

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 7th day of February, 2023 at 9:00 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. Ratification of Support of Freestone County Proclamation to Save Fairfield Lake State Park
- 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 State Plan on Operation Agreement with the State of Texas (re: Texas 1033 Surplus Property Program for the Sheriff's Office)
 - b. Recording of Order Reappointing County Auditor of McLennan County
 - c. Recording of Oath of Office Document for Elected and/or Appointed County Official
 - d. Recording of Emergency Management Director / Coordinator Reappointment Notification
 - e. Recording of First Amended and Restated Agreement for Industrial Business Grant with Uzin Utz North America, Inc.
 - f. Recording of Texas Association of Counties Notice of Public Officials Liability Document Changes
 - g. Recording of Owner's Policy of Title Insurance with Texan Title Insurance Company (re: 1211 Washington Avenue)
 - 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. Receive and Discuss Results of Work Time Review of Court Administrator for 170th District Court and Pro Se Coordinator
 - b. Road and Bridge, Precinct 2
 - c. County Sheriff
 - d. Criminal District Attorney:
 - 1) Authorization of Signing Authority for Rehire Retiree Affidavit
 - 2) Authorization of Rehire of Retiree and related Affidavits
 - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for Bid 23-014: McLennan County Trading Post Road Creek Crossing Improvements
 - 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. Tax Assessor / Collector: Recording of Detailed Deposit Distribution Report, December 2022
 - b. Constable, Precinct 3: Recording of Racial Profiling Report (ref: Texas Code of Criminal Procedure, Article 2.132)
 - c. Waco-McLennan County Public Health District: Authorization of December Billing / Reports (re: On-Site Sewage Facility (O.S.S.F) Program)
 - d. Greater Waco Sports Commission: Recording of 4th Quarter Services Report
 - 7. Burn Ban Approval, Extension, or Termination**
 - a. Authorization of Red Flag Warning Burn Ban Order
 - 8. Authorization of McLennan County Credit Card Purchases**
- F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 - 1. Regarding the FY 23 Budget:**
 - a. 2021 Certificates of Obligation / Permanent Improvement Fund (Fund 421)
 - 1) Regarding Woodway Communications Tower
 - 2) Regarding 415 Columbus Avenue
 - b. 474th District Court
 - c. 19th District Court

- d. 170th District Court
- e. County Wide
- f. Capital Outlay
- g. County Sheriff
- h. 414th District Court
- i. 54th District Court
- j. Justice of the Peace, Precinct 5

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

- 1. Ratification of Area Wide Protective (AWP) Message Board Rental Proposal (re: Road & Bridge, Precinct 4)
- 2. Ratification of Aviation Insurance Proposal with AssuredPartners Aerospace (re: County Sheriff)
- 3. Authorization of Renewal Recommendation for Bid 22-001: Corrugated Steel and Polypropylene Culverts (Wilson Culverts, Inc. and Advanced Drainage System)
- 4. Authorization of Service Quotation: Smiths Detection (re: X-Ray Machines)
- 5. Authorization of Statement of Work / Quote with CivicPlus (re: Single Sign-In Feature)
- 6. Discussion and/or Action regarding Recommendation of RFQ/RFP 22-013: Construction Manager-at-Risk (CMR) Services for Remodel of Downtown Jail
- 7. Authorization of Labor Estimate from Rawls Mechanical Services (re: 415 Columbus Ave.)

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

- 1. Ratification of Rental Schedule/Agreement with RDO Equipment Co. (re: Road & Bridge, Precinct 4)
- 2. Authorization of Agreement with Cumby Pest Control (re: Various Buildings)
- 3. Authorization of Operation and Management Agreement for Historical Site and Museum with Prairie Chapel School Association
- 4. Discussion and/or Action regarding the Renewal of the Cooperative Agreement with the Waco-McLennan County Public Health District
- 5. Authorization of Sales Order Agreement and Service Agreement with CTWP (re: Justice of the Peace, Precinct 5 Copier)
- 6. Regarding the United States Marshals Service Intergovernmental Agreement # 80-10-0033: Authorization of Modification of Contract / Order No. 70CDCR21FIGR00111 (Amendment No. P00003)
- 7. Authorization of Lexis Subscription Agreement with LexisNexis (re: 474th District Court)
- 8. Authorization of Professional Engineering Services Agreement / Proposal with Lockwood, Andrews, and Newnam, Inc. (re: E. Rainer Lane - Creek Crossing Improvement Project)

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 Unconditional Love Inc.: Authorization of Payment Request # 2

J. Capital Improvement, Repair, Maintenance Projects and Construction Projects:

- 1. Regarding the 415 Columbus Avenue Site Demolition / Proposal with Walker Partners: Authorization of Engineering / Surveying Services Invoice (re: Services through December / Invoice No. 0103769.00 - 23850)
- 2. Regarding McLennan County Downtown Jail Remodel for Courtrooms and Office Space (RFQ 21-011) / Agreement with Brinkley Sargent Wiginton Architects, Inc.: Authorization of Invoice Number 03
- 3. Regarding Capital Improvement Projects for the Cameron Park Zoo / Agreement with City of Waco: Authorization of Invoice # 24735 (re: Education Center, Veterinary Hospital, Hoofstock Barn & Penguin Exhibit)
- 4. Regarding the Interlocal Agreement with the City of McGregor for Judith Road Improvements: Authorization of McLennan County Reimbursement Invoice for In-Kind Services Exceeding \$500,000

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. Approval of Order Voiding ARPA Subrecipient Agreements with Heart of Texas Community Health Center, Inc. d/b/a Waco Family Medicine and Heart of Texas Region Mental Health Mental Retardation Center and Reaffirming ARPA Beneficiary Agreements with Said Entities
 - b. Approval of Order Striking References to "Subrecipient" in APRA Agreement with Waco Cultural Arts Fest, d/b/a Cultural Arts of Waco and Replacing with the Term "Beneficiary"
 - c. Authorization of First Amended ARPA Agreement with the McLennan County Fire Protection Association, Inc. to Provide for Single, Up-front Payment to Better Align with Their Vendor and Getting the Volunteer Fire Departments' Radios Installed
 - d. Approval of Order Authorizing Exemption from Competitive Bidding and Emergency Purchase of Thermal Camera for Law Enforcement Operations
 - e. Regarding the Professional Consulting Contract with Lockwood, Andrews, & Newnam, Inc.: Authorization of Professional Services Invoice / Invoice No. 130-11088-000 - 10R
- 2. Regarding the Bipartisan Infrastructure Law Discussion and/or Action on Funding Guidelines / Opportunities; Eligible Projects/Programs, related matters
 - a. Ratification of Texas Department of Transportation (TxDOT) 2023 Transportation Alternatives Set-Aside (TA) Program Application

- b. Ratification of Department of Transportation FY 22 National Culvert Removal, Replacement, and Restoration Grant Program Application
3. Regarding the Office of the Governor / Criminal Justice Division - Specialty Courts Grant Program: Authorization of Submission of FY 24 Grant Applications and related Resolutions / Forms:
 - a. Regarding Mental Health Court
 - b. Regarding the McLennan County DWI / Drug Court
4. Regarding the Office of the Governor / Homeland Security Grants Division: 2023 State Homeland Security Program - LETPA Projects: Authorization of Submission of Grant Applications and related Resolution
5. Regarding the Texas Community Development Block Grant Program (TxCDBG):
 - a. Discussion and/or Action regarding Submission of 2023-24 CDBG Grant Application for the Unincorporated Community of Elm Mott including Possible Agreement with McLennan County Water Control and Improvement District No. 2 in Elm Mott and Procurement of Administration and Engineering Services
 - b. Acceptance of Pre-Award Project Verification - CDV21-00425 and Adoption/Reaffirmation of Civil Rights Policies and Procedures to include the HUD Section 3 Presentation (re: Elm Mott Water Control and Improvement District (WCID) # 2 Sanitary Sewer System Improvements)

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

1. County Sheriff:
 - a. Authorization of Cell Phone Request
 - b. Authorization of Request for Purchase of Duty Weapon Upon Retirement of Peace Officer (ref: Government Code 614.051)
2. Criminal District Attorney: Authorization of Office Renovations / Remodel

N. Acceptance of County Department Head Reports / Updates

1. Juvenile Probation: Monthly Activity Reports, November - December 2022
2. Engineering: Monthly Activity Reports, November 2022 - January 2023
3. Maintenance of Equipment: Monthly Activity Report, November - December 2022
4. County Veterans Service Office: Monthly Activity Reports, November - December 2022
5. Purchasing: Monthly Activity Report, December 2022 - January 2023
6. Maintenance of Buildings: Quarterly Activity Report, January 2023
7. Pretrial Services: Monthly Activity Reports, November - December 2022
8. Health Services: Monthly Activity Reports, November 2022 - January 2023
9. Information Technology: Monthly Activity Reports, November - December 2022
10. Mental Health Court:
 - a. Update on Court Services
 - b. Monthly Activity Reports, November - December 2022
11. Texas A&M AgriLife Extension Service: Monthly Activity Reports, November - December 2022
12. Human Resources: Monthly Activity Reports, November 2022 - January 2023

O. Additional Items for Discussion and Potential Action:

1. Waco Entrepreneurial Ecosystem Collaborative, Inc. dba Start Up Waco: Presentation and Progress Update on Project
2. Discussion and/or Action regarding Order Authorizing Texas Independence Day Fireworks Sales
3. Approval of Order for Sole Source Designation and Granting Exemptions from Bidding with Arcosa Aggregates, Inc. (Re: Type L Grade 4 and Type L Grade 5 Lightweight Aggregate for McLennan County Road & Bridge Departments)
4. Regarding the Local Provider Participation Fund (LPPF): Ratification of Intergovernmental Transfers of Funds derived from the County Health Care Provider Participation Fund Mandatory Payments to Provide the Nonfederal Share of a Supplemental Payment Program Authorized Under the Texas Healthcare Transformation and Quality Improvement Program ("Sec 1115") Waiver
5. Greater Waco Chamber of Commerce: Monthly Economic Development Report, December 2022
6. Authorization of Order Approving the Temporary Closure of a Portion of Old Mexia Road and Double E Ranch Road in Precinct 2
7. Authorization of Appointments to the Health and Human Services Advisory Council
8. Waiver of County Tax Penalties and Interest for Delinquent Taxes Due to Tax Office Closure on January 31, 2023 and February 1, 2023, if Those Taxes Were Paid on or before February 2, 2023 or Postmarked by February 2, 2023

P. Americans with Disabilities Compliance Project:

1. Authorization of Professional Services Invoice with CP&Y (re ADA Study / Report for December)
2. Authorization of Standard Form of Agreement with CP&Y, Inc. (re: McLennan County Records Building ADA Renovations)

Q. McLennan County Venue Project: Authorizations for Phase I, II and/or Phase III, including but not limited to:

1. Discussion and/or Action regarding Financial Update
2. Regarding the Final Three-Party Interlocal Cooperation Agreement between the County, the City of Waco, and the Waco Independent School District related to Conveyances and Acquisitions of Real Property / Reimbursements for Facilities: Approval of Disbursements from Venue Project Funds for 2022

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

1. Authorization of Master Agreement and related Quote with LumenServe (re: Lighting Services for Woodway Tower)

- S. **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**

- T. **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 Information Technology; 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:

U. **Adjourn**

Signed this 3rd day of February, 2023

Scott M. Felton – Original Signed
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 3rd day of February, 2023.

Witness my hand and seal of office at Waco, McLennan County, Texas the 3rd day of February, 2023 at 4:30 p.m.

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

BY: Myrce’tez Gowan-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