

MEETING OF JUNE 2, 2020

On this the 2 day of June, 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:

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, June 2, 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 Interlocal Agreement with the City of Waco (re: Cooperation in the Administration Enforcement of the County's Game Room Regulations)
 - b. Recording of Interlocal Cooperation Agreement with the City of Waco to Create the Small Business Emergency Recovery Fund, and Providing for the Administration of the County's Small Business Emergency Recovery Fund Program by the City of Waco
 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. Maintenance of Equipment: Discussion and/or Action regarding Replacement of Director including, but not limited to, Moving the Functions or Part of the Functions Under a Different Department, Interim Management/Director, Replacement Process, Job Description Changes or Updates, and related matters
 - b. Consideration and Possible Action on Department Heads Incentive Pay List
 4. **Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for RFP 20-017: Cow Bayou Watershed Flood Control Structure # 3 (TX 04071)
 - b. Authorization of Publication for RFP 20-018: Cow Bayou Watershed Flood Control Structure # 8 (TX 04093)
 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 Auditor: Recording of FY 2019 Audit Report for the McLennan County Jail Commissary
 - b. Information Technology: Recording of McLennan County Cyber Security Training Completeness Report as Mandated by Texas House Bill 3834
 7. **Burn Ban Approval, Extension, or Termination**
 8. **Authorization of McLennan County Credit Card Purchases**
 9. **County Property and/or Construction Projects:**
 - a. Approval of Memorandum of Agreement and Authorization of Payment for Acquisition of Right-of-Way Parcel No. P-10E (re: Chapel Road Improvement Project)
- F. **Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 1. **Regarding FY 20 Budget:**
 - a. Justice of the Peace, Precinct 2
 - b. 2017 Certificates of Obligation / Permanent Improvement Fund (Fund 417)
 - c. County Auditor

- d. County Sheriff:
 - 1) Regarding Department 2410 / Highway 6 Jail
 - 2) Regarding Department 2414 / Highway 6 Jail Medical
 - 3) Regarding Department 2411 / Jack Harwell Detention Center Medical
- e. County Wide related to Covid-19
- f. Road & Bridge, Precinct 4
- g. Justice of the Peace, Precinct 4
- h. Information Technology:
 - 1) Regarding IT Assessment Fund for Sheriff's Office Technology Needs
 - 2) Regarding IT Assessment Fund for Commissioners Courtroom Equipment
 - 3) Re-Designation of Fund Allocation for Capital Outlay
- i. Road & Bridge, Precinct 2
- j. Road & Bridge, Precinct 3
- k. Human Resources

2. Regarding FY 21 Budget:

- a. Discussion and/or Action regarding Matters relative to the FY 21 Budget / 2019 Tax Rate, including, but not limited to, Budget Policies, Priorities, Timelines, Updates from the County Auditor and/or Budget Work Sessions, as needed
- b. Waco-McLennan County Library: Authorization of Funding Allocation

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

- 1. Authorization of Amendment to Bid 18-023: Transportation of Deceased for Chemical Analysis (Waco Mortuary Service)

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

- 1. Ratification of Business Associate Agreement with Cisco Systems, Inc. (re: Mental Health Commitment Hearings)
- 2. Authorization of Solid Waste Interlocal Agreement with Heart of Texas Council of Governments (re: Community Collection Events for Road & Bridge, Precincts 1-3)
- 3. Authorization of Agreement to Terminate the Interlocal Cooperative Agreement with the City of Waco (re: Housing and Care of Inmates)
- 4. Authorization of Interlocal Cooperation Agreement with McLennan County Soil and Water Conservation District #512 (re: Cow Bayou Watershed Control Structures #3 and #8)
- 5. Authorization of Support and Maintenance Agreements with Exela Technologies:
 - a. Regarding Digitech Papervision / Paperflow - Agreement # 43293CONSVR
 - b. Regarding Wicks and Wilson Scanner - Agreement # 43221CONSVR
- 6. Authorization of Renewal of Service Agreement with CivicPlus (re: CivicHR / Applicant Tracking, New Hire Onboarding and Performance Management Subscriptions)
- 7. Authorization of Revised Agreement for Industrial Business Grant with Zinkpower-Waco, LLC for Investment in Industrial Real and Personal Property
- 8. Authorization of Standard Form of Agreement with John W. Erwin Construction (re: ADA Renovations at Extraco Events Center / Bid 20-013)

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

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

K. Grants / Grant Proposals:

- 1. Regarding the Coronavirus Relief Fund (CRF): Authorization of Grant Agreement and related Certifications/Resolutions
- 2. Regarding the Criminal Justice Division - Coronavirus Emergency Supplemental Funding (CESF) Program:
 - a. Discussion and/or Action on Additional Funding Request for Grant Application
 - b. Authorization of Grant Resolution and CEO/Law Enforcement Certifications and Assurances Form

3. Regarding the Coronavirus Emergency Supplemental Funding Program: Acceptance of Grant Award / Project Number 2020-VD-BX-0881
 4. Regarding the Texas Department of Family and Protective Services (DFPS) Title IV-E Grant Contract No. HHS000285000006 for Child Welfare Services: Authorization of Title IV-E Child Welfare Services Claim (Quarter Ended 12/31/19)
 5. Regarding the Texas Department of Family and Protective Services (DFPS) Title IV-E Grant Contract No. HHS000285100008 for Legal Services: Authorization of Title IV-E Legal Assistance Claim (Quarter Ended 12/31/19)
 6. Regarding FEMA Public Assistance Program: Authorization of Submission of Reimbursements for COVID-19 Emergency Expenses
- L. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**
1. Adult Probation: Ratification of Cell Phone Rate Plan Change
 2. Road & Bridge, Precinct 2: Authorization of Request for Hot Spots
 3. Health Services Department: Authorization of Social Media Account Request
 4. Information Technology: Discussion and/or Action regarding Commissioners Courtroom Equipment Upgrade for Managing Remote Meetings
 5. Juvenile Probation: Authorization of Cell Phone Request
 6. Heart O'Texas Fair / Extraco Events Center: Authorization of FY 20 Capital Improvement Projects
- 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. Regarding the McLennan County Group Health Plan: Authorization of Revisions to the Employee Benefit Plan - Summary Plan Description
 4. Greater Waco Chamber of Commerce: Monthly Economic Development Report, April 2020
 5. Discussion and/or Action regarding the McLennan County Facility Master Plan and/or Office Relocations
 6. Regarding the July 14, 2020 Democrat/Republican Joint Primary Runoff Election: Authorization of Notice of Joint Primary Runoff Election and related Order for Early Voting Dates; Time and Locations; Election Day Vote Centers
 7. Regarding the Establishment of a Regulatory Traffic Sign on Apache Trail in Precinct 4:
 - a. Public Hearing on Proposed Regulatory Traffic Sign
 - b. Consideration of and/or Action to Approve Establishment of a Regulatory Traffic Sign on Apache Trail
 8. 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)
 9. Regarding McLennan County Game Rooms:
 - a. Approval of Amended Game Room Regulations of McLennan County, Texas
 - b. Approval of Amended Interlocal Agreement with the City of Waco as a Cooperating City to Assist in the Administration and Enforcement of McLennan County's Game Room Regulations
- N. Americans with Disabilities Compliance Project:**
- O. McLennan County Venue Project: Authorizations for Phase I, II and/or Phase III, 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
 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. Authorization of Application and Certificate for Payment No. 16
 3. Regarding the Professional Services Agreement and related Construction Materials Testing Proposal with Langerman Foster Engineering Company: Authorization of Invoice # 11776

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

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 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
5. **Discussion regarding Rural Transit District:** including Rural/Public Transportation Updates / Reports, related matter
6. **Discussion regarding Radio Interoperability:** including Tower Sites, Trunking Systems and System Upgrades
7. **Discussion regarding Jail Magistration**
8. **Discussion regarding Vote Centers**
9. **Discussion regarding Vote Centers**
10. **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 Maintenance of Equipment; 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 29th day of May, 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 28th day of May, 2020.

Witness my hand and seal of office at Waco, McLennan County, Texas the 29th day of May, 2020 at 11:00 a.m.

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

BY: Myrcetez Gowan-Perkins (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: JUN 02 2020

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 2nd day of June, 2020 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 May 29, 2020 **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. Grants / Grant Proposals:**
 - 1. Regarding FEMA Public Assistance Program: Authorization of Grant Agreement and related documents with Texas Division of Emergency Management

Signed this the 29th day of May, 2020

Scott M. Felton

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 May, 2020

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 29th day of May, 2020 at 4⁰⁰ p.m.

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

BY: *Kelly Fullbright*
(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: JUN 02 2020

By Myrcetez Gowan-Perkins,
Deputy