

State of Texas	§	Court Order
Collin County	§	2019-535-07-08
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the May 20, 2019 Minutes.

On Monday, May 20, 2019, 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 Chris Hill
 Commissioner Susan Fletcher, Precinct 1
 Commissioner Cheryl Williams, Precinct 2
 Commissioner Darrell Hale, Precinct 3
 Commissioner Duncan Webb, Precinct 4

Judge Hill led the Invocation.
 Commissioner Hale led the Pledge of Allegiance.
 Commissioner Fletcher led the Pledge of Allegiance to the Texas Flag.

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

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:09 p.m. and adjourned the meeting at 2:09 p.m.

President Hill called to order the meeting of the Collin County Toll Road Authority at 2:09 p.m. and adjourned the meeting at 2:09 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-46447 Donation of \$6,000 to the Children's Advocacy Center of Collin County (CACCC) utilizing the District Attorney State Forfeiture Fund, District Attorney.

2. AI-46522 Reassignment of Clerk position (No. 200166) from Community Corrections Facility (department 6110) to Community Supervision (department 6101), Human Resources.

3. AI-46504 Contract for Residential Services, Juvenile Post Adjudication Facility, John R. Roach Juvenile Detention Center, Collin County Sex Offender Treatment Program with Parker County Juvenile Probation Department from May 1, 2019 through and including April 30, 2020, Juvenile Probation.

4. AI-46505 Contract for Residential Services, Juvenile Post Adjudication Facility, John R. Roach Juvenile Detention Center, Collin County Post-Adjudication Summit Program with Parker County Juvenile Probation Department from May 1, 2019 through and including April 30, 2020, Juvenile Probation.

5. AI-46550 Personnel Appointments, Human Resources.

6. AI-46551 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. AI-46538 Budget amendment in the amount of \$44,784 to purchase body armor, carriers and plates utilizing State Forfeiture Funds, Sheriff.

2. AI-46542 Reduction of budget amendment from \$112,860 to \$22,392 to purchase 90 body armor, carriers and plates utilizing the 1065 Federal Forfeiture Fund, Sheriff.

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

4. AI-46536 P-Card Disbursements, Auditor.

5. AI-46564 County Overtime for pay period ending May 5, 2019, Human Resources.

2. Public Comments.

3. Presentation/Recognition:

- a. **AI-46546** Proclamation designating May 23, 2019 as "Stop the Bleed" Trauma Awareness Day, Commissioner, Precinct 4.

Commissioner Webb announced that May 23 is National Stop the Bleed Trauma Awareness Day. It was launched in October 2015 by the White House asking people to become aware and to cultivate grass root efforts to encourage bystanders to become trained, equipped, and empowered to help those with a bleeding emergency before first responders can get there. The Commissioner was asked by our only level 1 trauma center here in Collin County, Medical City Plano, if we would adopt the proclamation of Stop the Bleed Trauma Awareness Day. Jinnifir Gauerke was present on behalf of the City of Plano, and accepted the proclamation.

A motion was made that Collin County designate May 23 as Stop the Bleed Trauma Awareness Day. (Time: 1:33 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

4. **Consent agenda to approve:** Judge Hill asked for comments on the consent agenda. Commissioner Webb pulled items 4h2 and 4h4. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 5 - 0 Passed

- a. **AI-46544** Disbursements for the period ending May 14, 2019, Auditor.

COURT ORDER NO. 2019-380-05-20

- b. **AI-46545** Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2019-381-05-20

- c. **AI-46448** Tax refunds totaling \$859,903.66, Tax Assessor/Collector.

COURT ORDER NO. 2019-382-05-20

d. Advertisement(s):

1. **AI-46535** Construction, Collin County Aggregate Rinse Stations (IFB No. 2019-133) and budget adjustment in the amount of \$38,097 for same, Construction & Projects.

COURT ORDER NO. 2019-383-05-20

e. Award(s):

1. **AI-46436** Agreement, Cooperative: Uniform/Misc. Rental & Laundry (Contract No. 2019-142) to Cintas Corporation, utilizing Omnia Partners Cooperative Contract No. R-BB-19002 and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2019-384-05-20

f. Ratification of Judge Hill's prior approval:

1. **AI-46527** FY 2020 Project Safe Neighborhoods Program grant application through the Office of the Governor (OOG), Criminal Justice Division (CJD), Sheriff.

COURT ORDER NO. 2019-385-05-20

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

1. **AI-46508** \$2,495 for Justice of the Peace, Precinct 3-2 Education and Conference, Budget.

COURT ORDER NO. 2019-386-05-20

h. Miscellaneous

1. **AI-46534** Revised 2019 Broker/Dealer List, Auditor.

COURT ORDER NO. 2019-387-05-20

2. **AI-46513** Convey the Historic Courthouse to the City of McKinney, Administrative Services.

Commissioner Webb said this is to convey the Historic Courthouse to the City of McKinney. The Commissioner was looking at the lease that forms the basis of this and it really is a purchase option, based upon taking the fair market value of the property, and then they get a credit equal to the greater of \$5.4 million or the guaranteed max price. In the packet there was no guaranteed max price calculation and there was no fair market value. The Commissioner had two questions: what is the guaranteed max price? He got an email from the attorneys for the City of McKinney that the guaranteed max price is \$7.797 million. So what is the fair market value of this structure? Bill Bilyeu, County Administrator, came forward and said they use the appraisal district, and their price is about \$2.5 million. It went down a little

bit from last year. Commissioner Webb said that means we can deed them the property at \$10; is that correct? Mr. Bilyeu agreed. Commissioner Webb moved for approval. (Time: 1:36 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2019-388-05-20

3. **AI-46514** Acceptance of Broken Spur Trail, within Lone Star Ranch development for County maintenance, Engineering.

COURT ORDER NO. 2019-389-05-20

4. **AI-46501** Rescind Court Order 2017-217-03-27 and approve new Final Plat for Summerlin Phase 3 and Phase 4, Engineering.

Commissioner Webb pulled this item because he is not going to vote for it.

A motion was made to approve the item. (Time: 1:37 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 4 – 1 Passed

Nay: Commissioner Duncan Webb

COURT ORDER NO. 2019-390-05-20

5. **AI-46540** Redesignation of Private Road 5556 to Gathright Ln with associated address updates GIS/Rural Addressing.

COURT ORDER NO. 2019-391-05-20

6. **AI-46523** Split eight (8) full-time Detention Officer positions into sixteen (16) part-time Detention Officer positions, Human Resources.

COURT ORDER NO. 2019-392-05-20

7. **AI-46554** Personnel Appointments, Human Resources.

COURT ORDER NO. 2019-393-05-20

8. **AI-46555** Personnel Changes, Human Resources.

COURT ORDER NO. 2019-394-05-20

GENERAL DISCUSSION

5. Board/Commission Appointments, Commissioners Court:

a. AI-46537 North Texas Groundwater Conservation District.

Commissioner Williams made a motion to appoint Joe Helmberger and reappoint Ryan Henderson to serve on the North Texas Groundwater Conservation District.

(Time: 1:38 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2019-395-05-20

6. AI-44358 Conference of Urban Counties Update, Commissioner, Precinct 1.

Commissioner Fletcher started by saying a lot has happened in the legislature since the meeting with the CUC (Conference of Urban Counties). She will give a quick update, and try to answer any further questions. SB702 is now in calendars. This is a reporting bill. There was much discussion among our committee, but she saw it more as a transparency bill.

SB29, this is the no public funds are to be used to lobby. The Court has already passed a resolution on that, and it is on today's calendar. This is a bill that would limit lobbying and it would also exempt elected officials. It would not prevent us from going down and speaking on County issues that affected us as a County, but as far as staff, they would not be allowed to lobby if they went along with us. TAC (Texas Association of Counties) would be the only safe association. Her greatest concern on this bill is how does the Court, as five elected officials, track 7,000, 8,000, or 9,000 bills.

Judge Hill asked about SB29. In his correspondence with Mr. Dahill at the CUC he remarked that the county would be ill prepared to follow all of the different bills that come out each and every session. There is nothing in SB29 or the companion HB281 that would prevent us from being in an association that monitors bills; just for them to lobby against it. Commissioner Fletcher agrees. Judge Hill added, whether we were to hire staff internally that would monitor or whether we would go into the association and let them monitor for us, we would be fine both ways. Commissioner Fletcher said that is her understanding.

Commissioner Fletcher said in general the feeling she's gotten is they are advocating for local control and they are advocating for no more unfunded mandates. Those are topics which, as we explore those topics, can become very divisive, but Commissioner Fletcher concurs with Judge Hill's comments. Once this bill passes, we will have a greater understanding of how our membership will be effected with these organizations and the limits that are put on them, and how involved they will be able to be. In particular, we would not be able to have a platform.

SB2 has moved on to conference committee. Senator Hancock will be the chair of the Senate side. Senator Bettencourt is on the committee.

HB3, the education reform bill is scheduled for conference committee as well. There have been a lot of changes to that. There were many differences between the Senate and the House version, but that's scheduled for conference committee.

Continuing on, Commissioner Fletcher stated HB1 is surprisingly close. As it stands Senate conferees have been appointed and the rules were suspended on Friday so it looks like that is their budget that is moving through.

Commissioner Fletcher isn't sure if the Court discussed SB966 before, but it was left pending in committee. It was in relation to vote harvesting and temporary polling stations, so it looks like that one is dead on arrival.

HB1380, a JP (Justice of the Peace) bill, Commissioner Fletcher decided to be personally involved – the Commissioner did not speak for the entire court, but she did speak to Judge Hill about her concerns as she can only speak to one other member of the Court about any one issue. There was a bill that would move all of the JP jurisdictions from \$10,000 to \$20,000. At one point they were talking about an opt-in provision which they found out later to be unconstitutional. Commissioner Fletcher's comments were to our legislators for herself that this would have been a greater discussion amongst the Court. We have a resolution that we approved asking for two more district courts, but in the long term if we were to have to double the jurisdiction of our five JP courts, we would potentially have to add quite a bit more staff. It may save us from adding a County Court at Law Court quite as soon as we continue to grow, but there are many other things that come with that. It's not just the jurisdictional limits; you're going to start hearing medical malpractice, and our JPs have clearly told me that they don't want legislation that requires them to become attorneys. If you push up that limit, you potentially would get into areas where you would very likely have to be an attorney to hear such cases. They are doing this as a two-year experiment right now in the less populated counties, more in the rural areas, that might need this type of legislation and they will have a whole lot more data in two years to be able to go back and look at the issue overall.

There was much discussion about how we respond to the potential limiting of the ability to raise taxes, and this Court has done an incredible job of keeping the tax rate low. There are things that are outside of the Court's core functions. Just for the sake of transparency, when we move forward with the next budget, it is organized in a way that these are items mandated by the state and these are items that are not mandated by the state that the Court has chosen to do. It would be very good to be able to show the public how their funds are utilized and separate them into categories.

Judge Hill asked how would we go about identifying which items would go in which list? His first thought was that was very interesting, but then he thought everything we do is prescribed by state law. Everything we do is a mandate by the legislature or the constitution of the state, so it gets a little tricky if we try to advise the budget department what list to put expenditures in. He asked for thoughts.

Commissioner Fletcher said it would warrant a round table discussion, an open meeting posted 72 hours in advance just to talk about how we present this information in a non-biased way so they're aware that these are the things we have to do, and there are other things that we do that are helpful to our citizens: Fire and EMS out in the county and library funding. The Court has done things for the game warden and DPS. It would warrant a discussion with the budget department but the Commissioner doesn't want to overburden them. There may be a way to organize our budget to show the public where our tax dollars are going.

Commissioner Williams said a lot of folks don't understand that county government is really the lowest level of state government and isn't empowered to do a lot of things the state doesn't permit us to do. She thinks the areas in the budget that are outside of what's mandated is pretty small. But one thing we could consider identifying is changes in legislation and changes in rules that have added additional costs. There are other things that are completely out of our control: juvenile board, auditor, those are things that are completely outside of the budget and control of Commissioners Court.

Judge Hill said even though we've been very frugal in Collin County in adopting the effective rate, the day will come when we will have to adopt more than the effective rate. When that day comes, we'll make that case and we'll explain to the citizens what we're spending their money on. Everything we do comes from a direct grant of authority from the state. We don't have home rule authority like the cities do.

Commissioner Webb said originally Judge Hill talked about identifying things that are not core functions, then he moved into unfunded mandates. The Commissioner looks at those as two different things. They may have some crossover. Expenditures for libraries are not core functions. Fire protection in the rural areas is not mandated. Is it "shall" in the statute versus "may"? If it says "shall", it's a core function. If it says "may", it's an elective function. When we get into budget issues, all the may's are going to disappear; those are going to be the first things cut.

Commissioner Fletcher said she would shudder to think we would not cover fire and EMS for our citizens that we represent in the County. Our citizens that live in the cities drive through those portions. Libraries are important as well, and we figured out how to do that with money that comes back to the County.

Judge Hill said having a jail is a core function, but to what level are we required to staff that jail? Can we say that having 14 people on staff every shift is a core function, but having 32 on staff in that shift is an elective function?

Commissioner Fletcher felt our job is to provide services in an efficient way. Since she's wrapping up this report from CUC, she questioned how we implement from here on out. Collin County is not facing the same struggles that some other counties in Texas are facing. The Commissioner asked as a future agenda item that the Court give thought to that. Let budget weigh in if they have some thoughts, but it warrants a greater discussion in the future.

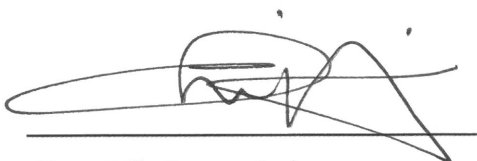
Judge Hill concluded by adding it's a fantastic idea. On one level we all go through that mental exercise during the budget workshop. We can see each of our different opinions on a particular expenditure and whether or not its core or elective. There is some value in being able to take it to the next step, beyond just philosophically, individually trying to categorize things. We'll put a pin in it for now until we get to the budget workshop this year. If Court members have information you would like the budget department to prepare, give them advanced warning. (Time: 2:08 p.m.)

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

- a. SB29/HB281
 - b. Proposed Magistrate Bill
 - c. Additional District Courts
 - d. Creation of the Van Alstyne Municipal Utility District No. 2
 - e. Creation of the North Celina Municipal Management District No. 3
 - f. Lakehaven Municipal Utility District of Collin County
 - g. Collin County Municipal Utility District No. 2
 - h. Walker Farms Municipal Utility District
 - i. SB2/HB2
 - j. HB 1245
 - k. HB 705
 - l. Texas CUC – Principles of the Urban Counties Policy Platform
 - m. Texas CUC – Bills Filed
 - n. Any other legislative items
8. Future agenda items without discussion.

EXECUTIVE SESSION

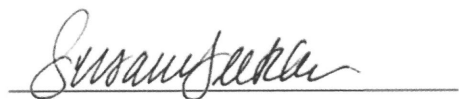
The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 2:09 p.m.



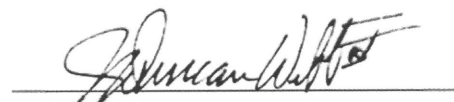
Chris Hill, County Judge



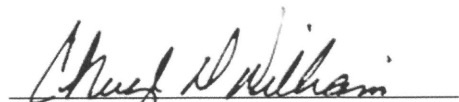
Darrell Hale, Commissioner, Pct 3



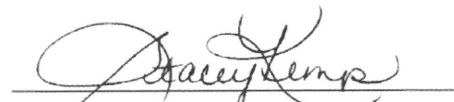
Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk