

MEETING OF APRIL 4, 2023

On this the 4 day of April, 2023, 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 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, 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 4th day of April, 2023 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 Recognizing National Therapy Animal Day
 2. Proclamation Recognizing Week of the Young Child
- 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 Beneficiary Agreement with Texas State Technical College and the TSTC Foundation for Central Texas Industrial Training Center (re: American Rescue Plan Act Funding)
 - b. Recording of Lease Agreement with Texas Department of Motor Vehicles (re: Registration and Title System Workstations)
 - c. Recording of Interlocal Agreement with Heart of Texas Council of Governments (re: the Heart of Texas Council of Governments / Texas Commission on Environmental Quality FY 23 Environmental Development Grant - Solid Waste Community Collection Events)
 - d. Recording of Reauthorization of the Current Intergovernmental Agreement and Lease of Facility with Heart of Texas Behavioral Health Network formerly Heart of Texas Region Mental Health Mental Retardation Center (re: Community Crisis Triage and Respite Center)
 - e. Recording of Beneficiary Agreement with McLennan County Emergency Assistance District (re: American Rescue Plan Act Funding)
 - 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 Notice of Application and Preliminary Decision for Small Municipal Separate Storm Sewers System Renewal
 - 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. Animal Birth Control Clinic, Inc.: Recording of Services Reports for January - February 2023
 - b. Advocacy Center for Crime Victims and Children: Recording of Services Report for Fiscal Year 2022
 - c. Director of Purchasing: Recording of Transparency Notice regarding Quinn Technologies
 - 7. Burn Ban Approval, Extension, or Termination**
 - 8. Authorization of McLennan County Credit Card Purchases**
 - 9. 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 #s 108714 & 323527 / Panther Branch Road Improvement Project - Phase 2)
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 - 1. Regarding the FY 23 Budget:**
 - a. Maintenance of Buildings
 - b. Maintenance of Equipment
 - c. County Sheriff
 - d. County Wide
 - e. Road & Bridge, Precinct 3
 - f. Venue Project Revenue Bond Series 2018 / Permanent Improvement Fund (Fund 418)
 - g. Permanent Improvement Fund (Fund 401)
 - h. 2021 Certificates of Obligation / Permanent Improvement Fund (Fund 421)

- i. 19th District Court (Fund 150)
- j. Community Supervision and Corrections Department: Recording of Proposed FY 23 Budget Amendments
- k. Authorization of Texas Association of Counties Claim Deductible Invoice # NRDD-0008843

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

- 1. Authorization of Amended Recommendation for Bid 23-003: Crushed Limestone Flex-Base, Limestone Crusher Fine, and Stone Riprap
- 2. Authorization of Recommendation for Bid 23-010: New or Used Two Ton Truck, McLennan County Road & Bridge, Precinct 3 Fleet
- 3. Authorization of ManageEngine Product Price Quote from Zoho Corp (re: Platform to Monitor and Optimize Server, Network, and End-User Equipment for Information Technology)
- 4. Authorization of Proposal from Progressive Protection (re: Information Technology Dept. / Quote # 0002017835)
- 5. Authorization of Standard Proposal from ARC Abatement I, Ltd. (re: Abatement Work at 415 Columbus Ave. / Proposal # W23-03-20-01)

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

- 1. Ratification of Equipment Rental Agreement with Kirby-Smith Machinery, Inc. (re: Road & Bridge, Precinct 4)
- 2. Authorization of Memorandum of Understanding with Waco Independent School District (re: Collaborative Internship Program)
- 3. Authorization of Renewal of Service Agreement with CivicPlus (re: CivicHR / Applicant Tracking and New Hire Onboarding Subscriptions)
- 4. Authorization of Interlocal Cooperation Agreement with City of Ross (re: Culvert Work)
- 5. Authorization of Interlocal Cooperation Agreement with City of Gholson (re: Road Work)
- 6. Authorization of Interlocal Cooperation Agreement with City of Leroy (re: Road Work)
- 7. Renewal of the Memorandums of Understanding with Baylor University, Texas State Technical College, and McLennan Community College (re: Collaborative Internship Programs)

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 Capital Improvement Projects for the Cameron Park Zoo / Agreement with City of Waco: Authorization of Invoice # 25708 (re: Education Center, Veterinary Hospital, Hoofstock Barn & Penguin Exhibit)

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. Regarding the Professional Services Agreement with BKD, LLP / FORVIS, LLP Authorization of Grant Administration Services Invoice through February / Invoice # BK01748586
 - b. Authorization of Addendum to Professional Consulting Contract with Lockwood, Andrews & Newnam, Inc.
 - c. Authorization of Addendum to Second Professional Consulting Contract with Lockwood, Andrews, & Newnam, Inc.
- 2. Regarding the Bipartisan Infrastructure Law Discussion and/or Action on Funding Guidelines / Opportunities; Eligible Projects/Programs, related matters
 - a. Discussion and/or Action regarding Submission of Grant Application to Department of Transportation for Charging and Fueling Infrastructure (CFI) Discretionary Grant Program (re: Funding Opportunity Number 693JJ323NF00004)
- 3. Regarding the Grant Agreement with Department of State Health Services: Ratification of Financial Status Report (re: the Detection and Mitigation of COVID-19 in Confinement Facilities Grant Program / Contract No. HHS001193700006)
- 4. Regarding the FY 2024-2025 OAG Victim Coordinator and Liaison Grant (VCLG) Program: Authorization of Grant Application, Resolution and related Documents
- 5. Regarding the State Criminal Alien Assistance Program (SCAAP): Authorization of FY 23 Grant Application Submission

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

- 1. County Sheriff: Authorization of Request for Purchase of Duty Weapon Upon Retirement of Peace Officer (ref: Government Code 614.051)

N. Additional Items for Discussion and Potential Action:

- 1. Discussion and Action on Requests for Waiver of Penalties and Interest on Property Taxes:
 - a. Regarding Request(s) Submitted by Dianne Dickerson
 - b. Regarding Request(s) Submitted by James and Janis Guest / Guest Roofing, Inc.
 - c. Regarding Request(s) Submitted by Michael, Beth and Aaron Hassell
 - d. Regarding Request(s) Submitted by Marty Hurtado
 - e. Regarding Request(s) Submitted by Viki Linthicum
 - f. Regarding Request(s) Submitted by Rachel Marion
 - g. Regarding Request(s) Submitted by Robert and Ana Milam
 - h. Regarding Request(s) Submitted by Sue Pescaia / Czechoslovak Publishing Co., Inc.

- i. Regarding Request(s) Submitted by Karen Quinn
 - j. Regarding Request(s) Submitted by Kenneth Weiss
2. Discussion and/or Action regarding Proposed / Pending State / Federal Legislation / Legislative Issues, including Adoption of Resolution/s, as appropriate
 3. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 24 Budget
 4. Greater Waco Chamber of Commerce: Monthly Economic Development Report, February 2023
 5. Texas A&M AgriLife Extension Service: Update from District Extension Administrator
 6. McLennan County Historical Commission: Recording of Updated By-Laws
 7. Discussion and/or Action regarding Acceptance of Tree Donation
 8. Authorization of Amendment to the McLennan County Employee Policy Guide (re: Section 7.09(C): Compensation for Overtime)
 9. Authorization of Alacrity Solutions Total Loss Condition Report (re: Claim # APD20233471-1)
 10. Discussion and/or Action regarding Hosting of Area Economic Development Council Meeting
 11. Discussion and/or Action on the County Showcase Video Program and related Agreement with CGI Communications, Inc. dba CGI Digital
 12. Discussion and/or Action regarding the McLennan County Voting Proxy for the NACo's 2023 Annual Conference & Exposition
 13. Authorization of On-Site Activity Reporting System (OARS) Designee for the Waco-McLennan County Public Health District
 14. Authorization of Property Damage Release (re: Old Railroad Bridge in Precinct 3 / ESIS Claim#: 1E01E013733092)
- O. Americans with Disabilities Compliance Project:**
1. Authorization of Professional Services Invoice with CP&Y (re: ADA Study / Report for February)
- P. McLennan County Venue Project: Authorizations for Phase I, II and/or Phase III, 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 February / Invoice No. 0103140.03-24214)
- Q. McLennan County Radio Tower Project / Multiple Site Expansion to Existing Simulcast Communication System:**
1. Authorization of Service Agreement with Motorola Solutions (re: Monitoring/Technical Support Services for Radio Communications Network/Towers)
 2. Discussion and Action on West Radio Tower Change Order Due to Mis-Marked Waterline
- 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 the Waco-McLennan County Public Health District Cooperative Agreement for Performance of Public Health Function Services***
- 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; 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

T. Adjourn

Signed this 30th day of March, 2023



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 30th day of March, 2023.

Witness my hand and seal of office at Waco, McLennan County, Texas the 30th day of March, 2023 at 4:45 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: **APR 04 2023**

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 4th day of April, 2023 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 March 30, 2023 **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. Authorization of Payment relative to Limestone County Justice Court, Precinct 2

Signed this the 31th day of March, 2023



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 31th day of March, 2023

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 31th day of March, 2023 at 3:25 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: APR 04 2023

By Myrcetez Gowan-Perkins,
Deputy