COURT ORDER NO. 2009-1021-12-07

STATE OF TEXAS **COMMISSIONERS COURT MINUTES**

COUNTY OF COLLIN **NOVEMBER 16, 2009**

On Monday, November 16, 2009, the Commissioners Court of Collin County, Texas, met in regular session in the Commissioners Courtroom, Jack Hatchell Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas with the following members present, and participating, to wit:

Present: Judge Keith Self
Precinct 1 Commissioner Matt Shaheen
Precinct 2 Commissioner Jerry Hoagland
Precinct 3 Commissioner Joe Jaynes
Precinct 4 Commissioner Kathy Ward

Judge Self led the Invocation.
Commissioner Shaheen led the Pledge of Allegiance.
Commissioner Hoagland led the Pledge to the Texas Flag.

ITEM NO. 1 Judge Self called to order the meeting of the **Collin County Commissioners Court** at 9:30 a.m.

Judge Self recessed the meeting of the Commissioners Court at 9:34 a.m. and convened the meeting of the **Collin County Health Care Foundation**.

Judge Self reconvened the meeting of the **Collin County Commissioners Court** at 9:49 a.m.

FYI NOTIFICATION

1. AI-31063 Addendum No. 1 - 2 to Collin County Central Plant Upgrade (IFB No. 09782-09) to make various additions/changes/clarifications to the bid invitation, Purchasing.

2. AI-31099 Proclamation honoring Sergeant Kimberly Munley, Commissioner Precinct 4.

Commissioner Ward read a proclamation signed by the Collin County Commissioners honoring Sergeant Kimberly Munley, a U.S. Department of Defense Police Officer, Fort Hood, Texas, for her acts of bravery and heroism on November 5, 2009, and declaring her an honorary resident of Collin County. (Time: 9:34 a.m.)

3. AI-31100 Thank you letter from the City of Plano and the Plano Public Library System Library Advisory Board for the FY2009-2010 funding, Commissioners Court.

4. AI-31101 Utilization of the BuyBoard Cooperative contract to purchase three (3) Public Works trucks and award to Philpott Motors (budgeted), Public Works.

5. Notification of budget adjustment(s)/amendment(s), Auditor:

a. AI-31054 $2,245 for the purchase of equipment for the evidence vehicle utilizing the 2007 Urban Area Security Initiative (UASI) grant funds.

2. Public Comments.

Judge Self told Ms. Johnson that she had three minutes to speak; however, since this item was not on the agenda, the Court would not be able to make comment or take action. Erica Johnson, Parker, Texas, came forward and spoke about Plano Independent School District's plan to build two new schools and create new school boundaries. Ms. Johnson feared the new boundaries being drawn will cause segregation as a result of children being bussed to schools that are not the closest schools to their homes. (Time: 9:55 a.m.)

3. Consent agenda to approve. Judge Self asked if any member of the Court or any member of the audience had an item they wanted pulled from the consent agenda for individual consideration. Commissioner Hoagland pulled items 3b and d5 and Commissioner Shaheen pulled items 3f1 and 3j3. Commissioner Jaynes made a motion to approve the remainder of the consent agenda. (Time: 9:57 a.m.)

Motion by: Commissioner Joe Jaynes
Second by: Commissioner Matt Shaheen
Vote: 5-0 Passed

a. AI-31078 Disbursements for the period ending November 10, 2009, Auditor.
COURT ORDER NO. 2009-958-11-16

b. AI-31115 Reject all proposals received for Construction: Collin County Courthouse Addition (CSP No. 06622-09), Construction & Projects.

Commissioner Hoagland wondered why these bids were rejected. Bill Burke, Building Projects Manager, said he was directed by a previous Commissioners Court decision to go back and renegotiate with all bidders. Negotiations with two were rejected as not meeting the criteria specified in Court; the third lowest bidder gave conditions upon which his bid was good but was not acceptable; and

the fourth bidder also did not meet the criteria. As a result, his department is in the position where they need to reject all proposals. Although he was directed to

get the price down to the lowest bid, the lowest bid was not necessarily the best bid. Mr. Burke answered questions from the Court. Mr. Burke concluded by saying bids one and two were approximately $1 million higher than bid three. The County will be ready to re-advertise in early January. Commissioner Hoagland made a motion to approve. (Time: 9:58 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed (Commissioner Ward was not present for the vote.)

COURT ORDER NO. 2009-959-11-16

c. Advertisement(s):

1. AI-31119 Construction: Collin County Courthouse Addition (IFB No. 11067-10), Construction & Projects.

COURT ORDER NO. 2009-960-11-16

d. Award(s):

1. AI-30843 Services: Armored Car (IFB No. 04575-09) to Dunbar Armored, Inc. (budgeted), Auditor.

COURT ORDER NO. 2009-961-11-16

2. AI-31052 Supplies: Janitorial Chemicals (IFB No. 07718-09) to various vendors, Facilities.

COURT ORDER NO. 2009-962-11-16

3. AI-31053 Supplies: Janitorial Equipment (IFB No. 07728-09) to various vendors, Facilities.

COURT ORDER NO. 2009-963-11-16

4. AI-31055 Supplies: Janitorial Paper and Disposable Products (IFB No. 07722-09) to various vendors, Facilities.

COURT ORDER NO. 2009-964-11-16

5. AI-31049 Insurance, Long Term Care (IFB No. 07710-09) (budgeted), Human Resources.

Commissioner Hoagland asked Cynthia Jacobson, Human Resources, if Unum is the company currently used, to which Ms. Jacobson replied yes. Commissioner Hoagland made a motion to approve. (Time: 9:59 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 4 - 0 Passed (Commissioner Ward was not present for the vote.)

COURT ORDER NO. 2009-965-11-16

e. Agreement(s):

1. AI-31050 Interlocal Agreement with the City of Frisco for the construction of Independence Parkway – 2007 Bond Project No. 07-025 (County's portion NTE $2,570,000) and further authorize the County Judge to finalize and execute same (budgeted), Engineering.

COURT ORDER NO. 2009-966-11-16

f. Amendment(s):

1. Amendment to the Lease Agreement with Avventura Properties, LLC for leased space located at 8585 John Wesley Drive, Frisco, TX in the amount of $13,005 per month beginning June 1, 2010 through and including May 31, 2013 and further authorize the County Judge to finalize and execute same, Construction & Projects.

Commissioner Shaheen questioned the price of $19 per square foot for this lease, wondering if there is any benchmarking information available on how competitive this price is considering the downturn in the economy. He wanted to know if the price could be negotiated further down and wanted to see how it compares to other properties in the area. Bill Burke, Building Projects Manager, said the price was $18 per square foot when the property was leased ten years ago. The lease was last renewed in 2007 and following negotiations the price was set at $19 per square foot. Commissioner Shaheen asked that comparables be brought back to a future Court. (Time: 10:00 a.m.)

HELD

g. Change Order(s):

1. AI-31002 No. 1 to Specialized Printing for Elections (IFB No. 01339-09) with Accurate Forms and Supplies to correct price on miscellaneous items: Form No. M58 Combination Form for Early Voting, further authorize the Purchasing Agent to finalize and execute same, Elections.

COURT ORDER NO. 2009-967-11-16

h. Receive and File, Auditor:

1. AI-31042 Countywide Cash County.

COURT ORDER NO. 2009-968-11-16

i. Filing of the Minute(s), County Clerk:

1. AI-31046 October 26, 2009.

COURT ORDER NO. 2009-969-11-16

2. AI-31048 October 26, 2009, Collin County Toll Road Authority.

COURT ORDER NO. 2009-970-11-16

j. Miscellaneous

1. AI-31089 APAC Settlement Agreement, Administrative Services.

COURT ORDER NO. 2009-971-11-16

2. AI-31058 Adoption of a resolution regarding the American Recovery and Reinvestment Act (ARRA), Facilities.

COURT ORDER NO. 2009-972-11-16

3. AI-31094 Adoption of the amended Collin County Historical Commission By-Laws, Commissioners Court.

Commissioner Shaheen asked Eric Nishimoto, Public Information Officer, about the changes to the new by-laws. Mr. Nishimoto stated the only change is they raised the number of members from 15 to 16 which was necessary due to the work load and also the Commission was looking for representation from Plano. That appointment was made by Commissioner Ward. Commissioner Hoagland wanted to see equal representation on the Commission. Judge Self asked that this be tabled and brought back to the Commission. Discussion followed as to the number of Committee members. Commissioner Shaheen made a motion to increase the number. Mr. Nishimoto wanted to raise the number to 20 because there is a need for help. Commissioner Shaheen made a motion to increase the number to 20. (Time: 10:05 a.m.)

Motion by: Commissioner Matt Shaheen
Second by: Commissioner Joe Jaynes
Vote: 3 - 1 Passed (Commissioner Ward was not present for the vote.)
Nay: Commissioner Jerry Hoagland

COURT ORDER NO. 2009-973-11-16

4. AI-31076 Utilization of the BuyBoard Cooperative contract to purchase a 1 ton truck (upgrading from a 3/4 ton truck) from Philpott Motors (budgeted), Public Works.

COURT ORDER NO. 2009-974-11-16

GENERAL DISCUSSION

4. AI-31106 Waive the required 60-day notice for a public hearing to expand the boundaries of the TIRZ No. 1 and amend the project and financing plans, City of Frisco.

Nell Lang, Assistant City Manager, City of Frisco, spoke as liaison to the TIRZ Board. The Board met on October 20th, but Commissioner Shaheen was not able to be present at that meeting. At that time they approved enlargement of the boundaries. The changes that were proposed at that meeting were outlined and

presented to the Court by Ms. Lang. Ms. Lang stated they have called a public hearing for December 1st and requested the Court waive the required 60-day notice. Commissioner Shaheen had questions about expansion of boundaries. Ms. Lang said it is exempt property. Judge Self had a question about the last waiver and approval of a public hearing in 2008, asking if this requires an amended contract. Ms. Lang said no, it doesn't affect the County's contract. Commissioner Shaheen stated he was fine with this request and made a motion to approve. (Time: 10:11 a.m.)

Motion: Commissioner Matt Shaheen
Second: Commissioner Joe Jaynes
Vote: 5-0 Passed

COURT ORDER NO. 2009-975-11-16

5. AI-31081 CIJS efficiencies update, Information Technology.

Caren Skipworth, IT, had a Power Point presentation entitled "Collin County IT, Planned Odyssey Jail Management Efficiencies". By way of status update Ms. Skipworth stated the CJIS jail and sheriff's office project team has been working diligently daily on configuring and getting Odyssey installed. They are not at the point to where they are configuring what will be presented in Court today. IT has identified quite a few efficiencies that will be saved with the new system coming in, mainly between prosecution, clerks and the jail.

Ms. Skipworth continued with the Power Point presentation, itemizing and describing current processes and future efficiencies. Ms. Skipworth answered questions from Court members. She stated Judge Oldner requested a six-month delay until OCA problems are resolved. Judge Self stated he did not think everyone should be delayed as completion of this project brings better service to our citizens. Ms. Skipworth added postponements cost money. Ms. Skipworth continued with her presentation and discussion followed. Commissioner Hoagland requested a list of the items that needed to be streamlined. Commissioner Shaheen asked that a dollar amount be attached to the ten areas discussed, especially in the area of final sentencing which will reduce the number of days someone is in prison, at a cost of $70 per day, following final sentencing. Monika Arris, Budget, said her office is on board with moving to the new technology. Ms. Skipworth concluded by saying the contract with Tyler Technologies has been extended to December 2010. The project must be completed by that time. (Time: 10:37 a.m.)

NO ACTION TAKEN

6. AI-31092 Personnel Appointments, Human Resources.

Cynthia Jacobson, Human Resources, stated all appointments are at the minimum of the pay grade. Commissioner Hoagland made a motion to approve. (Time: 10:37 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 5-0 Passed

COURT ORDER NO. 2009-976-11-16

7. AI-31093 Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, stated all personnel changes meet standard guidelines. Commissioner Hoagland made a motion to approve. (Time: 10:37 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2009-977-11-16

8. AI-31095 Board/Committee Appointments, Commissioners Court.

There were no Board or Committee appointments. (Time: 10:39 a.m.)

NO ACTION TAKEN

9. Change future Court dates due to Holidays in November and December, Commissioner - Precinct 1.

Commissioner Shaheen suggested changing the dates of the Court meetings for the weeks of Thanksgiving and Christmas. His suggestion was to move the November 23rd Commissioners Court meeting to November 28th and cancel the December 21st Commissioners Court meeting. Any personnel approvals that need to be made can be made by Judge Self in advance. Jeff May, Auditor, said any bills during that time will go through the early release process. Commissioner Shaheen made that suggestion in the form of a motion. (Time: 10:41 a.m.)

Motion: Commissioner Matt Shaheen
Second: Commissioner Joe Jaynes
Vote: 5-0 Passed

COURT ORDER NO. 2009-978-11-16

10. Possible future agenda items by Commissioners Court without discussion.

Commissioner Shaheen reiterated his request to have item 3f1 returned to a future court, as well as a discussion of the west service road for the toll road north of 380. (Time: 10:42 a.m.)

EXECUTIVE SESSION

Judge Self recessed the Commissioners Court into Executive Session pursuant to Chapter 551.074, Personnel, of the Government Code at 10:43 a.m.

Personnel (551.074)

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

AI-31021 Appointed Official PFP Objectives, County Judge.

NO ACTION TAKEN

Commissioners Court was reconvened at 10:56 a.m. with a quorum consisting of Judge Self, Commissioner Ward and Commissioner Shaheen. There being no further action, Judge Self adjourned the Commissioners Court meeting at 10:57 a.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Not Present

Kathy Ward, Commissioner, Pct. 4

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S