

MEETING OF JUNE 15, 2021

On this the 15 day of June, 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 15th day of June, 2021 at 9:00 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-Info>

AGENDA

- A. Proof of Posting of Notice**
- B. Moment of Silence / Invocation and Pledge**
- C. Public Comments**
- D. Proclamations / Resolutions:**
 1. Proclamation Recognizing and Congratulating the McLennan Community College Highlanders Baseball Team 2021 Juco World Series Championship
- 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 Interlocal Cooperation Agreement with City of Mart (re: Equipment for Waterline and Street Work)
 - b. Recording of Twelfth Memorandum of Agreement Addendum with Baylor University (re: DWI/Drug Court Program Cooperative)
 - c. Recording of Public Funds Depository Services and Collateral Security Agreement with BBVA USA
 - d. Recording of Proposal with EdocTec (re: Development / Host Web Site for Attorney Portal)
 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 Departmental Incentive Pay Requests
 - b. County Court @ Law No. 3: Discussion and/or Action on Appointment of Judge including, but not limited to, Appointment Process, Review/Action on Resumes/Applications, Acceptance of Bond/Oath Documents, related Authorizations as Necessary
 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, May 2021
 - b. McLennan County Children's Protective Services Board: Recording of Detailed Transaction Report, May 2021
 - c. McLennan County 9-1-1 Emergency Assistance District: Recording of 2020 Annual Report
 - d. Waco-McLennan County Public Health District: Authorization of May Billing / Reports (re: On-Site Sewage Facility (O.S.S.F) Program)
 - e. Acceptance of Bond / Oath Documents (re: Deputy Constable, Precinct 2)
 7. **Burn Ban Approval, Extension, or Termination**
 8. **Authorization of McLennan County Credit Card Purchases**
 9. **McLennan County Subdivision Regulations:**
 - a. Approval of Final Plat of "Evening Star Estates Addition, Lots 1-4, Block 2" to McLennan County, Precinct 4
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 1. **Regarding the FY 21 Budget:**
 - a. Justice of the Peace, Precinct 3
 - b. HOT Fairgrounds
 - c. Maintenance of Buildings
 - d. Criminal District Attorney
 - e. District Clerk
 - f. Mental Health Court Service
 - g. 2019 Certificates of Obligation / Permanent Improvement Fund (Fund 419)
 - h. Justice of the Peace, Precinct 2
 - i. Road & Bridge, Precinct 1

- j. Road & Bridge, Precinct 3
 - k. McLennan and Hill Counties Tehuacana Creek Water Improvement District: Discussion and/or Action regarding Baseline Water Quality and Environmental Health Survey of NRCS Reservoir 19 Funding Request
 - l. Authorization of Texas Association of Counties Property Coverage Invoice # 31433
 - m. Law Library: Authorization of Change Fund Request
 - n. Heart of Texas Council of Governments - Area Agency on Aging: Authorization of FY 21 Dues (re: Senior Citizen Program)
- 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:**
- H. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:**
- 1. Authorization of Amendment # 6 to Inmate Telephone Service Agreement with Global Tel*Link Corporation (GTL)
 - 2. Regarding the Current Tax Abatement Agreement with BCP Jewell Drive, LLC: Authorization of Assignment / Assumption Agreement with Welcome Industrial Sub 57, LLC
 - 3. Authorization of Software License Agreement; Confidentiality Agreement; and Business Associate Agreement with Justice Works, LLC (re: defenderData - Prime Edition)
- I. Capital Improvement, Repair, Maintenance Projects and Construction Projects:**
- 1. Regarding the Speegleville Road Improvement Project: Authorization of Notice to Windsor Water Company for Water Line Relocation
 - 2. Regarding ADA Renovations at Extraco Events Center (Bid 20-013) / Agreement with John W. Erwin Construction: Authorization of Application for Payment No. 12
 - 3. Regarding ADA Renovations to MHMR Crisis Center (Bid 21-003) / Agreement with HCS, Inc. Commercial General Contractor: Authorization of Payment Application # 1
- J. Real Estate, Right of Way, and Easements:**
- 1. Regarding MCAD # 160285000021008: Being 147.50 Feet by 140.00 Feet, Containing 0.474 Acres, more or less, Situated in the Levi Prewitt Survey, Being Lots A10, 11 and 12, Block 7, City of Eddy, McLennan County, Texas:
 - a. Action to Rescind Previous Authorization of Tax Resale Deed
 - b. Discussion and/or Action regarding Request to Convey Undivided Interest of Property to the City of Bruceville-Eddy for Public Use
- K. 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:
 - a. Authorization of Reimbursement Requests / Reports from the City of Waco
 - b. Discussion and/or Action regarding the Second Emergency Rental Assistance Program (ERA2), and Administration thereof
 - 3. Regarding the Texas Historic Courthouse Preservation Program: Recording of Architexas Invoice No. 1902.06 for Courthouse Master Plan Update
 - 4. Regarding the Texas Veterans Commission Fund for Veterans' Assistance – Veterans Treatment Court Grant: Approval of Grant Renewal and Acceptance of Grant Award (Grant ID: GT-VTC21-006)
 - 5. Regarding the U.S. Department of Treasury - Coronavirus Local Fiscal Recovery Fund / American Rescue Plan: Ratification of Grant Award and related Award Terms and Conditions
 - 6. Regarding the Texas Community Block Grant (TxCDBG) for Water and Sewer Improvements in the Unincorporated Community of Elm Mott / Contract No. 7219270: Recording of Modification Request Approval
- L. 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. Human Resources: Authorization of Bilingual Testing and Pay Requests:
 - a. Regarding the Election's Office
 - b. Regarding the Sheriff's Office
 - 3. County Sheriff: Authorization of Cell 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. 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
5. Discussion and/or Action regarding Proposed / Pending State / Federal Legislation / Legislative Issues, including Adoption of Resolution/s, as appropriate
6. Discussion and/or Action on Various County Policies / Procedures
7. Consideration and Approval of a Resolution by the Commissioners Court of McLennan County, Texas Authorizing and Approving Publication of Notice of Intention to Issue Certificates of Obligation; Complying with the Requirements Contained in Securities and Exchange Commission Rule 15c2-12; and Providing an Effective Date
8. Public Power Pool: Update regarding Electric Invoices During the Winter Storm
9. Regarding the McLennan County Appraisal District 2020-2021 Board of Directors: Discussion and/or Action on Candidate Nominations and related Resolution for Board Vacancy
10. Approval of Order Exempting "Personal or Professional Services" for BGE, Inc. from the Requirements of Section 262.023 of the Local Government Code as Authorized by Local Government Code Section 262.024(a)(4)
11. Regarding the Restriction of Truck Traffic on a Section of N. Rock Creek Loop, Precinct 4
 - a. Public Hearing on the Restriction of Truck Traffic
 - b. Consideration and/or Action to Approve the Restriction of Truck Traffic on N. Rock Creek Loop

N. Americans with Disabilities Compliance Project:

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

O. 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: May Services / Invoice No. 0071665)
 - b. Discussion and/or Action regarding Punch List Reports
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
3. Discussion and/or Action on Equipment
4. Discussion and/or Action on the Purchase of Automated External Defibrillators (AED)

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

1. Authorization of Interlocal Cooperation Contract with Department of Public Safety (re: Land Lease for Radio Communications Tower)

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; 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; Tradinghouse Pavilion Rental; 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***


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 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

S. **Adjourn**

Signed this 10th day of June, 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 10th day of June, 2021.

Witness my hand and seal of office at Waco, McLennan County, Texas the 10th day of June, 2021 at 4:20 p.m.

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

BY: Kelly Fullbright (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: JUN 15 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 15th day of June, 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 June 10, 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. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:**
 - 1. Authorization of Indigent Care Affiliation Agreement with Baylor Scott and White Health on behalf of Affiliated Hospitals (Baylor Scott & White Medical Center – Austin, Baylor Scott & White Medical Center – Pflugerville, Baylor Scott & White Medical Center – Buda)
- C. Additional Items for Discussion and Potential Action:**
 - 1. Approval of Haley & Olson, P.C. to File an Enforcement Lawsuit Against Montelongo Home Construction, LLC for Violation of Subchapter F of Chapter 233 of the Texas Local Government Code as Adopted by McLennan County
 - 2. Approval of Order Extending State of Disaster and Public Health Emergency Declaration Due to COVID-19 through July 31, 2021

Signed this the 11th day of June, 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 11th day of June, 2021

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 11th day of June, 2021 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: JUN 15 2021

By Myrcetez Gowan-Perkins,
Deputy