

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
NOVEMBER 5, 2018

On Monday, November 5, 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

Judge Self led the Invocation.
Commissioner Fletcher led the Pledge of Allegiance.
Commissioner Thomas 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 3:03 p.m. The meeting was reconvened and immediately recessed into Executive Session at 3:04 p.m. The meeting was reconvened and adjourned at 3:40 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 3:03 p.m. and adjourned the meeting at 3:03 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 3:03 p.m. and adjourned the meeting at 3:04 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-45709 Agreement between the Collin County Juvenile Probation Department acting through the Collin County Juvenile Board and Rockwall County Juvenile Probation Department acting through the Rockwall County Juvenile Board for the Collin County Juvenile Probation Department to provide a Sex Offender Treatment Program at the County Pre-Adjudication Facility for the Rockwall County Juvenile Probation Department for the period September 1, 2018 through and including August 31, 2019, Juvenile Probation.

2. **AI-45710** Agreement between the Collin County Juvenile Probation Department acting through the Collin County Juvenile Board and Rockwall County Juvenile Probation Department acting through the Rockwall County Juvenile Board for the Collin County Juvenile Probation Department to provide detention services at the County Pre-Adjudication Facility for the Rockwall County Juvenile Probation Department for the period September 1, 2018 through and including August 31, 2019, Juvenile Probation.

3. **AI-45672** Amendment No. 10 to CSCD, Offender Specimen Collection and Drug Testing Services (RFP No. 2015-200) with Treatment Assessment Screening Center, Inc. to extend the agreement for one (1) additional month through and including November 30, 2018, Adult Probation.

4. **AI-45664** Grant award through the Texas Juvenile Justice Department (TJJD) for residential treatment services for a juvenile being diverted from TJJD (state) commitment for the period October 18, 2018 through and including August 31, 2019, Juvenile Probation.

5. **AI-45727** Personnel Appointments, Human Resources.

6. **AI-45728** Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. **AI-45711** Addendum No. 1 to Professional Services, Appraisal Services (RFP No. 2018-311) to add Exhibit C – Park Boulevard ROW Documents to the Request for Proposals, Purchasing.

3. **AI-45718** Budget amendment in the amount of \$25,000 utilizing the District Attorney's Federal Forfeiture Fund to provide office and investigative equipment for the newly formed Child Exploitation and Human Trafficking Unit, District Attorney.

4. **AI-45628** P–Card Disbursements, Auditor.

5. **AI-45563** County overtime for the pay period ended October 21, 2018, Human Resources.

6. **AI-45707** Turnover, Human Resources.

7. **AI-45715** Voluntary Terminations, Human Resources.

2. **Public Comments.**

3. **Presentation/Recognition.**

4. Consent agenda to approve: Judge Self moved item 415 to General Discussion and asked for comments on the remainder of the consent agenda. Hearing no comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:31 p.m.)

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

a. **AI-45636** Disbursements for the period ending October 30, 2018, Auditor.
COURT ORDER NO. 2018-934-11-05

b. **AI-45637** Indigent Defense Disbursements, Auditor.
COURT ORDER NO. 2018-935-11-05

c. **AI-45619** Tax refunds totaling \$496,859.17, Tax Assessor/Collector.
COURT ORDER NO. 2018-936-11-05

d. Advertisement(s):

1. **AI-45680** Construction, Myers Park Roof Replacements (IFB No. 2019-015), Construction & Projects.
COURT ORDER NO. 2018-937-11-05

2. **AI-45681** Professional Services, Architectural, Adult Detention Center Assessment and Design Services (RFQ No. 2019-021), Construction & Projects.
COURT ORDER NO. 2018-938-11-05

3. **AI-45625** Services: Body Repair And Painting For Light, Medium & Heavy Duty Vehicles (IFB No. 2018-263), Public Works.
COURT ORDER NO. 2018-939-11-05

4. **AI-45700** Signs, Sign Materials, & Barriers (IFB No. 2018-260), Public Works.
COURT ORDER NO. 2018-940-11-05

e. Award(s):

1. **AI-45667** Construction, Myers Park Show Barn Electrical Upgrade (IFB No. 2018-326), Base Bid and Alternates 1, 2 and 3 to KE Industrial, LLC and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Construction & Projects.
COURT ORDER NO. 2018-941-11-05

2. **AI-45665** Earth Moving and Construction Equipment (Contract No. 2019-002) to Holt Texas, LTD., Public Works.
COURT ORDER NO. 2018-942-11-05

f. Agreement(s):

1. **AI-45634** Interlocal Cooperation Agreement with the City of Lucas for On-Site Sewage Facility (OSSF) Regulation beginning October 1, 2018 through and including September 30, 2022, Development Services.

COURT ORDER NO. 2018-943-11-05

2. **Interlocal Jail Services Agreement(s) effective October 1, 2018 through and including September 30, 2018, Sheriff:**

a. **AI-45687** Town of Prosper.

COURT ORDER NO. 2018-944-11-05

b. **AI-45662** Town of St. Paul.

COURT ORDER NO. 2018-945-11-05

c. **AI-45663** City of Wylie.

COURT ORDER NO. 2018-946-11-05

g. Amendment(s):

1. **AI-45671** No. 1 to CSCD/SCORE (Contract No. 2019-016) with the Collin County Community Supervision and Corrections Department (CSCD) and the Collin County Sheriff's Office (CCSO) to update Article 1 Section 1.2 A from \$24,592.25 to \$25,000.85 and Article 1 Section 1.2 C from \$295,107.00 to \$300,010.25, Adult Probation.

COURT ORDER NO. 2018-947-11-05

h. Contract Renewal(s):

1. **AI-45685** Veterinary Services – General and Spay/Neuter (RFP No. 2017-276) with Meier Veterinary Services PLLC dba All Heart Veterinary Center to extend the contract for one (1) year through and including September 30, 2019, Development Services.

COURT ORDER NO. 2018-948-11-05

2. **AI-45666** Services, Onsite Grinding, Mulching and Removal of Debris (IFB No. 2017-347) with Camo Farms, Inc. to extend the contract for one (1) year through and including September 30, 2019, Public Works.

COURT ORDER NO. 2018-949-11-05

3. **AI-45679** Printing, General Office Forms (IFB No. 2016-125) with Safeguard Business Systems, Inc. to extend the contract for one (1) year through and including September 30, 2019, Purchasing.

COURT ORDER NO. 2018-950-11-05

4. **AI-45704** Printing, General Office Forms (IFB No. 2016-125) with Summer River, LLC – Jim Ballew dba AlphaGraphics Addison US391 to extend the contract for one (1) year through and including September 30, 2019, Purchasing.

COURT ORDER NO. 2018-951-11-05

i. Ratification of the County Judge's prior approval:

1. **AI-45694** Collin College Public Safety Training Center Agreement with Collin County Community College District to utilize the firearms training range for continued training through October 21, 2018, Sheriff.

COURT ORDER NO. 2018-952-11-05

j. Receive and File, Auditor:

1. **AI-45699** Monthly Financial Reports for July 2018.

COURT ORDER NO. 2018-953-11-05

2. **AI-45703** Monthly Financial Reports for August 2018.

COURT ORDER NO. 2018-954-11-05

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

1. **AI-45697** October 15, 2018.

COURT ORDER NO. 2018-955-11-05

l. Miscellaneous

1. **AI-45682** Grant application for the 2019-2020 Veterans Treatment Court Grant through the Texas Veterans Commission Fund for Veterans' Assistance, 296th District Court.

COURT ORDER NO. 2018-956-11-05

2. **AI-45629** Grant application and Resolution/Internet Form for the FY 2019 Indigent Defense Formula Grant through the Texas Indigent Defense Commission, Office of the Governor, Auditor.

COURT ORDER NO. 2018-957-11-05

3. **AI-45706** Resolution supporting the Texas Department of Agriculture, Texans Feeding Texans: Home-Delivered Meal Grant Program, Budget.

COURT ORDER NO. 2018-958-11-05

4. **AI-45716** Acceptance of the FY 2019 General Victim Assistance Grant through the Office of the Governor (OOG), Criminal Justice Division (CJD), District Attorney.

COURT ORDER NO. 2018-959-11-05

5. **AI-45713** Addition of a Deputy District Clerk 1 (Grade 532) position and budget amendment in the amount of \$59,127 for same, District Clerk.

This item was discussed under General Discussion.

Lynne Finley, District Clerk, came forward to request the addition of one AG (Attorney General) Clerk I. In FY2018, the District Clerk's office was approved for a Felony Collections Clerk I. This was contingent upon the possible disciplinary action that would be taken by the OCA (Office of Court Administration) if noncompliance occurred. Ms. Finley has been able to stay in compliance by utilizing Everbridge, an automated calling service, for the collection of court fines and fees. The funds for the Felony Collections Clerk I have been carried over in the FY2019 budget and Ms. Finley has requested those funds be used for an AG Clerk I. This position is needed to process the increased number of family cases due to the AG's Plano office reallocating three of its six counties to other offices in the district as of October 1, 2018. The AG staff that was working the six counties will now be working on the cases within three counties, the largest being Collin County which has a backlog of 22,000 cases. Therefore, a flood of backlogged cases will be coming into the District Clerk's office. Even without this change the caseload is up 14% for AG cases for two AG Clerk IIs. The AG Clerk I will be cross trained for legal filings, but the first priority will be AG cases.

For clarification, Judge Self asked Ms. Finley if she is willing to give up the Felony Collections Clerk I in order to gain the AG Clerk I, knowing the Felony Collections Clerk I would not be available until a new budget cycle. Ms. Finley agreed and said she would not request a position outside of budget. Discussion continued.

Commissioner Thomas asked if the position could be part-time. Ms. Finley said the people that come in for part-time work are usually not capable of this type of work. Also, a part-time position would not be feasible with the limited amount of time that could be worked.

Commissioner Webb asked if the processing of cases does not speed up, what will be done with the position. Ms. Finley said two more courts are potentially coming on board, so there may be a way to cross people into other areas, but she does not see that this will be an issue with the already increased AG caseload. The position could also be moved to collections for which it was originally earmarked. There being no further discussion, a motion was made to approve the item. (Time: 1:48 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

COURT ORDER NO. 2018-960-11-05

6. **AI-45708** Notice of Sub-Recipient Grant Award and acceptance of the FY 2018 Emergency Management Performance Grant (EMPG) administered by the Texas Division of Emergency Management, Texas Department of Public Safety, Fire Marshal.

COURT ORDER NO. 2018-961-11-05

7. **AI-45677** Acceptance of the FY 2019 General Victim Assistance Grant through the Office of the Governor (OOG), Criminal Justice Division (CJD), Sheriff.

COURT ORDER NO. 2018-962-11-05

8. **AI-45729** Personnel Appointments, Human Resources.

COURT ORDER NO. 2018-963-11-05

9. **AI-45730** Personnel Changes, Human Resources.

COURT ORDER NO. 2018-964-11-05

GENERAL DISCUSSION

5. **AI-45503** TCDRS report on impact of different rate of returns, Administrative Services.

Amy Bishop, TCDRS (Texas County and District Retirement System), came forward to give a presentation on Collin County's TCDRS retirement plan. There are three features of the retirement plan which make it financially sound: 1) the plan is a savings-based plan; 2) the plan is responsibly funded; and 3) the plan has flexibility and local control.

TCDRS now partners with 760 employers made up of county and governmental districts across the state serving 294,000 members and retirees. It is 89% funded with a 9.1%, 35-year return. This makes TCDRS one of the best funded retirement systems in the nation. TCDRS manages \$30 billion in assets.

Last year, TCDRS paid out \$1.4 billion in benefits with 96% of that going to Texas addresses. The amount paid in Collin County was \$24,326,771. The average retiree in Collin County retires at 62 years old with 18 years of service and an average annual benefit of \$28,900.

Ms. Bishop reviewed a chart showing the estimated TCDRS benefit as a percentage of final salary prior to retirement for a new hire. If an employee started today at the age of 35, working 30 years, and retiring at age 65, they would earn approximately 83% of their final salary. The employer rate for 2019 is 6.88% of payroll, but the County elected a rate of 8% of payroll which allows for the building of reserves to buffer any future adverse experience.

For every dollar TCDRS pays out, \$0.77 comes from investment earnings. Investments are a critical part of funding the benefit. TCDRS spends a lot of time looking at investments and constructs its portfolio to achieve 8% within an acceptable level of risk which is plus/minus 12%. Every year TCDRS reviews its asset allocation and develops capital market assumptions. Thousands of simulations are run to come up with the model portfolio.

As of December 31, 2017, the annualized return available to pay benefits, net of all fees, was 14.7%. The 30-year return was 8.4% and the 35-year return was 9.1%. TCDRS has exceeded their benchmarks over all the multi-year periods.

Commissioner Thomas asked how TCDRS mitigates risk at a downturn so that it doesn't affect the County adversely. Ms. Bishop said TCDRS has a very disciplined process in monitoring and managing their portfolio. Asset allocation is looked at once a year at minimum, typically in January when capital market assumptions are presented. The portfolio is then developed and presented to the board to adopt an asset allocation. In times when the market is changing the market assumption will be looked at quarterly. If the market changes drastically there may be an asset allocation change midyear.

Commissioner Thomas asked if there are strict parameters on the use of the money. Ms. Bishop said the board sets up the asset allocation and gives the chief investment officers a tight band to work within.

Commissioner Fletcher asked how a COLA (Cost of Living Adjustment) for retirees affects the percentage funded for the County's plan. Ms. Bishop said a COLA raises the retiree's benefits to offset the impacts of inflation. Because that increase has not been saved for in advance it creates a liability. When the Court passes a COLA, TCDRS will charge the County for the liability over a 15-year period. However, Collin County has a history of paying the charge up front; therefore, the COLA has not affected the percentage the plan is funded.

Commissioner Webb requested Ms. Bishop provide information on the asset allocations for each year since 2007 along with the rates of returns for those years.

TCDRS completed an economic rate modeling study which shows what a rate might do under different economic scenarios, determines how likely an elected rate will hold, and shows how elected rates and benefit changes can impact future rate stability. As the County's plan matures, the assets grow large relative to payroll. This is a good thing because asset growth is essential for funding benefits and higher growth lowers the overall rate. However, when plans mature the rate will be more volatile from year to year. This is due to a large pool of assets and any variation in the investment from year to year must be absorbed by a smaller payroll. Over the last decade Collin County's retirement plan assets have grown two-and-a-half times.

The study assumes no changes in benefits, TCDRS asset allocation, or changes in the capital market assumptions. TCDRS models rates under various economic scenarios and uses asset allocations and forecasts to run thousands of multi-year simulations to determine up, average and down market scenarios based on the TCDRS portfolio.

Ms. Bishop presented the study results for Collin County. The study used the 8% elected rate and the additional lump sum contribution made in 2018. The study also included alternative plan information for an elected rate of 9.5% and 11%. The study was designed to show how effective the elected rate might be in a down market.

There was a brief discussion on mitigating risk and reserves. (Time: 2:12 p.m.)

NO ACTION TAKEN

6. AI-45686 Emergency/safety equipment for constable vehicles, Constable, Precinct 3.

Sammy Knapp, Constable Precinct 3, came forward with a presentation to request an amendment to the FY2016 court order for emergency/safety equipment for constable vehicles. The vehicles are transitioning from the Ford Taurus to Ford Explorers. The request is to standardize all emergency fleet vehicles which would allow the Constable fleet package to be the same as the CCSO (Collin County Sheriff's Office) fleet package. Standardization would be more efficient when ordering both fleet vehicles regarding specs and allow the same safety items on both Constable and CCSO fleets. This would include ballistic door panels and barriers; emergency lights outside such as mirror beams, side LEDs and pillar lights; and inner edge front and rear light bars for administrative/CID (Criminal Investigations Department) vehicles. Of the four vehicles the Constables are adding to the fleet this year, three will be administrative and not require decals.

Constable Knapp shared slides on the difference between the Constable fleet package options and the CCSO fleet package options. There are 13 optional items for the Constable fleet package compared to 31 items for the CCSO. The request of mirror beams, side LEDs, pillar lights, door panels and window barriers with shipping for the new Ford Explorers totals \$2,550 more per vehicle over the standard Constable package making the grand total per vehicle \$41,030. Constable Knapp presented a handout with pictures and descriptions of the requested items.

Following the handout, the Constable reviewed safety concerns and issues for Deputy Constables out in the field. His primary concern is for all officers to be protected and return home each day safely. The primary duty of a Deputy Constable is to bailiff the court and serve papers; however, they also make arrests when necessary, perform investigations when the individuals to serve/arrest cannot be located, enforce traffic laws by patrolling and issuing citations on farm to market and county roads, and perform related duties as assigned. Constable Knapp reviewed a list of critical incidents within all four precincts showing involvement other than driving to and from serving papers.

Constable Knapp reiterated the request and asked for permission for the new equipment to be standard when ordered from this budget forward. Standardization is the ultimate goal and appears to be most economical for Public Works which orders the vehicles. In future budgets, the Constables would include equipment needed on vehicles at budget workshops. The request for this year has no additional impact to the budget.

Discussion continued on the core function of the Constable Offices. Judge Self asked if this is a request in order to perform extra duties. Constable Knapp said this request is to assist in doing their jobs as Constables and to uphold and enforce the law. Judge Self said the core duties must be done. Commissioner Fletcher agreed; however, in the course of carrying out core functions, as licensed peace officers, the Deputies must be safe in the current climate. The Commissioner supports the ballistic panels in the vehicles. Constable Knapp said this job is inherently dangerous; we are seen as the bad guys because we are taking property, children or livelihood away.

Commissioner Williams asked how the requested lights would have aided in the critical incidents that occurred within the precincts. The Constable said in those incidents the lights wouldn't have aided; however, the request is also for the safety equipment inside the vehicles.

Judge Self said the idea is being given that the Court does not protect the Deputy Constables or Deputy Sheriffs. The Court has gone over and above with long rifles and rifle resistant vests. These are what will make a difference in protecting the County's law enforcement.

There was a brief discussion on the lights needed for visibility and safety.

Judge Self asked if the Constables have video cameras. Constable Knapp said they have no car cameras and no functioning body cameras. In regard to body cameras, Commissioner Williams said if something has been approved and is not operable, it should have been brought to the Court's attention.

Commissioner Thomas said if this is approved he wants to be sure the same level of service is maintained. Constable Knapp ensured the Commissioner the Constables will do their job with or without the requested equipment.

The Constable presented videos showing the requested items in use.

Commissioner Williams said in a discussion from a previous budget workshop regarding lights, Commissioner Chris Hill indicated he was prepared to give the Constables overhead lights with the request of not asking for anything else, but a request is before the Court again. Constable Knapp said Commissioner Hill also said he would like to see all new vehicles standardized when put into service to give the officers what they need. Commissioner Williams said the standardization with the Constables has yet to happen with uniforms, markings, or cars. Constable Knapp said markings have now been standardized and the Constables are standardizing along with the CCSO. Uniforms are up to the individual Constable. Judge Self clarified the motion from the budget workshop, it was made to standardize all lights, decals, cages, type and color of cars for Constables. It is the Constable's choice to add them or not for the life of the vehicle. The vote was not to standardize the vehicles with the CCSO. Discussion continued.

Commissioner Thomas supports the lights. If the Constables are not doing their job in future years he recommends evaluating the situation and determining why the job is not being done. If the problem is the use of lights to trace down traffic tickets instead of delivery of warrants, an adjustment would be made. The Commissioner also supports the ballistic panels for the vehicles.

Commissioner Webb agreed this is an officer safety issue and supports the ballistic panels.

With no further discussion, a motion was made to approve the requested items including ballistic door panels and the repair of the body cameras. (Time: 3:01 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2018-965-11-05

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

Judge Self updated the Court on the last NCTCOG (North Central Texas Council of Governments) Executive Board meeting. The Board passed a resolution in support of Lake Ralph Hall. The Judge asked for an executive session because the Board was reviewing the performance of Mike Eastland, the Executive Director of NCTCOG. He pointed out the need for more oversight on the staff because there has been a project in the Homeland Security area that was never voted on and yet \$500,000 was allocated for it. New performance measures were instituted for the Executive Director which should help the performance of NCTCOG. (Time: 3:02 p.m.)

NO ACTION TAKEN

8. AI-45660 86th Legislative Agenda for 2019, Commissioners Court.

Commissioner Fletcher would like to have dates scheduled soon to meet with legislators. (Time: 3:03 p.m.)

NO ACTION TAKEN

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

Judge Self recessed the meeting at 3:03 p.m. and called to order the meeting of the Collin County Health Care Foundation and the Collin County Toll Road Authority. Judge Self reconvened the meeting at 3:04 p.m.

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 3:04 p.m. in accordance with paragraph 551.087, Economic Development Negotiations, to discuss the amendment to the tax abatement with Texas Instruments and the City of Richardson.

Judge Self reconvened the meeting at 3:40 p.m.

Economic Development Negotiations (551.087)

AI-45609 Amendment to the tax abatement with Texas Instruments and the City of Richardson, Budget.

NO ACTION TAKEN

There being no further business of the Court, Judge Self adjourned the meeting at 3:40 p.m.



Keith Self, County Judge

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Darrell Hale, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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