

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on March 16, 2023 at 4:17 p.m.)

MINUTES
Monday, March 20, 2023

I. CALL TO ORDER

The Board of County Commissioners (BOCC) met at the hour of 9:30 a.m., with the following members present: Chief Deputy Darren Gantz, Commissioner Karen Keith and Commissioner Stan Sallee. Others present: County Clerk Michael Willis.

Stan Sallee, Chairman Pro Tem, 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, Director of Governmental Affairs, Early Settlement, Election Board, Engineers, Highways, Human Resources, Information Technology, Inspections, Parks, Social Services, Procurement, Assessor, County Clerk, Court Clerk, Sheriff, Treasurer, District Attorney, Drainage District #12, Expo Square, Juvenile Justice, OSU Extension, Presiding Judge, River Parks Authority, Tulsa Area Emergency Management Agency, Chief Deputies and County Commissioners

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

III. MINUTES

A. Board of County Commissioner's Meeting of March 13, 2023

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

IV. REPORTS

A. Elected Official - (Treasurer) - Depository Summary of Daily Analysis for 2/2023 (Clerk's Misc. File No. 20230358)

Motion made by Karen Keith, seconded by Darren Gantz, to approve the report. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

V. UNFINISHED BUSINESS

A. Addendums - Parks:

1. #1 to the Request to Advertise to solicit qualifications for Architect/Engineer Services for O'Brien Park Improvements, CMF #20230213, to provide answers to vendor questions (Clerk's Misc. File No. 20230359)
2. #1 to the Request to Advertise to solicit qualifications for Architectural and Engineering Services for the replacement of Parks HVAC systems at several park locations, CMF #20230214, to provide answers to vendor submitted questions (Clerk's Misc. File No. 20230360)

Motion made by Darren Gantz, seconded by Karen Keith, to approve the addendums. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

B. Amendments

1. Board of County Commissioners - Consider and take action on the approval or disapproval of certain form of Agreement presented to this meeting in connection with Vision 2025, authorizing the Chairman upon advice of counsel to make changes to the form of such Agreement and to execute and deliver this Agreement and all documents and agreements as may be necessary or required: Amendment to Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma and the City of Bixby, Oklahoma for Bixby Signalization and Access Control Improvements at South Memorial Avenue and East 126th Street South Project (Clerk's Misc. File No. 20230361)
2. Engineers:
 - a. to the Contract for Project Performance with Bright Lighting, Inc., dba BL Tower Construction, for the Replacement of Edison Street Bridge 101 over Harlow Tributary, CMF #20221608, for an additional twenty-three calendar days to complete construction due to inclement weather (Clerk's Misc. File No. 20230362)
 - b. #3 to the award for Geotechnical Testing Services, to EST, Inc., HCGC, LLC and Terracon, CMF #20200755, which has renewed annually, the most recent, CMF #20220177. to exercise the option to renew the award for an additional one-year beginning 4/13/2023 with no changes to the terms (Clerk's Misc. File No. 20230363)
3. TC Departments - #4 to the Award for Lumber and Building Materials to Economy Lumber, CMF #247562, most recent renewal CMF #20220136, for an additional one year beginning 4/16/2023 (Clerk's Misc. File No. 20230364)

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

- C. Change Order - (Sheriff) - #15 to the agreement with Thompson Construction for Sheriff's Administration Headquarters Build-Out, CMF #20221069, for the Training Quarters' Earthwork changes in the amount of \$12,500. This is within the contractual contingency funds for this project and does not alter the Guarantee Maximum Price for this contract (Clerk's Misc. File No. 20230365)

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

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 3/27/2023 (Clerk's Misc. File No. 20230357)

Motion made by Karen Keith, seconded by Darren Gantz, to approve the fuel quotes. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

- B. Resolution on Disposition of Funds/Cash Fund Estimate of Needs (Clerk's Misc. File No. 20230366)

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

C. Requests for Approval

1. Board of County Commissioners - Four-2-Fix II Courthouse Improvement project (PJ1013-CF505) and Ray Jordan Administration building project (PJ1038-HERJR), remaining balance of \$860,061.55 to be consolidated for the future Courthouse project (Clerk's Misc. File No. 20230367)
2. Engineers - Oklahoma Cooperative Circuit Engineering Districts Board (OCCEDB), to accept a funding award from the Solid Waste Program, in the amount of \$4,200 to be used for illegal dump clean up on county road right of ways or for trash roll off charges during the 2023 fiscal year (Clerk's Misc. File No. 20230368)
3. INCOG - of the Tulsa County HOME Consortium HOME-ARP Allocation and required Certifications, and authorization of submittal to HUD by March 31, 2023 (Clerk's Misc. File No. 20230369)
4. Sheriff - Reserve Deputy Michael A. Leitch, to retain peace officer status and be designated as a Peace Officer, Retired, under Title 19 O.S. Sec 553 and 554; retirement effective October 14, 2022 (Clerk's Misc. File No. 20230370)

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

D. Resolutions

1. Engineers - Oklahoma Department of Transportation CIRB project prioritization to declare the priority for funding of projects submitted by Tulsa County for incorporation into the County Improvements for Road and Bridges (CIRB) transportation plan (Clerk's Misc. File No. 20230371)
2. Human Resources - Adopting resolution to allow the Tulsa County Health Department ("TCHD") to participate in Tulsa County's 401(A) Matching Plan and 457 Deferred Compensation Plan ("Plans") (Clerk's Misc. File No. 20230372)
3. Highways District #3 - to remove John McDonald as Receiving Officer, effective 3/20/2023 (Clerk's Misc. File No. 20230373)

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

E. Agreements

1. Board of County Commissioners - City of Jenks, for Public Improvements for Community Development Block Grant (CDBG) Program funds in the amount of \$119,478 for Renovating the Public Safety Building (Clerk's Misc. File No. 20230374)
2. Human Resources - Consolidated Administrative Services, LLC (CAS) and BOK - Administrative Services Agreement for Employee Benefits Plan through 12/31/2023 (Clerk's Misc. File No. 20230375)
3. Parks - Robea Long, for use of O'Brien Park on 5/6/2023, for a Block Party Event, from 12:00 p.m. to 5:00 p.m.; fee of \$600 (Clerk's Misc. File No. 20230376)
4. Sheriff:
 - a. City of Tulsa, for \$22,839 in federal funds under the Edward Byrne Memorial Justice Assistance Grant Program for purchase of specialized equipment (Clerk's Misc. File No. 20230377)

- b. Leidos Security Detection & Automation, Inc., for maintenance on four x-ray systems for FY 2023-2024, at a yearly rate of \$28,800 (Clerk's Misc. File No. 20230378)
 - c. Norman Wohlgemuth Law Firm for continued legal Representation, CMF # 20190466, in the case of Bryan Christopher O'Rourke v. David Parker, Administrator, David L. Moss Criminal Justice Center, Case No. 19-CV-419-TCK-JFJ, in the U.S. District Court for the Northern District of Oklahoma (Clerk's Misc. File No. 20230379)
 - d. Operational Underground Railroad, (O.U.R.), for receipt of contributions in the amount of \$13,500 to be applied towards the purchase of Cellebrite (Clerk's Misc. File No. 20230380)
5. TC Departments - Cintas, for rental of uniforms, mats, towels, facility items and all other services provided by Cintas, governed by the Omnia Partners Cooperative agreement for a minimum of 36 months beginning 3/1/2023 with optional one-year term renewals (Clerk's Misc. File No. 20230381)

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

F. Agreement Renewals

- 1. Employees' Retirement System of Tulsa County - BOKF, NA, for renewal of CMF #20220493 for FY 2023-2024 (Clerk's Misc. File No. 20230383)
- 2. Highways District #1:
 - a. Advance Alarms, for renewal of CMF #20220827 for FY 2023-2024 (Clerk's Misc. File No. 20230384)
 - b. ImageNet Consulting, LLC, for renewal of CMF #20221078 for FY 2023-2024 (Clerk's Misc. File No. 20230385)
- 3. Sheriff:
 - a. ATM Depot, Inc, for renewal of CMF #20220953 for FY 2023-2024 (Clerk's Misc. File No. 20230386)
 - b. Attic Storage of Owasso, for renewal of CMF #20230100 for FY 2023-2024 (Clerk's Misc. File No. 20230387)
 - c. Axon Enterprise, Inc., for renewal of CMF #20221012 for FY 2023-2024 (Clerk's Misc. File No. 20230388)
 - d. Cheryl A. Kilpatrick, Ph.D., Inc., for renewal of CMF #20220956 for FY 2023-2024 (Clerk's Misc. File No. 20230389)
 - e. Custom Technologies, LLC, for renewal of CMF #20221339 for FY 2023-2024 (Clerk's Misc. File No. 20230390)
 - f. Domestic Violence Intervention Services, (DVIS):
 - 1) for renewal of CMF #20220958 for FY 2023-2024 (Clerk's Misc. File No. 20230391)
 - 2) for renewal of CMF #20220957 for FY 2023-2024 (Clerk's Misc. File No. 20230392)
 - g. John 3:16 Mission, for renewal of CMF #20221015 for FY 2023-2024 (Clerk's Misc. File No. 20230393)

- h. MGT of America Consulting, LLC, for renewal of CMF #20220963 for FY 2023-2024 (Clerk's Misc. File No. 20230394)
- i. M&M Micro Systems, Inc., for renewal of CMF #20220962 for FY 2023-2024 (Clerk's Misc. File No. 20230395)
- j. Red Earth Environmental, Inc., for renewal of CMF #20221874 for FY 2023-2024 (Clerk's Misc. File No. 20230396)

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

G. Request to Advertise for Bids - (TC Departments) - Request for Qualifications - Roof Consulting Services (Clerk's Misc. File No. 20230397)

Motion made by Karen Keith, seconded by Darren Gantz, to approve the request to advertise. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

H. Inventory Resolution - (Assessor) - junked; computers (Clerk's Misc. File No. 20230398)

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

I. Sole Sources

- 1. Law Library - West Group (Thomson Reuters), the sole publisher for Oklahoma Session Laws and Oklahoma Statutes and their updated releases (Clerk's Misc. File No. 20230399)
- 2. Sheriff - M&M Micro Systems, Inc., for the Sheriff's Office Management System (S.O.M.S.) Software, for proprietary features that meet all the requirements of the Sheriff's Office, including the state SIBRS requirements, including software training, support, product updates and maintenance (Clerk's Misc. File No. 20230400)

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

J. Utility Permit - (Engineers) - Creek County Rural Water District #2, for the paralleling of S. Lewis Ave. and crossings of E. 134th St. S., E. 141st St. S., E. 161st St. S., E. 171st St. S., and S. Lewis Ave. Approximate beginning point of the project is at S. Lewis Ave. and E. 161st St. S. junction (Clerk's Misc. File No. 20230401)

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

K. Travel/Training - (IT) - Joe Lord, to Cybersecurity meeting for the State of Oklahoma Department of Homeland Security on 3/30/2023, in OKC, OK; cost less than \$200 (Clerk's Misc. File No. 20230402)

Motion made by Karen Keith, seconded by Darren Gantz, to approve the travel/training. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

L. Claims (payments for bills to be paid from 3/6-10/2023)

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

M. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 3/13-17/2023

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

N. Consideration and Approval of Construction Program Payments

1. Vision 2025 (Clerk's Misc. File No. 20230403)
Creditor: Program Management Group; **Trust:** 816421-59; **Item:** 10,475-V2025 Program Management; **Purpose:** Program Administration; **Amt. Paid:** \$24,444.38
Creditor: Riggs, Abney, Neal, Turpen, Orbison & Lewis; **Trust:** 816421-59; **Item:** 10,477-V2025 Special Counsel; **Purpose:** Program Adm./Legal - File TCIA 10001; **Amt. Paid:** \$229.50
Creditor: R & L Construction; **Trust:** 719384-H9; **Item:** 10,474 - Owasso Sports Park Project #2; **Purpose:** Sports Park Improvements; **Amt. Paid:** \$51,684.24
2. Vision Tulsa County (Clerk's Misc. File No. 20230404)
Sales Tax/Bond Funded Projects Recommended for Payment

Creditor: Garver, LLC; **Fund:** HEDSO/PJ1037; **Item:** Edison Bridge Replacement; **Purpose:** Construction; **Amt. Paid:** \$1,201
Creditor: Guy Engineering; **Fund:** H193E/PJ1028; **Item:** 31st, 41st, 51st Intersection on County Line (193rd); **Purpose:** Design; **Amt. Paid:** 26,851.69
Creditor: Economy Lumber; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Bldg. Renovation - BOPS Basement; **Purpose:** Materials; **Amt. Paid:** \$753.48
Creditor: Sherwin Williams Co.; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt. Paid:** \$28.48
Creditor: Stuart Irby Electrical Distributor; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt. Paid:** \$266.65
Creditor: Maxwell Supply of Tulsa; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt. Paid:** \$121.82

Sales Tax Funded Projects Recommended for Payment

Creditor: Program Management Group, LLC; **Fund:** ADMIN/PJ1001; **Item:** Vision Tulsa County Administration; **Purpose:** Administration; **Amt. Paid:** \$14,005.93

3. Family Center for Juvenile Justice (Clerk's Misc. File No. 20230405)
Bond Funded Project Recommended for Payment

Creditor: Magnum Construction; **Fund:** PJ1436; **Item:** Juvenile Justice Center Sleeping Room Improvement; **Purpose:** Construction; **Amt. Paid:** \$60,957.64

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

O. Public Health Update

Kendra Wise, representing CC Health, gave an update on COVID-19 and flu season in Tulsa County

- P. Executive Session - (District Attorney) - Requested by Douglas Wilson, 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: *Roddy v. Board of County Commissioners of Tulsa County, Case No. CJ-2023-0740*, pending in the Tulsa County District Court, State 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 Darren Gantz, to go into Executive Session. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:43 a.m.

Motion made by Karen Keith, seconded by Darren Gantz, to reconvene the regular meeting at 10:43 a.m. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

Q. Discussion and Possible Action Regarding Executive Session Item

Motion made by Karen Keith, seconded by Darren Gantz, to follow the recommendation of the District Attorney as discussed in Executive Session, to-wit: *Roddy v. Board of County Commissioners of Tulsa County, Case No. CJ-2023-0740, pending in the Tulsa County District Court, State of Oklahoma*. Upon roll call, Yes - Darren Gantz, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Miscellaneous File No. 20230406) Letter of Representation with Schaffer Herring, P.L.L.C. executed by the Chairman Pro Tem (Clerk's Miscellaneous File No. 20230407)

VII. 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.

VIII. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Kelly Dunkerley, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk