
    1. *Regarding the FY 17 Budget:* Authorization regarding the Waco-McLennan County Library FY 17 Funding Allocation
    2. Discussion and/or Action regarding Changes to the McLennan County Employment Application
  - 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
    1. Approval of Authority to Present Written Offer to Landowner, Sign the Contract of Sale, and Obtain Title Commitments / Policies for Right-Of-Way Parcel for a TxDOT Off-System Bridge Replacement Project (re: Chisolm Trail Road @ Tonk Creek, Precinct 4)
  - 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
    1. Authorization re: Request to Use County Parking Lot for Meet & Greet / Car Show
    2. Authorization of Proposal: Knight Erosion Control, Inc. (re: Emergency Repairs to Bridge on 12<sup>th</sup> Street Road at Flat Creek)
  - 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
    2. Authorization of Support and Maintenance Agreements: HOV Services (re: Archives)
      - a. Wicks & Wilson Scanner
      - b. Digitech Document Imaging System
    3. Authorization of Repair Order – Inspection Proposal: ThyssenKrupp Elevator Americas
  - 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. County Sheriff:
        - 1) Jail
        - 2) Forfeiture Fund (Fund 255)
      - b. Justice of the Peace, Precinct 5
      - c. HOT Fairgrounds
      - d. 414<sup>th</sup> District Court
      - e. Justice of the Peace, Precinct 4
      - f. Information Technology
      - g. Justice of the Peace, Precinct 3 (Fund 170)
      - h. Road & Bridget, Precinct 3
      - i. Justice of the Peace, Precinct 2
    2. **Regarding the FY 17 Budget:**
      - a. Discussion and/or Actions regarding Matters Relative to the FY 17 Budget / 2016 Tax Rate, including, but not limited to, Budget Policies, Priorities, Timelines, Updates from County Auditor and/or Budget Work Sessions, other related matters as needed
      - b. McLennan County 9-1-1 Emergency Assistance District: 2016/2017 Proposed Budget
  - 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 Order Accepting Certain Property Donated by the Texas Department of Public Safety (ref: Local Government Code 81.032)
    2. Authorization of Amendment #4 to Inmate Telephones License Agreement: Global Tel\*Link Corporation (GTL)
    3. Authorization of Bundled Commercial Service Agreement and related Documents: AMG Technology Investment Group, LLC dba Nextlink Broadband (re: Highway 6 Jail)
  - 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. Authorizations regarding Coliseum HVAC Repairs

- 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. Ratification of Interlocal Agreement: City of Waco and City of Bellmead (re: FY 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award)
- K. BIDS / RFP'S / RFQ'S / QUOTATIONS for GOODS & SERVICES,** including Recording of Vendor HB 914 Conflict Disclosure Statements, if applicable
- 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
  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 Sheriff
  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
    - b. Authorization of Orders Setting Public Hearings on the Establishment of Speed Zones:
      - 1) Mackey Ranch Road in Precinct 1
      - 2) Wilson Road in Precinct 2
  5. **Travel and/or Education Requests / Ratifications:**
  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. Tax Assessor / Collector: Detailed Deposit Distribution Reports, May 2016
    - b. Road & Bridge, Precinct 4: Quarterly Activity Report, 2<sup>nd</sup> Quarter
    - c. Region 6 Local Emergency Planning Committee (LEPC): Recording of Certificate of Attendance
    - d. McLennan County Soil Water Conservation District / Natural Resources Conservation Service: Updates Regarding Operation and Maintenance on Conservation Lakes and Dams
  7. **Commissioners Court, Discussion on, Consideration of and/or Action on:**
    - a. Ratification of Purchase / Designation of Authorized Purchaser:
    - b. Authorization re: Burn Ban in the Unincorporated Areas of McLennan County
    - c. Regarding Americans with Disabilities Act Compliance Project:
      - 1) Authorization of Professional Services Invoice: The Wallace Group (re: ADA Study / Reports for May)
      - 2) Authorization of Second Addendum to Agreement for Independent Licensed Architect: The Wallace Group, Inc.
    - d. Authorization of Tax Resale Deed: MCAD # 320116000467000: Lot 8 and ½ of Lot 9, Block 47, Town of Mart, McLennan County, Texas
    - e. Approval of Order Granting Exemption from Competitive Bidding and Directing the County Engineer to Proceed With Project to Repair Damage Due to Bridge Southeast Abutment Wall Collapse at South 12<sup>th</sup> Street Road @ Flat Creek Including Purchases of Materials and Services for Project
    - f. Authorization of Title IV-E Legal Assistance Claims:
      - 1) Quarter Ended December 31, 2015
      - 2) Quarter Ended March 31, 2016
    - g. Consideration and Approval of a Resolution by the Commissioners Court of McLennan County, Texas Relating to Establishing the County's Intention to Reimburse Itself for the Prior Lawful Expenditure of Funds from the Proceeds of Tax-Exempt Obligations to be Issued by the County for Authorized Purposes; Authorizing Other Matters Incident and Related Thereto; and Providing an Effective Date
    - h. Discussion and/or Action regarding Select Physical Therapy Programs and Services
- 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 / Veterans & Mental Health Courts / Courthouse Security / Video Conferencing Utilization / Public Nuisance Reporting & Enforcement Process, 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 / Law Library, Utilization Planning, Consultant, Joint Facilities Master Plan or Study / Updates re: Maintenance at Highway 6 or Downtown Jail / Tradinghouse Lake/Park / ADA Capital Improvements / Surrey Ridge Road, Speegleville Road, and/or Chapel Road / Themis Statue / 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: Time Keeping System**
  6. **Discussion re: Agenda Item Submission**
  7. **Discussion re: McLennan County Employee Policy Guide**
- 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 Nos. 52 and 85; T.A.C. -handled claims, settlements and deductible reimbursements; FCC regulations and court proceedings regarding inmate telephone services, legal effects and potential legal effects to County, and advice on dealing with regulations and rulings.

- 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 29<sup>th</sup> day of June, 2016  
  
 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 29<sup>th</sup> day of June, 2016 at 4:45 o'clock p.m.

Witness my hand and seal of office at Waco, McLennan County, Texas this 29<sup>th</sup> day of June, 2016

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

BY:  (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: JUL 05 2016

J.A. "ANDY" HARWELL, County Clerk  
 McLennan County, Texas  
 By Myrcetez Gowen DEPUTY

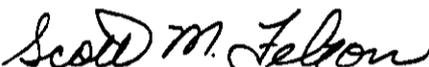
**IN THE COMMISSIONERS COURT OF MCLENNAN COUNTY  
THE STATE OF TEXAS \*  
COUNTY OF MCLENNAN \*  
TO ALL PERSONS INTERESTED:**

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 5<sup>th</sup> day of July, 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 June 29, 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 FY 16 Budget: Mental Health Court Services*

Signed this the 1<sup>st</sup> day of July, 2016

  
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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 1<sup>st</sup> day of July, 2016 at 3:40 o'clock p.m.

Witness my hand and seal of office at Waco, McLennan County, Texas, on this 1<sup>st</sup> day of July, 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: JUL 05 2016

J.A. "ANDY" HARWELL, County Clerk  
McLennan County, Texas  
By Myrcetez Gowen DEPUTY