

MEETING OF SEPTEMBER 15, 2020

On this the 15 day of September, 2020, at 9:00 o'clock a.m., the Court met in Regular Session; present and presiding were County Judge Felton, Commissioners Kelly Snell, Patricia Miller 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 the McLennan County Commissioners Court will conduct its regular scheduled meeting on **Tuesday, the 15th day of September, 2020 at 9:00 o'clock a.m.** and act on the items on the following agenda.

No physical meeting open to the public will be held. A temporary suspension of portions of the open meetings act to allow telephone or video conference public meetings has been granted by Governor Greg Abbott pursuant to Executive Order No. GA-08. These actions are being taken to mitigate the spread of Covid-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The opportunity to view and hear the meeting as well as the process if one wishes to address the Commissioners Court 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 First Annual McLennan County Drive Electric and Declaring September 26, 2020 - October 4, 2020 as National Drive Electric Week
- 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 FY 21 Salary Orders: County Auditor, Assistant County Auditors and District Court Reporters
 - b. Recording of Adopted FY 21 Budget
 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):**
 4. **Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for Bid 20-023: Rattler Hill Road - Creek Crossing Improvements
 5. **Travel and Education Requests:**
 6. **Recording of Educational Certificates; Recording of Department Head Affidavits; Recording of Departmental/Agency Reports; Acceptance or Approval of Official Bonds, Conflict Statements, Recording of Short-Term Motor Vehicle Rental / Hotel Occupancy Tax Reports or Other Such Items Required to be Submitted to the Court by Public Officials, Departments, and Agencies for Recording:**
 - a. County Treasurer: Recording of McLennan County Investment Report, August 2020
 - b. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, August 2020
 - c. Commissioner, Precinct 2: Recording of County Judges & Commissioners Association of Texas Continuing Education Transcript
 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. **McLennan County Subdivision Regulations:**
 - a. Approval of Final Plat of "Sunset Oaks Estates Addition, Lots 1-2, Block 1" to McLennan County, Precinct 3
 - b. Approval of Final Plat of "Lear Addition, Lot 1, Block 1" to McLennan County, Precinct 1
 - c. Approval of Corrected Final Plat of "Wade Addition, Lots 1-5, Block 1" to McLennan County, Precinct 1
 10. **Authorization of Tax Resale Deeds and Deletion of Uncollectible District Court Costs, if any:**
 - a. MCAD # 180002000027135: Being all that Certain Tract of Land Situated in the T.H. Barron No. 2 Survey, McLennan County, Texas
 - b. MCAD # 440024000040002: Being 1.8 Acres, More or Less, Out of the M. Martinez Grant, McLennan County, Texas

11. County Property and/or Construction Projects:

- a. Approval of Memorandum of Agreements and Authorization of Payment for Acquisition of Right-of-Way Parcels (re: Chapel Road Improvement Project):
 - 1) Regarding Parcel No. P-1W
 - 2) Regarding Parcel No. P-16W
 - 3) Regarding Parcel No. P-18W

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

1. Regarding FY 20 Budget:

- a. Road & Bridge, Precinct 4
- b. County Court @ Law # 1
- c. Law Library (Fund 170)
- d. Adult Probation
- e. Permanent Improvement Fund (Fund 401)
- f. 2019 Certificates of Obligation / Permanent Improvement Fund (Fund 419)
- g. Commissioners Court
- h. County Judge
- i. Information Technology: IT Assessment Fund for Purchasing
- j. Community Supervision and Corrections Department: Recording of Proposed FY 20 Budget Amendments

2. Regarding FY 21 Budget:

- a. Discussion and/or Action regarding Matters relative to the FY 21 Budget / 2020 Tax Rate, including, but not limited to, Budget Policies, Priorities, Timelines, Updates from the County Auditor and/or Budget Work Sessions, as needed
- b. County Sheriff: Recording of Forfeiture Fund (Fund 255)
- c. Criminal District Attorney: Recording of Forfeiture Fund (Fund 260)
- d. Authorization of FY 21 Cell Phone Allowance Listing

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

- 1. Authorization of Recommendation regarding Bid 20-022: Hot Mix-Cold Laid Asphaltic Concrete, High Performance Asphalt Cold Mix & Asphaltic Oil Sand
- 2. Regarding RFP 20-020: Asbestos Abatement and Demolition in Old Downtown Jail
 - a. Action to Rescind Previous Authorization of Recommendation for RFP
 - b. Discussion and/or Action regarding RFP including Consideration of Next Best Response

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

- 1. Authorization of Service Level Agreement with Texas A&M AgriLife Extension Service (re: Information Technology Services)
- 2. Reauthorization of Agreement with RM Mayes, LLC (re: Health Benefits Plan Manager Services)
- 3. Authorization of Agreement and related Estimate with Amazon Web Services, Inc. (re: Cloud Backup Storage for IT)
- 4. Authorization of Interlocal Agreement with the Heart of Texas Council of Governments (HOTCOG) / Everbridge (re: Emergency Notification Services)
- 5. Regarding Heart of Texas Region Mental Health Mental Retardation (HOTRMHMR) Center Service Agreement Renewals:
 - a. Authorization of Agreement for Mental Health Deputy Services
 - b. Agreement for Comprehensive Mental Health and Mental Retardation Services
 - c. Agreement for Emergency Psychiatric Services
 - d. Agreement for Jail Diversion / Pre-Trial Diversion Services
- 6. Authorization of Services Agreement with GGA Pest Management (re: Road & Bridge, Precinct 1)
- 7. Authorization of Amendment to Meals Services Agreement with Trinity Services, Group, Inc. (re: Highway 6 Jail and Jack Harwell Detention Center)

8. Authorization of First Amendment to Interlocal Cooperation Agreement with City of Waco (re: Economic Development)
 9. Authorization of Cooperation Agreement with Burnet County (re: Housing and Care of Inmates)
 10. Authorization of Interlocal Cooperation Agreement with City of Waco (re: Litter Control Services at the City Landfill and for Law Enforcement Services)
 11. Authorization of Preventive Maintenance Agreements with Emergency Power Services (re: Generator Maintenance at Precinct 1 Yard - Lorena Radio Tower; H.O.T Fairgrounds - Radio Tower, and Trailer Mounted Baldor)
 12. Authorization of Agreement with Office of Court Administration (re: Reimbursement of Long-Distance Calls / Faxes)
 13. Authorization of Interlocal Cooperation Agreement with the City of Waco (re: Road Work)
 14. Authorization of Revised Amendment No. 5 to the Memorandum of Understanding with Texas Department of Public Safety (re: Administrative Support)
 15. Authorization of Service Agreement with Grande Communications Networks, LLC (re: County Sheriff)
 16. Authorization of Agreement with Core and Main (re: Bid 20-021 / Construction of the 2019 CDBG Elm Mott Water Improvements, TxCDBG Contract No. 7219270)
 17. Authorization of Service Agreement with Everfi, Inc. (re: Online Training)
 18. Authorization of Employee Assistance Program (EAP) Services Agreement Renewal with Deer Oaks EAP Services
 19. Authorization of Services Agreement and related documents with WageWorks, Inc. (re: Claims Administration for COBRA Services)
 20. Authorization of Agreement for Tax Collection Services with Linebarger Goggan Blair & Sampson, LLP
 21. Authorization of Renewal and Extension Agreement for Professional Services with Justice Benefits, Incorporated
- 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 Ritchie Road Improvement Project: Recording of Construction Contract Change Order # 4 from Big Creek Construction, Ltd.
- K. Real Estate, Right of Way, and Easements:**
- L. Grants / Grant Proposals:**
1. Regarding the Texas Community Block Grant (TxCDBG) for Water and Sewer Improvements in the Unincorporated Community of Elm Mott / Contract No. 7219270: Authorization of Certification of Pre-Construction Approvals
- M. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**
1. County Sheriff:
 - a. Authorization of Request for Purchase of Duty Weapon Upon Retirement of Peace Officer (ref: Government Code 614.051)
 - b. Authorization of Equipment Trade-In Request (ref: Local Government Code 263.152(a)(2))
 2. Juvenile Detention: Authorization of Order Declaring Certain Property as Not Meeting the Criteria for Salvage or Surplus and Authorizing the Disposal of Said Water Property (re: Bulletproof Vests)
- 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. Regarding McLennan County Group Health Plan: Discussion and/or Action regarding Health Benefit Plan Changes/Updates; Approval of Agreements or Amendments; Changes to Benefit Options; Open Enrollment and Procedures/Systems; Designation of System of Record; Compliance Actions and Approvals; and related matters
 3. City of Waco: Update on the Small Business Emergency Recovery Fund Program
 4. Authorization of Fifth Amended Industrial Development Grant Program
 5. Authorization of Amendment to McLennan County Pauper Cremation Policy
 6. Regarding the November 3, 2020 General Election: Authorization of Notice of Joint General & Special Elections and Location of Polling Places
 7. Approval of Order Renaming the Private Road Known as Caudill Drive to Magnolia Drive and Eliminating the Private Drive Road Name of Borman Lane, Precinct 3

8. Approval of Order Requiring the Application of Subchapter F of Chapter 233 of the Texas Local Government Code to New Residential Construction in Unincorporated McLennan County
9. Discussion and/or Action regarding Deferring Payroll Tax Obligations
10. Discussion and Action on Extending the COVID-19 State of Disaster and Public Health Emergency Declaration through October 31, 2020
11. Authorization of Order Accepting Donations for Specialty Court Programs (ref: Local Government Code 81.032)
12. Discussion and/or Action regarding Use of Waco Convention Center for Screening/Impaneling Jurors and related matters
13. Authorization of Amendment to the McLennan County Employee Policy Guide (re: Section 7.05: Sheriff's Office Structured Step Pay Plan)

O. Americans with Disabilities Compliance Project:

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

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
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):

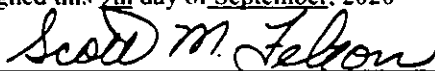
1. Discussion regarding Criminal Justice Issues: Updates on the Electronic Monitoring Program; Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Veterans & Mental Health Courts; Courthouse Security; Public Nuisance Reporting & Enforcement Process; Reintegration Programs;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

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 9th day of September, 2020



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 9th day of September, 2020.

Witness my hand and seal of office at Waco, McLennan County, Texas the 9th day of September, 2020 at 2:30 p.m.

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

BY: Myrcetez Gowan-Perkins (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 15 2020

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 15th day of September, 2020 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 9, 2020 **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. Proclamation Acknowledging September 26 – October 4, 2020 as National Drive Electric Week in McLennan County
- C. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 - 1. Regarding FY 20 Budget:
 - a. Jury Service
 - b. Commissioners Court

Signed this the 11th day of September, 2020



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 11th day of September, 2020

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 11th day of September, 2020 at 3:30 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: **SEP 15 2020**

By Myrcetez Gowan-Perkins,
Deputy