



Agenda

Lubbock County Commissioner's Court

12/23/2019 10:00 AM - Regular

904 Broadway, Lubbock County Courthouse, 5th Floor

- 1.00 Invocation and Pledge of Allegiance by Gilbert A. Flores.
- 2.00 **PUBLIC COMMENTS** (No vote will be taken this item) Public Comment Note: Anyone wishing to address the Court during Public Comments is required to register your name on the Clerk's registry prior to the meeting. Speakers may only address items listed on the current agenda. Speakers are limited to two (2) minutes maximum, and if there are more than three speakers who wish to address the same item, the Court reserves the right to limit speakers. **THE COURT CANNOT DELIBERATE OR ACT ON MATTERS NOT LISTED ON THE AGENDA.**
- 3.00 Consider and approve the Minutes from Regular Commissioner's Court dated December 9, 2019.
- 4.00 Consider Auditor and Financial Matters: Line Item Transfers and Budget Amendments.
- 5.00 Authorize Payment of Claims: General Accounts (Pooled Cash).
- 6.00 Present Monthly Unaudited Financial Report ending September 2019.
- 7.00 Discuss, consider, take action on the recommendation from Lubbock County's Historical Commission & Certified Local Government Committee as presented regarding the Section 106, National Historic Preservation Act and projects taking place in Lubbock County, specifically the proposed expansion of Upland Avenue between 66th and 114th Streets and the National Register of Historic Places for the Great Plains Life Insurance Company Building at 1220 Broadway in Lubbock.
- 8.00 Discuss, consider and/or take action on ITB 201102, Aggregate Road Materials for the Consolidated Road & Bridge Department.
- 9.00 Discuss, consider and/or take action to authorize the County Judge to sign Change Order #1 with ACME Electric Company, for the Law Enforcement Center Generator Project, adding an additional 42 days to the project.
- 10.00 Discuss, consider and/or take action to authorize the County Judge to sign Change Order #3 with WR Construction for the 916 Main Street, Second Floor Renovation Project, for an additional \$12,540.87 and 12 days.
- 11.00 Discuss, consider and/or take action to authorize the County Judge to sign a termination letter with Transunion Risk and Alternative Data Solutions, Inc. for Constable Precinct, 4.
- 12.00 Presentation and discussion by Ronnie Keister, Tax Assessor-Collector regarding the Venue tax collection as of December 23, 2019
- 13.00 Discuss, consider and/or take action to authorize the County Judge to sign a lease agreement with City Bank for the lease of office space at 5219 City Bank Parkway for the Tax Assessor-Collector.
- 14.00 Discuss, consider and/or take action to exempt the agreement with Perdue, Brandon, Fielder Collins & Mott, LLP for professional collection services from the requirements of competitive procurement pursuant to Section 262.024(a)(4) of the Texas Local Government Code.
- 15.00 Discuss, consider and/or take action to authorize the County Judge to sign an agreement with Perdue, Brandon, Collins & Mott, LLP for Professional Collection Services related to Delinquent Liquor License Fees Owed to Lubbock County. After approval by the Commissioners Court and pursuant to Texas Government Code Section 2254.1038, the contract is is effective and enforceable after review and approval by the Office of the Attorney General.
- 16.00 Discuss, consider and/or take action to authorize the County Judge to sign Written Findings as to the Collection Contract with Perdue, Brandon, Fielder, Collins & Mott, LLP as required in Texas Government Code Section 2254.1036(b)(1), (2), and (3).



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- 17.00 Consider and accept the Lubbock Emergency Communication District grant funds for FY 2020 for the Sheriff's Office.
 - 18.00 Consider and approve out of state travel for Chief Deputy Cody Scott, Assistant Chief Deputy Kim Howell, Captain Gordon Goldhammer, Captain Perry Mull, Captain Ron Jenkins and Lieutenant Mark Diebel to attend the American Jail Association Annual Conference in Aurora, Colorado.
 - 19.00 Discuss, consider and/or take action to appoint a Court member to serve on the Lubbock Business Park District Tax Increment Financing (TIF) Reinvestment Zone Board as the Lubbock County Commissioners Court appointee to replace Commissioner Chad Seay.
 - 20.00 Discuss, consider and/or take action to adopt a Lubbock County Transparency Policy.
 - 21.00 Discuss and/or take action to approve the Utility Application, 19-047, Liberty Excavation on behalf of West Texas Gas, for installation of underground natural gas pipeline along east CR 1300 and CR 7300 in Lubbock County, Precinct 1.
 - 22.00 Report on the status of County Road Projects, Department Staffing, Training and Safety, unpaved and paved road maintenance, TxDOT and City of Lubbock projects, signs, parks, and fleet management report.
 - 23.00 As authorized by the Texas Government Code, the Commissioners' Court of Lubbock County, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters, including but not limited to any of the matters listed above, as they may relate to Texas Government Code § 551.071(1) (Consultation with Attorney about pending or contemplated litigation or settlement offers); Texas Government Code § 551.071(2) (Consultation with Attorney when the Attorney's obligations under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code); Texas Government Code § 551.072 (Deliberations About Real Property); Texas Government Code § 551.073 (Deliberations about Gifts and Donations); Texas Government Code § 551.074 (Personnel Matters); Texas Government Code § 551.0745 (Personnel Matters Affecting a County Advisory Body); Texas Government Code § 551.076 (Deliberations Regarding Security Devices or Security Audits); and Texas Government Code § 551.087 (Deliberations Regarding Economic Development Negotiations).



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CERTIFICATION OF POSTING

This will certify that a true and correct copy of the foregoing agenda has been posted on 12/20/2019 by 10:00 AM on the official bulletin board and at the west doors of the Lubbock County Courthouse, Lubbock, Texas, as written notice of the date, place, and subjects of the meeting of the Lubbock County Commissioners Court to be held on the 5th floor of the Lubbock County Courthouse, 904 Broadway, Lubbock, Texas. A true and correct copy of the agenda and certification has been filed this day with the Lubbock County Clerk.

A handwritten signature in black ink, appearing to read "Curtis Parrish", is written over a horizontal line.

Curtis Parrish, County Judge

The Lubbock County Commissioner's Court meetings are available to all persons regardless of disability. If you require special assistance, please contact the office administrator at (806) 775-1330 or in the County Judge's office on the first floor, Lubbock County Courthouse at least 48 hours in advance of the meetings.

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, Lubbock County, will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm") and hereby posts this notice pursuant to Sec. 2254.106 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

A. Lubbock County is pursuing a contract with the Firm for the collection of the County's portion of delinquent Beer and Liquor License Fees, and through this contract, Lubbock County seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. Lubbock County believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has represented Lubbock County since 2017 in the collection of delinquent Beer and Liquor License Fees. The Firm has collected delinquent government receivables for nearly 50 years, including, more recently, the collection of delinquent Beer and Liquor License Fees. The Firm currently has 12 primary offices and multiple satellite offices throughout Texas, Oklahoma, and Florida. It employs more than 400 individuals, including 52 attorneys. It uses a multi-office, fully integrated team approach allowing Lubbock County access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts.

C. The nature of any relationship between Lubbock County and the Firm is as follows: The Firm has represented Lubbock County since 2017 in the collection of delinquent Beer and Liquor License Fees. GOVT. CODE § 2254.1036(1)(C).

D. Lubbock County is unable to perform collection of its delinquent Beer and Liquor License Fees. GOVT. CODE § 2254.1036(1)(D). Lubbock County currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to Lubbock County.

E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(1)(E). The collection of delinquent Beer and Liquor License Fees requires a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed the amount of delinquent Beer and Liquor License Fees due. A contingent fee allows Lubbock County to only pay on those accounts that are collected and to pay nothing on those accounts that are worked extensively, but not able to be collected due to various factors. Further, effective September 1, 2019, the Texas Alcoholic Beverage Code, allows that a private attorney may assess a collection charge to the debtor for late or non-payment, at the cost of the debtor, and at no cost to Lubbock County.

F. The Commissioners Court of Lubbock County believes this contingent fee contract is in the best interest of the residents of Lubbock County. GOVT. CODE § 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt.

Executed this the 19th day of DECEMBER, 2019.

A handwritten signature in blue ink, appearing to read "Curtis", is written over a horizontal line.

On Behalf of the Commissioners Court

Lubbock County, Texas