

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, AN EMERGENCY MEETING OF THE COMMISSIONERS' COURT, the governing body of McLennan County, will be held on **Thursday, the 28th day of May, 2020 at 3:00 p.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.

EMERGENCY AGENDA

A. Proof of Posting of Notice

B. Statement Identifying Nature / Cause of Emergency Situation that Requires Posting of This Emergency Agenda:

- 1. The emergent need to take further action regarding the pending state, local and national state of disaster created by COVID-19, the Governor's most recent Executive Orders, the need for uniformity in the regulations applicable to the public, and based on continuously evolving information being received. This emergency meeting is authorized by Governor Abbott's proclamation suspending portions of the Texas Open Meetings Act for purposes of addressing COVID-19 matters.

C. Consideration of, and/or Action on, the Following Emergency Items:

- 1. Approval of Order Extending Disaster Declaration and Terminating Local COVID-19 Regulations in Deference to the Texas Governor's Executive Orders
- 2. 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

D. 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

E. Adjourn

Signed this 28th day of May, 2020

Scott M. Felton

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 EMERGENCY MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted this 28th day of May, 2020.

Witness my hand and seal of office at Waco, McLennan County, Texas the 28th day of May, 2020 at 12:30 p.m.

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

BY: *Myrcella Dawn 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: **MAY 28 2020**

By Myrcetez Gowan-Perkins,
Deputy

AGENDA: MAY 28, 2020

**B. Statement Identifying Nature / Cause of Emergency Situation
that Requires Posting of This Emergency Agenda:**

1. The emergent need to take further action regarding the pending state, local and national state of disaster created by COVID-19, the Governor's most recent Executive Orders, the need for uniformity in the regulations applicable to the public, and based on continuously evolving information being received. This emergency meeting is authorized by Governor Abbott's proclamation suspending portions of the Texas Open Meetings Act for purposes of addressing COVID-19 matters

Discussion Only

CD-564, 3:01

DISCUSSION ONLY:

THE EMERGENT NEED TO TAKE FURTHER ACTION RE: THE PENDING STATE, LOCAL AND NATIONAL STATE OF DISASTER CREATED BY COVID-19, THE GOVERNOR'S MOST RECENT EXECUTIVE ORDERS, THE NEED FOR UNIFORMITY IN THE REGULATIONS APPLICABLE TO THE PUBLIC, AND BASED ON CONTINUOUSLY EVOLVING INFORMATION BEING RECEIVED. THIS EMERGENCY MEETING IS AUTHORIZED BY GOVERNOR ABBOTT'S PROCLAMATION SUSPENDING PORTIONS OF THE TEXAS OPEN MEETINGS ACT FOR PURPOSES OF ADDRESSING COVID-19 MATTERS

On this the 28 day of May, 2020, came on for consideration the matter of The emergent need to take further action regarding the pending state, local and national state of disaster created by COVID-19, the Governor's most recent Executive Orders, the need for uniformity in the regulations applicable to the public, and based on continuously evolving information being received. This emergency meeting is authorized by Governor Abbott's proclamation suspending portions of the Texas Open Meetings Act for purposes of addressing COVID-19 matters. The Court discussed matter related Covid-19.

AGENDA: MAY 28, 2020

C. Consideration of, and/or Action on, the Following Emergency Items:

- | | |
|--|-------------------|
| 1. Approval of Order Extending Disaster Declaration and Terminating Local COVID-19 Regulations in Deference to the Texas Governor's Executive Orders | Approved |
| 2. 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 | Discussion |

CD-564, 3:02

ORDER APPROVING:

**APPROVAL OF ORDER EXTENDING DISASTER DECLARATION
AND TERMINATING LOCAL COVID-19 REGULATIONS IN
DEFERENCE TO THE TEXAS GOVERNOR'S
EXECUTIVE ORDERS**

On this the 28 day of May, 2020, came on for consideration the matter of Approval of Order Extending Disaster Declaration and Terminating Local COVID-19 Regulations in Deference to the Texas Governor's Executive Orders. After discussion, Commissioner Perry made a motion to approve and it was seconded by Commissioner Jones. A vote being called for, voting in favor of said motion was Judge Felton, Commissioner Miller, Commissioner Jones and Commissioner Perry. It is ordered by the Court that said Authorization be, and the same is hereby, approved by unanimous vote.

**ORDER OF THE COUNTY JUDGE AND COMMISSIONERS COURT OF MCLENNAN COUNTY,
TEXAS EXTENDING DECLARATION OF DISASTER AND PUBLIC HEALTH EMERGENCY
FOR AND IN MCLENNAN COUNTY, TEXAS, AND TERMINATING THE COUNTY'S
REGULATIONS TO PREVENT THE SPREAD OF COVID-19 IN DEFERENCE TO THE
EXECUTIVE ORDERS OF THE GOVERNOR OF THE STATE OF TEXAS**

WHEREAS, on April 28, 2020 the County Judge and Commissioners Court of McLennan County, Texas renewed, restated, and continued the local state of disaster and public health emergency and established local regulations to combat the spread of COVID-19 (the Order and its amendments hereinafter referred to as "the Order"); and


WHEREAS, the Governor of Texas is opening up businesses and activities, and has set protocols for the reopened businesses and covered activities as set forth in the Governor's collective COVID-19 Executive Orders (hereinafter "Governor's Executive Orders"); and

WHEREAS, based on the scope of the Governor's Executive Orders it is found that there is no longer a need for the local regulations, including the local shelter in place/stay at home order.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY JUDGE AND COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS:

1. The foregoing recitals are incorporated herein and made findings of fact.
2. That pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue until 11:59 p.m. on July 7, 2020, unless continued, renewed, or rescinded by the County Judge and Commissioners Court of McLennan County, Texas.
3. That the County's local regulations related to preventing the spread of COVID-19 as set forth in the Order, including the shelter in place/stay at home regulations, restrictions on businesses and activities, and other such matters are terminated in deference to the Governor's Executive Orders.
4. That the County retains the authority by law to enforce the Governor's Executive Orders. violation of the Governor's Orders shall be a Class C misdemeanor and the penalty for violating this Resolution shall be a fine of not less than one dollar (\$1.00) and no more than one thousand dollars (\$1,000.00), and each day a violation exists shall be a separate offense. That this declaration also hereby authorizes the use of any other lawfully available enforcement tools.
5. That pursuant to §418.108(c) of the Texas Government Code, this renewal, restatement, and continuance of the declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
6. That pursuant to §418.108(d) of the Texas Government Code, this renewal, restatement, and continuance of the declaration of a local state of disaster activates the County's emergency management plan.
7. That this Order is effective immediately.

PASSED, APPROVED and ORDERED this 28th day of May, 2020.



Scott M. Felton, County Judge
McLennan County, Texas

Attest: .
J.A. "Andy" Harwell, County Clerk
McLennan County, Texas



By: Deputy County Clerk

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

FILED: **MAY 28 2020**

By Myrcetez Gowan-Perkins,
Deputy

ORDER ACCEPTING:

ACTION ON MATTERS RE: 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

On this the 28 day of May, 2020, came on for consideration the matter of 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. The Court discussed matters related to Covid-19.

ORDER ADJOURNING SPECIAL SESSION

On this the 28 day of May, 2020, at 3:07 o'clock p.m. Judge Felton announced that the meeting of May 28, 2020 is adjourned.

APPROVAL OF MINUTES

The above and foregoing minutes having been read in open Court and found to be correct, the same are hereby, approved this the _____ day of _____, 2020.

**Kelly Snell,
Commissioner Precinct 1**

**Patricia Chisolm-Miller,
Commissioner Precinct 2**

**Will Jones,
Commissioner Precinct 3**

**Ben Perry,
Commissioner Precinct 4**

**Scott M. Felton,
County Judge**

**ATTEST: J. A. "Andy" Harwell,
McLennan County Clerk**

By _____ **Deputy County Clerk**

Myrce'tez Gowan-Perkins