

**MEETING OF APRIL 21, 2020**

On this the 21 day of April, 2020, at 9:00 o'clock a.m., the Court met in Regular Session; present and presiding were County Judge Felton, Commissioners Kelly Snell, Patricia Chisolm-Miller, Will Jones, Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

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## NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

NOTICE IS HEREBY GIVEN that the McLennan County Commissioners Court will conduct its regular scheduled meeting on **Tuesday, April 21, 2020 at 9:00 o'clock a.m.** and act on the items on the following agenda

**No physical meeting open to the public will be held.** A temporary suspension of portions of the open meetings act to allow telephone or video conference public meetings has been granted by Governor Greg Abbott pursuant to Executive Order No. GA-08. These actions are being taken to mitigate the spread of Covid-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The opportunity to view and hear the meeting as well as the process if one wishes to address the Commissioners Court is available at: <https://tx-mclennancounty.civicplus.com/1121/Commissioners-Court-Online-Meeting-Infor>

### AGENDA

- A. Proof of Posting of Notice**
- B. Moment of Silence / Invocation and Pledge**
- C. Public Comments**
- D. Proclamations / Resolutions:**
- E. Consent Agenda:**
  - 1. Approval of Minutes of Prior Meeting(s); Recording into the Court Minutes of Previously Approved Documents; Recordation of Items Not Requiring Court Action**
    - a. Recording of Amendment No. 1 to Cooperative Agreement with Texas State Soil and Water Conservation Board (re: Cow Bayou Site 10 Structural Repair)
    - b. Recording of Tax Abatement Agreement with Encompass Health Texas Real Estate, LLC and Encompass Health Rehabilitation Hospital of Waco, LLC
  - 2. Financial Obligations of McLennan County:**
    - a. Authorization for County Treasurer to Pay County Checks / Wire / Electronic Transfers Issued Since the Last Authorization
  - 3. Human Resources / Salary Matters (Payroll Status Forms or Changes):**
  - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
  - 5. Travel and Education Requests:**
  - 6. Recording of Educational Certificates; Recording of Department Head Affidavits; Recording of Departmental Reports; Acceptance or Approval of Official Bonds, Conflict Statements, or Other Such Items Required to be Submitted to the Court by Public Officials:**
    - a. County Treasurer: Recording of McLennan County Investment Report, March 2020
    - b. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, March 2020.
    - c. Waco-McLennan County Public Health District: Authorization of March Billing/Reports (re: On-Site Sewage Facility (O.S.S.F.) Program)
  - 7. Burn Ban Approval, Extension, or Termination**
  - 8. Authorization of McLennan County Credit Card Purchases**
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
  - 1. Regarding FY 20 Budget:**
    - a. Maintenance of Equipment
    - b. 2017 Certificates of Obligation / Permanent Improvement Fund (Fund 417):
      - 1) Regarding Garage Relocation
      - 2) Regarding ADA Modifications, Ritchie Road, Speegleville Road and Chapel Road Projects
    - c. County Wide related to Covid-19
    - d. Justice of the Peace, Precinct 2 (Fund 140)
    - e. Justice of the Peace, Precinct 3 (Fund 140)
- G. Bids, RFP's, RFQ's, Quotations for Goods and Services:**
  - 1. Authorization of Recommendation for Bid 20-014: Antennas and Parts for Tower Project
  - 2. Authorization of Equipment Software Platform Upgrade Quote: Opex Corporation (re: Tax Office)

**H. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:**

1. Authorization of Pricing Supplement / Agreement with TransUnion Risk and Alternative Data Solutions, Inc. (re: Searches / Reports for Constable, Precinct 1)
2. Authorization of Interlocal Cooperation Agreement with the City of Golinda (re: Road and Brush Work)
3. Authorization of Janitorial Services Contract with Texas Urban Enterprises (re: Justice of the Peace, Precinct 4)
4. Authorization of Commercial Lease Extension (re: MCAD # 480149000017008; Lots B22, B24, B25, B26 Farm Lot 5 / County Garage)

**I. Capital Improvement, Repair, Maintenance Projects and Construction Projects:**

1. Regarding the McLennan County Tradinghouse Lake Boating Access Facilities Renovation (Bid 20-001) / Form of Agreement with HCS, Inc. Commercial General Contractor:
  - a. Authorization of Payment Application # 4
  - b. Authorization of Payment Application # 5

**J. Real Estate, Right of Way, and Easements:**

**K. Grants / Grant Proposals:**

1. Regarding the Coronavirus Emergency Supplemental Funding Program: Authorization of Submission of Grant Application
2. Regarding the Tradinghouse Lake Boating Access Grant: Recording of Mundo & Associates, Inc. Grant Implementation / Engineering Services Invoice No 5B
3. Regarding the Texas Historic Courthouse Preservation Program: Recording of Architexas Invoice No. 1902.03 for Courthouse Master Plan Update

**L. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**

1. Road and Bridge, Precinct 2:
  - a. Authorization of Cell Phone Request
  - b. Approval of Order Accepting Material Donated from Texas Materials (ref: Local Government Code 81.032)
2. Purchasing: Discussion and/or Action regarding Acceptance of Bid Responses Electronically
3. Justice of the Peace, Precinct 1 Place 2: Authorization of Hot Spot Request

**M. Additional Items for Discussion and Potential Action:**

1. Discussion and/or Action on Matters Regarding Covid-19 including but not limited to Staffing, Emergency Appropriations, Precautions and Plans, Restrictions to Prevent the Spread of COVID-19, Personnel Compensation and Benefit Matters, Health and Safety Procurements, Technology Procurements for Criminal Justice System to Allow for Operations to Continue Safely, Technology Procurements to Allow for Remote Meeting Participation, Reports on Progression of COVID-19, and related matters
2. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 21 Budget
3. Approval of Order Declaring Certain Property as Surplus and Authorizing the Sell of Said Surplus Property (re: Various Lights for Elm Mott Volunteer Fire Department)
4. Greater Waco Chamber of Commerce: Monthly Economic Development Report, March 2020

**N. Americans with Disabilities Compliance Project:**

1. Authorization of Professional Services Invoice: CP&Y (re: ADA Study / Report for March)

**O. McLennan County Venue Project: Authorizations for Phase I and/or II, including but not limited to:**

1. *Regarding the Architectural Services Agreement with Populous:* Authorization of Professional Services Invoices, Pay Applications, Schematic Design Documents; Acceptance of Reports, Updates, related matters
  - a. Authorization of Professional Services Invoice (re: November Services / Invoice No. 0068830)
2. *Regarding the Construction Manager at Risk Agreement with John W. Erwin General Contractor, Inc.:* Authorization of Applications and Certificates for Payment, Agreement Addendums, Design Documents; Acceptance of Reports, Updates, related matters
  - a. Consideration and Action on Approving Addendum to Agreement for Construction Manager at Risk Services to include Identifying, Advising Upon, and Acquiring or Assisting in the Acquisition of the Purchase of Furniture, Fixtures, and Equipment for Exposition Center
  - b. Approve Initial Exposition Center Furniture, Fixtures and Equipment Budget

c. Discussion and/or Action regarding Progress Update

**P. McLennan County Radio Tower Project / Multiple Site Expansion to Existing Simulcast Communication System:**

1. Authorization of Microwave Link Equipment Proposal and related Agreement with Motorola Solutions, Inc.

**Q. Work Session Items (unless otherwise identified above, no action will be taken, but these matters will be discussed):**

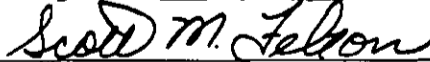
1. **Discussion regarding Criminal Justice Issues:** Updates on the Electronic Monitoring Program; Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Veterans & Mental Health Courts; Courthouse Security; Public Nuisance Reporting & Enforcement Process; Reintegration Programs; Updates from the Associate Judge; Jack Harwell Detention Facility, related matters
2. **Discussion regarding Capital Expenditures:** including Time Schedule for Capital Outlay / Recommendations from the Finance Committee on the Spending Policy / Equipment Financing, related matters
3. **Discussion regarding County Property:** including Space Availability & Utilization of County Buildings/Law Library, Utilization Planning, Consultant, Joint Facilities Master Plan or Study; Space and Office Allocations; Tradinghouse Lake/Park; Updates regarding ADA Capital Improvements; Updates regarding Road Projects including Surrey Ridge Road, Speegleville Road, and/or Chapel Road; County Off-System Bridge Repair/Maintenance, Judicial Center Feasibility Study, File Storage at Downtown Jail, Original Themis Statue, Clock / Clock Tower Project, related matters
4. **Discussion regarding Rural Transit District:** including Rural/Public Transportation Updates / Reports, related matter
5. **Discussion regarding Radio Interoperability:** including Tower Sites, Trunking Systems and System Upgrades
6. **Discussion regarding Jail Magistration**
7. **Discussion regarding Vote Centers**
8. **Discussion regarding the Transporting of Juveniles for Class "C" Truancy Citations by Constables**

**R. Executive/Closed Session**

1. **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 advice dealing with pending litigation, administrative claims or notices, and legal effects, liabilities, and legal options including but not limited to claims arising from Opioid Litigation, Civil Rights Cases, Tort Claims, or Other Pending or Threatening Litigation:
2. **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:
3. **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; Employment, Appointment, Termination, Hearing Grievances Against Employees or Public Officials; Incentive Pay; Deliberations regarding Assigning Interim Director for Health Services Department; Personnel Matters Identified in any Open Session Item if Necessary, and related matters:
4. **Section 551.076 of the Government Code (V.C.T.A.):** Deliberations regarding Security Devices or Security Audits:
5. **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:

**S. Adjourn**

Signed this 17th day of April, 2020



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 17th day of April, 2020.

Witness my hand and seal of office at Waco, McLennan County, Texas the 17th day of April, 2020 at 9:35 a.m.

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

J.A. "ANDY" HARWELL, County Clerk  
McLennan County, Texas

FILED: **APR 21 2020**

By Myrcotez Gowan-Perkins,  
Deputy



**NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT**

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, that a regular meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 21<sup>st</sup> day of April, 2020 at 9:00 a.m.** in the Commissioners' Courtroom, 1<sup>st</sup> Floor, West Wing, McLennan County Courthouse, 501 Washington, City of Waco, Texas, at which time, the following **EMERGENCY SUPPLEMENT to the AGENDA** previously posted on April 17, 2020 will be considered and potentially acted upon:

**EMERGENCY SUPPLEMENTAL AGENDA**

**A. Proof of Posting of Notice**


**B. Statement Identifying Nature / Cause of Emergency Situation that Requires Posting of This Emergency Agenda:**

1. The Emergent Need to Keep the COVID-19 Regulations of the County Consistent with the Governor's Executive Orders regarding COVID-19 to Assure Uniform Response to the COVID-19 Crisis

**C. Consideration of, and/or Action on, the Following Emergency Items:**

1. Discussion and/or Action on Addendum to the Order Declaring a Local State of Disaster and Public Health Emergency re: Covid-19 and Shelter in Place Order to Reflect Changes Enacted by the Governor's Executive Order GA-16.
2. Discussion and/or Action on other matters regarding Covid-19

Signed this 20th day of April, 2020



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 EMERGENCY MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted this 20th day of April, 2020.

Witness my hand and seal of office at Waco, McLennan County, Texas the 20th day of April, 2020 at 9:45 a.m.

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

BY: Kelly Fultz (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

J.A. "ANDY" HARWELL, County Clerk  
McLennan County, Texas

FILED APR 21 2020

By Myrcetez Gowan-Perkins,  
Deputy