

MEETING OF SEPTEMBER 7, 2021

On this the 7 day of September, 2021, at 9:01 o'clock a.m., the Court met in Regular Session; present and presiding were County Judge Felton, Commissioners James Smith, 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 7th day of September, 2021 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.

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 Recognizing The North East Riverside Neighborhood Association 2021 Harambee Commemoration
- 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 Interlocal Cooperation Agreement with Bosqueville Independent School District (re: School Resource Officer Program)
 - b. Recording of Cooperative Agreement with Texas A&M AgriLife Extension Service (re: County Extension Program)
 - c. Recording of Texas Commission on Environmental Quality Letter regarding the Emergency Action Plan (EAP) Tabletop Exercise
 - d. Recording of Professional Consulting Contract with Lockwood, Andrews & Newnam, Inc. (re: the U.S. Department of Treasury - Coronavirus Local Fiscal Recovery Fund / American Rescue Plan (ARP))
 - e. Recording of Event Agreement with City of Waco / Waco Convention Center (re: Employee Health Fair)
 - f. Recording of Interlocal Cooperation Agreement with City of Hallsburg (re: Road Shredding)
 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. Constable, Precinct 5
 - b. County Sheriff
 4. **Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for Bid 21-012: Hot Mix & Hot Mix-Cold Laid Asphaltic Concrete, High Performance Asphalt Cold Mix & Asphaltic Oil Sand
 - b. Authorization of Order Setting a Public Hearing on the Establishment of a Speed Zone on Doss Lane in Precinct 1
 - c. Authorization of Order Setting a Public Hearing on the Establishment of a Vehicular Width Limit on Old Railroad Road in Precinct 3
 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, July 2021
 7. **Burn Ban Approval, Extension, or Termination**
 8. **Authorization of McLennan County Credit Card Purchases**
 9. **McLennan County Venue Project / Venue Tax including Short-Term Motor Vehicle Rental Tax and Hotel Occupancy Tax:**
 - a. Authorization of Request to Waive Penalties and Interest for Hotel Occupancy Tax (re: Towne Place Suites Waco North)
 10. **McLennan County Subdivision Regulations:**
 - a. Approval of Final Plat of "Lakeland Hills Addition, Phase 1 Replat of Lot 6 Plus 0.2638 Acre" to McLennan County, Precinct 2
 - b. Approval of Final Plat of "Brazos River Christian Academy, Lot 1, Block 1" to McLennan County, Precinct 4
 - c. Approval of Amended Final Plat of "Battle Road Addition, Lots 1-5, Block 1" to McLennan County, Precinct 2
 11. **County Property and/or Construction Projects:**
 - a. Approval of Memorandum of Agreement and Authorization of Payment for Acquisition of Right-of-Way Property (re: MCAD Property Tax ID # 130658 / North Crooked Creek Road Improvement Project)
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 1. **Regarding the FY 21 Budget:**
 - a. 414th District Court

- b. Certification of Local Government Code 111.07075 Special Budget for Revenue Received After the Start of the Fiscal Year and Related Budget Amendments:
 - 1) Regarding Proceeds from Rene Bates Auction / Road & Bridge, Precinct 2
 - 2) Regarding Proceeds from Agreement with City of Leroy / Road & Bridget, Precinct 3
- c. Constable, Precinct 2
- d. Information Technology
- e. Law Library Fund (Fund 170)
- f. Purchasing
- g. Permanent Improvement Fund (Fund 401)
- h. Maintenance of Equipment
- i. County Sheriff:
 - 1) Budget Amendment
 - 2) Recording of Forfeiture Fund (Fund 255)
- j. County Auditor
- k. Capital Outlay
- l. HOT Fairgrounds
- m. Maintenance of Buildings
- n. Criminal District Attorney
- o. Justice of the Peace, Precinct 2
- p. Road & Bridge, Precinct 2
- q. Constable, Precinct 5
- r. Justice of the Peace, Precinct 5
- s. County Wide
- t. Road & Bridge, Precinct 1
- u. Elections
- v. Constable, Precinct 1
- w. Authorization of Texas Association of Counties Claim Deductible Invoices:
 - 1) Regarding Invoice # NRDD-0007159
 - 2) Regarding Invoice # NRDD-0007150
 - 3) Regarding Invoice # NRDD-0007137
 - 4) Regarding Invoice # NRDD-0007076 / Tyler
 - 5) Regarding Invoice # NRDD-0007076 / Walker

2. Regarding the FY 22 Budget:

- a. Discussion and/or Action regarding Matters relative to the FY 22 Budget / 2021 Tax Rate, including, but not limited to, Budget Policies, Priorities, Timelines, Updates from the County Auditor and/or Budget Work Sessions, as needed
- b. Discussion and/or Action on Funding Request for Bridge of Souls

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

- 1. Authorization regarding Renewal of RFP 19-025: McLennan County Pauper Burial / Cremation Services (Lake Shore Funeral Home & Crematory)

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

- 1. Authorization of Renewal of Service Agreement with Advocacy Center for Crime Victims and Children
- 2. Regarding the Texas Department of Agriculture Texans Feeding Texans - Home Delivered Meal Grant Program: Authorization of Agreement for Services and related Resolution with Central Texas Senior Ministry (re: Meals on Wheels Program)
- 3. Authorization of Agreement for Information Technology Support Services with the McLennan County Community Supervision and Corrections Department
- 4. Authorization of Renewal of Services Agreement with McLennan County Dispute Resolution Center (DRC)
- 5. Authorization of Provision of Library Services Agreements with Hewitt Community Library, McGinley Memorial Library, Moody Community Library, Nancy Nail Memorial Library, and West Public Library
- 6. Authorization of Agreement Renewal with McLennan County Employees Federal Credit Union (re: Storage of Records)
- 7. Reauthorization of Interlocal Agreement with McLennan County 9-1-1 Emergency Assistance District (MCEAD)
- 8. Regarding Heart of Texas Region Mental Health Mental Retardation (HOTRMHMR) Center Service Agreement Renewals:
 - a. Reauthorization of Current Intergovernmental Agreement and Lease of Facility (re: Community Crisis Triage and Respite Center)
 - b. Authorization of Agreement for Mental Health Deputy Services
 - c. Authorization of Care Coordination Agreement (re: Medications for Defendants Committed Under Texas Code of Criminal Procedure, Chapter 46B)

9. Authorization of Interlocal Agreement with Waco Crime Stoppers, Inc.
 10. Authorization of Interlocal Agreement with the Heart of Texas Council of Governments (HOTCOG) / Everbridge (re: Emergency Notification Services)
 11. Reauthorization of Service Level Agreement with Texas A&M AgriLife Extension Service (re: Information Technology Services)
 12. Authorization of Contracts for Fire Protection Services with County Volunteer Fire Departments and the McLennan County Fire Protection Association
 13. Authorization of Renewal and Extension Agreement for Professional Services with Justice Benefits, Incorporated
 14. Authorization of Agreement with Office of Court Administration (re: Reimbursement of Long-Distance Calls / Faxes)
 15. Authorization of Spay/Neuter Services Contract with Animal Birth Control Clinic, Inc.
 16. Authorization of Interlocal Cooperative Agreement with City of Waco (re: Road Work on Mazanec Road and Our Way Road)
 17. Authorization of Interlocal Cooperation Agreement with the City of Bruceville-Eddy (re: Brush Cutting)
 18. Authorization of Services Agreement with Everfi (re: Online Training System / Contract No. Q-53492-1)
 19. Authorization of Addendum to the Employee Assistance Program (EAP) Services Agreement with Deer Oaks EAP Services
 20. Authorization of Cooperation Agreement with Burnet County (re: Housing and Care of Inmates)
- I. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consulting Services; Proposed Projects / Program Project Agreements / Amendments / Pay Applications:**
1. Authorization of Third Program Project Agreement with Space Exploration Technologies Corporation
- J. Capital Improvement, Repair, Maintenance Projects and Construction Projects:**
1. Regarding ADA Renovations at Extraco Events Center (Bid 20-013) / Agreement with John W. Erwin Construction: Authorization of Application for Payment No. 13 / Retainage
 2. Regarding Asbestos Abatement and Demolition in Old Downtown Jail (RFP 20-020) / Agreement with J.R. (Joe) Ramon & Sons, Inc.: Authorization of Change Orders:
 - a. Regarding New Opening Between Old County Jail and High Five Building
 - b. Regarding Mitigation of 1st Floor Office
 - c. Regarding Reduction in Scope at High Five
 3. Regarding Cow Bayou Site 10 Structural Repair / Cooperative Agreements with Texas State Soil and Water Conservation Board: Recording of Project Completion Letters (re: Contract Numbers COWB10-REP-ST-006-19; COWB10-REP-ST2-011-20; COWB10-REP-ST2-015-21)
- 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 (ARP): Discussion and/or Action regarding Eligible Expenses and/or Funding Guidelines; Reporting Requirements; Funding Requests; Grant Updates/Reports; Any Action Necessary to Comply with Grant Funding; Agreements for Administration of Grant or Consulting Services; related Matters
 2. Regarding U.S. Department of Treasury Emergency Rental Assistance Program:
 - a. Authorization of Reimbursement Requests / Reports from the City of Waco
 - b. Authorization of Agreement with Economic Opportunities Advancement Corporation (EOAC) for Grant Program Administration of ERA1
 - c. Authorization of Agreement with Economic Opportunities Advancement Corporation (EOAC) for Grant Program Administration of ERA2
 3. Regarding the Bureau of Reclamation WaterSMART Grant / Assistance Agreement No. R19AP00235: Authorization of Amendment No. 1 (re: Water Marketing Strategy Grant)
 4. Regarding the Texas Community Block Grant (TxCDBG) for Water and Sewer Improvements in the Unincorporated Community of Elm Mott / Contract No. 7219270:
 - a. Presentation regarding Implementation of TxCDBG Section 3 Goals
 - b. Authorizations regarding Award of Construction Contract with Bear Contractors, Inc. (re: Oak Forest Waterline Replacement)
 - c. Authorization of Small Purchase Procurement Record
 5. Regarding the Texas Department of Housing and Community Affairs / Community Development Block Grant CARES Act Fund - Texas Emergency Mortgage Assistance Program (TEMAP): Discussion and/or Action regarding Administration of Grant and related Matters
- M. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**
1. 54th District Court: Authorization of Hotspot Request
 2. Heart O'Texas Fair / Extraco Events Center: Authorization of Capital Improvement Projects
 3. Information Technology: Authorization of Recurring Costs for Alarm Monitoring Services
- 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. Adoption of Various Orders relative to FY 2022:
 - a. Order Setting Compensation of Jurors, Members of the Grand Jury, and Grand Jury Bailiffs
 - b. Order Designating Day and Location for Regular / Special Commissioners Court Meetings
 - c. Order Authorizing County Engineer and/or Assistant County Engineer to Sign Requisitions, Exemption Certificates, Cooperative Agreements for Flood Control Structures and State Reimbursement Forms
 - d. Order Appointing County Judge Pro-Tem
 - e. Order Setting Pay Rate for Hourly Rated Personnel
 4. Greater Waco Chamber of Commerce, Monthly Economic Development Report, July 2021
 5. Discussion and/or Action regarding Redistricting Information including, but not limited to, Timeline / Plan Updates
 6. Discussion and/or Action on McLennan County's Participation as a Test County in VEMACS 2.0 Voter Registration System with VOTEC
- 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 Architectural Services Agreement with Populous:* Authorization of Professional Services Invoices, Pay Applications, Schematic Design Documents; Acceptance of Reports, Updates, related matters
 - a. Recording of Heart O' Texas Fairground Area Venue Project Record Set
 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
- Q. McLennan County Radio Tower Project / Multiple Site Expansion to Existing Simulcast Communication System:**
- 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; Tradinghouse Pavilion Rental; 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 Equipment / Upgrades*
 6. *Discussion regarding State and Local Coronavirus Fiscal Recovery Funds*
- 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
- T. Adjourn**

Signed this 2nd day of September, 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 2nd day of September, 2021.

Witness my hand and seal of office at Waco, McLennan County, Texas the 2nd day of September, 2021 at 4:15 p.m.

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY: Kelley Fullbright (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: **SEP 07 2021**

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 September, 2021 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 September 2, 2021 **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. Proclamations / Resolutions:**
 - 1. Ratification of Proclamation Recognizing G. W. Carver High School Class of 1971 Celebrating 50 Years
 - 2. Proclamation Recognizing the North East Riverside Neighborhood Association 2nd Annual Harambee Festival
- C. Authorization of Publications; Public / Legal Notices:**
 - 1. Authorization of Publication for Notice of Public Hearing regarding Proposed American Rescue Plan Act Projects---Waco Family Medicine and Heart of Texas Region Mental Health Mental Retardation

Signed this the 3rd day of September, 2021

Scott M. Felton

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 September, 2021

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 3rd day of September, 2021 at 3:45 p.m.

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY: *Kelly Fullbright*
(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: **SEP 07 2021**

By Myrcetez Gowan-Perkins,
Deputy