

MEETING OF JUNE 4, 2019

On this the 4 day of June, 2019, at 9:01 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 regular meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 4th day of June, 2019 at 9:00 o'clock a.m.** in the Commissioners' Courtroom, 1st Floor, West Wing, McLennan County Courthouse, 501 Washington, 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:**
 - 1. Proclamation Recognizing Steve Hernandez – McLennan County Veterans Service Officer for the 2018 TX-17 Congressional Veteran Commendation Award
 - 2. Proclamation Rededicating the Renovated Commissioners Courtroom
- 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 Order Reaffirming and Approving Office Relocations
 - b. Recording of Incoming Loan Agreement with Historic Waco Foundation (re: Courthouse Column Capital)
 - c. Recording of Interlocal Cooperation Agreement with Limestone County (re: Housing and Care of Inmates at Jack Harwell)
 - d. Recording of Subscription License and Services Agreement Amendment with Tyler Technologies, Inc. (re: County Clerk Tyler Eagle Records Management System / Contract No. 2019-0014)
 - e. Recording of Bond Documents for K4 Construction, LLC
 - f. Recording of Interlocal Cooperative Agreement with the City of Golinda (re: Road Patching)
 - g. Recording of Texas Commission on Environmental Quality Letter regarding Acceptance of the McLennan County Phase II MS4 - Year 5 Annual Report Review
 - h. Recording of Final Report from Office of the Governor - Criminal Justice Division for the County Essentials Services Program Grant (re: Twin Peaks / Grant Number 2939302)
 - 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. Criminal District Attorney
 - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Order Setting a Public Hearing on the Placement of Regulatory Traffic Signs on Various Bridges and Low-Water Crossings
 - b. Authorization of Order Setting a Public Hearing on the Placement of Regulatory Traffic Signs on Various Roads in Precinct 2
 - c. Authorization for Publication of Bid 19-022, Aggregate for Surface Treatment, Loaded in County Trucks or Delivered
 - 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. Tax Assessor / Collector: Recording of Detailed Deposit Distribution Report, April 2019
 - b. County Auditor: Recording of Monthly Financial Report, April 2019
 - 7. Burn Ban Approval, Extension, or Termination**
 - 8. Authorization of McLennan County Credit Card Purchases**

9. Authorization of Tax Resale Deeds:

- a. MCAD # 380076000107000: Lot 107, Westridge Addition, Section 2, City of Moody, McLennan County, Texas
- b. MCAD # 160310000003249: Being 0.918 Acre, More or Less, John Malone Survey, Abstract 613, City of Bruceville-Eddy, McLennan County, Texas
- c. MCAD # 380076000021010: Lot 21, Westridge Addition, Section 2, City of Moody, McLennan County, Texas

10. McLennan County Subdivision Regulations:

- a. Approval of Final Plat of "Wolf Lane Addition, Lots 1-2, Block 1" to McLennan County, Precinct 3

F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:

1. Regarding FY 19 Budget:

- a. Specialty Court
- b. Constable, Precinct 5
- c. Permanent Improvement Fund (Fund 401)
 - 1) Regarding Old Jail Remodel Work / Adult Probation Control Upgrade
 - 2) Regarding Law Library Asbestos Abatement
- d. Justice of the Peace, Precinct 3
- e. County Court at Law # 2 (Fund 170)
- f. IV-D Court
- g. County Wide
- h. 2016 Certificates of Obligation / Permanent Improvement Fund (Fund 416)
- i. County Sheriff
- j. Courthouse Security Fund (Fund 015)
- k. Road and Bridge, Precinct 1
- l. Information Technology: Authorization regarding Use of Surplus IT Assessment Funds (re: Commissioners Courtroom Upgrade)
- m. Health Services: Authorization regarding Fund for Remodel Expenses

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

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

- 1. Authorization of Recommendation for BID 19-021: Aggregate for Surface Treatment

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

- 1. Authorization of Support and Maintenance Agreement with Exela Technologies (re: Records Management / Agreement No. 42406CONSVR)
- 2. Authorization of Interlocal Cooperation Agreement with City of Hallsburg (re: Road Shredding)

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

- 1. Regarding the Program Project Agreement with Balcones Distilling: Authorization of First and Final Payment Request

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

- 1. Regarding the Justice of the Peace, Precinct 4 Office Building (Project 23841-04) / Agreement with K4 Construction, LLC: Authorization of Payment Application # 2
- 2. Regarding the McLennan County Building Roof Located on Cobbs Drive / RFP 19-010 with Johnson Roofing: Authorization of Application for Payment No. 3 - Final

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

L. Grants / Grant Proposals:

1. Regarding the Texas Department of Family and Protective Services Grant Contract # 23939734: Authorization of Title IV-E Legal Assistance Claim (Quarter Ended 12/31/18)

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

1. Purchasing: Authorization of On-Line Auction Renew Bates, related Ad, and Order Declaring Certain Property as Surplus and Authorizing Disposition of Same (ref: Local Government Code 263)
2. Information Technology: Discussion and/or Action regarding Building a Backup Data Center at Cobbs Property
3. County Sheriff: Authorization of Request for Purchase of Duty Weapon Upon Retirement of Peace Officer (ref: Government Code 614.051)
4. Road & Bridget, Precinct 1: Authorization of Road Closure

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. Greater Waco Chamber of Commerce: Monthly Economic Development Report, April 2019
4. Texas Association of Counties Risk Management Pool: Authorization of 2019-2020 Property Coverage Deductible
5. Waco-McLennan County Public Health District: Authorization of April Billing/Reports (re: On-Site Sewage Facility (O.S.S.F.) Program)
6. Regarding Tax Abatement - Reinvestment Zone No. 4:
 - a. Public Hearing on the Matter of the Proposed Designation of Certain Property in Unincorporated McLennan County as a Reinvestment Zone Under Subchapter C, Chapter 312 of the Texas Property Tax Code. This Designation Would Allow for Tax Abatement Agreements to be Entered into by the County with Owners of Personal Property, Fixtures and Equipment within the Reinvestment Zone. The Property to be Considered for Reinvestment Zone Designation is Land Consisting of approximately 7887.84 Acres of Land at or near the Border of McLennan County with Limestone County, Texas in the Eastern-most Area of McLennan County, Texas to be Leased as Adjoining Parcels Capable of Combination for use in a Project Qualifying for Tax Abatement, made up of Parcels Described in the Notice of Public Hearing. The boundary of the Proposed Reinvestment Zone is Delineated by the Outside Boundary Lines of the Outermost Parcels Forming the 7,887.84-Acre Unit Intended for Wind Energy Generation. Proposed to be Called County Reinvestment Zone No. 4.
 - b. Discussion, Consideration and Action on the Approval and Designation of the County Reinvestment Zone Made the Subject of the Public Hearing as County Reinvestment Zone No. 4
 - c. Discussion, Consideration, and Action on Proposed Form of Tax Abatement Agreement with Prairie Hill Wind Project, LLC, which Proposes to Install and Operate Electric Generating, Wind-Powered Turbines and the Accompanying Necessary Equipment and Fixtures; and Directive to County Judge to Send Notice of Intent to Enter into Proposed Tax Abatement Agreement to Other Taxing Entities Having Taxing Authority with Regard to County Reinvestment Zone No. 4.

O. Americans with Disabilities Compliance Project:

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: December Services / Invoice No. 0066986)
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. 4
 - b. Review Construction Manager at Risk's Selected Subcontractor(s) for Proposal Package No. 02-Site Rough Grading and Excavation Work and Site Utilities Work. Any objection to a Listed Subcontractor Must be by Majority Vote of the Commissioners Court; Otherwise the Proposed Subcontractor(s) are Consented to by the County as Project Owner
 - c. Discussion and Possible Action on Proposal Package Specific Guaranteed Maximum Price Submitted by the Construction Manager at Risk for Proposal Package No. 02-. Site Rough Grading and Excavation Work and Site Utilities Work
 - d. Discussion and Possible Action Approving Addendum to Construction Manager at Risk Agreement to Approve CMAR to Proceed to Phase II Construction Work for Proposal Package No. 02- Site Rough Grading and Excavation Work and Site Utilities Work, which Sets Out the Proposal Package Specific Guaranteed Maximum Price

3. *Regarding Engineering Services Agreement with Walker Partners:* Authorization of Professional Services Invoices, Engineering/Surveying Services Invoices, related matters:

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, Trunking Systems and System Upgrades
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 30th 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 30th day of May, 2019.

Witness my hand and seal of office at Waco, McLennan County, Texas the 30th day of May, 2019 at 2:55 p.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 04 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 4th day of June, 2019 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 30, 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 Interlocal Cooperation Agreement with the City of Hallsburg (re: Emergency Services)

Signed this the 31st day of May, 2019

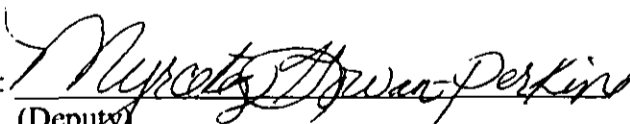

SCOTT M. FELTON, County Judge

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 31st day of May, 2019

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 31st day of May, 2019 at 2:30 p.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: JUN 04 2019

By Myrcetez Gowan-Perkins,
Deputy