

Lubbock County Commissioner's Court

December 22, 2016

10:00 AM

BE IT REMEMBERED that on 12/22/2016, there was held a Regular Meeting of the Lubbock County Commissioners' Court in and for the County of Lubbock, the following members present:

TOM HEAD COUNTY JUDGE, PRESIDING
BILL MCCAY COMMISSIONER, PRECINCT #1
MARK HEINRICH COMMISSIONER, PRECINCT #2
LORENZO SEDENO COMMISSIONER, PRECINCT #3
PATTI JONES COMMISSIONER, PRECINCT #4

PLEDGE OF ALLEGIANCE AND INVOCATION BY BUBBA SEDENO.

At this time, 10:00 A.M., the Pledge of Allegiance and Invocation was given by Lorenzo Sedeno.

CONSIDER APPROVING THE MINUTES OF REGULAR COMMISSIONER'S COURT DATED DECEMBER 12, 2016.

Upon a motion by Patti Jones, seconded by Mark Heinrich, the court unanimously voted approving the Minutes of Regular Commissioner's Court dated December 12, 2016.

CONSIDER AUDITOR AND FINANCIAL MATTERS: LINE ITEM TRANSFERS AND BUDGET AMENDMENTS.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving Auditor and Financial Matters: Line Item Transfers in the amount of \$21,219.00 as presented by Rhonda Scott.

PRESENT MONTHLY UNAUDITED FINANCIAL REPORT ENDING SEPTEMBER 2016

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving the Monthly Unaudited Financial Report ending September 2016 as presented by Rhonda Scott.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A TAX ABATEMENT AGREEMENT WITH MONSANTO SOUTHERN PRODUCTION COMPANY, LLC.

Upon a motion by Patti Jones, seconded by Lorenzo Sedeno, the court unanimously voted approving to authorize the County Judge to sign a Tax Abatement Agreement with Monsanto Southern Production Company, LLC as presented by Kelly Tucker And Will Turner.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A BUSINESS SERVICE ORDER & AGREEMENT WITH NTS COMMUNICATIONS FOR INTERNET (ACCOUNT 280562) FOR THE COURTS.

Upon a motion by Bill McCay, seconded by Patti Jones, the court unanimously voted approving to authorize the County Judge to sign a Business Service Order & Agreement with NTS Communications for internet (account 280562) for the Courts as presented by Crytal Spradley.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A CONTRACT WITH THE LUBBOCK PRIVATE DEFENDERS OFFICE FOR THE MANAGED ASSIGNED COUNSEL PROGRAM.

Upon a motion by Bill McCay, seconded by Patti Jones, the court unanimously voted approving to authorize the County Judge to sign a contract with the Lubbock Private Defenders Office for the managed assigned counsel program as presented by Crytal Spradley.

AUTHORIZING PAYMENT OF \$733,751.45 TO THE LUBBOCK PRIVATE DEFENDER'S OFFICE PURSUANT TO THE TERMS OF THE CONTRACT. THE SUBJECT OF AGENDA ITEM 6.

Upon a motion by Bill McCay, seconded by Patti Jones, the court unanimously voted approving to authorize payment of \$733,751.45 to the Lubbock Private Defender's Office pursuant to the terms of the contract, the subject of agenda item 6 as presented by Crytal Spradley.

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CONSIDER CREATING A MANAGED ASSIGNED COUNSEL OVERSIGHT COMMITTEE AND APPOINTING THE FOLLOWING MEMBERS, AS SPECIFIED IN THE CONTRACT: THE LOCAL ADMINISTRATIVE JUDGE, THE HONORABLE LES HATCH; LUBBOCK COUNTY COMMISSIONER, BILL MCCAY; DIRECTOR OF COURT ADMINISTRATION, DEAN STANZIONE; CHIEF PUBLIC DEFENDER FOR THE REGIONAL CAPITAL PUBLIC DEFENDER'S OFFICE, RAY KEITH; AND LUBBOCK CRIMINAL DEFENSE LAWYERS ASSOCIATION COURT LIAISON, CHUCK LANEHART.

Upon a motion by Patti Jones, seconded by Bill McCay, the court unanimously voted approving to create a Managed Assigned Counsel Oversight Committee and appointing the following members, as specified in the contract: The Local Administrative Judge, The Honorable Les Hatch; Lubbock County Commissioner, Bill McCay; Director of Court Administration, Dean Stanzone; Chief Public Defender for the Regional Capital Public Defender's Office, Ray Keith and Lubbock Criminal Defense Lawyers Association Court Liaison, Chuck Lanehart as presented by Crystal Spradley.

AUTHORIZE PAYMENT OF CLAIMS: GENERAL ACCOUNTS (POOLED CASH).

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approving to authorize Payment of Claims in the amount of \$2,349,789.93 as presented by Rhonda Scott.

CONSIDER AWARD OF ITB 171104 NORIX PROGRESS CHAIR.

Upon a motion by Bill McCay, seconded by Lorenzo Seden, the court unanimously voted approving award of ITB 171104 Norix Progress Chair to Norix Group Inc. as presented by Mande Reeves.

CONSIDER APPROVAL OF CHANGE ORDER #06 FOR THE 916 MAIN ST., 4TH FL. RENOVATION PROJECT, ITB# 161001, IN THE AMOUNT OF \$754.68 AND 0 ADDITIONAL DAYS.

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approval of Change Order #06 for the 916 Main St., 4th Fl. Renovation Project, ITB# 161001, in the amount of \$754.68 and 0 additional days as presented by Lyle Fetterly.

CONSIDER APPROVAL OF CHANGE ORDER #01 FOR THE 916 MAIN ST. FIRE ESCAPE STAIRS PROJECT, ITB# 171001, IN THE AMOUNT OF \$1,947.85 AND 0 ADDITIONAL DAYS.

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approval of Change Order #01 for the 916 Main St. Fire Escape Stairs Project, ITB# 171001, in the amount of \$1,947.85 and 0 additional days as presented by Lyle Fetterly.

CONSIDER APPROVAL OF CHANGE ORDER #002 FOR THE LUBBOCK COUNTY PAVING IMPROVEMENTS PROJECT, ITB# 160501, FOR A CREDIT IN THE AMOUNT OF \$1,314.00 AND 0 ADDITIONAL DAYS.

Upon a motion by Lorenzo Seden, seconded by Mark Heinrich, the court unanimously voted approval of Change Order #002 for the Lubbock County Paving Improvements Project, ITB# 160501, for a Credit in the amount of \$1,314.00 and 0 additional days as presented by Lyle Fetterly.

DISCUSS, CONSIDER, AND/OR TAKE ACTION TO EXEMPT THE AGREEMENT WITH CHAPMAN HARVEY ARCHITECTS, INC. FOR PROFESSIONAL SERVICES FROM THE REQUIREMENTS OF COMPETITIVE PROCUREMENT PURSUANT TO § 262.024(A)(4) OF THE LOCAL GOVERNMENT CODE.

Upon a motion by Bill McCay, seconded by Patti Jones, the court unanimously voted approving to exempt the agreement with Chapman Harvey Architects, Inc. for professional services from the requirements of competitive procurement pursuant to § 262.024(a)(4) of the Local Government Code as presented by Lyle Fetterly.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN AN ARCHITECTURAL SERVICES AGREEMENT WITH CHAPMAN HARVEY ARCHITECTS, INC.

Upon a motion by Mark Heinrich, seconded by Patti Jones, the court unanimously voted approving to authorize the County Judge to sign an Architectural Services Agreement with Chapman Harvey Architects, Inc. as presented by Lyle Fetterly.

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DISCUSS, CONSIDER, AND/OR TAKE ACTION TO EXEMPT THE AGREEMENT WITH COMPLIANCE SAMPLING AND ANALYSIS, INC. FOR PROFESSIONAL SERVICES FROM THE REQUIREMENTS OF COMPETITIVE PROCUREMENT PURSUANT TO § 262.024(A)(4) OF THE LOCAL GOVERNMENT CODE.

Upon a motion by Patti Jones, seconded by Mark Heinrich, the court unanimously voted approving to exempt the agreement with Compliance Sampling and Analysis, Inc. for professional services from the requirements of competitive procurement pursuant to § 262.024(a)(4) of the Local Government Code as presented by Lyle Fetterly.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN AN AGREEMENT FOR ASBESTOS CONSULTING SERVICES WITH COMPLIANCE SAMPLING AND ANALYSIS, INC.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving to authorize the County Judge to sign an Agreement for Asbestos Consulting Services with Compliance Sampling and Analysis, Inc. as presented by Lyle Fetterly.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A BUSINESS SERVICE ORDER AND AGREEMENT WITH NTS COMMUNICATIONS FOR ACCOUNT # 288979 PHONE SERVICE.

Upon a motion by Bill McCay, seconded by Lorenzo Sedeno, the court unanimously voted approving to authorize the County Judge to sign a Business Service Order and Agreement with NTS Communications for account # 288979 phone service as presented by Lyle Fetterly.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN AN INTERLOCAL AGREEMENT WITH HALE COUNTY TO OUTLINE A SHARED PLAN AND FUNDING COMMITMENT FOR COUNTY EXTENSION AGENT-AGRICULTURE & NATURAL RESOURCES.

Upon a motion by Bill McCay, seconded by Lorenzo Sedeno, the court unanimously voted approving to authorize the County Judge to sign an Interlocal Agreement with Hale County to outline a shared plan and funding commitment for County Extension Agent-Agriculture & Natural Resources.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH HART INTERCIVIC FOR VERITY DRE.

Upon a motion by Bill McCay, seconded by Patti Jones, the court voted 4 "for" with LORENZO SEDENO "against" approving to authorize the County Judge to sign an agreement with Hart Intercivic for Verity DRE as presented by Roxzine Stinson.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH FATHER FLANAGAN'S BOYS' HOME/BOYS TOWN RESIDENTIAL TREATMENT CENTER FOR RESIDENTIAL SERVICES.

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approving to authorize the County Judge to sign an agreement with Father Flanagan's Boys Home/Boys Town Residential Treatment Center for residential services as presented by William Carter.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH LEXISNEXIS FOR THE REGIONAL PUBLIC DEFENDER.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving to authorize the County Judge to sign an agreement with LexisNexis for the Regional Public Defender as presented by Elaine Nauert.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A LEASE AGREEMENT WITH TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER FOR THE MEDICAL EXAMINER BUILDING.

Upon a motion by Bill McCay, seconded by Patti Jones, the court unanimously voted approving to authorize the County Judge to sign a lease agreement with Texas Tech University Health Sciences Center for the Medical Examiner Building as presented by Neal Burt.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A MEMORANDUM OF UNDERSTANDING WITH 2-J'S VENTURE FOODS, INC. DBA 2-J'S THRIFTWAY SUPERMARKET FOR THE SALE OF MOTOR VEHICLE REGISTRATION RENEWAL STICKERS.

Upon a motion by Mark Heinrich, seconded by Lorenzo Sedeno, the court unanimously voted approving to authorize the County Judge to sign a Memorandum of Understanding with 2-J's Venture Foods, Inc. dba 2-J's Thriftway Supermarket for the sale of motor vehicle registration renewal stickers.

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CONSIDER APPROVAL TO SUBMIT A GRANT APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR THE LOCAL EMERGENCY PLANNING COMMITTEE GRANT PROGRAM.

This Agenda Item was postponed.

CONSIDER UPDATES TO THE LUBBOCK COUNTY GENERAL ASSISTANCE MANUAL.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving updates to the Lubbock County General Assistance Manual.

CONSIDER A RESOLUTION OF SUPPORT FOR THE EXTENSION OF INTERSTATE 27.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving a resolution of support for the extension of Interstate 27.

CONSIDER OUT OF STATE TRAVEL FOR ANN-MARIE CARRUTH FOR FY17 CONTINUING EDUCATION TO NAPA, CALIFORNIA FOR ENHANCING JUDICIAL BENCH SKILLS, RENO, NEVADA (JULY 23-AUGUST 4, 2017) AND BIG SKY, MONTANA FOR JUDICIAL DECISION MAKING.

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approving out of state travel for Ann-Marie Carruth for FY17 continuing education to Napa, California for enhancing Judicial Bench skills, Reno, Nevada (July 23-August 4, 2017) and Big Sky, Montana for judicial decision making.

CONSIDER OUT OF STATE TRAVEL FOR JACKIE LATHAM TO DENVER COLORADO TO ATTEND THE ANNUAL GFOA CONFERENCE.

Upon a motion by Patti Jones, seconded by Mark Heinrich, the court unanimously voted approving out of state travel for Jackie Latham to Denver Colorado to attend the Annual GFOA conference.

CONSIDER APPLICATION FOR INSTALLATION OF UNDERGROUND UTILITIES FROM WEST TEXAS GAS, INC. TO PLACE A NATURAL GAS PIPELINE ALONG NORTH CR 1700 AND CR 6430 IN PRECINCT #4 AND AUTHORIZE THE COUNTY JUDGE TO SIGN.

Upon a motion by Patti Jones, seconded by Bill McCay, the court unanimously voted approving application for Installation of Underground Utilities from West Texas Gas, Inc. to place a natural gas pipeline along North CR 1700 and CR 6430 in Precinct #4 and authorize the County Judge to sign as presented by Rodshadi Moore.

REPORT ON THE STATUS OF COUNTY ROAD PROJECTS, DEPARTMENT STAFFING, TRAINING AND SAFETY, UNPAVED AND PAVED ROAD MAINTENANCE, TXDOT AND CITY OF LUBBOCK PROJECTS, SIGNS, PARKS, AND FLEET MANAGEMENT REPORT.

Report on the status of County Road Projects, Department Staffing, Training and Safety, unpaved and paved road maintenance, TxDOT and City of Lubbock projects, signs, parks, and fleet management report as presented by Rodshadi Moore.

CLOSED MEETING WILL BE HELD PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, CONFIDENTIAL LEGAL MATTERS AND ANY TOPIC LISTED ON THE AGENDA POSTED FOR THIS MEETING.

No closed meeting was held.

(10:30 AM) WORK SESSION TO DISCUSS SL 88 (OUTER ROUTE), FM 179, AND WOODROW ROAD WITH TXDOT.

At this time, 10:32 A.M., Work session to discuss South Loop 88 (Outer Route), FM 179 and Woodrow Road with TxDOT as presented by Steve Warren with Senator Charles Perry addressing the Court. The session ended at 11:20 A.M. returning to Regular Meeting.

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At this time, 11:32 AM, 12/22/2016, the Regular Meeting of the Commissioner's Court was adjourned.

THE FOREGOING MINUTES WERE READ AND APPROVED IN OPEN COURT ON THIS DAY 1/9/2017

Presiding Officer: Patti Jones

County Clerk: Kelly Pinner