

(Agenda of meeting was posted in the central lobby and outside of the Ray Jordan Tulsa County Administration building on December 12, 2019 at 4:38 p.m.)

MINUTES
Monday, December 16, 2019

I. CALL TO ORDER

The Board of County Commissioners (BOCC) met at the hour of 9:30 a.m., with the following members present: Commissioner Stan Saltee, Commissioner Ron Peters, Commissioner Karen Keith; Others present: Michael Willis, County Clerk.

Karen Keith, Chairman, called the meeting to order at 9:30 a.m. and the following business was transacted:

II. ANNOUNCEMENTS

County Events and Status Updates for Comment and Discussion from: Administrative Services, Building Operations, Court Services, Election Board, Human Resources, Information Technology, Parks, Purchasing, Social Services, Engineering, Highways, Inspections, Sheriff, Assessor, County Clerk, Court Clerk, Treasurer, District Attorney, Presiding Judge, Juvenile Justice, Expo Square, INCOG, Tulsa Area Emergency Management Agency, OSU Extension, CC Library, CC Health Department, River Parks Authority, Levee Drainage District #12, Board of County Commissioners Chief Deputies, Director of Governmental Affairs

Chairman advised the announcements and County Events and Status updates were open for comment and discussion. The Departments with information gave a report.

III. NEW BUSINESS

In accordance with the Open Meeting Act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

There was no new business.

IV. MINUTES

A. Management Conference Meeting of November 14, 2019

B. Board of County Commissioner's Meeting of December 9, 2019

Motion made by Ron Peters, seconded by Stan Saltee, to approve the Minutes. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

V. REPORTS

A. Elected Officials:

1. Assessor - Monthly Revolving Fund for 11/19 (Clerk's Misc. File No. 20191242)
2. Court Clerk - Monthly for 11/19 (Clerk's Misc. File No. 20191243)

B. County Department - (Election Board) - Monthly for 11/19 (Clerk's Misc. File No. 20191244)

Motion made by Stan Saltee, seconded by Ron Peters, to approve and authorize execution, as needed. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

VI. UNFINISHED BUSINESS

A. Amendments

1. Board of County Commissioners - #1 to the Agreement with Pendergraph Systems, Inc. (PSI) for the Tulsa County HQ Building Access Control & Video Surveillance Systems, CMF #20190913, for the transfer of all rights, interest, and obligations of said agreement from PSI to Convergent Technologies LLC (Clerk's Misc. File No. 20191245)
2. IT - #1 to the Sole Source with Pendergraph Systems, Inc., CMF #20190987, for name change to Convergent Technologies LLC (Clerk's Misc. File No. 20191246)

Motion made by Ron Peters, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

3. Sheriff:

- a. #2 to the Agreement with the Housing Authority of the City of Tulsa for Interlocal Cooperation Agreement for Enhanced Law Enforcement Activities, CMF #245538, for Modification of Exhibit A to include four (4) additional THA high rise properties and two (2) family sites presently patrolled by TCSO (Clerk's Misc. File No. 20191247)

Motion made by Stan Sallee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- b. #3 to the Agreement with JBC Properties Investments 5 for lease of real property located at 555/569 S. Peoria and 560 S. Quaker, Tulsa, OK 74120, CMF #241822, for change of property owner from JBC Properties Investments 5 to Peoria Holdings, LLC. Peoria Holdings, LLC was assigned the existing lease which runs through 6/30/20 at a rate of \$3,000/mo. (Clerk's Misc. File No. 20191248)

Motion made by Ron Peters, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

4. TC Departments - #6 to Extend the Bid Award for Natural Gas Procurement to CenterPoint Energy Services, Inc., CMF #236828, for one year beginning 2/1/20 with no changes to terms of original bid (Clerk's Misc. File No. 20191249)

Motion made by Stan Sallee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

B. Change Orders - Board of County Commissioners:

1. #1 to the Agreement with M.L. Jones, LLC for the Tulsa County "HQ" Administration Building Renovations bid package 07C (Metal Panels), CMF #247880, for revision of metal panel details and installation orientation at the stair tower. The contract sum will increase by \$7,009 with a new total contract sum of \$329,419 (Clerk's Misc. File No. 20191250)
2. #1 to the Agreement with Wood Systems, Inc. for the Tulsa County "HQ" Administration Building Renovations bid package 06A (Millwork), CMF #20190086, for the addition of tables in the 5th floor breakroom. The contract sum will be increased by \$4,455 with a new total contract sum of \$520,385 (Clerk's Misc. File No. 20191251)

3. #2 to the Agreement with Apax Glass, Inc. for the Tulsa County "HQ" Administration Building Renovations bid package 08E (Aluminum and Glazing), CMF# 247995, for a credit for the deletion of the sunshades at the metal panels along the 9th floor breakroom as well as added break metal to existing columns and head to seal against the new windows on floors 2, 4, 5, 7 and 8 and around the new sliding glass doors on floor 9. The contract sum will be increased by \$4,453 with a new total sum of \$1,042,545 (Clerk's Misc. File No. 20191252)
4. #2 to the Agreement with Bennett Steel, Inc. for the Tulsa County "HQ" Administration Building Renovations bid packages 05A & 05B (Structural Steel Materials and Erection), CMF #248056, for the deletion of anchor davits for the scaffolding system and revisions for the stair tower. The contract sum will be increased by \$1,466 with a new total contract sum of \$1,078,629 (Clerk's Misc. File No. 20191253)
5. #14 to the Agreement with Crossland Construction Company, Inc., for the Construction of the Family Center for Juvenile Justice, CMF #244492, for the relocation of hose bib, additional security bollards and site furnishings, revised phone connection for elevator security phone, correction of overhead and profit for subcontractor Third Generation Election, Inc., revised parapet cap at fiber cement per manufacturer request, and added ceiling trim at solotubes in lobby. The contract sum will be increased by \$96,236.14 with a new total contract sum of \$31,178,184.43 (Clerk's Misc. File No. 20191254)

Motion made by Ron Peters, seconded by Stan Saltee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

VII. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes - for week ending 12/30/19 (Clerk's Misc. File No. 20191255)

Motion made by Stan Saltee, seconded by Ron Peters, to approve the Gasoline and Diesel Fuel Quotes. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- B. Resolution on Disposition of Funds/Cash Fund Estimate of Needs from 11/14/19 to 12/11/19 (Clerk's Misc. File No. 20191256)

Motion made by Ron Peters, seconded by Stan Saltee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- C. Memorandum of Understanding - (Sheriff) - John 3:16 Mission - to Establish Guidelines for the Reception of Donated Property up to and until 6/30/20, pursuant to 22 O.S. § 1325 - Unclaimed Property or Money in Sheriff's Possession-Disposition Procedure (Clerk's Misc. File No. 20191257)

Motion made by Stan Saltee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- D. Requests for Approval

1. Board of County Commissioners:

- a. Authorization of Plan Sponsor Representatives for Stan Saltee, Karen Keith and Ron Peters for Tulsa County for 457, 401(a) and PEHP plans managed by BOKF (Clerk's Misc. File No. 20191258)

Motion made by Stan Saltee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- b. Employees' Use of Social Media and Social Networking Policy, TCP 129, establishing policies for County employees' use of social media, whether within or outside the workplace and whether on duty or off duty (Clerk's Misc. File No. 20191259)

Motion made by Ron Peters, seconded by Stan Saltee, to approve and authorize execution by the Commission. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- c. Assessment Contract for Commercial Property Assessed Clean Energy Program (PACE) - Deferred

Motion made by Ron Peters, seconded by Stan Saltee, to defer the Assessment Contract for Commercial Property Assessed Clean Energy Program (PACE). Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

2. Building Operations - for Renewal of Engineer First Class Limited Licenses for Jim Neff and Troy McDaniel; cost of \$150 (Clerk's Misc. File No. 20191260)
3. Highways - for Renewal of Pesticide Applicator Licenses with the Oklahoma Department of Agriculture, Food, and Forestry for Perry Lankford and Kenneth O'Bryan; cost of \$50 (Clerk's Misc. File No. 20191261)
4. Engineers - Updated Eight Year Highway Improvement Plan (Clerk's Misc. File No. 20191262)
5. Social Services - to Accept Donations from Community Food Bank; various nursing homes; and various individuals of food, medications and various items (Clerk's Misc. File No. 20191263)

Motion made by Stan Saltee, seconded by Ron Peters, to approve and authorize execution, as needed. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

E. Resolutions:

1. Board of County Commissioners:
 - a. to Consent to Executive Order 13888, "On Enhancing State and Local Involvement in Resettlement," and Authorize Letter of Consent (Clerk's Misc. File No. 20191264)

Motion made by Ron Peters, seconded by Stan Saltee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- b. for Commercial Property Assessed Clean Energy Program Development (PACE) - Deferred

Motion made by Ron Peters, seconded by Stan Saltee, to defer the Resolution for Commercial Property Assessed Clean Energy Program (PACE). Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

2. Drainage District #12 - to Strike Assessment from the 2019 Tax Roll, SIM ISAAC CONST SVC INC, Parcel No. 00000-51-90-01635 (Clerk's Misc. File No. 20191265)
3. Parks - to Remove Richard Bales as Requisitioning Officer effective 12/31/19 (Clerk's Misc. File No. 20191266)

Motion made by Ron Peters, seconded by Stan Saltee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

F. Agreements

1. Assessor - Home Builders Association of Greater Tulsa, Inc. - for Booth Rental at the Greater Tulsa Home & Garden Show from 3/12-15/20; cost of \$1,805 (Clerk's Misc. File No. 20191267)

Motion made by Stan Saltee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

2. Board of County Commissioners:
 - a. City of Bixby - for FY2019 CDBG Funds for Stormwater Improvements and New ADA Sidewalks in the Midland Addition in the amount of \$82,973 (Clerk's Misc. File No. 20191268)
 - b. City of Sand Springs - for FY2019 CDBG Funds for North Lincoln Avenue Water Line Replacement Project in the amount of \$96,303 (Clerk's Misc. File No. 20191269)

Motion made by Ron Peters, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

3. Building Operations:
 - a. CoxCom, LLC - for Cox Business TV Service at 500 S. Denver Ave., Tulsa, OK 74103; cost of \$182.86/mo. (Clerk's Misc. File No. 20191270)
 - b. Tulsa County Public Defender's Office - for Lease and Maintenance of County-Owned Pool Vehicles for FY 2019-2020 (Clerk's Misc. File No. 20191271)

Motion made by Stan Sallee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

4. Sheriff - Hall, Estill, Hardwick, Gable, Golden & Nelson, PC - for Representation in Case of *Mooney et al. v. Sheriff Regalado, et al.*, Case No. 19-CV-462-TCK-FHM, pending in the Northern District Court of Oklahoma; reduced hourly rates of \$225/hr. for Keith A. Wilkes, other firm partners \$225/hr., associate attorneys \$200/hr. and paralegals \$100/hr. (Clerk's Misc. File No. 20191272)

Motion made by Ron Peters, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

G. Inventory Resolutions

1. Assessor - Remove from Capital Inventory (Clerk's Misc. File No. 20191273)
2. Sheriff:
 - a. Junked (Clerk's Misc. File No. 20191274)
 - b. Junked (Clerk's Misc. File No. 20191275)
3. Treasurer - Junked (Clerk's Misc. File No. 20191276)

Motion made by Stan Sallee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

H. Sole Source - (CC Health) - HemoCue America - for HemoCue products (Clerk's Misc. File No. 20191277)

Motion made by Ron Peters, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

I. Utility Permits - Engineers:

1. AT&T - to parallel and cross E. 111th St. S. and S. 72nd E. Ave. (Clerk's Misc. File No. 20191278)
2. Washington County RWD #3:
 - a. to cross N. Peoria Ave. (Clerk's Misc. File No. 20191279)
 - b. to cross N. Sheridan Rd. (Clerk's Misc. File No. 20191280)

Motion made by Stan Sallee, seconded by Ron Peters, to approve and authorize execution by the Chairman. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

J. Travel/Training - OSU Extension:

1. Michelle Bonicelli to OCES Conference (Clerk's Misc. File No. 20191281)
2. Michelle Bonicelli to Poverty Simulation (Clerk's Misc. File No. 20191282)

Motion made by Ron Peters, seconded by Stan Sallee, to approve the Travel/Training Requests. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

K. Personnel Actions

1. Administrative Services (Clerk's Misc. File No. 20191283)
2. Building Operations (Clerk's Misc. File No. 20191284)
3. Election Board (Clerk's Misc. File No. 20191285)
4. Highways (Clerk's Misc. File No. 20191286)
5. Parks (Clerk's Misc. File No. 20191287)
6. Social Services (Clerk's Misc. File No. 20191288)

Motion made by Stan Sallee, seconded by Ron Peters, to approve the Personnel Actions. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

L. Juvenile Bureau Personnel Actions to Accept & File (Clerk's Misc. File No. 20191289)

Motion made by Ron Peters, seconded by Stan Sallee, to accept and file the Juvenile Bureau Personnel Actions. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

M. CC Health Department Documents to Accept & File

1. Agreements
 - a. Midwest Card and ID Solutions, LLC - for maintenance of Salamander system for badging/credentialing software for OKMRC and THD employees from 12/1/19 to 11/30/20; cost of \$4,900 (Clerk's Misc. File No. 20191290)
 - b. R & M Music Co. - for lease of office space for Broken Arrow WIC clinic from 1/1/20 to 12/31/20; cost of \$1,200/mo. (Clerk's Misc. File No. 20191291)
 - c. American Document Shredding, LLC - for renewal of document shredding services agreement from 9/1/19 to 8/31/20; cost of \$40 per container \$20 per console (Clerk's Misc. File No. 20191292)
2. Personnel Actions (Clerk's Misc. File No. 20191293)
3. Travel/Training - Bruce Dart to SACCHO Meeting (Clerk's Misc. File No. 20191294)

Motion made by Stan Sallee, seconded by Ron Peters, to accept and file the CC Health Documents. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

N. Claims to be Disallowed (payments cancelled as of 12/9-13/19)

There were no claims to be disallowed.

O. Claims (payments for bills to be paid by 12/2-6/19)

Motion made by Ron Peters, seconded by Stan Sallee, to approve and authorize execution by the Commission. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

P. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 12/9-13/19

Motion made by Stan Sallee, seconded by Ron Peters, to approve and authorize execution by the Commission. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- Q. Zoning Application Hearing and Possible Action - (Tulsa Metropolitan Area Planning Commission) - CZ-492, Applicant: Matt King, Owner: James Hill, Location: Southwest Corner of West 51st Street South and West Skyline Road. The request is to rezone approximately 3.46 acres to CS to permit a medical marijuana dispensary. On meeting date of October 16, 2019, TMAPC voted 5-2-0 to recommend that the County Commission approve rezoning of 3.46± from AG to CS

Motion made by Ron Peters, seconded by Stan Sallee, to enter into public hearing at 9:42 a.m. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

Dwayne Wilkerson with INCOG presented the Zoning Application. Matt King, the applicant from Tulsa, OK 74105, spoke concerning the plans for the property. No other members of the public signed up to speak.

Motion made by Ron Peters, seconded by Stan Sallee, to close the public hearing at 9:54 a.m. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

Motion made by Ron Peters, seconded by Stan Sallee, to decline the recommendation of approval from the Tulsa Metropolitan Area Planning Commission for rezoning of 3.46± from AG to CS. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- R. Executive Session - (District Attorney) - Requested by Nicholas Williams, Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney for the purpose of confidential communications concerning a pending claim, to-wit: *Ali v. Deboise et al.*, Case No. 16-CV-27-CVE-FHM, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest

Motion made by Ron Peters, seconded by Stan Sallee, to strike the Executive Session. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- S. Discussion and Possible Action Regarding Executive Session Item

No action was taken. The Executive Session was stricken.

VIII. ADJOURN

Motion made by Ron Peters, seconded by Stan Sallee, to adjourn the meeting. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

BOARD OF COUNTY COMMISSIONERS

Karen Keith, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk