

(Agenda of meeting was posted on the Tulsa County website at www.tulsacounty.org on February 18, 2021 at 4:55 p.m.)

MINUTES
Monday, February 22, 2021

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 Ron Peters appearing in person, Commissioner Karen Keith appearing in person and Commissioner Stan Sallee appearing in person. Others present: County Clerk Michael Willis.

Stan Sallee, 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. Board of County Commissioners Emergency Meeting of February 12, 2021

B. Board of County Commissioners Meeting of February 16, 2021

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

V. UNFINISHED BUSINESS

A. Bid Award & Recommendation - (Board of County Commissioners) - for the sale of County property at 3121 S. 63rd Ave. W., Tulsa, OK 74107, and more particularly described as The South Half (S/2) of Lot Twenty-Two (22), Block Four (4), Berry Hill Acres Subdivision to Tulsa County, State of Oklahoma, according to the recorded Plat No. 981, to accept the bid from Brad & Becky Niehus in the lump sum of \$5,103 and approve the BOCC Chair to sign any and all documents as needed to transfer the property to the high bidder (Clerk's Misc. File No. 20210329)

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

B. Addendum #1 - (Board of County Commissioners) - to the Master Subscription Agreement with Workday, Inc., CMF #20200471, to add Workday Innovation Services (Clerk's Misc. File No. 20210330)

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

- C. Amendment #3 - (Engineers) - to the agreement with Schemmer Associates, Inc., for Professional Engineering Services, CMF #230892, for additional services for topographic survey and preparation of right-of-way plot plans as well as an updated project schedule (Clerk's Misc. File No. 20210331)

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

D. Change Orders - Board of County Commissioners:

1. #8 to the bid award for DH Pace Company, Inc., for the Tulsa County "HQ" Administration Building Renovations bid package 08C (Door Hardware), CMF #247245, for door changes on the 8th and 9th floors. The contract sum will be increased in the amount of \$2,348 for a revised total contract sum of \$207,695 (Clerk's Misc. File No. 20210332)
2. #22 to the agreement with Talon Commercial Services, LLC for the Tulsa County "HQ" Administration Building Renovations bid package 09A (Drywall), CMF #248061, to frame and drywall a 2-hour rated cover for the garage floor hole. The contract sum will be increased in the amount of \$2,451 with a revised total contract sum of \$2,500,709 (Clerk's Misc. File No. 20210333)
3. #29 to the agreement with Colburn Electric, LLC for the Tulsa County "HQ" Administration Building Renovations bid package 26A (Electrical), CMF #247582, to change from EMT to wiremold for electrical drops in the 7th and 8th floor breakrooms. The contract sum will be increased in the amount of \$342 for a revised total contract sum of \$3,038,529 (Clerk's Misc. File No. 20210334)

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

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending March 1, 2021 (Clerk's Misc. File No. 20210335)

Motion made by Karen Keith, seconded by Ron Peters, to approve the gasoline and diesel fuel quotes. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

B. Documents for Sale of County Property - Treasurer:

1. Parcel #26525-02-25-16415, N/2 LT 6 BLK 2, MCCUNE ADDN, to Jackson Lahmeyer (Clerk's Misc. File No. 20210336)
2. Parcel #34775-02-26-09325, E20 LT 7A LESS S60 THEREOF BLK 8 RESUB OF LTS 1 THRU 5 & 14 THRU 17, RESERVOIR HILL ADDN RESUB L1-5 & 14-17 B8, to Stan Roper (Clerk's Misc. File No. 20210337)

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

- C. Appointment - (Commissioner Sallee) - Robert Whitlock to the Tulsa Metropolitan Area Planning Commission effective 1/18/2021 with term to expire 1/18/2024 (Clerk's Misc. File No. 20210338)

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

- D. Memorandum of Understanding - (Sheriff) - Domestic Violence Intervention Services - establishing guidelines for the reception of donated cellular phones (Clerk's Misc. File No. 20210339)

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

E. Requests for Approval

1. Employees' Retirement System of Tulsa County - Segall Bryant & Hamill, LLC - Consent to Assignment (Clerk's Misc. File No. 20210340)
2. Engineers - for Certification of the 2021 Annual Report to ODEQ for Phase II Stormwater Permitted MS4 (Clerk's Misc. File No. 20210341)
3. INCOG - Award of Proposal for HOME Consortium FY2020 Rental Rehabilitation of Multifamily Housing to Vintage Housing, Inc., in the amount of \$1,407,386.51 for Phase 2 of the rehabilitation of the 24-year old multi-family apartment complex serving the elderly, located in Coweta, Wagoner County (Clerk's Misc. File No. 20210342)

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

F. Agreements

1. Board of County Commissioners:
 - a. City of Owasso - for fiscal year 2020 Tulsa County CDBG Urban County funds in the amount of \$142,053.33 for sanitary sewer line rehabilitation in the Hale Acres subdivision (Clerk's Misc. File No. 20210343)
 - b. Federal Highway Administration - Modification 002 to the grant agreement for the OK FLAP 0600(1) Wekiwa Road Project, CMF #247818, to update accounting and appropriation data as well as extend the period of performance (Clerk's Misc. File No. 20210344)
 - c. INCOG - for Commercial Property Assessed Clean Energy Program (PACE) - Deferred
 - d. The Center for Housing Solutions, Inc. - for fifth renewal and extension of lease for the former Tulsa County Juvenile Detention Center, CMF #20202118, to extend lease to 3/31/2021 (Clerk's Misc. File No. 20210345)
 - e. Youth Scoreboards, L.L.C. - for lease agreement for scoreboard locations and existing foul poles at LaFortune Park for the purpose of installing four (4) baseball/softball scoreboards and video boards as well as to install temporary banners on the existing foul poles (Clerk's Misc. File No. 20210346)

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

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

2. Engineers - City of Owasso - for asphalt overlay on East 106th Street North from Mingo Road to North 135th East Avenue (Clerk's Misc. File No. 20210347)

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

3. Parks - Howell & Vancuren, Inc. - Assignment and Assumption Agreement between Howell & Vancuren, Inc. and Wallace Engineering-Structural Consultants, Inc., in which Tulsa County would consent to the transfer of all remaining rights and obligations of the original agreement from the Assignor to the Assignee, CMF #242959 (Clerk's Misc. File No. 20210348)

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

G. Agreement Renewals

1. Highways - ImageNet Consulting, LLC - for the renewal of CMF #20200476 for FY 2021-2022 (Clerk's Misc. File No. 20210349)
2. Sheriff - Motorola Solutions, Inc. - for renewal of CMF #20191218 for FY 2021-2022 (Clerk's Misc. File No. 20210350)

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

H. Inventory Resolutions

1. County Clerk - Transfer to Sheriff DLM - Motorola Radios (Clerk's Misc. File No. 20210351)
2. Court Services - Transferred to Board of County Commissioners - Reception Love Seat (Clerk's Misc. File No. 20210352)
3. IT - Transferred to Human Resources - Conference Table (Clerk's Misc. File No. 20210353)

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

I. Sole Sources

1. CC Health Department - Emergenetics International - for Emergenetics Profile, Emergenetics Selection Profile, Power of We Training applications and all materials associated with the training and delivery of Emergenetics (Clerk's Misc. File No. 20210354)
2. Court Services - Siemens Healthcare Diagnostics, Inc. - for Syva EMIT reagents which utilize homogenous enzyme immunoassay technology for Drugs-Of-Abuse Testing and Therapeutic Drug Monitoring, Viva-PROE and the V-Twin Drug Testing System and Beckman Coulter AU Family of Chemistry Systems for high volume toxicology laboratories (Clerk's Misc. File No. 20210355)
3. Sheriff - Black Creek Integrated Systems Corporation - for all goods, maintenance and services related to the David L. Moss correctional center touchscreen security control system (Clerk's Misc. File No. 20210356)

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

J. Personnel Actions - IT (Clerk's Misc. File No. 20210357)

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

K. CC Health Department Documents to Accept & File

1. Personnel Actions (Clerk's Misc. File No. 20210358)
2. Travel/Training (Clerk's Misc. File No. 20210359)

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

L. Claims to be Disallowed (payments cancelled as of 2/15-19/2021)

There were no claims to be disallowed.

M. Claims (payments for bills to be paid by 2/08-12/2021)

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

N. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 2/15-19/2021

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

O. COVID-19 Virus Discussion and Update

Joseph Kralicek, Director of Tulsa Area Emergency Management Agency, gave an update on COVID-19 numbers in Tulsa County.

P. Discussion and Possible Action regarding COVID-19 CARES Funding Requests/Reports/CARES Funding Agreements and Approval of Tulsa County RESET Loan Applications

There were no CARES Funding Requests or RESET Loan Applications

Q. Executive Sessions - (District Attorney) - Requested by Douglas Wilson:

1. Pursuant to 25 O.S. § 307(B)(4), I am requesting on behalf of Mr. Fortney that this matter be discussed in Executive Session between the Board and its attorney, the firm of Brewster & De Angelis, P.L.L.C., for the purpose of confidential communications concerning possible official action regarding a pending lawsuit, to-wit: *McCaffrey v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
2. Pursuant to 25 O.S. § 307(B)(4), I am requesting on behalf of Mr. Fortney that this matter be discussed in Executive Session between the Board and its attorney, the firm of Brewster & De Angelis, P.L.L.C., for the purpose of confidential communications concerning possible official action regarding a pending lawsuit, to-wit: *Young v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma 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 Karen Keith, seconded by Ron Peters, to go into Executive Session. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:52 a.m.

Motion made by Karen Keith, seconded by Ron Peters, to reconvene the regular meeting at 10:20 a.m. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

R. Discussion and Possible Action Regarding Executive Session Items

Motion made by Ron Peters, seconded by Karen Keith, to authorize settlement authority to attorneys up to the amount discussed in Executive Session, to-wit: *McCaffrey v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20210360)

Motion made by Ron Peters, seconded by Karen Keith, to authorize settlement authority to attorneys up to the amount discussed in Executive Session, to-wit: *Young v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20210361)

VII. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Stan Sallee, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk