

(Agenda of meeting was posted in the central lobby and outside of the Ray Jordan Tulsa County Administration building on October 3, 2019 at 4:50 p.m.)

MINUTES
Monday, October 7, 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 Karen Keith, Commissioner Ron Peters, Chief Deputy Michael Craddock; 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. PLEDGE OF ALLEGIANCE

Alex Mills led the Pledge of Allegiance.

III. PROCLAMATION

- A. Board of County Commissioners - National 4-H Week and the Month of October as Oklahoma 4-H Month, Recognizing Tulsa County 4-H Hall of Fame Recipients and their Families (Clerk's Misc. File No. 20190728)

Chairman read the Proclamation. Motion made by Michael Craddock, seconded by Ron Peters, to approve the Proclamation. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

OSU Extension presented the portraits of the Tulsa County 4-H Hall of Fame winners, Elizabeth Lutrell and Courtney Cearley.

IV. 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.

V. 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.

VI. MINUTES

- A. Board of County Commissioner's Meeting of September 30, 2019

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

VII. REPORT

- A. County Department - Election Board - Monthly for 9/19 (Clerk's Misc. File No. 20190729)

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

VIII. UNFINISHED BUSINESS

A. Bid Openings:

1. Building Operations - Electrician Services
 - a. Houchin Electric Co., Inc. (Clerk's Misc. File No. 20190730)
 - b. Third Generation Electrical, Inc. (Clerk's Misc. File No. 20190731)
 - c. Tulsa Electric, LLC (Clerk's Misc. File No. 20190732)

Motion made by Ron Peters, seconded by Michael Craddock, to refer the bids to Building Operations and Purchasing for analysis, review and recommendation on October 14, 2019. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

2. Sheriff - Commissary Items
 - a. Commissary Express, Inc. (Clerk's Misc. File No. 20190733)
 - b. ICS Jail Supplies, Inc. (Clerk's Misc. File No. 20190734)
 - c. Keefe Supply Company (Clerk's Misc. File No. 20190735)
 - d. Pyramid School Products (Clerk's Misc. File No. 20190736)
 - e. Robinson Enterprises, Inc. (Clerk's Misc. File No. 20190737)

Motion made by Michael Craddock, seconded by Ron Peters, to refer the bids to the Sheriff and Purchasing for analysis, review and recommendation on October 14, 2019. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

3. TC Departments - Plumbing Supplies
 - a. Heatwave Supply, Inc. (Clerk's Misc. File No. 20190738)
 - b. Marquis Hardware, LLC dba Midtown Hardware (Clerk's Misc. File No. 20190739)

Motion made by Ron Peters, seconded by Michael Craddock, to refer the bids to TC Departments and Purchasing for analysis, review and recommendation on October 14, 2019. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

B. Bid Awards & Recommendations:

1. Board of County Commissioners - Tulsa County HQ Building Access Control & Video Surveillance - to PSI - Pendergraph Systems, Inc., in the total amount of \$305,806 which includes the Access Control & Video Surveillance Base Bids and Alternates 1 & 2. While PSI was not the lowest bid received, their bid was determined to be the lowest and best based upon the solution provided and vendor prior performance (Clerk's Misc. File No. 20190740)
2. TC Departments:
 - a. Paperstock for Printing - to Midland Paper Company and Veritiv Operating Company, items will be split between these two vendors by lowest price. Veritiv bid "Starbrite" brand on some items which was found to be unacceptable due to quality issues in the past. Therefore, those items will be awarded to Midland Paper. This award is for a six (6) month period beginning 10/9/19 (Clerk's Misc. File No. 20190741)
 - b. Trash Can Liners - to Advanced Industrial Solutions, the lowest bid received on the majority of items. This award is for a six (6) month period beginning 10/9/19 (Clerk's Misc. File No. 20190742)

Motion made by Michael Craddock, seconded by Ron Peters, to approve the Bid Awards and Recommendations. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- C. Addendum #2 - (Juvenile Bureau) - to the Notice to Bidders for Family Center for Juvenile Justice Visitor Parking Lot, set to open at 9:30 a.m. on 10/14/19 with bids to be received by 4:00 p.m. on 10/11/19, to provide responses to vendor submitted questions and changes to construction documents. (Clerk's Misc. File No. 20190743)

Motion made by Ron Peters, seconded by Michael Craddock, to approve the Addendum. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

- D. Change Orders - Board of County Commissioners:
 - 1. #1 to the Agreement with Trane U.S. Inc., dba Trane for the Tulsa County "HQ" Administration Building Centrifugal Chiller Upgrade, CMF# 20190022, to rebuild the 1st and 3rd stage vane assemblies in chiller 1 which were making excessive noise and not moving as freely as they should. The contract time is unaffected by this change order. The contract sum will be increased by \$4,788 with a new total contract sum of \$268,406. (Clerk's Misc. File No. 20190744)
 - 2. #4 to the Agreement with Colburn Electric, LLC for the Tulsa County "HQ" Administration Building Renovations Bid Package 26A (Electrical), CMF#247852, for electrical work required to connect the static dissipative tile, for the circuits necessary for the additional breakroom microwaves and for rough-in modifications for the access control system. The contract time is unaffected by this change order. The contract sum will be increased by \$48,156 with a new total contract sum of \$2,961,486. (Clerk's Misc. File No. 20190745)

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

IX. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 10/14/19 (Clerk's Misc. File No. 20190746)

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

- B. Documents for Sale of County Property - Treasurer:
 - 1. Parcel #29650-03-07-03950, LT 22 BLK 3, NORTHRIDGE ADDN, to Blue Ocean Partners, LLC, for the sum of \$203 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$134.81, total paid \$337.81 (Clerk's Misc. File No. 20190747)
 - 2. Parcel #29650-03-07-05660, LT 1 BLK 8, NORTHRIDGE ADDN, to Corey Carolina, for the sum of \$225 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$134.81, total paid \$359.81 (Clerk's Misc. File No. 20190748)

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

C. Resolutions:

1. County Clerk - to Remove Diane Hamilton as Requisitioning Officer effective 10/1/19 (Clerk's Misc. File No. 20190749)
2. Engineers - Concerning Bridge Inspection Responsibility by Local Government for Compliance with National Bridge Inspection Standards - Designating Garver as Tulsa County's Bridge Inspection Consultant from 4/1/20 to 3/31/22 (Clerk's Misc. File No. 20190750)

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

D. Tort Claim - (District Attorney) - TC-2019-26, Claimant: Carrie Beyard, to deny claim for incident on 8/23/19 (Clerk's Misc. File No. 20190751)

Motion made by Ron Peters, seconded by Michael Craddock, to approve the recommendation of the District Attorney to deny claim. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

E. Agreements:

1. Engineers - Mobile Mini, Inc. - for Lease of Portable Office Building at Highway District #3; cost of \$776.25 (Clerk's Misc. File No. 20190752)
2. Human Resources - Gallagher Benefit Services, Inc., a Subsidiary of Arthur J. Gallagher & Co., a Delaware Corporation - Master Agreement for Professional Services for Compensation Study Proposal; total cost of \$48,500 (Clerk's Misc. File No. 20190753)
3. IT - CDW Government, LLC - for Mimecast M2A and LCS-Gold Annual Subscriptions; cost of \$49,175 (Clerk's Misc. File No. 20190754)
4. Parks - Edison Cross Country/Tulsa Eagles Training - for Cross Country Event at Chandler Park on 10/12/19; fee of \$100 per event (Clerk's Misc. File No. 20190755)
5. Tulsa Area Emergency Management Agency (TAEMA) - State of Oklahoma Department of Emergency Management - FY 2020 Sub-Grant Agreement for Emergency Management Grant Program (Clerk's Misc. File No. 20190727)

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

F. Inventory Resolutions:

1. Assessor - Remove from Capital Inventory (Clerk's Misc. File No. 20190756)
2. Purchasing - Junked (Clerk's Misc. File No. 20190757)
3. Sheriff:
 - a. Remove from Inventory (Clerk's Misc. File No. 20190758)
 - b. Junked (Clerk's Misc. File No. 20190759)

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

G. Sole Source - (CC Health) - Evoqua Water Technologies, LLC - for organic filter, deionizers and carbon tanks (Clerk's Misc. File No. 20190760)

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

H. Utility Permits - Engineers:

1. Creek County RWD #2 - to cross S. 33rd W. Ave. +/- 1,107' S. of the junction of Hwy 117 & S. 33rd W. Ave. and further described as Section 4, Township 17N, Range 12E by boring 36' ditch to ditch for 6" line with 10" casing (Clerk's Misc. File No. 20190761)
2. Okmulgee County RWD #6 - to cross 201st +/- .50 miles East of Harvard and further described as 2,540' East of the SW/C of Section 9, Township 16, Range 13 by boring for 3/4" line with 2" casing (Clerk's Misc. File No. 20190762)

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

I. Travel/Training - OSU Extension:

1. Charlie Amos to Seminar on Forage Management on 10/8/19 in Haskell, OK; cost of \$40 (Clerk's Misc. File No. 20190763)
2. Michelle Bonicelli to OHCE Leadership Meeting on 11/9/19 in Claremore, OK; cost of \$35 (Clerk's Misc. File No. 20190764)

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

J. Personnel Actions:

1. Administrative Services (Clerk's Misc. File No. 20190765)
2. Building Operations (Clerk's Misc. File No. 20190766)
3. IT (Clerk's Misc. File No. 20190767)
4. Parks (Clerk's Misc. File No. 20190768)

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

K. Juvenile Bureau Documents to Accept & File:

1. Personnel Actions (Clerk's Misc. File No. 20190769)
2. Travel/Training - Five Members of Staff to OJDA Conference from 10/23-25/19 in Wilburton, OK; cost of \$1,700 (Clerk's Misc. File No. 20190770)

Motion made by Ron Peters, seconded by Michael Craddock, to accept and file the Juvenile Bureau Documents. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

L. CC Health Department Documents to Accept & File:

1. Personnel Actions (Clerk's Misc. File No. 20190771)
2. Travel/Training - Bernard Dindy, Alicia Etgen, Jessica Rice, Carrie Suns and Megan Wenzell to HAZWOPER Refresher Training on 10/29/19 in Tulsa, OK; cost of \$1,500; Adam Austin to OATI Asbestos Refresher Course on 11/4/19 in Tulsa, OK; cost of \$100; Maria Verduzco to course, Internship, Langston University, Fall 2019; cost of \$1,310.28 (Clerk's Misc. File No. 20190772)

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

M. Claims to be Disallowed (payments cancelled as of 9/30-10/4/19)

There were no claims to be disallowed.

N. Claims (payments for bills to be paid by 9/23-27/19)

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

O. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 9/30-10/4/19
Motion made by Michael Craddock, seconded by Ron Peters, to approve and authorize execution by the Commission. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

Motion made by Michael Craddock, seconded by Ron Peters, to recess the regular meeting. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.
Meeting recessed at 9:50 a.m.

Motion made by Ron Peters, seconded by Michael Craddock, to reconvene the meeting at 9:53 a.m. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

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

1. Pursuant to 25 O.S. § 307(B)(4), I am requesting on behalf of Mr. Wood that this matter be discussed in Executive Session between the Board and its attorney, the firm of Wood, Puhl & Wood, P.L.L.C., for the purpose of confidential communications concerning possible official action regarding a pending lawsuit, to-wit: *Scott v. Regalado, et al.*, Case No 19-5068, pending in the U.S. Court of Appeals for the Tenth Circuit, 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 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: *Board of County Commissioners of Tulsa County v. Purdue Pharma, L.P. et al*, Case No. CJ-2019-1116, pending the Tulsa County District Court, 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 Michael Craddock, to go into Executive Session. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:53 a.m.

Motion made by Ron Peters, seconded by Michael Craddock, to reconvene the regular meeting at 10:00 a.m. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

Q. Discussion and Possible Action Regarding Executive Session Items

Motion made by Michael Craddock, seconded by Ron Peters, to grant settlement authority to Scott Wood up to the amount discussed in Executive Session, to-wit. *Scott v. Regalado, et al.*, Case No 19-5068, pending in the U.S. Court of Appeals for the Tenth Circuit. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20190773)

Motion made by Ron Peters, seconded by Michael Craddock, on advice of counsel, Tulsa County opts out of Class Action Suit v. Purdue Pharm, L.P., to-wit: *Board of County Commissioners of Tulsa County v. Purdue Pharma, L.P. et al*, Case No. CJ-2019-1116, pending the Tulsa County District Court. Upon roll call, Yes - Michael Craddock, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20190774)

X. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Karen Keith, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk