

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
SEPTEMBER 21, 2015

COUNTY OF COLLIN

On Monday, September 21, 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. The meeting was recessed at 1:35 p.m. and reconvened at 1:48 p.m. The meeting was recessed at 2:45 p.m. and reconvened at 2:55 p.m. At 3:16 p.m. the meeting was recessed into Executive Session. The meeting reconvened at 4:11 p.m. and adjourned at 4:12 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 1:35 p.m. and adjourned the meeting at 1:48 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 1:48 p.m. and adjourned the meeting at 1:48 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-40350 Award Services, Juvenile Sex Offender Counseling (RFP No. 2015-230) to Terri L. Bauer, Juvenile Probation.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda Items, Commissioners Court.

2. AI-40443 Amendment No. 1 to Commissary Services: Jail with Aramark to extend the contract for one (1) year through and including September 30, 2016 with proposed price changes for various products purchased by inmates from the commissary, Sheriff.

3. AI-40463 Budget Amendment in the amount of \$17,548 for the 2016 Drug Enforcement Administration (DEA) agreement to cover overtime expenses for one task force member, Auditor.

2. Public Comments.

Roy Serpa, Fairview, came forward to share a few concerns. The first was his concern regarding accumulating fines. People need to be held accountable for violating the law. When follow-up on collecting fines is not done, the message being sent out to those who violate the law is don't get caught. The next concern was regarding the yearly discussion on salaries. Mr. Serpa said compensation is sizable and the talk should be about compensation not just salary. He would like to know what the benefits amount to in percentage of salary. The last concern was regarding libraries. Mr. Serpa lives in a town that does not have a library; therefore, he frequents the libraries in Allen and McKinney as well as the Collin College Library. Because he lives outside a city which has a library, he would be willing to pay a fee to have his library card in either Allen or McKinney. Those who do not have a local library should be paying a fee. It is up to the cities to move ahead and collect those fees. Mr. Serpa also mentioned that as a Collin County citizen he is entitled to have a library card at Collin College. There are five campuses across the county. (Time: 1:35 p.m.)

3. Presentation/Recognition:

a. Service Pins, Human Resources.

Judge Angela Tucker, 199th District Court, presented Jeff May, County Auditor, with a 20-year pin for his devoted service to the County.

Judge Tucker presented Sheri Vecera, Court Reporter, with a 25-year pin for her service to the County. (Time: 1:31 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled items 4g1, 4g4, 4g5 and 4i1. Commissioner Hill pulled item 4b1 and Judge Self pulled item 4i4. With no further comments, a motion was made to approve the consent agenda. (Time: 1:50 p.m.)

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

a. AI-40513 Disbursements for the period ending September 15, 2015, Auditor.

COURT ORDER NO. 2015-647-09-21

b. Advertisement(s):

1. **AI-40319** Audio Visual for Auxiliary Courtrooms (RFP No. 2015-296), Information Technology.

Commissioner Hill asked if the audio visual equipment is for the new District Courtrooms. Caren Skipworth, CIO, stated the new District Courtrooms are already complete. This item is to upgrade the currently operated auxiliary courtrooms to digital. With no further discussion, a motion was made to approve the item. (Time: 1:51 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-648-09-21

2. **AI-40338** Audio Visual for Justice of the Peace (JP) Courtrooms (RFP No. 2015-245), Information Technology.

COURT ORDER NO. 2015-649-09-21

c. Award(s):

1. **AI-40453** Insurance, General and Excess Liability (RFP No. 2015-220), Human Resources.

COURT ORDER NO. 2015-650-09-21

2. **AI-40377** Services: Body Repair And Painting For Light, Medium & Heavy Duty Vehicles (IFB No. 2015-145) to various vendors, Public Works.

COURT ORDER NO. 2015-651-09-21

d. Agreement(s):

1. **AI-40490** Interlocal Cooperation Agreement with the Allen Independent School District (ISD) for the use of space located within the Allen ISD (Allen High School) at 300 Rivercrest Blvd., Allen, Texas for Justice of the Peace proceedings conducted by a Justice of the Peace and other Collin County elected officials through and including September 30, 2016, Construction & Projects.

COURT ORDER NO. 2015-652-09-21

2. **AI-40487** Interlocal Cooperation Agreement with the Lovejoy Independent School District (ISD) for the use of space located within the Lovejoy ISD at 259 Country Club, Allen, Texas for Justice of the Peace proceedings conducted by a Justice of the Peace through and including September 30, 2016, Construction & Projects.

COURT ORDER NO. 2015-653-09-21

3. **AI-40489** Interlocal Cooperation Agreement with the City of Frisco (Agreement No. 2015-285) for road and bridge improvements, Public Works.

COURT ORDER NO. 2015-654-09-21

e. Amendment(s):

1. **AI-40421** No. 1 to Professional Services, Mechanical, Electrical, and Plumbing (MEP) Engineering Services (Contract No. 2015-11) with Halff Associates, Inc. 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, Construction & Projects.

COURT ORDER NO. 2015-655-09-21

2. **AI-40446** No. 1 to Insurance, Property Boiler and Machinery (RFP No. 2014-276) with Arthur J. Gallagher Risk Management Services 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, Human Resources.

COURT ORDER NO. 2015-656-09-21

3. **AI-40419** No. 1 to Engineering Services, Geotech and Materials Testing for Roads and Building Construction (Contract No. 2014-264) with Alliance Geotechnical Group 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. 2015-657-09-21

4. **AI-40420** No. 1 to Professional Services, Surveying (Contract No. 2014-265) with Halff Associates, Inc. to extend the contract one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to execute and finalize same, Purchasing.

COURT ORDER NO. 2015-658-09-21

5. **AI-40422** No. 1 to Professional Services, Appraisal Services (Contract No. 2015-032) with Pyles Whatley Corporation 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, Special Projects.

COURT ORDER NO. 2015-659-09-21

6. **AI-40423** No. 1 to Professional Services, Right of Way Acquisition Services (Contract No. 2015-033) with Amec Foster Wheeler Environment & Infrastructure, Inc. 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, Special Projects.

COURT ORDER NO. 2015-660-09-21

7. **AI-40417** No. 2 to Professional Services, Roof Consultant (Contract No. 2013-181) with DryTec Moisture Protection Technology Consultants, Inc to extend the contract one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2015-661-09-21

8. **AI-40418** No. 2 to Professional Services, Architect for Small County Projects (Contract No. 2013-187) with Spurgin and Associates Architects 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, Construction & Projects.

COURT ORDER NO. 2015-662-09-21

9. **AI-40473** No. 4 to the Lease Agreement with Collin County Health Care Trust Foundation for property located at 900 E. Park Blvd., Plano, Texas to extend the lease for a period of five (5) years through and including September 30, 2020, Construction & Projects.

COURT ORDER NO. 2015-663-09-21

10. **AI-40479** No. 5 to the Lease Agreement with Collin County Health Care Trust Foundation for property located at 920 E. Park Blvd., Plano, Texas to extend the lease for a period of five (5) years through and including September 30, 2020, Construction & Projects.

COURT ORDER NO. 2015-664-09-21

11. **AI-40485** No. 8 to Agreement, Jail Services with Town of St. Paul 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, Sheriff.

COURT ORDER NO. 2015-665-09-21

12. **AI-40499** No. 8 to Interlocal Agreement for On-Site Sewage Facility (OSSF) (Contract No. 10027-08) with the City of Lucas 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, Development Services.

COURT ORDER NO. 2015-666-09-21

13. **AI-40486** No. 10 to Agreement, Jail Services with Collin County Community College District 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, Sheriff.

COURT ORDER NO. 2015-667-09-21

f. Change Order(s):

1. **AI-40351** No. 1 to Supplies: Jail and Personal Inmate (IFB No. 2014-122) with Bob Barker Company, Inc. to add various items and extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2015-668-09-21

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

1. **AI-40503** \$893 to transfer funds to Education/Conference to cover a negative balance, Homeland Security.

Commissioner Webb pulled this item because it is the first of many budget amendments by departments. He is frustrated with the overall lack of budget accountability with department heads and elected officials. Why does the Court spend a great deal of time working on the county budget when there is no accountability on departments for breaking their budget? The Commissioner said the main issue with this amendment is the \$92.00 coming out of non-departmental/TIFF funds to cover the overage due to conference expenses. This is not a large amount, but again the concern is that there are going to be much larger amendments from other departments presented to the Court in the coming weeks. Because the Commissioner has effectively no control over the costs of the amendments, he asked the citizens to call the department heads and elected officials to task on these budget amendment items and future budget accountability.

Judge Self would like to begin tracking the internal budget transfers in the new fiscal year and have Budget and the agenda staff pull this information for quarterly reports in order to see which line items within the departments are getting close to going over budget. Monika Arris, Budget, stated there are spreadsheets given to the Court with budget adjustments which include movement outside a department's budget as well as movement from category to category. The departments receive a monthly expenditure report showing where they are with their budget. Ms. Arris mentioned a lot of the overages do not show up until the final month of the fiscal year. Commissioner Hill stated the reports may not solve the issue as they will not show what the departments have outstanding. What may help resolve this issue is voting "no" on budget amendments.

Judge Self questioned controls on spending at the end of a fiscal year. Jeff May, County Auditor, stated there are controls in place. Purchase orders are not allowed on or after September 1st; however, there are no controls to stop P-Card purchases or travel expenses. The Judge suggested extending those controls to get a better hold on end of year expenses. Judge Self also questioned pulling funds from the non-departmental TIFF zone for two amendments. Ms. Arris stated this line item was picked because it had money leftover and because it does not get hit any other time of the year except in March when TIFF payments are made. She clarified the money is not TIFF money; it is money from which payments are made to TIFF Boards' entities.

Kelley Stone, Ph.D., Homeland Security, stated he shares the frustration of the overage. Dr. Stone's department has not been over budget in past years because every expenditure on education and travel was tracked. He will continue to check the balance and stay on top of the budget. Dr. Stone stated he will pay the \$92.00 if the Court determines he should do so. With no further discussion, a motion was made to approve the item. (Time: 2:03 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-669-09-21

2. **AI-40498** \$10,000 for legal expenses relating to the Dallas North Tollway, Phase IV (Bond Project No. 03-113), Special Projects.

COURT ORDER NO. 2015-670-09-21

3. **AI-40378** \$21,713 to reallocate unbudgeted funds from prior year donations to the Animal Shelter Spay/Neuter Clinic, Auditor.

COURT ORDER NO. 2015-671-09-21

4. **AI-40405** \$67,886 for shared Support Services countywide expenses, Budget.

Commissioner Webb wanted to understand if the printer consolidation is proving to be efficient in cost savings. The Commissioner was unsure due to this budget amendment.

Monika Arris, Budget, explained the reason Support Services is getting hit is because as departments are receiving the new printers they are ordering double sets of printer and toner cartridges in order to have a back up available when one goes out. The printer consolidation is nearing completion which should calm spending. Caren Skipworth, CIO, stated the fifth year of the consolidation has been completed and the Sheriff's Office will be the last area to be consolidated. There are a few exceptions for public terminals. Some public terminals are one for one on printer/computers. Ms. Skipworth said she still feels there will be cost savings due to the printer consolidation as well as paper-on-demand efficiencies.

Commissioner Fletcher asked if the cost increase is due to double ordering or an increase on the actual cost of a cartridge. Ms. Arris stated the cost per cartridge has gone up. This is mainly due to the change in technology of the printers. The previous printers were inkjet and the new ones are laser printers.

Judge Self asked if departments are stockpiling cartridges in their supply rooms. Ms. Arris said they do not need to stockpile because there is supply available in the mailroom. Departments do keep a few on hand in order to replace immediately without delay. A requisition has to be made in order to receive a replacement which would cause a delay to the department if there was not one on hand. Judge Self would like a review of how many cartridges are tucked away in all the departments. He asked how many printers there are of each type. Ms. Skipworth stated there are no more than 15 of any one type. With no further discussion, a motion was made to approve the item. (Time: 2:09 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-672-09-21

5. AI-40529 \$56,650 for Maintenance & Operations in the District Court Shared account to fund the account for the remainder of FY2015, 219th District Court.

Judge Self stated the amount of the item has changed to \$131,005. Commissioner Webb said he will be taking an aggressive approach to budget spending and will be showing taxpayers the facts and figures associated with these types of amendments. Some of these items the taxpayers pay for should give them pause and concern. This budget amendment is for the shared budget for substitute court reporter costs and mediator costs. Because this item was approved by the Board of District Judges, this Court has no control over it and has to approve. The Commissioner was discouraged that mediator costs have more than tripled and substitute court reporter costs have gone up 33% in one year. Because the Commissioner cannot solve this budget issue he will be presenting the facts to the taxpayers in order to continue to discuss these types of budget issues. With no further discussion, a motion was made to approve the item. (Time: 2:14 p.m.)

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

COURT ORDER NO. 2015-673-09-21

6. AI-40530 \$113,371 to reallocate funds for Juvenile Court Indigent Defense to cover the \$3,370.78 negative balance and fund the remainder of FY 2015, 219th District Court.

COURT ORDER NO. 2015-674-09-21

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

1. AI-40471 August 10, 2015 Budget Workshop.

COURT ORDER NO. 2015-675-09-21

i. Miscellaneous

1. **AI-40500** Amended Statement of Grant Award for the FY2014 New Single-year Discretionary Grant for eManagement through the Texas Indigent Defense Commission to extend the grant period through and including March 31, 2017, Auditor.

Commissioner Webb pulled this item to look at page 432 of the Court packet which was the Grant Review Committee review form that goes through the Auditor's office. The Commissioner questioned the completion date on the form which was March 28, 2013 as well as the difference in dollar figures in the budget and finance comment box. Jeff May, County Auditor, explained the document was attached to the agenda item to show that the grant was approved by the Court in 2013. At the time of the grant application, \$300,000 was the grant estimate.

When the grant was approved, the amount was ramped up to include counties and another program making the awarded grant \$437,000. The item before the Court is to approve a change in the contract. With no further discussion, a motion was made to approve the item. (Time: 2:18 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-676-09-21

2. **AI-40472** Acquisition of the remaining right-of-way parcel for the Dallas North Tollway Extension (Phase 4) north of U.S. Highway 380 in Prosper, Special Projects.

COURT ORDER NO. 2015-677-09-21

3. **AI-40491** FY2016 Pay for Performance Increases, Human Resources.

COURT ORDER NO. 2015-678-09-21

4. **AI-40492** FY2016 Non-Pay for Performance Salary Increases, Human Resources.

Judge Self pulled this item because it is for the salary increases awarded by the Board of District Judges and other boards over which the Court has no control. A motion was made to approve the item. (Time: 2:19 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 1 Passed
Nay: Judge Keith Self

COURT ORDER NO. 2015-679-09-21

5. **AI-40526** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-680-09-21

6. **AI-40527** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-681-09-21

GENERAL DISCUSSION

5. **AI-40504 Public Hearing** - Consideration and any action for the issuance of a "Mass Gathering" permit for the Color Fun Fest 5K on October 24, 2015 from 1:00 P.M. to 10:00 P.M. at Myers Park & Event Center in accordance to Health and Safety Code Chapter 751, Special Projects.

Judy Florence, Parks Manager, came forward to request the consideration and issuance of a "Mass Gathering" permit for the Color Fun Fest 5K event on October 24, 2015 from 1:00 p.m. to 10:00 p.m. Ms. Florence said the company will take care of parking attendants and portable restrooms. A motion was made to approve the item. (Time: 2:20 p.m.)

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

COURT ORDER NO. 2015-682-09-21

6. **AI-40508 Public Hearing** - Consideration and any action for the issuance of a "Mass Gathering" permit for the Vintage Market Days event on November 20-22, 2015 at Myers Park & Event Center in accordance to the Health and Safety Code 751, Special Projects.

Judy Florence, Parks Manager, came forward to request the consideration and issuance of a "Mass Gathering" permit for the Vintage Market Days event on November 20-22, 2015. Ms. Florence said this event is for vintage finds, holiday décor and unique gift items. The event will take place in the Show Barn. Judge Self asked for public comments. Hearing none, a motion was made to approve the item. (Time: 2:21 p.m.)

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

COURT ORDER NO. 2015-683-09-21

7. AI-40506 Commit the balance of the Permanent Improvement Fund as of September 30, 2015 for CAFR reporting purposes, Auditor.

Jeff May, County Auditor, explained in the CAFR (Comprehensive Annual Financial Report) the Permanent Improvement Fund is currently rolled into the General Fund per GASB (Government Accounting Standards Board) requirements. A Commissioners' Court order is needed in order to put the funds in committed funds instead of in the unassigned fund balance. A motion was made to approve the item. (Time: 2:21 p.m.)

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

COURT ORDER NO. 2015-684-09-21

8. FY 2016 Budget

Monika Arris, Budget, came forward with a PowerPoint presentation on the FY2016 proposed budget that was filed September 14, 2015, before the opening of the Public Hearing. The General Fund in the proposed budget is \$182.6 million overall. Without the cash funding for the first phase of the Sheriff's Office public radio system for \$7 million and the \$500,000 put aside for the County Clerk's AMCAD system, the General Fund proposed budget would be \$175.1 million, or a 5.1% increase from 2015. The Road and Bridge Fund proposed budget is \$23.3 million for a 3.2% increase from 2015. The Operating Funds budget, which consists of the General Fund, Road and Bridge Fund and Permanent Improvement Fund, is proposed at \$208.6 million. This is an increase of 8.9% from 2015. Without the cash funding for the first phase of the Sheriff's Office public radio system for \$7 million and the \$500,000 put aside for the County Clerk's AMCAD system, the proposed budget would be \$201.4 million, or a 5.5% increase. The General Fund has \$2.6 million more in revenues than expenditures for FY2016. The Road and Bridge Fund is utilizing \$1.4 million in reserves for FY2016 and the Permanent Improvement Fund is utilizing \$3.4 million in reserves for FY2016.

The proposed Healthcare Fund budget is \$4 million, or a 2.4% increase. Other funds throughout the County include grants, special revenues, internal service, Community Supervision and Corrections Department and CCTRA (Collin County Toll Road Authority). CCTRA does not have any revenues but does have an expenditure budget of \$5.1 million. The proposed total combined funds for FY2016 is \$310.2 million, or an increase of 2.9% over 2015. Without the cash funding for the first phase of the Sheriff's Office public radio system for \$7 million and the \$500,000 put aside for the County Clerk's AMCAD system it would be \$302.7 million, or an increase of 7.9%. The total combined estimated expenditure is \$310.2 million and the recommended revenue estimate provided by the Auditor's Office is \$300.5 million. There is a planned use of \$4 million in reserves.

After the budget was filed \$150,000 was added to the General Fund in Non-Departmental Contingency for a third party consultant for direction on compensation. Other items brought up but not yet voted on include: \$240,000 in the General Fund in Non-Departmental Contingency for a transportation consultant and \$2,500 in the General Fund in Non-Departmental Contingency for a consultant to develop Indigent Defense and Ad Litem plans.

The next steps in the budget process are the adoption of the FY2016 elected officials' salaries, the FY2016 tax rate, the FY2016 budget and the FY2016 fee schedule.

Discussion followed regarding the \$240,000 for a transportation consultant and if that amount is appropriate. It was felt that a transportation consultant or engineering firm would bring a fresh approach with fresh people to work on the US75 issue. Another suggestion was a planner who has an engineer behind them, especially one who has worked with cities to be able to communicate effectively. It was determined the Court was more comfortable budgeting \$150,000 in contingency for a transportation consultant. Clarence Daugherty, Engineering, was asked to weigh in. Based on what he has heard from the Court, Mr. Daugherty suggested budgeting at the higher end because there is the potential of running up more time than anticipated by looking at multiple options and trying to build consensus. With no further discussion, a motion was made to add \$240,000 to the budget in contingency for a transportation consultant. (Time: 3:05 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Chris Hill
Vote: 5 – 0 Passed

The consultant for developing an Indigent Defense and Ad Litem plan was also discussed. Commissioner Webb has been working with Alyse Ferguson, MHMC (Mental Health Managed Counsel) Director, to look at options and craft solutions. The \$2,500 is what it would cost for Ms. Ferguson to put the plan together, incorporating all the data from the Auditor's office and from the Commissioner, into a format to be able to work with the Judges. The Commissioner believed this was a fair amount given the time she has already put in and will put in based on her working knowledge of the Fair Defense Act and of the Judge's policies. With no further discussion, a motion was made to approve the \$2,500 for a consultant to develop an Indigent Defense and Ad Litem Plan. (Time: 3:07 p.m.)

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

a. AI-40360 Public Hearing – Proposed FY 2016 Budget.

Judge Self opened the public hearing for the FY2016 proposed budget at 3:07 p.m. and asked for comments from the public. Hearing none, the public hearing was closed at 3:08 p.m.

b. AI-40361 Adoption of an order setting and approving the Fiscal Year 2016 Elected Officials Salaries.

A motion was made to set and approve the FY2016 Elected Officials' Salaries. (Time: 3:08 p.m.)

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

COURT ORDER NO. 2015-685-09-21

c. AI-40362 Adoption of an order setting and approving the FY 2016 Budget.

A motion was made to adopt the FY2016 Budget as proposed. (Time: 3:10 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Cheryl Williams
Vote: 4 – 1 Passed by a show of hands
Nay: Judge Keith Self

COURT ORDER NO. 2015-686-09-21

Following the vote Judge Self stated he voted against the proposed budget because there are many pieces of the budget the Commissioners' Court does not control. He did not vote against any decisions made by the Commissioners' Court. The Judge voted against the budget because there were various boards, mostly comprised of judges, which gave a salary increase to a group of people that was 33% higher than the salary increase approved by the Commissioners' Court; supplements to two officers in one department for \$14,000 contrary to policy and HR (Human Resources) recommendation; and a 17% salary increase was approved for an individual outside of policy and HR recommendation. He also voted against the budget due to the negotiations and conflicting language in the local rules under the Texas Fair Defense Act implementing policy. (Time: 3:11 p.m.)

d. **AI-40363** Adoption of an order setting the maintenance and operating tax rate for Fiscal Year 2016.

A motion was made to adopt the M & O tax rate of \$0.169800. (Time: 3:12 p.m.)

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

COURT ORDER NO. 2015-687-09-21

e. **AI-40364** Adoption of an order setting the debt service tax rate for Fiscal Year 2016.

A motion was made to adopt the debt service tax rate of \$0.055200. (Time: 3:12 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2015-688-09-21

f. **AI-40365** Adoption of an order setting the combined tax rate for FY 2016.

Commissioner Webb made a motion to set the combined tax rate for FY2016 in the following statement: *"I move that the property tax rate be increased by the adoption of a tax rate of \$0.225000, which is effectively a 3.30% increase in the tax rate."* (Time: 3:15)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Chris Hill
Vote: 5 – 0 Passed

COURT ORDER NO. 2015-689-09-21

g. **AI-40367** Adoption and an order setting and approving the Collin County Fee Schedule for Fiscal Year 2016.

A motion was made to approve the FY2016 County Fee Schedule. (Time: 3:16 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 – 1 Passed
Nay: Commissioner Chris Hill

COURT ORDER NO. 2015-690-09-21

9. **AI-40366** Restrictions on funds in compliance with Government Accounting Standards Board (GASB) Statement Number 54 for FY 2016, Budget.

A motion was made to approve the restrictions on funds in compliance with GASB Statement Number 54 for FY2016. (Time: 3:16 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2015-691-09-21

10. **AI-40501** \$528,000 to reallocate 2007 Road and Transportation Bond funds for the construction of CR 819 (Ballard Ave.) from Alanis Drive to County Line and authorize staff to prepare an amended Interlocal Agreement with the City of Wylie, Engineering.

Clarence Daugherty, Engineering, said this is a county project from the 2007 bond program which is partially in the city limits of Wylie. As the project was moved to implementation, it was determined that it would be more efficiently carried out by Wylie. The City has been managing the project through the design and right-of-way acquisition stages. The Court has previously approved Interlocal Agreements for those stages of the project. The project has had some delays including special utility problems, but is now at the construction bidding stage. Bids have come in higher than expected by approximately \$1 million; therefore, the money allocated is not adequate. Even though the County has been funding the project 100%, Wylie is willing to pay half of the overrun. The County portion would be \$528,000. This would allow Wylie to move forward with the construction of the project. Judge Self and Commissioner Williams were pleased and appreciative of Wylie's willingness to help with the county project. It shows how important the project is to the City. With no further discussion, a motion was made to approve the item. (Time: 2:25 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 5 - 0 Passed

COURT ORDER NO. 2015-692-09-21

11. AI-38983 North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.

Judge Self said there was one item he could not support at the NCTCOG (North Central Texas Council of Governments) meeting because the Board was unwilling to hold the item until the Judge could get more information. The item was asking Medicaid providers to offer services to a wider population. The Judge questioned the effect that would have on the state Medicaid budget. The answer received was there would be no impact which he believed to be contradictory. The Executive Director said Legislature brought the item to the Board to try to reduce costs. The Judge said he couldn't understand how expanding services would reduce costs. The remainder of the agenda was budget and contract related. (Time: 2:26 p.m.)

NO ACTION TAKEN

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

13. AI-36908 TAPS Update, Commissioner, Precinct 3.

Commissioner Hill stated the September 16, 2015, meeting was a difficult meeting of the TAPS (Texoma Area Paratransit System) Board. The Board has been receiving indications of TAPS operational struggle for the last six months. Over that period of time the Board has not been successful in getting current financial statements from management. At the August 12, 2015, meeting the Board appointed a finance committee to look closer at the finances of the organization. Commissioner Hill, the County Judge of Montague County and a Councilman from Denison were appointed to the committee. The committee met on August 26, 2015. Prior to the meeting the Commissioner asked TAPS management to provide several documents including financial statements and operating reports for the committee to review which were not made available the day of the committee meeting. Discussion began with only the bank balance for the day.

It was determined the TAPS financial situation is dire. At the September meeting Commissioner Hill presented the finance committee's report and the Board did receive some of the financial reports from TAPS management which were previously requested. Ultimately the Board determined TAPS would finish out the current operating fiscal year somewhere between \$800,000 - \$1.6 million in deficit. The difference depends upon TAPS receiving one of its most sizable operating grants from the Federal Transit Administration. It is unknown if they will receive the grant. Even if the grant is received in full TAPS will still end the fiscal year with a deficit.

The Board received and accepted the resignation letter of the TAPS Executive Director. An interim Chief Executive Officer/Executive Director and an interim Chief Financial Officer are in place. At this time the Board has not elected to look for permanent candidates but have directed the interim staff to immediately prepare a recovery plan to show how TAPS will get back on track in the next fiscal year and how they will cover the deficit. The Commissioner said the recovery plan has not been received, but he will be meeting with TAPS management on Wednesday, September 23, 2015, to receive the first draft of the plan.

Commissioner Hill stated he wanted to make sure everyone on the TAPS Board knew the depth of the funding struggle which was uncovered. One idea the Board identified was to reduce levels of service to get back in line with the operating budget. The Board decided to eliminate two lines of service: the fixed route buses which run on the weekend in McKinney, saving in excess of \$400,000 annually; and the commuter line which runs through Grayson and Cooke counties to the Peterbilt Plant, saving in excess of \$200,000 annually.

Commissioner Fletcher asked about the status of the fleet and general operation improvements since the changes were made. Commissioner Hill stated the types of improvements the Board is looking for have yet to occur. No payroll was ever missed, but there was one occasion where they came within a day of missing. 50% of the fleet is out of service. Part of the 50% is past their operational life while the others are sidelined due to lack of funds for normal maintenance. The TAPS management has suggested they reach out to their member counties, cities and one organizational member to ask for additional grant funding. The Commissioner told management he believes that will be a difficult sell. Rather than additional grant funding the Commissioner suggested TAPS management ask, once they develop a recovery plan, their member agencies for an operating loan which would be paid back after the organization has returned to strength. That was the best suggestion he had at least from what they may find from Collin County. Judge Self said this situation feels similar to that of CCART (Collin County Area Rural Transit). TAPS has no subsidy, totally relying on grants which are paid in arrears. The Judge asked if they were providing services the grants did not cover. Commissioner Hill said CCART was providing services which were not eligible for reimbursement. All TAPS services are eligible for reimbursement, but they were offering far more services than there were reimbursement funds available. Even in the best case scenario TAPS will not recover all of their operating costs.

Commissioner Williams asked if the expansion into Collin County contributed to the problem. Commissioner Hill said the expansion qualitatively and quantitatively led to most of the problem. The Collin County expansion more than doubled their operation. This concern was discussed with TAPS upfront and they assured the County they could handle the capacity. The Commissioner believes they were never able to get a grasp on the service levels in the County or have a system in place. Commissioner Williams stated she was skeptical from the beginning. Her concern is if TAPS will be able to at least provide paratransit services which are the most critical and most worthy of government involvement.

Commissioner Hill said management has assured they are taking disability calls first, medical calls second and all other calls third. This will be the priority they operate under. Commissioner Williams asked how this is being communicated to the affected cities. Commissioner Hill stated the next communication intended will be to put out the recovery plan and share it with all the member agencies. Commissioner Williams also asked if there are cities that have paid contracts for TAPS service and will they be impacted by the cut in service. Commissioner Hill said there are cities with paid contracts and one city impacted is McKinney. McKinney is not happy about the situation and they are having discussions on how to handle moving forward. Collin County is an indirect financial partner due to the grants TAPS receives. This is because Collin County has named TAPS the provider for the region. Commissioner Hill would like to keep TAPS on future agendas to provide updates as they are available. (Time: 2:45 p.m.)

NO ACTION TAKEN

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session at 3:16 p.m. in accordance with Chapter 551.071 of the Local Government Code, Legal, to discuss possible litigation involving Constable Precinct 3 vehicle.

Judge Self reconvened the meeting at 4:11 p.m. and asked for a motion on the item. No motion was made. (Time: 4:11 p.m.)

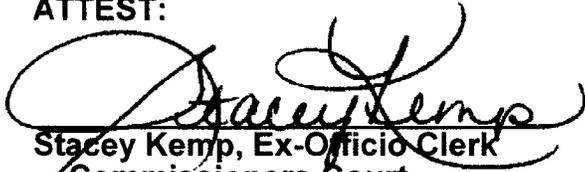
AI-40380 Discussion of possible litigation involving Constable Pct. 3 vehicle, Auditor.

NO ACTION TAKEN

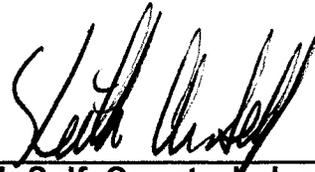
There being no further business of the Court, Judge Self adjourned the meeting of the Commissioners' Court at 4:12 p.m.



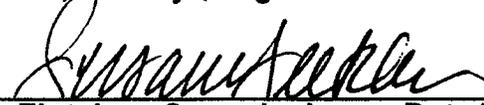
ATTEST:



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



Keith Self, County Judge



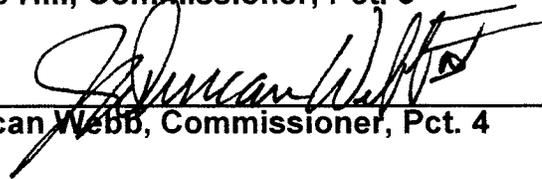
Susan Fletcher, Commissioner, Pct. 1



Cheryl Williams, Commissioner, Pct. 2

Not Present

Chris Hill, Commissioner, Pct. 3



Duncan Webb, Commissioner, Pct. 4