

MEETING OF APRIL 20, 2021

On this the 20 day of April, 2021, at 9:01 o'clock a.m., the Court met in Special Session; present and presiding were County Judge Felton, Commissioners James Smith, Patricia Miller, Will Jones 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 20th day of April, 2021 at 9:00 o'clock a.m.** and act on the items on the following agenda. In addition, notice is hereby given that this April 20, 2021 meeting will be **recessed and reconvened on Wednesday, the 21st day of April, 2021 at 1:30 p.m.** to complete discussion and action on the agenda items set forth below unless the meeting of April 20, 2021 is adjourned by decision of the Commissioners Court.

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 Recognizing and Honoring Thomas "Tom" G. Salome, Jr.
 2. Proclamation Honoring and Recognizing the Baylor Men's Basketball Team as the 2020-21 Conference Champion
- 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 Industrial Business Grant Agreement with Amazon.com Services, LLC for Investment in Industrial Real and Personal Property
 - b. Recording of Health Savings Account Enrollment and Contribution Agreement with Optum Bank, Inc. (re: McLennan County Group Health Plan)
 - c. Recording of Texas Department of State Health Services Consent Form for Restland Cemetery
 - d. Recording of Memorandum of Understanding with Connally Independent School District (re: Collaborative Partnership for Learning Enrichment)
 - e. Recording of Internship Memorandum of Understanding with Connally Independent School District
 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. Consideration and/or Action on Department Head Evaluations / Reviews and Salary
 - b. Purchasing
 - c. County Sheriff
 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. Waco-McLennan County Public Health District: Authorization of March Billing / Reports (re: On-Site Sewage Facility (O.S.S.F) Program)
 - b. County Treasurer: Recording of McLennan County Investment Report, March 2021
 - c. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, March 2021
 7. **Burn Ban Approval, Extension, or Termination**
 8. **Authorization of McLennan County Credit Card Purchases**
 9. **McLennan County Regulations:**
 - a. Approval of Final Plat of "Honeycutt Addition, Lot 1, Block 1" to McLennan County, Precinct 2
 - b. Approval of Final Plat of "Cagayano Addition, Lots 1-4, Block 1" to McLennan County, Precinct 3
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 1. **Regarding the FY 21 Budget:**
 - a. Mental Health Court Services
 - b. Human Resources
 - c. 2019 Certificates of Obligation / Permanent Improvement Fund (Fund 419)
 - d. District Clerk (Fund 144)
 - e. Health Services


- f. Maintenance of Buildings / Pretrial Services
- g. Justice of the Peace, Precinct 1 Place 2 (Fund 130)
- h. Child Protective Court
- i. Information Technology
 - 1) Regarding IT Assessment Fund for Human Resources
 - 2) Regarding IT Assessment Fund for Maintenance of Equipment
- 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
- G. Bids, RFP's, RFQ's, Quotations for Goods and Services:**
 - 1. Authorization of Recommendation for RFA 21-006: Depository Bank for McLennan County
 - 2. Authorization for Request for Price Increase regarding Bid 17-015: Inmate Personal Items (ICS Jail Supplies, Inc.)
- 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 CivicPlus (re: CivicHR / Applicant Tracking and New Hire Onboarding Subscriptions)
 - 2. Authorization of Interlocal Cooperation Agreement with City of Mart (re: Equipment for Waterline and Street Work)
- I. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consulting Services; Proposed Projects / Program Project Agreements / Amendments / Pay Applications:**
 - 1. Regarding the Program Project Agreement with Envases Commerce, LLC and IZ Texas, LLC: Authorization of Payment Request # 1
- 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. 13
 - 2. Regarding Rattler Hill Road - Creek Crossing Improvements (Bid 20-023):
 - a. Authorization of Miller Construction Co, Inc. Application and Certificate for Payment No. 3
 - b. Authorization of Miller Construction Co, Inc. Application and Certificate for Payment No. 4
- K. Real Estate, Right of Way, and Easements:**
- L. Grants / Grant Proposals:**
 - 1. Regarding Texas Division of Emergency Management (TDEM) / FEMA Public Assistance Program DR-4586 Grant / Assistance: Discussion and/or Action regarding County Applications; Assisting Citizens with Applications; Adoption of One or More Programs for Administration; Reports/Documentation regarding Compliance; Any Action Necessary to Comply with Grant Funding; Interlocal Cooperation Agreements for Administration of Grant; related Matters
 - 2. Regarding U.S. Department of Treasury Emergency Rental Assistance Program: Authorization of Reimbursement Requests / Reports from the City of Waco
 - 3. Regarding the Bureau of Justice Assistance (BJA) / Adult Drug Court and Veterans Treatment Court Discretionary Grant Program:
 - a. Recording of Remote Compliance Visit Report and related Response
 - b. Ratification of Amended Budget
 - 4. Regarding the Texas Community Development Block Grant (TxCDBG) / Elm Mott Sewer Line Replacement Project:
 - a. Approval of Resolution Authorizing the Submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture, Office of Rural Affairs for the Community Development Fund; and Authorizing the County Judge and/or Commissioner to Act as the County's Executive Officer and Authorized Representative in All Matters Pertaining to the County's Participation in the Texas Community Development Block Grant Program
 - b. Approval of Resolution Authorizing the County Judge to Enter into an Interlocal Agreement with the McLennan County Water Control and Improvement District 2 (WCID) for Completion of a Texas Community Development Block Grant Program Project for Water and/or Sewer Improvements in the Unincorporated Area of McLennan County
 - c. Authorization of Interlocal Agreement with McLennan County Water Control and Improvement District 2
- M. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**
 - 1. Purchasing: Authorization of On-Line Auction with Rene Bates, related Ad, and Order Declaring Certain Property as Surplus and Authorizing Disposition of Same (ref: Local Government Code 263)
 - 2. Heart O'Texas Fair / Extraco Events Center: Authorizations regarding Replacement of Damaged Heating/Cooling Coils Due to Winter Storm
- 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. Selection / Designation of Public Members of the Salary Grievance Committee regarding the FY 22 Budget
 4. Discussion and/or Action regarding Hosting of Court Night for 2021 North and East County Judges and Commissioners Conference
 - a. Authorization of DJ Services Contract with Devin Dj Precyse Patton
 5. Discussion and/or Action regarding Proposed / Pending State / Federal Legislation / Legislative Issues, including Adoption of Resolution/s, as appropriate
 6. Authorization of Refund Requests for Overpayment of Real Estate Taxes (ref: Section 31.11(a) of the Texas Property Tax Code)
 7. Approval of Order Extending State of Disaster and Public Health Emergency Declaration Due to COVID-19 through May 31, 2021
 8. Authorization of Appointments:
 - a. Regarding the McLennan County Rural Transit District Board of Directors
 - b. Regarding the Heart of Texas Region Mental Health Mental Retardation Center Board of Trustees
 9. Authorization of Office Phone Requests (re: Tax Office / Jack Harwell Detention Center)
 10. Authorization of Request to Light Up Courthouse for Alpha Kappa Alpha Sorority, Incorporated, Delta Alpha Omega Chapter
 11. Approval of Order Granting Exemption from Competitive Bidding for DVR Replacement Project and Awarding Contract to Sydaptic, Inc. for Jack Harwell Detention Center (ref: Local Government Code Section 262.024(a)(2))
- O. Americans with Disabilities Compliance Project:**
1. Authorization of Professional Services Invoice: CP&Y (re: ADA Study / Report for March)
- 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: March Services / Invoice No. 0071418)
 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:**
1. Authorization of Interlocal Cooperation Agreement with Department of Public Safety (re: Land Lease for Radio Communications Tower)
 2. Regarding the System Purchase Agreement with Motorola Solutions: Authorization of Change Order No.5
- 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 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: Property transactions necessary to accommodate the footprint of the McLennan County Venue Project
 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

T. Adjourn

Signed this 15th day of April, 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 15th day of April, 2021.

Witness my hand and seal of office at Waco, McLennan County, Texas the 15th day of April, 2021 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 20 2021

By Myrcetez Gowan-Perkins,
Deputy

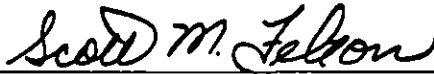
NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

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 20th day of April, 2021 at 9:00 o'clock a.m.** virtually, as set forth in the original notice, at which time **the following SUPPLEMENT to the AGENDA** previously posted on April 15, 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. Additional Items for Discussion and/or Action:**
 - 1. Heart O'Texas Fair / Extraco Events Center: Authorization of HVAC Repairs
- C. Capital Improvement, Repair, Maintenance Projects and Construction Projects:**
 - 1. Regarding Rattler Hill Road - Creek Crossing Improvements (Bid 20-023):
 - a) Authorization of Mitchell Construction Co, Inc. Application and Certificate for Payment No. 3
 - b) Authorization of Mitchell Construction Co, Inc. Application and Certificate for Payment No. 4

Signed this the 16th day of April, 2021




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 16th day of April, 2021

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 16th day of April, 2021 at 3:40 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 20 2021

By Myrcetez Gowan-Perkins,
Deputy