

MEETING OF FEBRUARY 21, 2023

On this the 21 day of February, 2023, at 9:00 o'clock a.m., the Court met in Special Session; present and presiding were County Judge Felton, Commissioners James Smith, Patricia Chisolm-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, 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 21st day of February, 2023 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.

VIDEOCONFERENCE NOTICE: A quorum of Commissioners Court will meet in person in the Commissioners' Courtroom. A limited number of the Court Members may attend remotely pursuant to Texas Government Code, Section 551.127

The opportunity to view and hear the meeting as well as the process if one wishes to address the Commissioners Court **remotely** 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 Road Use Agreement with True North Solar, LLC
 - b. Recording of First Amendment to the Program Project Agreement with Uzin Utz North America, Inc.
 - 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. Receive and Discuss Results of Work Time Review of Court Administrator for 170th District Court and Pro Se Coordinator
 - b. Specialty Court
 - c. Criminal District Attorney
 - d. Information Technology
 - e. County Sheriff
 - f. Engineering
 - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for Bid 23-008: Delivery and Pick-up Aggregated Surface Treatment
 - 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 Veterans Service Office: Monthly Activity Reports, November - December 2022
 - b. Tax Increment Reinvestment Zone Number One East, City of Lorena and McLennan County 381 Area: Recording of Annual Report, July 2021 - December 2022
 - c. Texas Brazos Trail: Recording of 4th Quarter Services Report
 - d. The Cove Heart of Texas, Inc.: Recording of Services Report for December 2022
 - e. County Treasurer:
 - 1) Recording of McLennan County Investment Report, January 2023
 - 2) Recording of Treasurer's Monthly Report, January 2023
 - f. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, January 2023
 - g. County Auditor: Recording of Monthly Financial Report, December 2022
 - 7. Burn Ban Approval, Extension, or Termination**
 - 8. Authorization of McLennan County Credit Card Purchases**
 - 9. McLennan County Subdivision Regulations:**
 - a. Authorization of Final Plat of Subdivision of Lot 1, Block 1 "Rogers Hill Estates Addition" to McLennan County, Precinct 3
 - b. Authorization of Final Plat of Subdivision of Lot 2, Block 1 "Patterson Addition" to McLennan County, Precinct 1
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 - 1. Regarding the FY 22 Budget:**
 - a. Specialty Court
 - 2. Regarding the FY 23 Budget:**
 - a. County Sheriff: Final approval and Funding Determination (re: Thermal Camera)
 - b. 2021 Certificates of Obligation / Permanent Improvement Fund (Fund 421):
 - 1) Regarding ADA Modifications
 - 2) Regarding Radio Tower Project

- c. Venue Project Revenue Bond Series 2018 / Permanent Improvement Fund (Fund 418)
- d. Permanent Improvement Fund (Fund 401)
- e. Adult Probation
- f. County Court @ Law # 1
- g. County Wide Road & Bridge
- h. County Wide
- i. McLennan County 9-1-1 Emergency Assistance District: Recording of FY 23 Amended Budget
- j. Discussion and/or Action regarding Incentive Pay Program Funding
- k. Road & Bridge, Precinct 2

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

- 1. Authorization of Recommendations:
 - a. Regarding Bid 23-007: Envelopes & Letterhead Printing
 - b. Regarding Bid 23-004: Pit Run Gravel
 - c. Regarding Bid 23-003: Crushed Limestone Flex-Base, Limestone Crusher Fine, and Stone Riprap
 - d. Regarding Bid 23-006: Asphalt Emulsions
- 2. Authorization of Revised Digital Recording Software and Equipment Quote from BIS Digital (re: 474th District Court / Quote Number Q-8020869-8.15.2023)
- 3. Authorization of Professional Engineering Services Proposal with RPS Infrastructure, Inc. (re: Plans, Specifications, and Estimate (PS&E) Documents for Off-System Bridge Repairs)
- 4. Authorization of Additional Design Services Proposal with CP&Y, Inc. (re: Tonk Creek Lane Bridge at Tonk Creek)
- 5. Regarding RFQ/RFP 22-013: Construction Manager-at-Risk (CMR) Services for Remodel of Downtown Jail: Discussion and Possible Action on Establishing Final Ranking of Firms Seeking to Serve as CMR and Selection of Top Ranked Firm for Purposes of Starting Negotiations for a CMR Agreement
- 6. Authorization of Estimate with Moir Watershed Services, LLC (re: Low Water Crossing - Eichelberger Bridge / Estimate No. 1808)

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

- 1. Ratification of Memorandum of Understanding with Mart Independent School District Police Department (re: Communication and Coordination with the McLennan County Sheriff's Office)
- 2. Authorization of Agreements for Engineering Services with BGE, Inc.
 - a. Regarding Services for Brushy Creek Bridge Upgrade on 7 Mile Lane
 - b. Regarding Services for Big Creek Bridge Upgrade on Thompson Road
- 3. Regarding the Use Agreement with Waco Rowing Club, Inc. dba Waco Rowing Center for Rowing Championship Event at Tradinghouse Lake/Park :
 - a. Authorization of Event Action Plan
 - b. Authorization of Inclement Weather Plan
 - c. Recording of Certificate of Liability Insurance

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

- 1. Regarding McLennan County Downtown Jail Remodel for Courtrooms and Office Space (RFQ 21-011) / Agreement with Brinkley Sargent Wiginton Architects, Inc.: Authorization of Invoice Number 04
- 2. Regarding Capital Improvement Projects for the Cameron Park Zoo / Agreement with City of Waco: Authorization of Invoice # 25216 (re: Education Center, Veterinary Hospital, Hoofstock Barn & Penguin Exhibit)

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

K. Grants / Grant Proposals:

- 1. Regarding the U.S. Department of Treasury - Coronavirus Local Fiscal Recovery Fund / American Rescue Plan Act (ARPA): Discussion and/or Action regarding Eligible Expenses and/or Funding Guidelines; Reporting Requirements; Funding Requests; Subrecipient/Beneficiary Agreements; Grant Updates/Reports; Any Action Necessary to Comply with Grant Funding; Agreements for Administration of Grant or Consulting Services; related Matters
 - a. Authorization to Use ARPA Funding for Legal Fees
 - b. Authorization of American Rescue Plan Budget Adjustment
- 2. Regarding the Bipartisan Infrastructure Law Discussion and/or Action on Funding Guidelines / Opportunities: Eligible Projects/Programs, related matters

L. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action:

- 1. Elections: Authorization of Rental Fees for McLennan County Owned Voting Equipment (ref: 123.032(d) of the Texas Election Code)
- 2. Road & Bridge, Precinct 3: Authorization of Cyber Security Training Exception Request Form
- 3. County Engineer: Authority to Sign and Submit McLennan County's Phase II Municipal Separate Storm Sewer Systems (MS4) Annual Storm Water Report for Year 4 (2022)
- 4. Human Resources: Authorization of Bilingual Testing and Pay Requests (re: Tax Office)

M. Additional Items for Discussion and Potential Action:

- 1. Discussion and/or Action regarding Proposed / Pending State / Federal Legislation / Legislative Issues, including Adoption of Resolution/s, as appropriate

2. Regarding the McLennan County Group Health Plan: Discussion and/or Action on Notification of United Healthcare COBRA Administration Change

N. Americans with Disabilities Compliance Project:

1. Authorization of Standard Form of Agreement with CP&Y, Inc. (re: McLennan County Records Building ADA Renovations)

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

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

1. Radio Tower Project Update
2. Authorization of Quote from Hensel Electric Company (re: Road & Bridge, Precinct 4 Tower)
3. Authorization of Quote from Western Towers (re: Woodway Tower)
4. Authorization of Invoice with Talley (re: Woodway Tower)

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; 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; Tradinghouse Pavilion Rental; Updates regarding ADA Capital Improvements; Updates regarding Road Projects including Speegleville Road, and/or Chapel Road; County Off-System Bridge Repair/Maintenance, Judicial Center Feasibility Study, related matters
4. **Discussion regarding Rural Transit District:** including Rural/Public Transportation Updates / Reports, related matter
5. **Discussion regarding the Waco-McLennan County Public Health District Cooperative Agreement for Performance of Public Health Function Services**

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 Information Technology; 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
6. **Section 551.089 of the Government Code (V.C.T.A.):** Regarding Security Devices or Security Audits; including but not limited to (1) security assessments or deployments relating to information resources technology; (2) network security information as described by Section 2059.055(b); or (3) the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices;

S. Adjourn

Signed this 16th day of February, 2023



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 16th day of February, 2023.

Witness my hand and seal of office at Waco, McLennan County, Texas the 16th day of February, 2023 at 3:30 p.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: **FEB 21 2023**

By Myrcetez Gowan-Perkins,
Deputy

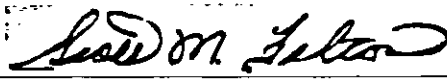
NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

NOTICE IS HEREBY GIVEN in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, that a regular meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 21st day of February, 2023 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 February 16, 2023 **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. Additional Items for Discussion and Potential Action:**
 - 1. Action on Order providing for the purchase of a new fire alarm system for the Jack Harwell Detention Center, granting an exemption from the competitive bidding, finding the purchase is an emergency procurement, and authorizing the use of ARPA funds to pay for the new fire alarm system

Signed this the 17th day of February, 2023



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 February, 2023

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 17th day of February, 2023 at 1:50 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: **FEB 21 2023**

By Myrcetez Gowan-Perkins,
Deputy