

MEETING OF JUNE 7, 2022

On this the 7 day of June, 2022, 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, 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 7th day of June, 2022 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:**
 1. Proclamation Declaring Judge as Elder Abuse Prevention Awareness Month
- 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 Assignment/Assumption of Agreements by Refresco Beverages US Inc. (re: the Current Agreement for Development and Industrial Tax Abatement with Coca-Cola Company and the Current Industrial Business Grant Agreement with Cola-Cola Company for Investment in Industrial and Real Property)
 - b. Recording of Industrial Business Grant Agreement for Investment in Industrial Real and Personal Property with Hesselbein Tire Southwest, Inc.; Gateway Properties, L.P.; and Gateway Tire Waco, Inc.
 - c. Recording of Certification Statement / Compliance Letter for Prairie Hill Wind Project, LLC Tax Abatement Agreement
 - d. Recording of First Amendment to Tax Abatement Agreement with Markum Solar Farm, LLC f/k/a Glory Leasing, LLC
 - e. Recording of State of Texas Federal Surplus Property Program Application for Eligibility and related Documents (ref: Code of Federal Regulations Title 41 / Subtitle C / Chapter 102 / Subchapter B / Part 102-37)
 - f. Recording of Proclamation Honoring the Life of Mr. Ira Lee Walton
 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. Information Technology: Discussion and/or Action regarding Replacement of Director including, but not limited to Replacement Process, Job Description Changes or Updates, and related matters
 - b. District Clerk: Appointment, Classification, Change in Duties/Classification of Deputy District Clerk
 4. **Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 5. **Travel and Education Requests:**
 - a. County Judge
 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. Texas Brazos Trail: Recording of Quarterly Services Report
 - b. The Cove Heart of Texas, Inc.: Recording of Services Report for April 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 "Harmon Addition, Lot 1, Block 1" to McLennan County, Precinct 3
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 1. **Regarding the FY 22 Budget:**
 - a. 414th District Court
 - b. Permanent Improvement Fund (Fund 401):
 - 1) Regarding Highway 6 Jail Modifications
 - 2) Regarding Maintenance of Buildings Modification
 - 3) Regarding Justice of the Peace, Precinct 3 Office Modifications
 - c. 2021 Certificates of Obligation / Permanent Improvement Fund (Fund 421):
 - 1) Regarding Juvenile Center Mold Remediation Project
 - 2) Regarding the Communications Tower Project

- 3) Regarding ADA Modifications
 - d. 2019 Certificates of Obligation - Permanent Improvement Fund (Fund 419) / 2021 Certificates of Obligation - Permanent Improvement Fund (Fund 421)
 - e. 2019 Certificates of Obligation / Permanent Improvement Fund (Fund 419)
 - f. Justice Court Assistance and Technology Fund (Fund 140)
 - g. County Wide for Road & Bridge
 - h. Constable, Precinct 4
 - i. County Wide
 - j. Information Technology
 - 1) Regarding Technology Purchases from IT Assessment Fund
 - 2) Regarding Travel Reimbursement
 - k. Purchasing
 - l. Road & Bridge, Precinct 2
 - m. Road & Bridge, Precinct 3
 - n. Road & Bridge, Precinct 1
 - o. Certification of Local Government Code 111.07075 Special Budget for Revenue Received After Start of Fiscal Year and related Budget Amendment (re: Road & Bridge, Precinct 3)
2. **Regarding the FY 23 Budget:**
- a. Waco-McLennan County Library: Discussion and/or Action regarding Funding Allocation
- G. Bids, RFP's, RFQ's, Quotations for Goods and Services:**
- 1. Discussion and/or Action on Bid 22-009 Roadside Cleaning Assistance
 - 2. Authorization of Subscription Quote with SRFax (re: Digital E-Mail Fax Service for Health Services)
- H. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:**
- 1. Authorization of Standard Form of Agreement with Brinkley Sargent Wiginton Architects, Inc. (re: McLennan County Downtown Jail Remodel for Courtrooms and Office Space)
 - 2. Authorization of Pricing Supplement / Agreement with TransUnion Risk and Alternative Data Solutions, Inc. (re: Searches / Reports for Constable, Precinct 1)
 - 3. Authorization of Support and Maintenance Agreement with Exela Technologies (re: Records Management / Agreement No. 44592CONSVR)
 - 4. Authorization of Customer Service Agreement with RW Lone Star Security, LLC (re: Shredding Services for Highway 6 Jail)
 - 5. Authorization of Service Order/Agreement with Astound Business Solutions, LLC Acting on Behalf of Itself and as Agent for Grande Communications Networks, LLC (re: Internet Services for Archives and Health Services Offices)
 - 6. Authorization of Agreements and related Documents with CTWP (re: County Clerk's Office Copiers)
 - 7. Authorization of Professional Engineering Services Agreement / Proposal with Lockwood, Andrews, and Newnam, Inc. (re: Trading Post Road - Creek Crossing Improvement Project)
 - 8. Authorization of Interface Agreement with Clinical Pathology Laboratories (re: Highway 6 Jail Electronic Medical Record Interface)
 - 9. Authorization of Preventative Maintenance Inspection Agreement with Cummins Allison (re Tax Office Copier)
- I. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consulting Services; Proposed Projects / Program Project Agreements / Amendments / Pay Applications:**
- 1. Authorization of Program Project Agreement with Magnolia RE, LLC
- J. Capital Improvement, Repair, Maintenance Projects and Construction Projects:**
- 1. Regarding the Mart Water Project Street Repair / Agreement with the City of Mart: Authorization of Third and Final Payment Request
 - 2. Regarding Capital Improvement Projects for the Cameron Park Zoo / Agreement with City of Waco: Authorization of Invoice # 20752 (re: Education Center & Veterinary Hospital and Hoofstock Barn)
- 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. Discussion and/or Action on ARPA Funding Requests and/or Related Agreements:
 - 1) Central Texas Industrial Training Center
 - b. Regarding the Professional Consulting Contract with Lockwood, Andrews, & Newnam, Inc.: Authorization of Professional Services Invoice / Invoice No. 130-11088-000 - 6
 - c. Regarding the Professional Services Agreement with BKD, LLP: Authorization of Grant Administration Services Invoice through April / Invoice#: BK01595583
 - 2. Regarding the Bipartisan Infrastructure Law: Discussion and/or Action on Funding Guidelines/Opportunities; Eligible Projects/Programs, related matters

3. Regarding the Bureau of Reclamation WaterSMART Grant / Assistance Agreement No. R19AP00235: Authorization of Amendment No. 2 / Period of Performance Extension (re: Water Marketing Strategy Grant)
 4. Regarding the Texas Department of Health Services (DSHS) Funding COVID-19 Testing and Mitigation Activities in Confinement Facilities Funding: Authorization of Grant Application, Contract, and related Documents
- M. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action:**
1. County Sheriff: Authorization of Weapon Trade-In Request (ref: Local Government Code 263.152(a)(2))
 2. Information Technology: Status Update on McLennan County Cyber Security Training Completeness Report as Mandated by Texas House Bill 3834
 3. Heart O'Texas Fair / Extraco Events Center: Authorization of Show Pavilion Fire System Repair
- 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. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 23 Budget
 3. Discussion and/or Action regarding the Law Library Committee Recommendations
 4. Regarding the Local Provider Participation Fund (LPPF): Authorization of Intergovernmental Transfers of Funds Derived from the County Health Care Provider Participation Fund to Provide the Nonfederal Share of a Supplemental Payment Program, known as Comprehensive Hospital Increase Reimbursement Program (CHIRP), Authorized under the State Medicaid Plan to Fund Payments to Medicaid Managed Care Organizations that are Dedicated for Payment to Hospitals
 5. Authorization of Refund Requests for Overpayment of Real Estate Taxes (ref: Section 31.11(a) of the Texas Property Tax Code)
 6. 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)
 7. Discussion and/or Action regarding the Texhealth Central Texas Premium Assistance Program
 8. Discussion and/or Action on Order Regulating Certain Fireworks in the Unincorporated Areas of the County
- O. Americans with Disabilities Compliance Project:**
- P. McLennan County Venue Project: Authorizations for Phase I, II, III and/or Paul Tyson Demolition, 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
 2. Regarding the Area B Demolition Project / Professional Civil Engineering Services Proposal with Walker Partners, LLC: Authorization of Engineering / Surveying Services Invoice (re: Services through 4/26/22 / Invoice No. 0103140.03-22315)
- Q. McLennan County Radio Tower Project / Multiple Site Expansion to Existing Simulcast Communication System:**
1. Authorization of Gate Work Estimate from Rawls Mechanical Services (re: Road & Bridge, Precinct 4 Tower)
 2. Regarding the System Purchase Agreement with Motorola Solutions: Authorization of Certificate of Milestone Acceptance (re: Equipment Installation Completion for Site # 3)
- 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 Voting Machine Equipment / 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

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
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 :

T. Adjourn

Signed this 3rd day of June, 2022




 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 3rd day of June, 2022.

Witness my hand and seal of office at Waco, McLennan County, Texas the 3rd day of June, 2022 at 1:10 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: JUN 07 2022

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 7th day of June, 2022 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 June 3, 2022 **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. Receipt of petition to create Emergency Services District and setting date, time and place of hearing regarding creation of the Emergency Services District

Signed this the 3rd day of June 2022



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 3rd day of June, 2022

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 3rd day of June, 2022 at 1:10 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 07 2022**

By Myrcetez Gowan-Perkins,
Deputy