

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on October 29, 2021 at 8:40 a.m.)

MINUTES
Monday, November 1, 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, Commissioner Karen Keith and Commissioner Stan Sallee. 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. PLEDGE OF ALLEGIANCE

Sheriff Regalado led the Pledge of Allegiance.

III. 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.

IV. MINUTES

- A. Management Conference Meeting Minutes of August 12, 2021
- B. Management Conference Meeting Minutes of September 9, 2021
- C. Board of County Commissioner's Meeting of October 25, 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 Awards & Recommendations: Building Operations - Engineering Services for the Apache Warehouse Sprinkler System - Deferred

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

- B. Amendments

- 1. Engineers - #1 to the agreement with Dewberry Engineers, Inc., for engineering services related to the Harvard Avenue bridge and approaches over Posey Creek was approved and executed, CMF #245920, increasing the contract amount by \$54,100.00 for a revised total of \$216,100 (Clerk's Misc. File No. 20212373)
- 2. TC Departments - #1 to the bid award for Food Service Requirements awarded to Ben E. Keith Foods, CMF# 20203015, to renew the bid award for an additional one-year period beginning December 10, 2021 with no changes to the terms of this bid (Clerk's Misc. File No. 20212374)

3. TC Departments - #13 to the award for Pest Control Services to American Services, Inc., CMF# 242875. This bid award has been renewed annually with the most recent renewal being approved on August 16, 2021, CMF# 20211854. This Amendment is to add services to the current award at the Family Center for Juvenile Justice Detention Center, 410 W. Archer, Tulsa, OK 74127. The services being done are monthly general pest control and monthly rodent control (Clerk's Misc. File No. 20212375)

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

C. Change Orders

1. Board of County Commissioners - #2 to the agreement with L&M Office Furniture, LLC for the Tulsa County Ray Jordan Administration Building Renovations bid package 09-02-C (Flooring and Base), approved on February 1, 2021, CMF# 20210192. This change order is a credit for the labor and installation cost of omitted stair nose in courtroom 160 in the Alternative Courts area. The contract sum will be decreased by this change order in the amount of \$76.93 for a revised total contract sum of \$262,945.07 (Clerk's Misc. File No. 20212376)
2. Board of County Commissioners - #8 to the agreement with Arrow Construction Resources, LLC for the Tulsa County Ray Jordan Administration Building Renovations bid package 09-01-C (Framing, Drywall and Ceilings), approved on January 19, 2021, CMF# 20210107. This change order is a credit for the deduction of a partition between Courtroom 160 and Office 162 in the Alternative Courts area. The contract sum will be decreased by \$223.22 for a revised total contract sum of \$291,526.55 (Clerk's Misc. File No. 20212377)
3. Parks - #2 to the agreement with Diversified Civil Contractors, LLC for the Chandler Park Lower Level Overlook Plaza, approved on August 23, 2021, CMF# 20211925. This change order is for the addition of a staging area. The contract time is increased by seven (7) calendar days and the contract sum will be increased in the amount of \$16,978.10 for a revised total contract sum of \$303,096.10 (Clerk's Misc. File No. 20212378)

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 November 8, 2021 (Clerk's Misc. File No. 20212379)

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. Reappointment - (Commissioner Sallee) - of Chuck Patterson to the Tulsa County Home Finance Authority, for a five-year term expiring October 16, 2026 (Clerk's Misc. File No. 20212380)

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

C. Resolutions - Board of County Commissioners:

1. Adopting Plan and Summary Plan for Cafeteria Plan including a Health Flexible Spending Account and Dependent Care Flexible Spending Account effective January 1, 2022, with Benefit Resources, Inc. (Clerk's Misc. File No. 20212381)

2. City of Tulsa - authorizing the sale and conveyance of certain real property by the City-County Library Commission by private sale to Travis Hogan and/or Assigns for the sum of \$1,830,000 (Clerk's Misc. File No. 20212382)

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. Agreements

1. Board of County Commissioners - INCOG - for City of Sand Springs Community Development Block Grant funding for fiscal year 2021 for Lincoln Waterline Replacement project in the amount of \$96,718.10 (Clerk's Misc. File No. 20212383)
2. County Clerk - Harris Recording Solutions, for licensing to the Harris land records management system, Acclaim, and professional services required for project management, application configuration, reports, software installation, conversion, and training for a total cost of \$855,000 (Clerk's Misc. File No. 20212384)
3. Engineers - City of Tulsa, for improvement of multiple bridge decks at Mohawk Park Golf Course (Clerk's Misc. File No. 20212385)
4. Juvenile Bureau - Gold Star Security and Investigations, Inc., for detention and guard services at the Family Center for Juvenile Justice - deferred from 10/25/2021 agenda (Clerk's Misc. File No. 20212386)

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 Qualifications - Sheriff - Architectural and Engineering Services for the Tulsa County Sheriff's Office Administration Campus Buildout (Clerk's Misc. File No. 20212387)

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

F. Inventory Resolutions

1. District Attorney - junked - 20 HP Desk top Computers (Clerk's Misc. File No. 20212388)
2. Engineers - Kawasaki Mule - transferred from Highway Construction to Highway District 3 (Clerk's Misc. File No. 20212389)

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.

- G. Sole Source - CC Health - Geocko, Inc., dba LiveStories, for scalable and functional platform powers to an updated data library with rich public data content and other multiple sources, analytics, content creation, and data publishing tools. LiveStories is the sole provider of upgrades and maintenance to their software. The Sole Source designation will be effective for one year beginning November 12, 2021 (Clerk's Misc. File No. 20212390)

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.

H. Utility Permits - Engineers:

1. AT&T - to cross & parallel E 96th St N & 42nd E Ave. (Clerk's Misc. File No. 20212391)
2. Oklahoma Natural Gas - to parallel W 46th St S (Clerk's Misc. File No. 20212392)
3. Oklahoma Natural Gas - to cross E 161st St S (Clerk's Misc. File No. 20212393)

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.

I. Travel/Training

1. Board of County Commissioners - Mike Craddock to attend the OSU Training-Effective Work Skills, December 14, 2021, cost of \$65 (Clerk's Misc. File No. 20212394)
2. Parks:
 - a. Dominic Donajkowski to Lane Shift's Build School Conference/Training, November 2-5, 2021 in Fayetteville, AR. INCOG will pay for the program registration, meals, lodging, snacks and transportation once in Fayetteville cost of \$2,350. Use of Park's vehicle requested to travel to the conference (Clerk's Misc. File No. 20212395)
 - b. 11 Parks Employees to Oklahoma Recreation & Parks Society Conference/Traning from November 3-4 in Midwest City, OK; cost of lodging \$520; Conference \$3,850 and per diem \$1,600. Use of Park's vehicle requested to travel to the conference (Clerk's Misc. File No. 20212396)

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

J. CC Health Department Documents to Accept & File

1. Agreements
 - a. Carahsoft - for Qualtrics data management software service agreement, from 8/31/21 - 8/30/22; in the amount of \$337,894.74 (Clerk's Misc. File No. 20212397)
 - b. Rycon Environmental LLC - for lead-based paint removal at 1138 S. Xanthus Pl., Tulsa OK; from 9/24/21 - 12/31/22; in the amount of \$16,906 (Clerk's Misc. File No. 20212398)
 - c. Rycon Environmental LLC - for lead-based paint removal at 232 N. Tacoma Ave., Tulsa, OK from 9/24-21 - 4/1/22; in the amount of \$25,975 (Clerk's Misc. File No. 20212399)
2. Travel/Training (Clerk's Misc. File No. 20212400)

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.

- K. Claims to be Disallowed (payments cancelled as of 10/25-29/2021) - P.O. #2123365
Vendor Name: Waveband Communications Inc. Warrant #500048318 Amount: \$896.00
Duplicate payment; original invoice was paid using an order number which was different from the invoice number on the second invoice. Check was destroyed by vendor (Clerk's Misc. File No. 20212401)

Motion made by Karen Keith, seconded by Ron Peters, to cancel and disallow the purchase order. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

L. Claims (payments for bills to be paid by 10/18-22/2021)

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.

M. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 10/25-29/2021

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. Consideration and Approval of Construction Program Payments

1. CARES Act - None

2. Vision 2025 - None

3. Vision Tulsa County (Clerk's Misc. File No. 20212402)

Motion made by Ron Peters, seconded by Karen Keith, to approve the Vision Tulsa County payments. 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 approving the appropriation and use of funds received from the U.S. Department of Treasury under the "Coronavirus Aid, Relief, and Economic Security (CARES) Act", the "Coronavirus Response and Relief Supplemental Appropriations Act of 2021", the "Emergency Rental Assistance Program", and/or the "American Rescue Plan Act of 2021" and the "Coronavirus State and Local Fiscal Recovery Fund" contained therein (Clerk's Misc. File No. 20212403)

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

Motion made by Karen Keith, seconded by Ron Peters, to approve the remaining ARPA/CARES funding requests from Court Services, Family Safety Center, Muscogee Nation Council Oak Comprehensive Healthcare Hospital, River Parks, Alternative Courts, Tulsa County Treasurer, Tulsa International Airport and Route 66 Village. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

Q. Executive Sessions - District Attorney:

1. Requested by Nicholas C. Williams, Assistant District Attorney - Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, Jay McAtee, for the purpose of confidential communications concerning pending claims, *to-wit: Jerry Beasley, Workers' Compensation Unpresented Claim*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20212404)
2. Requested by Nicholas C. Williams, Assistant District Attorney - Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, Jay McAtee, for the purpose of confidential communications concerning pending claims, *to-wit: Jessica Hutchison, Workers' Compensation Unpresented Claim*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20212405)
3. Requested by Nicholas C. Williams, Assistant District Attorney - Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, Jay McAtee, for the purpose of confidential communications concerning a pending claim, *to-wit: LaQuanto Monroe, Workers' Compensation Unpresented Claim*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20212406)
4. Requested by Nicholas C. Williams, Assistant District Attorney - Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, Jay McAtee, for the purpose of confidential communications concerning a pending claim, *to-wit: William Pierce, Workers' Compensation Unpresented Claim*, disclosure of the details of which its attorney

advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20212407)

5. Requested by James Rea, Assistant District Attorney - Pursuant to 25 O.S. § 307(B)(4), I am requesting that this matter be discussed in Executive Session between the Board and its attorney for the purpose of confidential communications concerning a pending investigation, claim, or action, disclosure of the details of which would seriously impair the ability of the Board to proceed in the public interest, to wit: *Lee v. Regalado, et al.*, pending in the Northern District of Oklahoma, Case No. 19-CV-00318-GKF-JFJ (Clerk's Misc. File No. 20212408)

Motion made by Ron Peters, seconded by Karen Keith, 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 9:46 a.m.

Motion made by Karen Keith, seconded by Ron Peters, to reconvene the regular meeting at 10:09 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 Karen Keith, seconded by Ron Peters, to grant settlement authority to Jay McAtee up to the amounts discussed in Executive Session for Executive Sessions #1-4, to-wit: *Jerry Beasley*, Workers' Compensation Unpresented Claim; *Jessica Hutchison*, Workers' Compensation Unrepresented Claim; *LaQuanto Monroe*, Workers' Compensation Unrepresented Claim; and *William Pierce*, Workers' Compensation Unpresented Claim. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

Motion made by Ron Peters, seconded by Karen Keith, to approve and authorize execution by the Chairman, the agreement for legal representation between the Sheriff and Hall, Estill, Hardwick, Gable, Golden & Nelson, PC, to-wit: *Lee v. Regalado, et al.*, pending in the Northern District of Oklahoma, Case No. 19-CV-00318-GKF-JFJ. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20212409)

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

BOARD OF COUNTY COMMISSIONERS

ATTEST:

Stan Sallee, Chairman

Michael Willis, Tulsa County Clerk