

**MEETING OF MARCH 21, 2023**

On this the 21 day of March, 2023, at 9:00 o'clock a.m., the Court met in Regular Session; present and presiding were County Judge Felton, Commissioners James Smith, Patricia Chisolm-Miller and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

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## 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 March, 2023 at 9:00 o'clock a.m.** in the Commissioners' Courtroom, 1<sup>st</sup> 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. In addition, notice is hereby given that this March 21, 2023 meeting may be recessed and reconvened to Wednesday, the 22nd day of March, 2023 at 1:30 p.m., to complete discussion and action on the agenda items set forth below unless the meeting of March 21, 2023 is adjourned by decision of Commissioners Court.

**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:**
  1. Ratification of Proclamation Recognizing the Joint Auxiliary Session of the Brotherhood and Women's Ministry & the March Leadership Conference of the Missionary Baptist General Convention of Texas
  2. Proclamation Recognizing and Congratulating the 2023 La Vega High School Lady Pirates Basketball Team - Class 4A State Champions
- 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 Certification Statement and Compliance Letter for Sandy Creek Services, LLC Tax Abatement Agreement
    - b. Recording of Service Agreement Addendum with TK Elevator Corporation (re: 1211 Washington Ave.)
    - c. Recording of Public Power Pool (P3) Board of Directors 2023 Election Results
  - 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 Buildings
  - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
    - a. Ratification of Public Notice for County Court at Law Bill in the 88th Legislature
    - b. Authorization of Publication of Public Meeting Notice regarding Rehabilitation of Tehuacana Creek Watershed Flood Control Structure #21 (Dam Rehabilitation Project)
  - 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:
      - 1) Recording of Treasurer's Monthly Report, February 2023
      - 2) Recording of McLennan County Investment Report, February 2023
    - b. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, February 2023
    - c. Commissioner, Precinct 1: Recording of County Judges & Commissioners Association of Texas Education Certificate of Completion
    - d. Waco-McLennan County Public Health District: Authorization of February Billing / Reports (re: On-Site Sewage Facility (O.S.S.F) Program)
    - e. Commissioner, Precinct 4: Recording of County Judges & Commissioners Association of Texas Education Certificate of Completion
    - f. Tax Assessor / Collector: Recording of Detailed Deposit Distribution Report, February 2023
    - g. County Auditor: Recording of Monthly Financial Report, January 2023
    - h. Commissioner, Precinct 2: Recording of County Judges & Commissioners Association of Texas Education Certificate of Completion and 2022 County Commissioner Continuing Education Transcript
    - i. Commissioner, Precinct 3: Recording of County Judges & Commissioners Association of Texas Education Certificate of Completion
  - 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 Lots 1-2, Block 1 "Huffman Addition" to McLennan County, Precinct 1
    - b. Authorization of Final Plat of Subdivision of Lot 4, Block 1 "Freddie Polansky Estates Addition" to McLennan County, Precinct 3

- c. Authorization of Final Plat of Subdivision of Lot 1, Block 1 "Westerfeld Subdivision" to McLennan County, Precinct 4

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

**1. Regarding the FY 23 Budget:**

- a. County Sheriff
- b. Permanent Improvement Fund (Fund 401):
  - 1) Regarding Jack Harwell Detention Center
  - 2) Regarding Tradinghouse Lake/Park
- c. Tax Office
- d. District Clerk
- e. Justice of the Peace, Precinct 5
- f. Maintenance of Buildings
- g. Pretrial Services
- h. Venue Project Revenue Bond Series 2018 / Permanent Improvement Fund (Fund 418)
- i. Elections

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

- 1. Authorization of Recommendations:
  - a. Regarding Bid 23-008: Delivery and Pick-up of Aggregate Surface Treatment and Concrete Sand
  - b. Regarding Bid 23-014: McLennan County Trading Post Road Creek Crossing Improvements
- 2. Authorization of Renewal for RFP 19-019: License to Place Vending Machines on McLennan County Property (Automatic Chef Canteen)

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

- 1. Reauthorization of Current Property Use Agreement with Waco Downtown Farmers Market (re: Parking Lot)
- 2. Reauthorization of Current Memorandum of Understanding with Hillcrest Baptist Medical Center dba Baylor Scott & White Hillcrest Medical Center (re: McLennan County Indigent Health Care Program)
- 3. Authorization of Interlocal Cooperative Agreement with City of Robinson (re: Road Work on Cooksey Lane)
- 4. Authorization of Interlocal Cooperative Agreement with City of Bruceville-Eddy (re: Road Work on Temple, Ausborn, Archie, N. Mesquite and Crescent Creek)
- 5. Authorization of Agreement for Reimbursement for Mental Health Counseling Services with Heart of Texas Council of Governments (re: Juvenile Probation)
- 6. Authorization of Pricing Supplement / Agreement with TransUnion Risk and Alternative Data Solutions, Inc. (re: Searches / Reports for Sheriff's Office)
- 7. Authorization of Interlocal Agreement with the Heart of Texas Council of Governments (HOTCOG) (re: Emergency Notification Services from Everbridge)
- 8. Regarding the Agreement with Leal's Snacks, LLC / Leal's Snacks Micro Markets: Authorization of Renewal Request (re: Jack Harwell Detention Center)
- 9. Authorization of Planned Maintenance Agreement Proposal with Capstone Mechanical (re: Boiler Maintenance Services for Various County Buildings)
- 10. Discussion and/or Action regarding Empath Way Agreement (re: Transportation of Deceased / Bid 18-023)
- 11. Authorization of Professional Services Agreements and related Proposals with Langerman Foster Engineering Company:
  - a. Regarding Trading Post Road Creek Crossing Improvements / Construction Materials Testing Proposal No. CMT 23-042
  - b. Regarding Hambleton Drive and Farmiller Road / Geotechnical Pavement Proposal No. GEO23-015R1
- 12. Authorization of Professional Engineering Services Agreement with RPS Infrastructure, Inc. (re: Plans, Specifications, and Estimate (PS&E) Documents for Off-System Bridge Repairs)
- 13. Authorization of Equipment Rental Schedule/Agreement with Kirby-Smith Machinery, Inc. (re: Road & Bridge, Precinct 4)
- 14. Authorization of Customer Service Agreement with RW Lone Star Security, LLC (re: Shredding Services for Jack Harwell Detention Center)
- 15. Authorization of Renewal Agreement with CorEMR, L.C. (re: Electronic Medical Records Software and License for McLennan County Jail)

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

**J. 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 05

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

**L. 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 of American Rescue Plan Budget Adjustment
  - b. Authorization of Second Amended APRA Agreement with the McLennan County Fire Protection Association, Inc. to Add Twelve Radios to the Project at an Additional Cost of \$30,597.36 to be Paid out of ARPA Funds

- c. Authorization of Beneficiary Agreements for ARPA Funding:
    - 1) McLennan Community Investment Fund
    - 2) Cen-Tex African American Chamber of Commerce
  - 2. Regarding the Bipartisan Infrastructure Law Discussion and/or Action on Funding Guidelines / Opportunities; Eligible Projects/Programs, related matters
  - 3. Regarding the Texas Community Development Block Grant Program (TxCDBG) / Elm Mott Sewer System Improvements:
    - a. Approval of Resolution Authorizing the Submission of the Grant Program Application to the Texas Department of Agriculture for the Community Development Fund Including Reaffirming the Civil Rights Policies for the 2023-2024 TxCDBG Community Development Fund Competition
    - b. Approval of Resolution Authorizing County Representatives in Matters Pertaining to the County's Participation in the Grant Program and Designating Signatories for the 2023-2024 Grant Application / Grant Administration
    - c. Approval of Resolution Authorizing the County Judge to Enter into an Interlocal Agreement with McLennan County Water Control Improvement District 2 for Completion of Grant Program Project for Water System Improvements
    - d. Authorization of Interlocal Agreement with McLennan County Water Control and Improvement District 2
    - e. Discussion and Possible Action on Award of Engineering Services Contract for Preparation of the County's 2023-2024 Texas Community Development Block Grant (TxCDBG) Application and Authorization of the County Judge to Execute Subsequent Engineering Contract if Funded
  - 4. Regarding the Homeland Security Grants Division - Border Prosecution Unit Grant: Ratification of Grant Application and related Resolution/Forms for FY 2024 Tag-Prosecutor Grant
- M. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action:**
- 1. 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)
  - 2. Tax Assessor / Collector: Authorizations regarding Designation of McLennan County Homestead Exemptions for the 2023 Tax Roll
  - 3. Human Resources: Discussion and/or Action regarding Office Reconfiguration
  - 4. Justice of the Peace, Precinct 5: Discussion and/or Action regarding Building Modifications
- N. Additional Items for Discussion and Potential Action:**
- 1. Discussion and Action on Requests for Waiver of Penalties and Interest on Property Taxes:
    - a. Regarding Request(s) Submitted by Alford Company / Brad Alford
    - b. Regarding Request(s) Submitted by Lilla Benson
    - c. Regarding Request(s) Submitted by Kevin Berger
    - d. Regarding Request(s) Submitted by Lachesha Burkley
    - e. Regarding Request(s) Submitted by Joy Cook
    - f. Regarding Request(s) Submitted by Jeff Dossey / A 1 Welding
    - g. Regarding Request(s) Submitted by David Girard
    - h. Regarding Request(s) Submitted by Jeffrey Martin
    - i. Regarding Request(s) Submitted by Donna Montgomery
    - j. Regarding Request(s) Submitted by Scott and Andrea Moore
    - k. Regarding Request(s) Submitted by Claressa Munro
    - l. Regarding Request(s) Submitted by Candelario Jr & Josefina Rendon
    - m. Regarding Request(s) Submitted by Dan and Deborah Rose
    - n. Regarding Request(s) Submitted by Valorie Smith
    - o. Regarding Request(s) Submitted by Joseph & Liza Tovar
    - p. Regarding Request(s) Submitted by Barbara Williams
    - q. Regarding Request(s) Submitted by Ideal Storage
  - 2. Discussion and/or Action regarding Proposed / Pending State / Federal Legislation / Legislative Issues, including Adoption of Resolution/s, as appropriate
  - 3. Discussion and/or Action regarding Domain Name Change and Designation of County Judge as Authorized Authority to Request and Reserve the Use of Domain Name
  - 4. Discussion and/or Action regarding Order Authorizing San Jacinto Day Fireworks Sales
  - 5. Authorization of Appointments to the McLennan County 9-1-1 Emergency Assistance District Board of Managers
  - 6. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 24 Budget
  - 7. Presentation from Mission Waco regarding Creekside Community Village
  - 8. Regarding the McLennan County Group Health Plan: Authorization of Revisions to UnitedHealthcare Summary Plan Description / McLennan County Medical Choice Plan (re: Base and Consumer Driven Health Plans)
- O. Americans with Disabilities Compliance Project:**
- P. McLennan County Venue Project: Authorizations for Phase I, II and/or Phase III, including but not limited to:**
- 1. *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
- Q. McLennan County Radio Tower Project / Multiple Site Expansion to Existing Simulcast Communication System:**
- 1. Update from Project Consultant

**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; 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**

**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
3. **Section 551.074 of the Government Code (V.C.T.A.):** Regarding Personnel Matters including but not limited to: assignments, duties, evaluation, and employment, including review of recording of work hours-timesheet matters relating to Court Coordinator of the 170<sup>th</sup> District Court and the Pro Se Court Coordinator, and other 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: :

**T. Adjourn**

Signed this 16th day of March, 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 March, 2023.

Witness my hand and seal of office at Waco, McLennan County, Texas the 16th day of March, 2023 at 4:20p.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 MAR 21 2023

By Myrceluz Towan-Perkins,  
Deputy

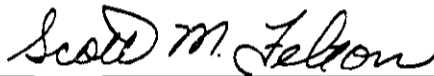
**NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT**

**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 March, 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 March 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. Discussion and Action on Requests for Waiver of Penalties and Interest on Property Taxes:
    - a. Regarding Request(s) Submitted by Jeff Reneau
    - b. Regarding Request(s) Submitted by Leon Weller / Diesel Power Supply Company

Signed this the 17th day of March, 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 March, 2023

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 17th day of March, 2023 at 3:40 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. **MAR 21 2023**

By Myrcotez Gowan-Perkins,  
Deputy