

MEETING OF OCTOBER 18, 2022

On this the 18 day of October, 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, 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 18th day of October 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. In addition, notice is hereby given that this October 18, 2022 meeting will be recessed and reconvened on Wednesday, the 19th day of October, 2022 at 1:30 p.m., to complete discussion and action on the agenda items set forth below unless the meeting of October 18, 2022 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. Proclamation Acknowledging the Tenth Anniversary of "Simply Blessed Creations and Elegant Event Planning" & Recognizing October 15, 2022, as "Simply Blessed Day" in McLennan County, Texas
- 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 Notification Letter from the Travis County Medical Examiner regarding a Fee Increase
 - b. Recording of Agreement Renewal with McLennan County Employees Federal Credit Union (re: Storage of Records)
 - c. Recording of FY 2023 Government Officers Finance Association Adopted Budget for McLennan County
 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. Constable, Precinct 1
 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. County Treasurer:
 - 1) Recording of McLennan County Investment Report, September 2022
 - 2) Recording of Treasurer's Monthly Report, September 2022
 - b. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, September 2022
 - c. McLennan Community Investment Fund: Recording of Semi-Annual Report
 - d. Volunteer Fire Departments: Recording of 3rd Quarter Run Reports
 - e. County Auditor: Recording of Monthly Financial Report, October 2021 - September 2022
 7. **Burn Ban Approval, Extension, or Termination**
 - a. Authorization of Red Flag Warning Burn Ban Order
 8. **Authorization of McLennan County Credit Card Purchases**
 9. **Authorization of Tax Resale Deed and Deletion of Uncollectable District Court Costs, if any:**
 - a. MCAD # 380671000033002: Being 500 Feet by 88.4 Feet by 500 Feet by 87.4 Feet, Containing 1 Acre more or less, Situated in B.D. Naler Survey, City of Moody, McLennan County, Texas
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 1. **Regarding the FY 22 Budget:**
 - a. 19th District Court
 - b. 170th District Court
 - c. Texas A&M AgriLife Extension Service
 - d. Constable, Precinct 5
 - e. Criminal District Attorney
 - f. 2021 Certificates of Obligation / Permanent Improvement Fund (Fund 421)

- g. Health Services
- h. County Sheriff:
 - 1) Regarding Highway 6 Jail / Dept. 2410
 - 2) Regarding Jack Harwell Detention Center / Dept. 2411
- i. Justice of the Peace, Precinct 3
- j. Justice of the Peace, Precinct 4
- k. Maintenance of Equipment
- l. Road & Bridge, Precinct 3
- m. Mental Health Court Services
- n. County Wide
- o. Venue Project Revenue Bonds Series 2018 / Permanent Improvement Fund (Fund 418)

2. Regarding the FY 23 Budget:

- a. Authorization of Purchases / Expenditures that Exceed the Previously Adopted Expenditure Limits, per Local Government Code 130.908:
 - 1) Criminal District Attorney
 - 2) Justice of the Peace, Precinct 5
- b. Capital Outlay
- c. 2021 Certificates of Obligation / Permanent Improvement Fund (Fund 421)
- d. Justice of the Peace, Precinct 4
- e. Road & Bridge, Precinct 1
- f. Road & Bridge, Precinct 2
- g. Road & Bridge, Precinct 4

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

- 1. Authorization of Renewal for Bid 20-002: Unleaded and Diesel Fuel for McLennan County (Fike's Wholesale)

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

- 1. Authorization of Letter of Agreement with Hendrix Consulting Engineers (HCE) (re: Mechanical, Electrical, and Plumbing (MEP) Assessment Services for Heart of Texas Fair & Rodeo/Extraco Events Center)
- 2. Regarding Heart of Texas Region Behavioral Health Network (formerly Heart of Texas Region Mental Health Mental Retardation Center) Service Agreement Renewals:
 - a. Authorization of Agreement for Mental Health Deputy Services
 - b. Authorization of Care Coordination Agreement (re: Medications for Defendants Committed Under Texas Code of Criminal Procedure, Chapter 46B)
 - c. Authorization Agreement for Comprehensive Mental Health and Mental Retardation Services
 - d. Authorization Agreement for Emergency Psychiatric Services
 - e. Authorization Agreement for Jail Diversion / Pre-Trial Diversion Services
 - f. Authorization of Grant Agreement for Medical Clearance Initiative at the Crisis Treatment Center
- 3. Authorization of Order Forms / Subscriptions with Thomson Reuters:
 - a. Regarding West Proflex / Legal Research and Guidance Material for the Law Library
 - b. Regarding O'Conner's Texas Legal Reference Material for 414th District Court
- 4. Authorization of Agreements for Legal Services to Indigent Parents Pursuant to Texas Family Code § 107.013:
 - a. Martinez & Martinez
 - b. McLeod & McLeod, L.L.P.
 - c. Sibley, Howell & McClinton
 - d. Law Office of M. Bryon Barnhill, P.L.L.C.
 - e. Smith & Bratcher, P.C.
- 5. Authorization of Agreements for Use with Reliable Tire Disposal:
 - a. Regarding Trailer Rental for Road & Bridge, Precinct 4
 - b. Regarding Trailer Rental for Road & Bridge, Precinct 2
- 6. Authorization of Statement of Work / Agreement with CivicPlus (re: Live Stream Services for Elections)
- 7. Authorization of Master Service Agreement, Business Associate Agreement and related Statement of Work with American Specialty Health Fitness, Inc. (re: Active & Fit Commercial Fitness Program)
- 8. Reauthorization of Service Level Agreement with Texas A&M AgriLife Extension Service (re: Information Technology Services)
- 9. Authorization of Fire Alarm Monitoring Agreement with Cen-Tex Fire & Security (re: Various County Buildings)

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

1. Regarding ADA Renovations to MHMR Crisis Center (Bid 21-003) / Agreement with HCS, Inc. Commercial General Contractor: Authorization of Payment Application # 14

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. Discussion and/or Action on ARPA Funding Requests and/or Related Agreements:
 - 1) McLennan County Investment Fund
 - 2) McLennan County Fire Protection Association, Inc. (re: Radio Upgrade)
 - b. Discussion and Action on Permission to Proceed with McLennan Community College ARPA Request (re: Respiratory Technology Program)
 - c. Discussion and Action on Proposed Format of ARPA Arsenic Abatement Agreements
 - d. Discussion and Action on Updated ARPA Subrecipient Risk Assessment Form
2. Regarding the Bipartisan Infrastructure Law: Discussion and/or Action on Funding Guidelines / Opportunities; Eligible Projects/Programs, related matters
3. Regarding the Office of the Governor / Criminal Justice Division - County Innovations to Address Commercial Sexual Exploitation Prevention Grant: Authorization of Grant Award
4. Regarding the FY 22 BJA Veterans Treatment Court Discretionary Grant Program: Authorization of Grant Award

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

1. Road & Bridge, Precinct 1: Authorization of Cyber Security Training Exception Request Form
2. Road & Bridge, Precinct 4: Authorization of Cyber Security Training Exception Request Form
3. County Sheriff: Authorization of Request for Purchase of Duty Weapon Upon Retirement of Peace Officer (ref: Government Code 614.051)
4. Road & Bridge, Precinct 3: Authorization of Cyber Security Training Exception Request Form
5. Specialty Court: Authorization of Space Allocation Request (re: Offices at 1211 Washington Ave.)
6. Justice of the Peace, Precinct 5: Authorization of Phone Request

M. 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. Authorization of Appointment to the Tax Increment Reinvestment Zone Number One East, City of Lorena Board of Directors
3. Approval of Orders Granting Exemption from Competitive Bidding and Awarding Contracts to Sydaptic, Inc. for County Jail Facilities (ref: Local Government Code Section 262.024(a)(2)):
 - a. Regarding New Control Boards and Cable for Sliders
 - b. Regarding New Detention Locks
4. Approval of Resolution and Order Reappointing Directors for Places 2 and 4 of the Southern Trinity Groundwater Conservation District Board of Directors
5. Discussion and/or Action regarding Guardrail and Signage Installation at Tradinghouse Lake/Park Entrance on Redfish Lane
6. Authorization of Amendment to the McLennan County Employee Policy Guide (re: Section 9.01 Paid Time Off (PTO) - Subsection C: Paid Time Off Accrual Table)
7. Acceptance of 0.968 Mile of Roadway in the Spring Valley Addition, Phases 1 & 2 into the County Road System, Precinct 1
8. Discussion and/or Action regarding Vehicle Purchase Update

N. Americans with Disabilities Compliance Project:

1. Authorization of Professional Services Invoice with CP&Y (re: ADA Study / Report for September)

O. 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
 - a. Authorization of Application and Certificate for Payment # 29 (re: HOT Fairgrounds Area Venue Project)
 - b. Authorization of Application and Certificate for Payment # 1 (re: Area B Demolition Project)
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 August / Invoice No. 0103140.03-23138)
3. Discussion and/or Action regarding Debt Service Fund and Construction Fund Transfers

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

Q. Work Session Items (unless otherwise identified above, no action will be taken, but these matters will be discussed):

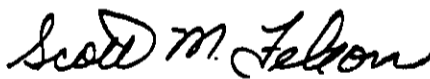
1. **Discussion regarding Criminal Justice Issues:** Updates on the Electronic Monitoring Program; Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Veterans & Mental Health Courts; Courthouse Security; Public Nuisance Reporting & Enforcement Process; Reintegration 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

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 13th day of October



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 13th day of October, 2022.

Witness my hand and seal of office at Waco, McLennan County, Texas the 13th day of October, 2022 at 3:45 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: **OCT 18 2022**

By Myrcetez Gowan-Perkins,
Deputy

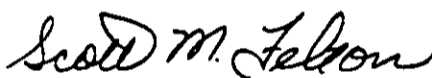
NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

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 18th day of October, 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 October 13, 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. Regarding the McLennan County Group Health Plan: Discussion and/or Action regarding the 2023 Pharmacy Program Savings Proposal
 2. Authorization of Memorandum of Understanding with McLennan County Criminal Defense Lawyers Association (re: Attorney Portal for District Clerk Case Information)
 3. Authorization of Temporary Service Agreement with Waste Connections Lone Star, Inc. (re: Roll-Off Waste Container for Road & Bridge, Precinct 3)

Signed this the 14th day of October, 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 14th day of October, 2022

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 14th day of October, 2022 at 3:50 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: **OCT 18 2022**

By Myrcotez Gowan-Perkins,
Deputy