

**MEETING OF OCTOBER 20, 2020**

On this the 20 day of October, 2020, at 9:02 o'clock a.m., the Court met in Regular Session; present and presiding were County Judge Felton, Commissioners Kelly Snell, Patricia Miller, Will Jones 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 the McLennan County Commissioners Court will conduct its regular scheduled meeting on **Tuesday, the 20th day of October, 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:**
- 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 Tax Abatement Agreement with Aspen Custom Trailers US Inc.
    - b. Recording of Cooperation Agreement with Burnet County (re: Housing and Care of Inmates)
    - c. Recording of Interlocal Cooperation Agreement with City of Waco (re: Litter Control Services at the City Landfill and for Law Enforcement Services)
    - d. Recording of Dental Services Addendum with Dentrust Dental Texas, PC (re: Dental Care for Inmates and Detainees)
    - e. Recording of Interlocal Cooperation Agreement with the City of Waco by and Through the Waco-McLennan County Public Health District (re: On-Site Sewage Facilities)
    - f. Recording of Amendment to Meals Services Agreement with Trinity Services Group, Inc. (re: Highway 6 Jail and Jack Harwell Detention Center)
    - g. Recording of Customer Service Agreements with UniFirst (re: Uniforms for Road & Bridge Precincts)
  - 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. Tax Office
    - b. Maintenance of Buildings
  - 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: Recording of McLennan County Investment Report, September 2020
    - b. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, September 2020
    - c. County Auditor: Recording of Monthly Financial Report, October 2019 - August 2020
    - d. Waco-McLennan County Public Health District: Authorization of September Billing/Reports (re: On-Site Sewage Facility (O.S.S.F.) Program)
  - 7. Burn Ban Approval, Extension, or Termination**
  - 8. Authorization of McLennan County Credit Card Purchases**
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
  - 1. Regarding FY 20 Budget:**
    - a. Law Library (Fund 170)
    - b. County Wide

c. **Authorization of Texas Association of Counties Claim Deductible Invoices:**

- 1) Regarding Invoice # NRDD-0006203
- 2) Regarding Invoice # NRDD-0006284
- 3) Regarding Invoice # NRDD-0006396
- 4) Regarding Invoice # NRDD-0006416
- 5) Regarding Invoice # NRDD-0006516
- 6) Regarding Invoice # NRDD-0006202

2. **Regarding FY 21 Budget:**

- a. Permanent Improvement Fund (Fund 401)
- b. Heart of Texas Fair
- c. 2017 Certificates of Obligation / Permanent Improvement Fund (Fund 417)
- d. Maintenance of Buildings
- e. Economic Development
- f. Health Services
- g. Road & Bridge, Precinct 3
- h. Capital Outlay
- i. 2019 Certificates of Obligation / Permanent Improvement Fund (Fund 419)
- j. County Sheriff
  - 1) Budget Amendment regarding Protective Clothing
  - 2) Authorization of Billboard Expenditure and Use of County Credit Card
- k. McLennan County Soil and Water Conservation District: Operation and Maintenance Funding Request
- l. McLennan and Hill Counties Tehuacana Creek Water Improvement District: Discussion and/or Action regarding Funding Request for Baseline Water Quality Study

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

1. Authorization of Recommendation for Bid 20-023: Rattler Hill Road - Creek Crossing Improvements
2. Authorization of Electronic Log Program Proposal with Ryhan Technology Services (re: Highway 6 Jail)
3. Ratification of Mail Ballot Activity Portal (MBAP) Proposal with VOTEC Corporation

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

1. Authorization of Industrial Business Grant Agreement with Advanced Rail Systems, LLC
2. Authorization of Sales Order Agreement and Service Agreement with CTWP (re: Copier for Auditor's Office)
3. Authorization of Monitoring / Service Agreements with LevelOne Technology, LLC:
  - a. Regarding Information Technology
  - b. Regarding Road & Bridge, Precinct 2
4. Authorization of Professional Services Agreement and related Construction Materials Testing Proposal with Langerman Foster Engineering Company (re: Rattler Hill Road Creek Crossing / Proposal No. CMT 20-148)
5. Authorization of Agreements for Legal Services to Indigent Parents Pursuant to Texas Family Code § 107.013:
  - a. Sheehy, Lovelace, & Mayfield, P.C.
  - b. Sibley, Howell & McClinton
  - c. Dunnam & Dunnam, L.L.P.
  - d. Martinez & Martinez
  - e. Smith & Bratcher, P.C.
  - f. The Law Office of M. Bryon Barnhill, P.L.L.C.
  - g. McLeod & McLeod, L.L.P.
6. Discussion and/or Action on Finalizing Internship Memorandum of Understanding with Connally Independent School District

7. Authorization of Business Associate Agreement with WorkTerra
  8. Authorization of Master Service Agreement and related Documents with BKD, LLP (re: Grant Compliance Services)
- 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 Speegleville Road Improvement Project (Bid 20-004) / Agreement with Knife River Corporation - South: Authorization of Application for Payment No. 8
- K. Real Estate, Right of Way, and Easements:**
1. Discussion and/or Action regarding Property at the End of Red Fish Lane
- L. Grants / Grant Proposals:**
1. Regarding the Texas Historic Courthouse Preservation Program: Recording of Architexas Invoice No. 1902.05 for Courthouse Master Plan Update
  2. Regarding the Texas Indigent Defense Commission FY 21 Formula Grant: Authorization of Submission of Grant Application and Related Resolution
  3. Regarding the Texas Department of Family and Protective Services (DFPS) Title IV-E Grant Contract No. HHS000285100008 for Legal Services: Authorization of Title IV-E Legal Assistance Claim (Quarter Ended 6/30/20)
- M. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**
1. Road & Bridge, Precinct 4: Authorization of Reimbursement for Damaged Vehicle Window
- 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. Discussion and/or Action regarding Deferring Payroll Tax Obligations
  4. Authorization of Texas Historical Commission Antiquities Permit Application Submission and Authorization of Marker Placement Request (re: Pomeroy Foundation Marker Recognizing Elisabeth Freeman)
  5. Discussion and/or Action regarding Creation of TexPool Account Group for McLennan County Bail Bond Security including Authorization of Resolution, Designation of Authorized Representatives, and related Participation Agreement
  6. Greater Waco Chamber of Commerce: Monthly Economic Development Report, September 2020
  7. Discussion and Action on Extending the COVID-19 State of Disaster and Public Health Emergency Declaration through November 30, 2020
  8. Approval of McLennan County Holiday Dates for 2021
  9. Discussion and Possible Action regarding the Burden on Employees Who Fall Within a Category "Technically" Not Covered by the Families First Coronavirus Response Act (FFCRA), but Whose Situations are Consistent in Terms of Effect on the Employee with the Categories Expressly Covered by the FFCRA. Possible Action on Temporary County Policy to Address Such Situations by Providing County Leave
  10. Authorization of County Appointee to the Emergency Preparedness Advisory Committee (EPAC)
  11. Acceptance of 0.247 Mile of Roadway in the Buster Chatham Addition, Phases 1 and 2 into the County Road System, Precinct 3
  12. Authorization of Fixed Asset Transfer Form (re: Asset Transfer from Sheriff's Office to Road & Bridge, Precinct 3)
- O. Americans with Disabilities Compliance Project:**
1. Authorization of Professional Services Invoice: CP&Y (re: ADA Study / Report for September)
- 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. Authorization of Professional Services Invoice (re: August - September Services / Invoice No. 0070606)

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
  - a. Virtual Viewing of Venue Project

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

1. Regarding the System Purchase Agreement with Motorola Solutions: Authorization of Certificate of Milestone Acceptance (re: Aviat Microwave Staging and Equipment Shipped)

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

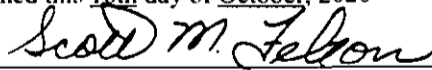
1. Discussion regarding Criminal Justice Issues: Updates on the Electronic Monitoring Program; Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Veterans & Mental Health Courts; Courthouse Security; Public Nuisance Reporting & Enforcement Process; Reintegration Programs; 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 16th day of October, 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 16th day of October, 2020.

Witness my hand and seal of office at Waco, McLennan County, Texas the 16th day of October, 2020 at 11:40 a.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 20 2020**

By Myrcetez Gowan-Perkins,  
Deputy