

MEETING OF MAY 21, 2019

On this the 21 day of May, 2019, at 9:00 o'clock a.m., the Court met in Regular Session; present and presiding were County Judge Scott Felton, Commissioners Patricia Chisolm-Miller, Will Jones, Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

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, a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 21st day of May, 2019 at 9:00 o'clock a.m.** at the **Office of Emergency Management (721 N. 4th Street), Emergency Operations Center**, City of Waco, Texas, at which time, the subjects below will be considered and potentially acted upon.

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 Development and Industrial Tax Abatement with Coca-Cola Company, Inc.
 - b. Recording of Detention Services Intergovernmental Agreement No. 80-99-0119 with the U.S. Department of Justice / United States Marshalls Service
 - c. Recording of Bundled Commercial Service Agreement with AMG Technology Investment Group, LLC dba NextLink Internet (re: Road and Bridge, Precinct 3)
 - 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):**
 - a. Health Services
 - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for Notice of Public Hearing on the Proposed Designation of County Reinvestment Zone
 - 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, April 2019
 - 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 19 Budget:**
 - a. Records Management / Archives
 - b. Engineering
 - c. Justice of the Peace, Precinct 4
 - d. County Judge
 - e. Road and Bridge, Precinct 4
 - f. Permanent Improvement Fund (Fund 401)
 - g. Maintenance of Buildings
 - h. Tax Office - West Substation
 - i. District Clerk (Fund 120)
 - j. Road and Bridge, Precinct 2
 - k. Specialty Court
 - l. Road and Bridge, Precinct 3

m. Authorization of Texas Association of Counties Claim Deductible Invoices:

1) Invoice # NRDD-0004731

2) Invoice # NRDD-0004732

2. Regarding FY 20 Budget:

a. Discussion and/or Action regarding Matters Relative to the FY 20 Budget / 2019 Tax Rate, including, but not limited to, Budget Policies, Priorities, Timelines, Updates from County Auditor and/or Budget Work Sessions, as needed

b. Heart of Texas Community Health Center, Inc.: Discussion regarding Funding Increase

c. Waco-McLennan County Library: Authorization of Funding Allocation

G. Bids, RFP's, RFQ's, Quotations for Goods and Services:

1. Authorization of Recommendation for Bid # 19-020 McLennan County Courthouse 4th Floor Asbestos Abatement

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

1. Authorization of Memorandum of Understanding with the City of Bruceville-Eddy (re: Bruceville-Eddy Sewer System Project and Road Annexation)

2. Authorization of Standard Abbreviated Form of Agreement with HSC, Inc. Commercial General Contractor (re: McLennan County ADA Renovations to Adult Probation Department / Bid # 19-018)

3. Regarding the Inmate Telephones License Agreement Amendment # 4 with Global Tel*Link Corporation (GTL): Authorization of Agreement Extension

4. Authorization of Interlocal Cooperative Agreement with the City of Golinda (re: Road Patching)

5. Ratification of the Department of Justice / Department of Treasury Equitable Sharing Agreements and Certifications:

a. Regarding the County Sheriff

b. Regarding the Criminal District Attorney

6. Authorization of Standard Abbreviated Form of Agreement with K4 Construction, LLC (re: Renovation of Building for IV-D Court / Bid # 19-017)

7. Authorization of Annual Contract Renewal with H.O.T. Solutions (re: Aerobic Unit / Septic System, Road & Bridge, Precinct 2)

8. Authorization of Interlocal Cooperation Agreement with the City of Mart (re: Street Work Associated with Water System Rehabilitation Project)

I. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consulting Services; Proposed Projects / Program Project Agreements / Amendments / Pay Applications

1. Authorization of First-Amended Program Project Agreement with Swan Products, LLC

J. Capital Improvement, Repair, Maintenance Projects and Construction Projects:

1. Regarding the Texas Department of Transportation Off-System Bridge Replacement Project for Compton School Road (CR 174) at Hog Creek: Ratification of Temporary Road Closure

2. Regarding the McLennan County Building Roof Located on Cobbs Drive / RFP 19-010 with Johnson Roofing: Authorization of Pay Applications:

a. Regarding Application for Payment No. 2

b. Regarding Application for Payment No.2-RET

3. Regarding the Surrey Ridge Road Improvement Project (Bid 18-021) / Agreement with Knife River Corporation: Authorization of Application for Payment No. 6

K. Real Estate, Right of Way, and Easements:

1. Authorization of Order Approving Engagement of a Licensed Appraiser to Determine the Fair Market Value of Unneeded Highway Right-Of-Way Owned by the County; Approving Publication of Notice of Intent to Sell Unneeded Right-Of-Way to the Adjoining Landowner for Fair Market Value; and Approving Memorandum of Agreement with Adjoining Landowner and Execution Thereof

L. Grants / Grant Proposals:

1. Regarding the Texas Parks and Wildlife Recreation Grant: Authorization of Amendment to Boating Access Grant Program Project Agreement (re: Tradinghouse Lakes Boat Ramp / Project No. F-274-B)

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

1. County Sheriff: Authorization of Request to Decommission Areas of the Downtown Jail
2. County Engineer: Authorization of Submission of Notice of Intent (NOI) for Small Municipal Separate Storm Sewer Systems (MS4) Authorized Under TPDES Phase II MS4 General Permit TXR040000 and related Stormwater Management Program/Plan

N. Additional Items for Discussion and Potential Action:

1. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 20 Budget
2. Discussion and/or Action on the McLennan County Facility Master Plan and Office Relocations
3. Consider and take action to enter into closed executive session pursuant to Government Code 551.0725 for deliberation of business and financial issues regarding a contract being negotiated because deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person and pursuant to Government Code 551.071 to seek and receive advice from and consultation with legal counsel on potential liabilities, legal issues, contractual obligations and legal options re: Jack Harwell Detention Facility Operation and Management Services Agreement
4. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, April 2019.
5. Greater Waco Chamber of Commerce: Monthly Economic Development Report, March 2019
6. Authorization to Host the 2021 North and East Texas County Judges and Commissioners Association of Texas Annual Conference including Ratification of Letter of Support
7. Discussion and/or Action regarding the Law Library Committee Recommendations including Authorization to Expand Space Allocation
8. Regarding the Establishment of a Speed Zone on Sundown Drive in Precinct 4:
 - a. Public Hearing on Establishment of Speed Zone
 - b. Consideration and/or Action to Approve Establishment of a Speed Zone on Sundown Drive
9. Authorization of Fixed Asset Transfer Form (re: Various Departments)
10. Discussion and/or Action to Authorize Additional Intergovernmental Transfers of Funds derived from the County Health Care Provider Participation Fund Mandatory Payments to Provide the Nonfederal Share of a Supplemental Payment Program Authorized Under the Texas Healthcare Transformation and Quality Improvement Program ("Sec 1115") Waiver and/or the Nonfederal Share of Medicaid Rate Increase for Hospital Services Available Under the Uniform Hospital Rate Increase Program (UHRIP)
11. Approval of the McLennan County Multi-Jurisdictional Hazard Mitigation Action Plan including Resolution Adopting and related documents

O. Americans with Disabilities Compliance Project:

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

P. 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: Populous (re: March Services/Invoice No. 0067804)
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
3. *Regarding Engineering Services Agreement with Walker Partners:* Authorization of Professional Services Invoices, Engineering/Surveying Services Invoices, related matters
4. Authorization of Professional Services Agreement and related Construction Materials Testing Proposal with Langerman Foster Engineering Company (re: Expo Center Utilities & Grading / Proposal No. CMT 19-086)

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; 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 and Trunking Systems
6. **Discussion regarding the Road System**
7. **Discussion regarding Renewable Energy:** including Energy Consultant, Energy Efficiency Programs/Audits, related matters
8. **Discussion regarding Voting Equipment**

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 551.0725 of the Government Code (V.C.T.A.):** Deliberation of Business and Financial Issues regarding a Contract being Negotiated because Deliberation in Open Meeting would have a Detrimental Effect on the Position of the Commissioners Court in Negotiations with a Third Person...re: Jack Harwell Detention Facility Operation and Management Services Agreement
4. **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; Personnel Matters Identified in any Open Session Item if Necessary, and related matters
5. **Section 551.076 of the Government Code (V.C.T.A.):** Deliberations regarding Security Devices or Security Audits
6. **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 16th day of May, 2019


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 May, 2019.

Witness my hand and seal of office at Waco, McLennan County, Texas the 17th day of May, 2019 at 8:30 a.m.

(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

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

FILED: **MAY 21 2019**

By Myrcetez Gowan-Perkins,
Deputy

NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

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 21st day of May, 2019 at 9:00 o'clock a.m.** at the **Office of Emergency Management (721 N. 4th Street), Emergency Operations Center**, City of Waco, Texas, at which time **the following SUPPLEMENT to the AGENDA** previously posted on May 16, 2019 will be considered:

SUPPLEMENTAL AGENDA

- A. Proof of posting of notice** in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.
- B. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:**
 - 1. Authorization of Second Amendment for Inmate Health Services with CorrHealth

Signed this the 17th day of May, 2019


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 17th day of May, 2019

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 17th day of May, 2019 at 8:35 a.m.

(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.

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

FILED: **MAY 21 2019**

By Myrcetez Gowan-Perkins,
Deputy