

IN THE COMMISSIONERS COURT

**McLENNAN COUNTY *
THE STATE OF TEXAS ***

TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, a meeting of Commissioners' Court, the governing body of McLennan County, will be held on Tuesday, the 29th day of September, 2009 at 9:00 a.m. in the Commissioners Courtroom, 1st Floor, West Wing, McLennan County Courthouse, City of Waco, Texas, at which time the subjects listed below will be considered:

AGENDA

I. PROOF OF POSTING OF NOTICE in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.

II. CONSIDERATION OF, AND/OR ACTION ON, THE FOLLOWING:

A. APPROVAL / RATIFICATION OF PROCLAMATIONS /RESOLUTIONS, AWARD PRESENTATIONS

1. Consideration of / Action on Resolution Supporting House Bill 2833 re: Building Code Requirements / Inspections

B. HEARING FROM MEMBERS OF THE PUBLIC ON COUNTY BUSINESS MATTERS

C. ITEMS PREVIOUSLY DEFERRED:

1. Regarding the State of Texas NRCS / ORCA Grant Contract #728167: Authorization of Drawdown Request
2. Contracts with Optional Renewals for FY 10
 - a) Authorizations re: Agreement for Pharmaceutical Services: Maxor Correctional Pharmacy Services
3. *Bids / RFP's Previously Deferred:*
 - a. Bid No. 09-022: Inmate Personal Items
 - b. Bid 09-023: Inmate Clothing

D. RIGHT OF WAY PURCHASE, USE, CONVEYANCE and/or CONDEMNATION:

Authorizations/Action on: Expansion/Repair Projects including, but not limited to: Easements / Offers / Contracts to Purchase ROW; Contracts for Sale; Contracts re: Appraisal /Surveying Services, ROW Acquisition / Sale; Auth. for Legal Counsel re: Eminent Domain / Condemnation Proceedings, Execution of Legal Documents

E. REGARDING COUNTY PROPERTY and/or CONSTRUCTION PROJECTS: Renovation, Repair, Indemnification Regarding Cleaning /Maintenance Projects; Space Allocations / Furnishings / Equipment / Architectural Services / Invoices / Approval of Pay Applications / Change Orders / Contracts/Lease Agreements /Certificates of Substantial Completion / Authorizations Regarding Sale / Lease / Acquisition of Property

1. Re: the Annex Renovation Project (re: Jury Room / Visiting Judge Courtroom): Authorization of Change Order

F. AUTHORIZATIONS RE: CONTRACTS / LEASE AGREEMENTS / INTERLOCAL AGREEMENTS:

1. *Economic Development: Waco-McLennan County Economic Development Corporation:* Authorization of Agreements; Consultant Services; Proposed Projects / Addendums / Pay Apps / Program Project Agreements
2. *Maintenance / Service Agreements:*
 - a. Stenograph (414th District Court)
 - b. National Security & Alarm Systems (County Clerk)
3. Authorization of Title IV-E Child Welfare Services Agreement
4. Authorization of Title IV-E Legal Services Agreement
5. Re: Previously Approved FY 10 Meals on Wheels Agreement: Authorization of Certification form and Resolution re: Texas Dept. of Agriculture Home-Delivered Grant Program
6. Authorization of FY 20 Renewal of UniFirst Customer Service Agreement (Re: Precinct 3)
7. Authorizations re: Texas Department of transportation (TxDOT) Interlocal Agreement re: ScofflawProgram

G. REGARDING THE COUNTY BUDGET: *Amendments / Requests for Amendments and related Certification of Additional Revenue, if applicable / other budgetary requests*

1. **Regarding the FY 2009 Budget:**
 - a. Fund 158 (Drug and Alcohol Program)
 - b. Certification of Local Government Code 111.0107 Intergovernmental contract Revenue (Cities of Bruceville-Eddy & Moody) and related Budget Amendment
 - c. County Treasurer
 - d. Road & Bridge, Precinct 1 / Fund 101
 - e. Certification of Loc.Gov. Code 111.0108 Additional Revenue (Ch. 19 Funds), related budget Amendment
 - f. Certification of Loc. Gov. Code 111.0108 Additional Revenue (Ins. Proceeds) & related Budget Amendment
 - g. Constable, Precinct 8
 - h. Certification of Additional Local Government Code 111.0108 Revenue & related Budget Amendments (Funds 153 – Court Reporter Service Fund & General Fund – Fund 001)
2. **Regarding the FY 2010 Budget:**

H. COUNTY SHERIFF / JAIL / CRIMINAL JUSTICE ISSUES (County Operated/Private Operated Jail Facilities): Change Orders, Pay Apps, Repairs/Renovations/Infrastructure Improvements/Personnel/Salary Matters/Equipment Purchases/RFP's; Authorization of Contracts/Agreements; Amendments to Agreements:

1. **REGARDING THE PROPOSED 816 BED DETENTION CENTER ANNEX (HIGHWAY 6)** (RFQ-RFP 08-031 / Community Education Centers), including, but not limited to:
 - a. Update / Report from Legal Advisor, Consulting Architect and /or Contractor
2. Re: Electronic Facility Systems Agreement (Re: County Jail C-Wing & Exterior Locks): Auth. of Pay App # 2

I. HEART O' TEXAS FAIR: Authorizations re: Contracts / Professional Services / Lease / Rental Agreements / Contract Addendums/Change Orders/Extensions; Property Transactions / Deeds, Insurances, Surveys/Proposals / Equipment/Supplies; *Authorizations re:* Purchases, Plans & Specifications, Construction, Operations, Pay Apps, Bids/RFP's; Repairs/Renovations, Expenditure Authorizations, related matters

1. Expenditure Authorization re: HVAC Computer (Trane U.S. Inc.)

J. GRANTS / PROPOSALS/ SPECIAL PROJECTS: Authorization of Grant Applications / Contracts / Grant Administration & Reporting Matters / Consulting Services / Pay Apps / Change Orders / Bids / Invoices / Legal Matters, related legal matters / documents

1. Authorizations of Submission of Texas Historical Commission "Texas Historic Courthouse Preservation Program" Grant Application (Round VI Funding)

K. BIDS / RFP's / QUOTATIONS for GOODS & SERVICES, including Recording of Vendor HB 914 Conflict Disclosure Statements, if applicable:

L. CONSENT AGENDA ITEMS:

1. **Reading/Approval of Previous Meeting Minutes;** Acceptance of Amendments / Supplements / Corrections; Recording into the Court Minutes of Previously Approved Documents, Items Not Requiring Court Action, HB 914 Conflict Disclosure Statements, as applicable
2. **Financial Obligations of McLennan County:**
 - a. Authorization for County Treasurer to Pay County Checks Issued Since Last Authorization
 - b. County Treasurer: Interest / Investment Reports / Authorizations / Recording of McLennan County Investment Policy Acknowledgment Forms
3. **Human Resources / Salary Matters:** *Benefits/Status Forms/ Revisions to Salary Schedules; Authorizations Regarding Human Resources Issues / Revisions to Human Resources Policies; Compensation/Classification Issues / Reviews / Reclassifications/ Administrative Guidelines; Consultant Report / Recommendations / Job Descriptions/Postings; related matters*
 - a. McLennan County Health Services Department
 - b. County Sheriff
4. **Authorizations /Ratifications Re: RFPs / Bids /Advertisements / Publications / Public Notices / Sole Source Determinations/ Surplus / Scrap Property Determinations / Recording of Legal Notifications**
 - a. Authorization of Advertisements for RFQs / Bids / RFP's
 - b. Order Setting a Public Hearing on the Establishment of a Speed Zone in Precinct 3 (Bugtussle Lane)
5. **Travel and Education Requests:**
 - a. Commissioner, Precinct 2
 - b. Commissioner, Precinct 4
 - c. Human Resources
 - d. District Clerk
 - e. Commissioner, Precinct 3
 - f. County Sheriff
 - g. County Court at Law #1
6. **Acceptance / Non Acceptance of Officials / County Department Head / Staff / Organization Reports / Updates; Policy Recommendations; Reports relative to County Contracts / Agreements / Programs; Recording of Educational or Insurance Certificates / Awards/ Bonds / Presentations to the Court**
 - a. Purchasing Department (Recording of Educational Documentation)
 - b. Linebarger Goggan Blair & Sampson, LLP: Activity Report on Delinquent Tax Collections, August 2009
 - c. Recording of McLennan County Appraisal District (MCAD) FY 10 Budget
 - d. Greater Waco Chamber of Commerce: Monthly Economic Development Report, August 2009
 - e. County Auditor: Presentation of Certificate of Achievement for Excellence in Financial Reporting re: Comprehensive Annual Report for Fiscal Year ended September 30, 2008 and Award of Financial Reporting Achievement, presented to Steven G. Moore, CPA
7. **Commissioners Court, consideration of and/or Action on:**
 - a. Regarding Civil Service for the McLennan Sheriff's Department
 - b. Re: the McLennan County Appraisal District (MCAD): Authorization of Resolution of Candidate Nominations for the McLennan County Appraisal District Board of Directors for the Years 2010 – 2011
 - c. Authorization of Revisions to McLennan County Purchasing Policies and Procedures
 - d. Authorization of Order Exempting "Vehicle and Equipment Repairs" from the Requirements of Sec. 262.023, Local Government Code, as authorized by Local Government Code Sec. 252.024(a)(11)
 - e. Regarding the Establishment of a Speed Zone on Rock Creek Road, Precinct 4:
 - 1) Public Hearing on Proposed Establishment of a Speed Zone
 - 2) Consideration of and/or Action to Establish a Speed Zone on Rock Creek Road

M. Commissioners Court Work Session: Information gathering, discussions status reports / updates and /or presentations on any or all of the items listed below (*no action will be taken by the Court on items presented in this part of the meeting*): 1. Discussion re: Future Work Session Items

II. Executive Session: A closed meeting will be held pursuant to:

- A. **Section 551.072 of the Government Code, (V.C.T.A.); regarding: Real Property,** including, but not limited to:
 - 1) Right-of-Way acquisition/s re: Expansion / repair project/s; 2) Real Estate Purchase / Sale / Lease / Transfer/ Offers to Purchase, Acquisition / value / donation of real property / leases relative to real property, including, but not limited to: 1) Potential Properties for use as County / Public facilities;
- B. **Section 551.071 of the Government Code (V.C.T.A.)** 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 attorney's duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct conflicts with the Open Meetings Act (Ch.551, Gov. Code), including, but not limited to:
 - 1) Veazey vs McLennan County, Cause No. 2008-525; 2) Bradshaw vs McLennan County; 3) to consult with attorney regarding legal obligations with regard to medical care at the Jail including level and means of providing care, any existing regulatory or legal issues, and regulatory requirements; legal authority with regard to hiring a jail physician as an employee versus as an independent contractor and any legal ramifications of that status; alternate legal arrangements that would comply with applicable regulations and pros/cons; and potential legal issues arising out of any transition or for existing contract obligations.
- C. **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; and/or 2) discussion re: offer/s of financial or other incentive/s to a business prospect/s

Signed this the ____ day of September, 2009: _____ JIM LEWIS, 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 the ____ day of _____, 2009 at ____ o'clock ____ m. Witness my hand and seal of office at Waco, McLennan County, Texas, this ____ day of _____, 2009.

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

By: _____ (Deputy) SEAL

NOTICE: Persons with disabilities in need of auxiliary aids or services may contact County Judge's Office, (254) 757-5049, prior to meeting date.