

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
JUNE 18, 2018

COUNTY OF COLLIN

On Monday, June 18, 2018, 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 John Thomas, Precinct 3

Commissioner Duncan Webb, Precinct 4

Commissioner Duncan led the Invocation.

Judge Self led the Pledge of Allegiance.

Commissioner Fletcher 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. and recessed the meeting at 2:32 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:32 p.m. The meeting was reconvened and recessed at 4:05 p.m.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 2:32 p.m. and adjourned the meeting at 2:32 p.m.

FYI NOTIFICATION

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

2. **AI-45006** Addendum No. 1 to Offender Specimen Collection and Drug Testing Services (RFP No. 2018-179) to make various changes to the Request for Proposal, Purchasing.

3. **AI-44910** Amendment No. 6 to Software and Implementation Services for an ERP Financial System (RFP No. 2015-192) with Tyler Technologies, Inc. to provide a modification to the standard Munis Work Order form to print the requesting department's contact information on the Work Order, Information Technology.

4. **AI-44997** Contract renewal for Services: Commissary (Contract No. 2014-123) with Aramark Correctional Services, LLC to extend the contract for one (1) year through and including September 30, 2019, Sheriff.

5. **AI-44978** Budget amendment in the amount of \$5,365 to establish a budget in the SO Federal Drug Forfeiture Fund for the purchase of weapons and accessories, Sheriff.

2. Public Comments.

Public Comments were heard under General Discussion item 7.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled item 4g2 and Commissioner Thomas pulled item 4e2. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:31 p.m.)

Motion by: Commissioner John Thomas
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

a. **AI-44994** Disbursements for the period ending June 12, 2018, Auditor.
COURT ORDER NO. 2018-487-06-18

b. **AI-45001** Indigent Defense Disbursements, Auditor.
COURT ORDER NO. 2018-488-06-18

c. **AI-44941** Tax refunds totaling \$128,998.81, Tax Assessor/Collector.
COURT ORDER NO. 2018-489-06-18

d. Award(s):

1. **AI-44952** Vehicles, Light and Medium Duty Trucks (Contract No. 2018-087C) to Silsbee Ford, Inc., Public Works.
COURT ORDER NO. 2018-490-06-18

e. Amendment(s):

1. **AI-44982** No. 1 to Access Control and Time Collection Solution (RFP No. 2016-044) with Securadyne Systems LLC to add equipment to the project scope, increase the hourly labor rate and further authorize the Purchasing Agent to finalize and execute same, Information Technology.
COURT ORDER NO. 2018-491-06-18

2. AI-44984 No. 4 to Frontier Parkway Improvements (AGR No. 2016-229) with Birkhoff, Hendricks & Carter L.L.P. to resolve some critical drainage issues, make changes to the access road, bid the full width bridge as an alternate, add 280 calendar days to the contract and further authorize the Purchasing Agent to finalize and execute same, Engineering.

Commissioner Thomas pulled this item to receive more details from Engineering. Clarence Daugherty, Engineering, said this item is an amendment to the engineering contract for design work for Frontier Parkway. Celina has asked the County to design and bid as an option to build the entire bridge which will go over the railroad. Celina will pay for the engineering. Originally Celina did not want a bridge over the railroad, but they reevaluated and now see the value in it. The amendment is also for additional drainage issues which were not foreseen. It is not anticipated for there to be an increase in cost to the County for the overall project. With no further discussion, a motion was made to approve the item. (Time: 1:33 p.m.)

Motion by: Commissioner John Thomas
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2018-492-06-18

f. Contract Renewal(s):

1. AI-44998 Engineering Services, Geotech and Materials Testing for Roads and Buildings (RFQ No. 2017-247) with Alliance Geotechnical Group, Inc. to extend the contract for one (1) year through and including September 30, 2019, Construction & Projects.

COURT ORDER NO. 2018-493-06-18

2. AI-45002 Security Gate Repair Parts and Services (IFB No. 2016-295) with Orion Access Control, Inc. dba Royal Access Control to extend the contract for one (1) year through and including September 30, 2019, Facilities.

COURT ORDER NO. 2018-494-06-18

3. AI-44993 Services, Detention Slider Door Repairs (IFB No. 2017-161) with ISI Detention Contracting Group Inc. dba Argyle Security Group to extend the contract for one (1) year through and including September 30, 2019, Facilities.

COURT ORDER NO. 2018-495-06-18

4. AI-45005 Polygraph Testing (RFP No. 2017-168) with Ruiz Protective Services, Inc. to extend the contract for one (1) year through and including September 30, 2019, Sheriff.

COURT ORDER NO. 2018-496-06-18

5. **AI-44996** Services: GPS Offender Monitoring (RFP No. 2016-251) with TDH Denton LLC dba Surscan to extend the contract for one (1) year through and including August 31, 2019, Sheriff.

COURT ORDER NO. 2018-497-06-18

6. **AI-44999** Professional Services, Surveying (RFQ No. 2017-257) with Halff Associates, Inc. to extend the contract for one (1) year through and including September 30, 2019, Special Projects.

COURT ORDER NO. 2018-498-06-18

g. Miscellaneous

1. **AI-45015** Sale of property located at Wolfe Street/908 Hamilton Street, McKinney, Texas (Lot 1B & 1D, Block 49, Shorts Addition, Volume 1884, Page 730) as recorded in the Collin County Deed Records to Ismail Guyneydas upon the payment of \$7,000, County Judge.

COURT ORDER NO. 2018-499-06-18

2. **AI-45008** Acceptance of the roads within the Trails of 1827 Phase II for County maintenance, Engineering.

Commissioner Webb pulled this item because he opposes the County taking on the maintenance of these residential streets. He is hopeful the Court will soon have the opportunity to look at a new policy for this matter. With no further discussion, a motion was made to approve the item. (Time: 1:34 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 – 1 passed
Nay: Commissioner Duncan Webb

COURT ORDER NO. 2018-500-06-18

3. **AI-45007** Re-designation of Private Road 5649 to Nova Rd (with associated address updates), GIS/Rural Addressing.

COURT ORDER NO. 2018-501-06-18

4. **AI-45021** Personnel Appointments, Human Resources.

COURT ORDER NO. 2018-502-06-18

5. **AI-45022** Personnel Changes, Human Resources.

COURT ORDER NO. 2018-503-06-18

GENERAL DISCUSSION

5. AI-45003 Personnel Changes for Justice of the Peace, Precinct 3-2, Commissioner, Precinct 3.

Commissioner Thomas did more due diligence about the personnel request in JP (Justice of the Peace), Precinct 3-2, which was previously discussed by the Court on June 4, 2018. A JP 3-2 employee made a lateral transfer from her position as a Legal Clerk II to a Clerk I in the District Clerk's Office, but decided to return to JP 3-2. However, the Legal Clerk II position is no longer available. A Legal Clerk I position is available which, under policy, would be a 5% decrease in pay due to moving from a higher paygrade to a lower paygrade. The request was for the employee's compensation to not be decreased. The Commissioner is confident the request is a one-time exception to the policy and is appropriate. The employee is well skilled with a lot of experience and certifications appropriate for the position. If this individual came into the Legal Clerk I position from outside the County, with the same experience, the salary requested would be appropriate. County employees should not be treated worse than an outside applicant and should have the same opportunity in pay.

Judge John Payton, JP 3-2, said he spoke with Cynthia Jacobson, HR (Human Resources), about the option of moving the current Legal Clerk II down to the Legal Clerk I position and moving the previous employee back to her original position as the Legal Clerk II. The response from the current Legal Clerk II after the June 4, 2018 meeting was immediate. The current Legal Clerk II feels she is being marginalized and believes she has worked hard to earn her position; therefore, if this is what is going to happen she will give her notice. Judge Payton does not want to lose either employee. He said he believes the employee who is coming back to his office should come back with her same pay because it is within the paygrade for the position. He agreed with Commissioner Thomas's statement regarding opportunity in pay.

Judge Self shared PowerPoint slides on job reclassification from PeopleSoft data. Since 2010 there have been six examples of one-off situations where the Court reclassified a position down. Not one of those had their salaries decreased. In 2017, there were two positions which had skills flipped; therefore, the Clerk Is were reclassified up to Clerk IIs and vice versa. This is the closest example to what is being requested in JP 3-2. The Judge also shared stats on involuntary demotions which were mainly during elected official transitions. Salaries were decreased under the policy. The Judge said he would rather perform an out of cycle reclassification of the two positions because of the experience the employee has rather than breaking policy by approving the salary exception. This reclassification would flip the two positions without changes to either salary.

Judge Payton said he presented this option to the employees. The current Legal Clerk II had the same response previously mentioned. Judge Payton suggested reclassifying the Legal Clerk I to a Legal Clerk II making two Legal Clerk II positions in JP 3-2 with the caveat that if one of the positions becomes vacant it drops back to a Legal Clerk I. Both are currently performing Legal Clerk II duties.

Commissioner Williams said unless there is a precedent of two Legal Clerk II positions in a JP's office she cannot support reclassifying the Legal Clerk I to a Legal Clerk II. Ms. Jacobson said 18 years ago the County had a policy where a Clerk I could become a Clerk II based on length of service; therefore, there could have been two Legal Clerk IIs, but that was years ago. The Commissioner is comfortable with the reclassification option the Judge presented and said there is a valid point mentioned by Commissioner Thomas of not penalizing employees when seeking a new position because they are an existing employee. There are cases where an internal candidate and an external candidate apply for the same job and the external candidate has the opportunity to get more money than the internal candidate. This is a legitimate problem that needs to be fixed.

Commissioner Webb was conflicted because the approval of the request will be setting precedence. He agrees with the reclassification concept, but does feel if an employee decides to move there should be consequences with the move.

There was a brief discussion on the salary opportunity for external candidates versus that for internal candidates.

Judge Self asked Ms. Jacobson to talk through his suggestion of reclassifications. Ms. Jacobson said the returning employee would keep her salary, but her position of Legal Clerk I would be reclassified up to a Legal Clerk II. The current Legal Clerk II would be reclassified down to a Legal Clerk I with no salary change.

Commissioner Thomas asked Judge Payton to weigh in on this suggestion. Judge Payton again said the response to this suggestion by the current Legal Clerk II was that of dissatisfaction. He said the employee has worked extremely hard to get up to pace as a Legal Clerk II at a time when the office was shorthanded.

Commissioner Williams said she will support the reclassification suggested by Judge Self or the demotion as recommended by HR. Ms. Jacobson said the compensation of the demotion would be \$35,078. Commissioner Thomas reiterated his support of the requested exception.

Commissioner Thomas moved to allow the employee to come back into JP 3-2 as a Legal Clerk I at her current salary and the Legal Clerk II remain as is. The motion was not seconded.

A motion was made to approve the HR recommendation. (Time: 2:12 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Duncan Webb

Vote: 3 – 2 Passed

Nay: Commissioner Susan Fletcher and Commissioner John Thomas

COURT ORDER NO. 2018-504-06-18

6. AI-44857 IT and Constable Presentation, Constable, Precinct 3.

Sammy Knapp, Constable, Precinct 3, introduced Chief Deputy Constable Matthew Carpenter to give the IT and Constable presentation. Currently there are 26 full-time sworn positions which include the elected officials and 24 reserve deputies. There are 31 patrol vehicles, five of which are reserve vehicles. The full-time employee vehicles are equipped with an MDC (Mobile Digital Computer) with built-in wireless connection and docking station, a mobile Motorola radio, a protective cage and an exterior/interior police lighting package. Each Precinct has at least one reserve patrol vehicle. These do not have assigned MDCs or docking stations. Some have protective cages and exterior/interior lighting.

The full-time deputies have access to the following software: TLE (Tyler Law Enforcement) civil/criminal papers and warrants – unlimited license; ICS (Incident Command System) dispatch module; Laserfiche; Tyler SoftCode – civil paper software replacing TLE in 2019; and TLETS (Texas Law Enforcement Telecommunications System)/Omnixx State Access Desktop PC. The reserve deputies have access to TLE civil papers, Tyler SoftCode and TLETS/Omnixx State Access Desktop PC.

Full-time deputies are issued: a uniform – shirt, pants and jacket; a taser; a uniform badge and name plate; a ballistic vest and helmet; body armor; a Panasonic MDC; a County provided cell phone; business cards; and a handheld Motorola radio and body microphone. The reserve deputies are issued: a uniform – shirt, pants and jacket; and a uniform badge. The handgun, rifle, ammunition, leather gear, keepers, boots, holster, pepper spray, ASP (Armament Systems and Procedures) baton, and handcuffs are at the full-time and reserve officer's expense.

Commissioner Thomas asked how many hours the reserve deputies are supplementing hours for full-time deputies each week. Constable Knapp said each reserve deputy works a minimum of 16 hours per month. The Commissioner would like to see the County provide, at a minimum, body armor for reserve deputies. This would not be for an unlimited number of reserve deputies, but rather a number to be determined. He suggested the body armor could be the type that goes over the uniform which is not custom fitted for maximum use.

Commissioner Thomas would also like to see the one reserve vehicle in each Precinct outfitted with an MDC and protective cage. The vehicles should be properly outfitted for security and for the reserve deputies to do their job. The Court agreed this would be something to discuss further during the budget session.

Commissioner Williams added, the number of reserve deputies outfitted cannot be unlimited. There must be a firm limitation on the number. The Court has no control on the number of reserve deputies in the Constable Offices. The number of reserve deputies should never outnumber the number of full-time deputies. Judge Self also said the Court has no control on the quality or training of the reserve deputies, but it does have control on whether or not there are reserve deputies at all. This all will have to be looked at very closely. (Time: 2:20 p.m.)

NO ACTION TAKEN

7. AI-44907 Order authorizing the issuance and sale of Collin County, Texas, Tax Notes, Series 2018, in the aggregate principal amount not to exceed \$18,100,000; Levying a tax in payment thereof; prescribing the terms and provisions of said notes; approving a Purchase Agreement; and enacting other provisions relating to the subject and budget amendment to establish the expenditure budget for same, Budget.

Bill Bilyeu, County Administrator, said staff is recommending a one-year tax note. The fund balance in the debt fund is a little over \$20 million. To access those funds, debt must be issued and adopted into the annual budget in order to pay it out. The bid for \$18.1 million was put out for a list of 18 projects and eight bids were received. JP Morgan sent the contract today which is an open analysis with a low bid of a little over 2% blended when adding in the expenses. The projects are all permanent improvement projects or capital purchases.

Roy Serpa, Fairview, came forward to speak on the November bond election. Because this subject was not on the agenda Judge Self told Mr. Serpa he would be happy to speak with him offline. Mr. Serpa asked when the budget process would begin. Judge Self informed him the budget workshop would be held in August. Mr. Serpa said from these open public meetings he has learned the Court has no control over how an elected official runs their area of responsibility, but the Court has control over the budget. (Time: 2:25 p.m.)

Commissioner Thomas said the intent of these tax notes is that the tax rate will not be raised. Commissioner Williams said this allows the County to use surplus which couldn't be accessed any other way.

Judge Self complemented the Budget Director for finding the overcharge on the state worksheet. He would like to put it on the legislative agenda to send her down to the legislature to show them where the calculation is wrong so this will not happen in the future. With no further discussion, a motion was made to approve the item. (Time: 2:26 p.m.)

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

COURT ORDER NO. 2018-505-06-18

8. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb updated the Court on the June 14, 2018 RTC (Regional Transportation Council) meeting. The RTC approved Mobility 2045. For Collin County the only freeway added to Mobility 2045 is the Outer Loop, but there are a lot of thoroughfares and projects slated for improvement. The earliest an amendment can occur is in two years. Consensus will need to be built over in that time, if the County wants to move forward with more freeways on the plan.

Mo Bur is the new District Director of the Dallas District. He is very experienced in the region.

The RTC is moving to make a grant to the federal government to put with LIP (Local Initiative Project) funds for \$50 million to bring 6,500 next-generation traffic signals into the region. Of the \$50 million, \$20 million will be LIP funds and \$10 million in CMAQ (Congestion Mitigation and Air Quality) funds. The rest will be a block grant.

The RTC is trying to incentivize cities by putting up \$125,000 and \$143,000 in grant funds. The cities would have to agree to allow the 511DFW/Waze Data Sharing. Most Collin County cities are already sharing the data.

An announcement was made that additional money is coming to the region for transportation infrastructure. Currently there is no information on how much money is coming or when it will come, but more details should be available next month. (Time: 2:31 p.m.)

NO ACTION TAKEN

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

Judge Self recessed the meeting at 2:32 p.m. and called to order the meeting of the Collin County Health Care Foundation. Judge Self reconvened the meeting at 2:32 p.m.

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:32 p.m. under paragraph 551.071, Legal to discuss Case No. 401-03649-2015 The City of McKinney, Texas vs. Custer Storage Center, LLC and under paragraph 551.076, Security to discuss the IT Security Update.

Judge Self reconvened the meeting at 4:05 p.m.

Legal (551.071)

AI-45029 Case No. 401-03649-2015 The City of McKinney, Texas, vs. Custer Storage Center, LLC, Commissioners Court.

NO ACTION TAKEN

Security (551.076)

AI-44966 IT Security Update, Information Technology.

NO ACTION TAKEN

There being no further business of the Court, Judge Self adjourned the meeting at 4:05 p.m.



Keith Self

Keith Self, County Judge

Susan Fletcher

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams

Cheryl Williams, Commissioner, Pct. 2

Not Present

John D. Thomas, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

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