

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
JULY 6, 2015

COUNTY OF COLLIN

On Monday, July 6, 2015, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Commissioners' Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Judge Keith Self
Commissioner Susan Fletcher, Precinct 1
Commissioner Cheryl Williams, Precinct 2
Commissioner Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4

Judge Self led the Invocation.
Commissioner Fletcher led the Pledge of Allegiance.
Commissioner Williams led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:13 p.m. and adjourned the meeting at 2:13 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-40112 Personnel Appointments, Human Resources.
2. AI-40113 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda Items, Commissioners Court.
2. **Addenda:**
 - a. AI-40094 No. 1 to Construction, Truck Canopy At Juvenile Detention Facility (IFB No. 2015-190) to make various changes to the Invitation For Bid, Purchasing.
 - b. AI-40109 No. 1 and No. 2 to Tire Rubber Modified Emulsion and Application Services (IFB No. 2015-191) to make various changes to the Invitation For Bid, Purchasing.

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

- a. **AI-40101** \$18,000 to establish the budget for the Internet Crimes Against Children grant.
- b. **AI-40082** \$199,418 to purchase laptops, maintenance, licensing and accessories for the early voting and election day vote centers from the Chapter 19 Fund.

4. **AI-39991** P-Card Disbursements, Auditor.

5. **AI-40110** Voluntary Terminations, Human Resources.

2. Public Comments.

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Webb pulled items 4c2 4d3 4e1 and 4i4. Judge Self deleted item 4j1. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:31 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

a. **AI-40057** Disbursements for the period ending June 30, 2015, Auditor.
COURT ORDER NO. 2015-394-07-06

b. **AI-40081** Tax refunds totaling \$109,923.64, Tax Assessor Collector.
COURT ORDER NO. 2015-395-07-06

c. Advertisement(s):

1. **AI-40053** Insurance, General Liability & Excess Liability (RFP No. 2015-220), Human Resources.
COURT ORDER NO. 2015-396-07-06

2. **AI-40088** Software and Implementation Services for an ERP Financial System (RFP No. 2015-192), Information Technology.

Commissioner Webb wanted to gain reassurance the RFP (Request for Price) had been adjusted based on what has been learned dealing with the previous vendor as well as making sure any agreements moving forward are reviewed by the county attorney. Caren Skipworth, CIO, stated quite a bit of the RFP has been updated in regards to business requirements. The update came about after researching systems, attending user conferences and speaking with customers about their products.

The IT portion has been updated to handle what is coming out with Microsoft within the next one to three years at the desktop level. Other changes included: 1) the addition of a Cloud service agreement so long as the data center resides in Texas; 2) the addition of the option to look at product for Myers Park and Open Spaces; and 3) any legal requirements must be held within Texas. Michalyn Rains, Purchasing, stated the attachments in the court packet have been reviewed by the county attorney and the attorney will be consulted when awarding the contract.

Judge Self asked if the system could be built in-house and would it be cost effective. Ms. Skipworth stated the County has actually moved from writing systems in-house to using more off-the-shelf products. To build a system of this magnitude in this competitive market would not be cost effective for the County. With no further discussion, a motion was made to approve the item. (Time: 1:34 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-397-07-06

3. **AI-40108** Services: Body Repair and Painting of Light, Medium and Heavy Duty Vehicles (IFB No. 2015-145), Public Works.

COURT ORDER NO. 2015-398-07-06

d. Award(s):

1. **AI-40089** Fire Alarm/Fire Sprinkler Inspections, Testing, Maintenance and Repairs (RFP No. 2015-052) to Convergent Technologies, Facilities.

COURT ORDER NO. 2015-399-07-06

2. **AI-40074** Image Archive Storage Solution (RFP No. 2015-110), Information Technology.

COURT ORDER NO. 2015-400-07-06

3. **AI-40052** Medical Examiner Case Management System (RFP No. 2015-116), budget amendment in the amount of \$140,102 and further authorize the Purchasing Agent to finalize and execute the agreement, Information Technology.

Commissioner Webb asked for explanation on moving forward with the five-year contract versus the one-year contract. Caren Skipworth, CIO, said longer term IT maintenance contracts reap the benefits of discounts which is why the five-year contract was chosen. Usually long term contracts are for three years; however, this vendor only offered a one- or five-year contract. This seemed to be repetitious with all medical examiner software on the market. This software was also selected because it was one that offered a robust environment of on-premises technology the County can support as well as offering better functional needs to the medical examiner.

Commissioner Webb also questioned why the contract states California and not Texas in the section regarding legal requirements. Michalyn Rains, Purchasing, stated the contract has been changed from California to Texas and the vendor has agreed to the change. Commissioner Webb made a motion to approve the item with the corrections to paragraph 17.9 and 17.10 of the contract changing the "state" from California to Texas.

Following the motion, Judge Self asked if escrow will give the County anything we can use and will there be anyone who can manipulate the data and the software code if needed. Ms. Skipworth stated the data is owned by Collin County and can be managed at any point internally. The software code is proprietary and cannot be changed, sold or given away. Escrow is set up so that at any time the company goes into bankruptcy or fails to support the code the County can pull escrow and get the code. If escrow is pulled, the County will have a few options which include: manage and change the code internally, hire professional services or look for a vendor who has experience with this type of code. Commissioner Webb said in theory escrow safeguards the County from losing the code. With no further discussion, the motion carried. (Time: 1:40 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-401-07-06

e. Agreement(s):

1. AI-40097 Interlocal Agreement with Hunt County for the upgrade of Hunt County Road 2652 from the county line East until it dead ends into Hunt County Road 2642, Public Works.

Commissioner Webb stated this is an agreement between Collin and Hunt counties where Collin County has agreed to do asphalt work in Hunt County and Hunt County agrees to pay Collin County for the services performed. The Commissioner requested the first lines of paragraph 7 be changed to "Hunt County expressly agrees to release Collin County from and against the consequences of Collin County's conduct and/or services performed." He also requested Hunt County be changed to Collin County in Section K, Governing Law. Michalyn Rains, Purchasing, said the requested changes have been sent to their attorney. With those changes, a motion was made to approve the item. (Time: 1:42 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-402-07-06

2. AI-40095 Interlocal Agreement with the City of Plano for the asphalt surfacing of Dublin Road from the Parker City limits to FM 544, Public Works.

COURT ORDER NO. 2015-403-07-06

3. **AI-40023** Interlocal Cooperation Contract with the Texas Department of Public Safety to control and establish uniform procedures, paperwork and supplies used for the Breath Testing and Laboratory Alcohol and Drug Testing Program, Sheriff.

COURT ORDER NO. 2015-404-07-06

4. **AI-40054** Interlocal Agreement with the City of Celina for funding through the 5th Series – 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG63) to reallocate funding to acquire 30.778 acres adjacent to the Parks of Wilson Creek in lieu of purchasing a 20 acre tract previously approved by Court Order No. 2014-1020-12-22, Special Projects.

COURT ORDER NO. 2015-405-07-06

f. Amendment(s):

1. **AI-40078** No. 2 to Jury Management System (RFP No. 2013-179) with Xerox Government Systems, LLC to make various changes to the contract for a reduction of \$5,462 and further authorize the Purchasing Agent to finalize and execute same, District Clerk.

COURT ORDER NO. 2015-406-07-06

2. **AI-40036** No. 2 to Insurance, Third Party Claims Administration (RFP No. 2013-332) with TriStar Risk Management to extend the contract for one (1) year through and including September 30, 2015 and further authorize the Purchasing Agent to finalize and execute same, Human Resources.

COURT ORDER NO. 2015-407-07-06

g. Change Order(s):

1. **AI-40047** No. 3 to Printing, General Office Forms (IFB No. 05249-12) with Coopers Copies and Printing to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-408-07-06

2. **AI-40043** No. 3 to Printing, General Office Forms (IFB No. 05249-12) with FileAmerica LLC to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-409-07-06

3. **AI-40045** No. 3 to Printing, General Office Forms (IFB No. 05249-12) with Filex Systems to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-410-07-06

4. **AI-40042** No. 3 to Printing, General Office Forms (IFB No. 05249-12) with Frisco Printing and Graphics to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-411-07-06

5. **AI-40039** No. 3 to Printing, General Office Forms (IFB No. 05249-12) with Minuteman Press to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-412-07-06

6. **AI-40044** No. 3 to Printing, General Office Forms (IFB No. 05249-12) with Print Tyme to extend the contract for one (1) year through and September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-413-07-06

7. **AI-40068** No. 3 to Specialized Printing for Elections (IFB No. 2013-118) with Extreme Business Services to add Form# 47, Confirmation Card to the contract and further authorize the Purchasing Agent to finalize and execute same, Elections.

COURT ORDER NO. 2015-414-07-06

8. **AI-40067** No. 3 to Specialized Printing for Elections (IFB No. 2013-118) with Jayden Graphics to delete Confirmation Card, Form# 47 from the contract and further authorize the Purchasing Agent to finalize and execute same, Elections.

COURT ORDER NO. 2015-415-07-06

9. **AI-40046** No. 4 to Printing, General Office Forms (IFB No. 05249-12) with Alphagraphics #391 to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-416-07-06

10. **AI-40040** No. 4 to Printing, General Office Forms (IFB No. 05249-12) with Data Flex to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2015-417-07-06

h. Budget adjustment(s)/amendment(s):

1. **AI-40065** \$9 to transfer funds for the 366th District Court from Dues/Subscriptions to Education/Conference for the TADCP conference, 219th District Court.

COURT ORDER NO. 2015-418-07-06

2. **AI-40083** \$5,000 to fund the Geotechnical Investigation for the Medical Examiner Addition Design Project, Construction & Projects.

COURT ORDER NO. 2015-419-07-06

3. **AI-40093** \$78,604 to reallocate funds from the 2003 Bond Project No. 03-041, McCreary Road Project to the 2003 Bond Discretionary fund, Engineering.
COURT ORDER NO. 2015-420-07-06

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

1. **AI-40060** June 8, 2015 Special Session.
COURT ORDER NO. 2015-421-07-06

2. **AI-40061** June 8, 2015.
COURT ORDER NO. 2015-422-07-06

3. **AI-40062** June 9, 2015 Special Workshop–Republican Women of North Collin County Meeting.
COURT ORDER NO. 2015-423-07-06

4. **AI-40091** June 15, 2015.

Commissioner Webb requested the June 15, 2015, Commissioners’ Court Minutes be held in order to have a wording issue corrected. (Time: 1:42 p.m.)

HELD

j. Miscellaneous

1. **AI-40072** Addition of Collin County Teen Court and Collin County Animal Shelter Spay and Neuter Program to the Juror Donation Option, Commissioner, Precinct 2.
PULLED

2. **AI-40106** Establish two (2) cash drawers in the amount of \$100 each for the County Clerk Probate Office, Auditor.
COURT ORDER NO. 2015-424-07-06

3. **AI-40104** Election Day Vote Centers for the November 3, 2015, General and Special Elections, Elections.
COURT ORDER NO. 2015-425-07-06

4. **AI-40103** Early Voting locations, dates and times for the November 3, 2015, General and Special Elections, Elections.
COURT ORDER NO. 2015-426-07-06

5. **AI-40105** Voting Precinct Boundary changes to maintain compliance with Section 42.006 of the Texas Election Code, Elections.
COURT ORDER NO. 2015-427-07-06

6. **AI-40099** Re-designation of Private Road 5620 to Kiefer Drive (with associated address updates), GIS/Rural Addressing.

COURT ORDER NO. 2015-428-07-06

7. **AI-40085** Acceptance of the FY2016 Public Health Emergency Preparedness (PHEP) Grant in the amount of \$545,327; Contract No. 2016-001267-00 with the Texas Department of State Health Services (DSHS) beginning July 1, 2015 through and including June 30, 2016, Homeland Security.

COURT ORDER NO. 2015-429-07-06

8. **AI-40090** Retention of a surplus vehicle (Unit No. 53521) to be used by Constable, Precinct 3 as a reserve vehicle, Public Works.

COURT ORDER NO. 2015-430-07-06

9. **AI-40058** Replacement of the Sheriff's Department Crown Victoria (Vehicle No. 36964) with a surplus Crown Victoria (Vehicle No. 53536) as an interim vehicle until the unit can be replaced in FY16, Public Works.

COURT ORDER NO. 2015-431-07-06

10. **AI-40073** Acceptance of the Dining Alliance rebate check in the amount of \$267.31 to be deposited in the Going the Extra Mile Employee Incentive Program line item and budget amendment for same, Purchasing.

COURT ORDER NO. 2015-432-07-06

11. **AI-40114** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-433-07-06

12. **AI-40115** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-434-07-06

GENERAL DISCUSSION

5. **AI-40107** Impact of Inclement Weather presentation, Public Works.

Jon Kleinheksel, Public Works, gave a presentation on the impact of the 2015 severe weather. In the spring and early summer North Texas experienced unprecedented rainfall. Lake Lavon has received 37.43 inches of rain this year. In June nine of those total inches fell in seven hours causing several roads to be impacted. Since February the County has spent approximately \$370,000 to make repairs to roads. The cost included materials, equipment and labor. Mr. Kleinheksel shared images of damaged roads throughout the County. SCS Dam Little Elm 19 sustained damage on both the front and back slopes. Commissioner Hill asked if the dam could be repaired by bringing in more fill. Mr. Kleinheksel said that is being looked into, but it is likely the dam will have to be rebuilt.

The needed repair to damaged roads was broken down into three categories of impact: 1) Category A for light damage includes 36 roads which will take one to three days to repair for through traffic; 2) Category B for moderate damage includes 36 roads which will take three to five days to repair; and 3) Category C for heavy damage includes 20 roads which will take one week to one month to repair. At this time all roads excluding ten roads are open to through traffic. Several roads around the lake are still closed as well as those where culverts floated out of the ground. The culverts are expected to be repaired by the end of the week. All roads should be permanently repaired assuming no further significant weather and/or damage by October 31, 2015. The estimated total repair cost for damaged roads when completed is approximately \$450,300 or \$1,825,300 if the dam construction were to be included. All construction projects other than 11 roads that were previously ready for asphalt have been put on hold for the foreseeable future in order to focus on the necessary road repairs. Commissioner Hill asked if the cities with projects on contract have been notified about any impact to their roads with the hold. Mr. Kleinheksel said notifications are going out to the cities and residents impacted.

Judge Self requested Mr. Kleinheksel provide the Court with a copy of the dam contract because he does not remember the County being responsible for reconstruction. Mr. Kleinheksel agreed the County is not responsible for reconstruction. The County works under the guides of landscape maintenance for the dam. He explained he provided the cost estimate for the reconstruction to show what it would take if the County were to rebuild the dam.

There was discussion as to whether the County should provide disaster funds to the department to expedite the repairs rather than Public Works covering the entire cost. Because Public Works is shorthanded, Mr. Kleinheksel has been working with Purchasing to work off an emergency services contract to gain contractors to speed up the work. Labor costs from repair estimates are equivalent to contracted labor costs. Projects have been prioritized and will be completed accordingly. Commissioner Williams stated she would like to get disaster relief for the department because if there is not enough work to contract out, it will be difficult to find contractors willing to take on small projects. Mr. Kleinheksel said under the emergency services contract there are a few contractors willing to take on the jobs; however, it will take effort and money to get the County back to where it was. Commissioner Fletcher agreed that the department needs relief funds and asked Mr. Kleinheksel how far the weather damage has set the department back with the normal schedule. Mr. Kleinheksel stated the department was six to eight months behind schedule when the rains came in due to a shortage of people. With the weather damage the department is twelve to sixteen months behind schedule.

Commissioner Hill asked if the ten roads which are still closed will be open by August 14, 2015. Mr. Kleinheksel stated there are six roads around Lake Lavon under water that cannot be improved until the lake levels go down. Everyone around the lake does have access to their homes. The other four roads are scheduled to open by the weekend if culverts arrive. All weather damage which has been identified to roads and drainage systems thus far will be 100% caught up by October 31, 2015, using internal and emergency services labor.

Judge Self asked Mr. Kleinheksel to look at what would be needed to accelerate the repairs and present those findings to the Court to determine if acceleration would be reasonable. Judge Self also asked Bill Bilyeu, County Administrator, to make a recommendation to the Court on making the Public Works budget whole. Mr. Bilyeu stated the department budget can absorb the costs because no new construction is occurring while the repairs are taking place. Mr. Kleinheksel said it will take two weeks to receive the estimates to determine the financial impact to this year's budget. Commissioner Hill agreed with Commissioner Williams' budgetary concern and said if we are asking Public Works to go above and beyond then it will be our responsibility to provide the necessary resources to do so. Judge Self requested this item be put on the July 20th agenda. (Time: 2:08 p.m.)

NO ACTION TAKEN

6. AI-40096 Collin County Abatement Policy, Commissioner Precinct 4.

Commissioner Webb said he wanted to revisit this policy because there are two new members to the Court and he wanted to give this Court the opportunity to keep or abolish the policy. The Commissioner supports the abatement policy because it is a useful tool in driving development in the County. Commissioner Fletcher also supports the policy because it is a tool to attract companies to the area. Commissioner Williams shared her concern with not receiving applications in a timely manner which gives the appearance of abatement after the fact. She would like to make sure a better process is in place to bring the requests for County involvement to the attention of the Court at the first contact. No motion was made to change the policy. (Time: 2:11 p.m.)

NO ACTION TAKEN

7. Board/Committee Appointments, Commissioners Court:

a. AI-40066 Child Protective Services Board.

A motion was made to appoint Dixie Jeffers to the CPS (Child Protective Services) Board. (Time: 2:12 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Chris Hill
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-435-07-06

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

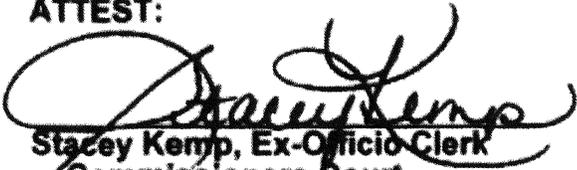
Commissioner Williams would like the background on the 5% rule discussed. Judge Self would like to look at possible water issues on the new section of Park Boulevard by the lake. (Time: 2:13 p.m.)

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:13 p.m.



ATTEST:


Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S



Keith Self, County Judge



Susan Fletcher, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2



Chris Hill, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4