

MEETING OF FEBRUARY 16, 2021

On this the 16 day of February, 2021, at 10:02 o'clock a.m., the Court met in Special Session; present and presiding were County Judge Felton, Commissioners James Smith, Patricia Miller, Will Jones and 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, the 16th day of February, 2021 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:**
 1. Proclamation Recognizing the Honorable William H. "Bill" Flores, Sr. for 10 Years of Service as District 17 Congressman
- 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 Contract Renewal with Keefe Commissary Network, LLC (re: McLennan County Jail Commissary Services)
 - b. Recording of Order Reappointing County Auditor of McLennan County
 - c. Recording of Industrial Business Grant Agreement with Envases Commerce, LLC and IZ Texas, LLC for Investment in Real and Personal Property
 - d. Recording of Industrial Business Grant Agreement with Unconditional Love, Inc. for Investment in Industrial Real and Personal Property
 - e. Recording of Program Project Agreement with Unconditional Love, Inc.
 - f. Recording of Program Project Agreement with Envases Commerce, LLC and IZ Texas, LLC
 - g. Recording of Certification Statements / Compliance Letters for Tax Abatement Agreements (re: Brazos Electric Cooperative 2018-2020; Eddy Solar II, LLC 2018-2019; Sandy Creek Services, LLC 2018-2020)
 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. Human Resources: Discussion and/or Action regarding Director and related matters including Possible Appointment of Director; Possible Approval of Variance to Policies for Internal Promotion
 - b. Road & Bridge, Precinct 2
 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. Constable, Precinct 3: Recording of Racial Profiling Report (ref: Texas Code of Criminal Procedure, Article 2.132)
 - b. County Treasurer: Recording of McLennan County Investment Report, January 2021
 - c. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, January 2021
 - d. County Auditor: Recording of Monthly Financial Report, October 2020 - December 2020
 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 21 Budget:**
 - a. Justice of the Peace, Precinct 2 (Fund 130)
 - b. Tax Office related to COVID-19
 - c. Jury Service
 - d. County Sheriff
 - e. McLennan and Hill Counties Tehuacana Creek Water Improvement District: Discussion and/or Action regarding Funding Request for Baseline Water Quality Study
 - f. Authorization of Texas Association of Counties Claim Deductible Invoices:
 - 1) Regarding Invoice # NRDD-0006566
 - 2) Regarding Invoice # NRDD-0006601
 - 3) Regarding Invoice # NRDD-0006638
 - 4) Regarding Invoice # NRDD-0006688

5) Regarding Invoice # NRDD-0006727

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

1. Authorization of Recommendations:
 - a. Regarding Bid 21-004: Crushed Limestone Flexbase
 - b. Regarding Bid 21-005: Pit Run Gravel
2. Authorization of Service Quotation: Smiths Detection (re: X-Ray Machines)

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

1. Authorization of Services Contract with Cumby Pest Control (re: Highway 6 Jail, Jack Harwell Detention Center, and Juvenile Detention Center)
2. Reauthorization of Current Property Use Agreement with Waco Downtown Farmers Market (re: Parking Lot)
3. Approval of Agreement for Right-Of-Way Acquisition Services with Millard Real Estate Advisors, Inc. (re: Panther Branch Road and North Crooked Creek Road)
4. Authorization of Industrial Business Grant Agreement with Amazon.com Services LLC for Investment in Industrial Real and Personal Property
5. Authorization of Services Agreement with GGA Pest Management Services (re: Various Locations)
6. Authorization of Renewal Agreement with CorEMR, L.C. (re: Electronic Medical Records Software and License for McLennan County Jail)
7. Authorization of Agreement for Waterside Maintenance with Specialty Water Treatments, LLC
8. Authorization of Customer Service Agreement with RW Lone Star Security, LLC (re: Document Shredding Services for Highway 6 Jail)
9. Authorization of Interlocal Cooperative Agreement with Crawford Independent School District (re: Parking Lot Blading)
10. Regarding the Industrial Business Grant with Coca-Cola Company: Authorization of Grant Payment
11. Authorization of Service Agreement with Grande Communications Networks, LLC (re: Highway 6 Jail)
12. Authorization of Interlocal Cooperation Agreement with the City of McGregor (re: Piggy-back on Bid with Knife River for Hot Mix and High Performance Cold Laid Asphalt)

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 Uzin Utz North America, Inc.: Authorization of Payment Request # 1

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

1. Regarding Rattler Hill Road - Creek Crossing Improvements (Bid 20-023): Authorization of Application and Certificate for Payment No. 2

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

1. Approval of Resolution and Order regarding Acquisition of Land for North Crooked Creek Road Project
2. Approval of Resolution and Order regarding Acquisition of Land for Panther Branch Road Project
3. Approval of Conveyance of Lot 4, Block 1 of the Coliseum Addition to the City of Waco, McLennan County, Texas to the Waco Independent School District.

L. Grants / Grant Proposals:

1. Regarding U.S. Department of Treasury Emergency Rental Assistance Program:
 - a. Presentation regarding Federal Emergency Rental Assistance Grant
 - b. Discussion and Action on Adopting the McLennan County Emergency Rental Assistance Program
 - c. Discussion and Action on Approving Interlocal Cooperation Agreement with the City of Waco (re: Administration of McLennan County Emergency Rental Assistance Program)
2. 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 9/30/20)

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

1. Human Resources: Discussion and/or Action regarding Changes to the Employee Evaluation Form
2. Purchasing: Authorization of On-Line Auction with Rene Bates, related Ad, and Order Declaring Certain Property as Surplus and Authorizing Disposition of Same (ref: Local Government Code 263)
3. County Treasurer: Annual Adoption of Authorized Brokers and Recording of TexPool and Texas Class Acknowledgements

N. 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. Discussion regarding Health Care Plan Audit and related Engagement Agreement with Messier 42, LLC
3. Approval of Order for Sole Source Designation and Granting Exemptions from Bidding with Arcosa Aggregates, Inc. (Re: Type L Grade 4 and Type L Grade 5 Light Weight Aggregate for McLennan County Road & Bridge Departments)
4. Approval of Order Extending State of Disaster and Public Health Emergency Declaration Due to COVID-19 through March 31, 2021

5. Authorization of Renewal of Emergency Management Plan for McLennan County
 6. Authorization of Resolution and Order No. 2021-001 to Reappoint Directors for Places 1, 3, and 5 of the Southern Trinity Groundwater Conservation District Board of Directors
 7. Approval of Order Designating Areas of the Expo Center BASE Building as Auxiliary Courtrooms
 8. Approval of Order Finding Junked Vehicles to be a Public Nuisance, Establishing Procedures for Abatement and Disposition of Junked Vehicles, Providing a Severability Clause, Providing an Effective Date, and Repealing and Replacing Conflicting Orders
 9. Authorization of Order Approving the Transfer of Certain Property to Heart of Texas Council of Governments
 10. Waco-McLennan County Public Health District: Introduction of New Director
- O. Americans with Disabilities Compliance Project:**
1. Authorization of Professional Services Invoice: CP&Y (re: ADA Study / Report for January)
- P. 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
 - a. Authorization of Professional Services Invoices:
 - 1) Regarding January Services for Dedication Monument / Invoice No. 0071158
 - 2) Regarding January Services for Venue Project / Invoice No. 0071157
 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:
 - a. Authorization of Invoice No. 0103140.01-19670
 4. Discussion and/or Action regarding Monument Signage and Dedication Plaza
- Q. McLennan County Radio Tower Project / Multiple Site Expansion to Existing Simulcast Communication System:**
1. Authorization of Communications Site Lease Agreement with Department of Public Safety (re: Radio Communications Facility)
- R. 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, Jail Magistration 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 Voting Machine Upgrades*
- S. 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: Property transactions necessary to accommodate the footprint of the McLennan County Venue Project.
 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
- T. Adjourn**

Signed this 12th day of February, 2021



 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 12th day of February, 2021.

Witness my hand and seal of office at Waco, McLennan County, Texas the 12th day of February, 2021 at 1:15 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: **FEB 16 2021**

By Myrcetez Gowan-Perkins,
Deputy