

Lubbock County Commissioner's Court

July 25, 2016

10:00 AM

BE IT REMEMBERED that on 7/25/2016, 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 Bubba Seden.

CONSIDER CORRECTION TO MINUTES OF 06/27/2016 TO REFLECT APPROVAL OF MINUTES FOR THE DATE 06/13/2016 INSTEAD OF 05/27/2016 AND APPROVE THE MINUTES OF THE REGULAR MEETING OF JULY 11, 2016.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving correction to minutes of 06/27/2016 to reflect approval of minutes for the date 06/13/2016 instead of 05/27/2016 and approve the minutes of the regular meeting of July 11, 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 \$255,506.00 and Budget Amendments in the amount of \$23,795.00 as presented by Jackie Latham.

AUTHORIZE PAYMENT OF CLAIMS: GENERAL ACCOUNTS (CHECK REGISTER).

Upon a motion by Mark Heinrich, seconded by Patti Jones, the court unanimously voted approving to Authorize Payment of Claims in the amount of \$1,595,073.80 as presented by Jackie Latham.

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

Duplicate of agenda item 3b.

CONSIDER A RESOLUTION IN SUPPORT OF THE 2016-2017 LUBBOCK EMERGENCY COMMUNICATION DISTRICT BUDGET.

Upon a motion by Patti Jones, seconded by Bill McCay, the court unanimously voted approving a resolution in support of the 2016-2017 Lubbock Emergency Communication District Budget as presented by Michael Grossie.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A LOAN AGREEMENT WITH THE IDALOU VOLUNTEER FIRE DEPARTMENT.

Upon a motion by Lorenzo Seden, seconded by Bill McCay, the court unanimously voted authorizing the County Judge to sign a Loan Agreement with the Idalou Volunteer Fire Department as presented by Russ Perkins.

CONSIDER AN ORDER AUTHORIZING THE DIRECTOR OF PURCHASING TO SIGN ANY AND ALL DOCUMENTS REGARDING THE TRANSFER OF OWNERSHIP OF COUNTY VEHICLES, WHETHER SOLD AT AUCTION OR USED AS TRADE-INS. THIS ORDER SUPERSEDES AN ORDER SIGNED SEPTEMBER 24, 2007.

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approving an order authorizing the Director of Purchasing to sign any and all documents regarding the transfer of ownership of county vehicles, whether sold at auction or used as trade-ins. This order supersedes an order signed September 24, 2007 as presented by Mande Reeves.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A SECOND LEASE EXTENSION RENEWAL AGREEMENT WITH LUBBOCK-CROSBY COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT FOR THE PERIOD SEPTEMBER 1, 2016 TO AUGUST 31, 2018.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted authorizing the County Judge to sign a Second Lease Extension Renewal Agreement with Lubbock-Crosby County Community Supervision and Corrections Department for the period September 1, 2016 to August 31, 2018 as presented by Lyle Fetterly.

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CONSIDER APPROVAL OF CHANGE ORDER #01 FOR THE 916 MAIN ST, 4TH FL. RENOVATION PROJECT, ITB# 161001, IN THE AMOUNT OF \$47,683.30 AND 120 ADDITIONAL DAYS.

Upon a motion by Lorenzo Seden, seconded by Bill McCay, the court unanimously voted approving change order #01 for the 916 Main St, 4th Fl. Renovation Project, ITB# 161001, in the amount of \$47,683.30 and 120 additional days as presented by Lyle Fetterly.

CONSIDER AUTHORIZING THE COUNTY JUDGE TO SIGN A LETTER TERMINATING A CONTRACT WITH ANYTRANSACTIONS, INC.

Upon a motion by Mark Heinrich, seconded by Patti Jones, the court unanimously voted authorizing the County Judge to sign a letter terminating a contract with AnyTransactions, Inc. as presented by Crystal Spradley.

CONSIDER APPROVAL OF FORM 424 AND THE RECERTIFICATION LETTER FOR FY17 USDA MEDIATION PROGRAM.

Upon a motion by Patti Jones, seconded by Mark Heinrich, the court unanimously voted approving of Form 424 and the Recertification letter for FY17 USDA Mediation Program as presented by Gene Valentini.

CONSIDER APPROVAL TO USE JUSTICE COURT TECHNOLOGY FUND 98-0395-5401000-20 FOR A FY17 BLANKET PURCHASE ORDER ISSUED TO A T & T MOBILITY TO PAY JP1'S MONTHLY COMMUNICATIONS FOR WIRELESS AND PHONE SERVICES.

Upon a motion by Patti Jones, seconded by Bill McCay, the court unanimously voted approval to use Justice Court Technology Fund 98-0395-5401000-20 for a FY17 Blanket Purchase Order issued to A T & T Mobility to pay JP1's monthly communications for wireless and phone services as presented by Jim Hansen.

CONSIDER APPROVAL TO USE JUSTICE COURT TECHNOLOGY FUND 98-0395-5403000-20 FOR A FY17 BLANKET PURCHASE ORDER ISSUED TO A T & T MOBILITY TO PAY JP3'S MONTHLY COMMUNICATIONS FOR IPAD AND AIR CARD SERVICES.

Upon a motion by Lorenzo Seden, seconded by Mark Heinrich, the court unanimously voted approval to use Justice Court Technology Fund 98-0395-5403000-20 for a FY17 Blanket Purchase Order issued to A T & T Mobility to pay JP3's monthly communications for Ipad and air card services as presented by Aurora Hernandez.

CONSIDER ACCEPTING A DONATION IN THE AMOUNT OF \$1,900.00 FOR THE REIMBURSEMENT OF THE DAIRY BARN HISTORICAL MARKER LOCATED ON THE TEXAS TECH CAMPUS FROM TEXAS TECH UNIVERSITY.

Upon a motion by Patti Jones, seconded by Mark Heinrich, the court unanimously voted to accept a donation in the amount of \$1,900.00 for the reimbursement of the Dairy Barn Historical Marker located on the Texas Tech Campus from Texas Tech University as presented by Lindsey Diaz.

CONSIDER AUTHORIZING A PAYROLL DEDUCTION FROM EMPLOYEE'S WAGES THAT SERVES A PUBLIC PURPOSE FOR THE PURCHASE OF BODY ARMOR PER LGC 155.001 (A)(5).

This item agenda was postponed until a later date.

CONSIDER OUT OF STATE TRAVEL FOR: DEAN STANZIONE, CRYCTAL SPRADLEY, JUDY PARKER, LESLIE HATCH, AND JOHN (TREY) MCCLENDON III TO CLEVELAND, OHIO FOR THE COURT LEADERSHIP ACADEMY AND LEADERSHIP CONFERENCE.

Upon a motion by Bill McCay, seconded by Mark Heinrich, the court unanimously voted approving out of state travel for Dean Stanzone, Crystal Spradley, Judy Parker, Leslie Hatch and John (Trey) McClendon III to Cleveland, Ohio for the Court Leadership Academy and Leadership Conference.

CONSIDER OUT OF COUNTRY TRAVEL FOR SHERIFF KELLY ROWE TO PRAGUE, CZECH REPUBLIC WITH THE CORRECTIONAL MANAGEMENT INSTITUTE OF TEXAS.

Upon a motion by Patti Jones, seconded by Bill McCay, the court unanimously voted approving out of country travel for Sheriff Kelly Rowe to Prague, Czech Republic with the Correctional Management Institute of Texas as presented by Dan Corbin.

CONSIDER OUT OF STATE TRAVEL FOR MELISSA SPENCE & ROBBIN MCLEAN TO FRANKLIN, WISCONSIN FOR ELECTRONICS SYSTEMS TRAINING.

Upon a motion by Mark Heinrich, seconded by Bill McCay, the court unanimously voted approving out of state travel for Melissa Spence & Robbin McLean to Franklin, Wisconsin for Electronics Systems Training as presented by Lyle Fetterly.

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CONSIDER APPLICATION FOR INSTALLATION OF UNDERGROUND UTILITIES FROM TURNER & WITT PLUMBING, HEATING AND AIR CONDITIONING, INC. TO PLACE A NATURAL GAS PIPELINE WITHIN THE RIGHT-OF-WAY OF EMERSON STREET ACROSS CR 5700 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 Turner & Witt Plumbing, Heating and Air Conditioning, Inc. to place a natural gas pipeline within the right-of-way of Emerson Street across CR 5700 in Precinct #4 and authorize the County Judge to sign as presented by Rodshadi Moore.

CONSIDER APPLICATION FOR INSTALLATION OF PIPELINES, UNDERGROUND UTILITIES FROM WINDSTREAM COMMUNICATIONS TO PLACE A BURIED CABLE AND BORE WITHIN THE RIGHT OF WAY OF CR 6300 AND CR1100 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 Pipelines, Underground Utilities from Windstream Communications to place a buried cable and bore within the right of way of CR 6300 and CR1100 in Precinct #4 and authorize the County Judge to sign as presented by Rodshadi Moore.

REPORT ON THE STATUS OF COUNTY ROAD PROJECTS FOR THE WORK PERIOD JULY 7, 2016 THROUGH JULY 20, 2016 TO INCLUDE: 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 for the work period July 7, 2016 through July 20, 2016 to include: 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.

CONSIDER SELECTING MEMBERS OF THE FISCAL YEAR 2017 SALARY GRIEVANCE COMMITTEE PER LOCAL GOVERNMENT CODE SECTION 152.015.

Selected members of the Fiscal Year 2017 Salary Grievance Committee per Local Government Code Section 152.015.

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.

At this time, 10:50 A.M., a 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. At this time, 11:28 A.M., the Commissioner's Court reconvened.

CONSIDER A CIVIL ENFORCEMENT ACTION RESULTING FROM ILLEGAL VOLKSWAGEN DIESEL VEHICLES BASED UPON VIOLATIONS OF THE TEXAS CLEAN AIR ACT AND OTHER RELEVANT STATUTES, AND APPROVING THE SIGNING OF A RESOLUTION AUTHORIZING ENFORCEMENT OF THE TEXAS CLEAN AIR ACT AND EMPLOYING ANTHONY F. CONSTANT AS SPECIAL COUNSEL THROUGH A CONTRACT FOR PROFESSIONAL SERVICE IN ORDER TO FILE SUIT TO ENFORCE SAID ACT, PREDICATED UPON THE COMMISSIONERS COURT ALSO GRANTING AN EXEMPTION FROM COMPETITIVE BIDDING AND PROPOSAL PROCEDURES IN ACCORDANCE WITH §262.024(A)(4), TEXAS LOCAL GOVERNMENT CODE. ADDITIONALLY, CONSIDER APPROVING THE COUNTY JUDGE TO SIGN ALL ADDITIONAL DOCUMENTATION AS NECESSARY AND APPROPRIATE IN CONJUNCTION WITH SAID MATTER.

Upon a motion by Patti Jones, seconded by Bill McCay, the court unanimously voted approving a civil enforcement action resulting from illegal Volkswagen diesel vehicles based upon violations of the Texas Clean Air Act and other relevant statutes and approving the signing of a resolution authorizing enforcement of the Texas Clean Air Act and employing Anthony F. Constant as Special Counsel through a contract for professional service in order to file suit to enforce said Act, also granting an exemption from competitive bidding and proposal procedures in accordance with §262.024(a)(4), Texas Local Government Code. Additionally, consider approving the County Judge to sign all additional documentation as necessary and appropriate in conjunction with said matter as presented by Neil Burt and Morgan Vaughan

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At this time, 11:43 AM, 7/25/2016, the Regular Meeting of the Commissioner's Court was adjourned.

THE FOREGOING MINUTES WERE READ AND APPROVED IN OPEN COURT ON THIS DAY 8/8/2016

Presiding Officer: Thomas V. Head

County Clerk: Kelly P. Pina