

State of Texas	§	Court Order
Collin County	§	2022-447-05-16
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the April 18, 2022 minutes.

On Monday, April 18, 2022, 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 (remotely)

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

Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and adjourned the meeting at 2:38 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:38 p.m. and adjourned the meeting at 2:39 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-51953 Change Order No. 1 to Urinalysis Testing for Juvenile Probation (RFP No.2020-401) with Avertest, LLC to replace Attachment B to reflect a new fee schedule, and extend the contract for one (1) year through and including January 31, 2023, Juvenile Probation.
2. AI-51966 Personnel Appointments, Human Resources.

FYI NOTIFICATION:

1. AI-51933 Intra-County account transfers transmitted on March 31, 2022, Auditor.

2. AI-51951 Change Order No. 1 to Construction, Collin County Adult Detention Facility, Phase 1 Addition (IFB No. 2021-239) with Ratcliff Constructors, L.P. to make various changes to the contract, Construction & Projects.

COMMISSIONERS COURT BUSINESS:

Public Comments.

Judge Hill returned to Public Comments at 1:51 p.m.

Joshua Murray, Lavon, said he wanted to follow up on the \$1.5 million check presented to Lifepath and confirm if the funds have been transferred to Lifepath. Lifepath had a decrease of \$6 million in their budget in the past year, and the way they receive funding is through counties, grants, and donations. Mr. Murray said cash flow is important to Lifepath, and it is important to follow up with this large check. The mission of Lifepath is to help individuals impacted by behavioral health, intellectual, and developmental challenges which results in stronger communities. The County is mandated by the Legislature to provide these services. When comparing Lifepath's 2018 funding to today's funding, while the dollar amount may have increased, the funding has actually decreased due to inflation. Mr. Murray said, to account for inflation, take 2.75% times 4 years compounded. This will give you the 2018 funding in today's dollars. This number, divided by the population in 2018 and compared to the population and funding in 2022, shows the Court has defunded Lifepath.

Ben Pruett, Prosper, spoke in support of agenda item 51974 option A opposing TxDOT's (Texas Department of Transportation) B alignment for US-380 which bisects the town of Prosper. Mr. Pruett said he reviewed the materials provided by TxDOT from the March 22nd public meeting and found a specific error or omission related to ManeGait. The segment analysis matrix made no mention of the reference of the disproportionate environmental justice impacts to the protected status identified in its earlier report which was the "US-380 Collin County Feasibility Study Final Report and Implementation Plan" published in March 2020. Mr. Pruett said this report found ManeGait to be a unique facility that helps adults and children with physical, emotional, cognitive, sensory, and behavioral disabilities. This clearly references ADA (Americans with Disabilities Act) and Executive Order 12898 which is environmental justice. TxDOT and its consultants, Burns & McDonnell, are obligated to include an assessment and analysis of the environmental air quality and noise impacts segment B would introduce to the adults and children with disabilities benefitting from services provided by ManeGait. In addition, a business displacement strategy that would cause ManeGait to move would also need to be considered an environmental justice in terms of the impacts the move would have on the clients. Mr. Pruett said he has a granddaughter who is a disabled person, and programs like ManeGait help address the issues caused by the disability.

Fred Costa, Prosper, said TxDOT is now conducting an environmental impact study, and the only question on the table is the environmental impact of recommended segment A and any alternatives. Any questions of cost and feasibility have been answered in the feasibility study to which segment A is better. Segment A lowers the roadway between Custer Road and Ridge Road, thus eliminating two traffic lights which reduces noise and air pollution. Segment B delivers air and noise pollution elevated thirty feet in the air for the widest possible distribution it covers. Founders Academy Charter School, ManeGait, Walnut Grove High School, and surrounding subdivisions would all be involved in the environmental disaster. Mr. Costa said, since the day TxDOT recommended segment A, the city council and mayor of McKinney have been fast-tracking building permits in the path of segment A creating as many obstacles as possible in order to increase the cost of segment A. McKinney now claims businesses will be displaced because of segment A, and the cost is greater than segment B. Bill and Priscilla Darling have been serving children, adults, and veterans with disabilities and have chosen to continue serving this protected community. Developers, having good faith, built Founders Academy Charter School and are building Ladera, an age-restricted community in Prosper. Mr. Costa said God has blessed the homeowners, landowners, and property owners of Prosper. Our homes, land, schools, and property are ours, not McKinney's, the region's or the state's. The town of Prosper is a community with God-given rights of life, liberty, and property, and Mr. Costa said he will defend his God-given blessings.

Kathy Seei, Prosper, said she is the former mayor of Frisco and resides in Whitley Place in Prosper. She said she was part of TxDOT's advisory board and was the former director of special education for Plano ISD (Independent School District). Ms. Seei said she opposes the segment that goes through ManeGait and south of her neighborhood. ManeGait is an important entity in the lives of children with special needs, and it would be very hard for them to relocate because of the cost and availability of land. Ms. Seei also said she chose not to live on US-380 because of the potential future expansion. Ms. Seei said she chose the Whitley Place neighborhood in Prosper because she helped Prosper develop their land use plan when she had a small business due to the town's inability to afford an architecture firm to make the plan. Ms. Seei said Prosper supported US-380 staying on its current tract based on how property was zoned. Ms. Seei asked the Court not to hurt the children's choice of outdoor activities and support US-380 in its current alignment.

Carol Little, Prosper, said she is a volunteer at ManeGait. Ms. Little said she is deeply disturbed that TxDOT would reconsider bypass B after ruling for bypass A in 2019. Bypass B would put an economic hardship on the town of Prosper and would jeopardize ManeGait. Ms. Little also said she's volunteered for 15 years and has seen what the relocation of a therapeutic center can do. Ninety percent of riders were displaced and could not make the trip to the new location. The unconditional love of a horse is what the riders live for. A horse does not judge someone who is disfigured, how they walk, or how they talk. The ManeGait center gives hope to parents after they are told their child will be bedridden for the rest of their life, yet now they can compete in the Special Olympics and travel to horse shows. Ms. Little asked the

Court to do something about US-380 besides bypass B. Neither the town of Prosper nor ManeGait should bear the burden of McKinney's poor planning.

Janet Anders, McKinney, said she lives in the Walnut Grove neighborhood and came to speak on their behalf. She is disappointed this bypass is back on the table after she fought for the Town of Prosper to keep it away. Walnut Grove is a unique neighborhood with 80 homes ranging from old to new construction. Each home sits on at least two acres with large trees, and most residents are retired. An eight-lane bypass with frontage roads cannot go through this neighborhood without destroying it in its entirety. Ms. Anders said she spoke with TxDOT several years back, and these were their words as well. Ms. Anders said she spoke with Burns & McDonnell this morning, and they said a new EIS (Environmental Impact Statement) would need to be conducted and could delay the project for another year or more. Ms. Anders believes the EIS would not allow the displacement of nearly 80 homes in Walnut Grove. She asked the Court to include the provision that opposes the bypass through Walnut Grove. Ms. Anders said she opposes option B due to the impact it would have on Prosper's community, schools, future construction, and ManeGait. (Time: 2:10 p.m.)

Judge Hill returned to item b on General Discussion.

1. **Consent Agenda Items:** Judge Hill asked for comments on the agenda. Commissioner Fletcher pulled item 1g6 for recusal. Hearing no other comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

a. **AI-51926** Disbursements for the period ending April 12, 2022, Auditor.

COURT ORDER NO. 2022-352-04-18

b. **AI-51927** Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2022-353-04-18

c. Award(s):

1. **AI-51917** Comprehensive Energy Consulting and Management Services for Natural Gas to TFS Energy Solutions, LLC d/b/a Tradition Energy utilizing OMNIA Partners Cooperative Contract No. 2018-017, authorize the Purchasing Agent to execute the Letter of Engagement and Letter of Authorization for energy procurement advisory services, and authorize Signatory Authority to the Purchasing Agent and County Administrator to execute the resulting contract, Facilities.

COURT ORDER NO. 2022-354-04-18

2. **AI-51940** Equipment Rental: Inclined Screener with Rinser (IFB No. 2022-192) to ROMCO, Inc., Public Works.

COURT ORDER NO. 2022-355-04-18

d. Agreement(s):

1. **AI-51934** Interlocal Cooperation Agreement for Platting and Subdivision Regulation in the Extraterritorial Jurisdiction of the City of Fate, Engineering.

COURT ORDER NO. 2022-356-04-18

2. **AI-51962** Interlocal Cooperation Agreement with the Town of St. Paul for roadway maintenance along Park Blvd. from Parker Rd. to Spring Creek Parkway, Engineering.

COURT ORDER NO. 2022-357-04-18

e. Change Order(s):

1. **AI-51957** No. 2 to Construction, Collin County Adult Detention Facility, Phase 1 Addition(IFB No. 2021-239) with Ratcliff Constructors, L.P. to make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2022-358-04-18

f. Contract Renewal(s):

1. **AI-51925** Forensic Testing of Physical Evidence (Contract No. 2020-151) with Armstrong Forensic Laboratory, Inc. to extend the contract for one (1) year through and including March 31, 2023, District Attorney.

COURT ORDER NO. 2022-359-04-18

g. Miscellaneous:

1. **AI-51918** Deem Halff Associates, Inc. the most qualified engineering firm to update the Collin County Regional Trails Master Plan, and further authorize the Engineering Department to negotiate a scope and fee, Engineering.

COURT ORDER NO. 2022-360-04-18

2. **AI-51947** Final plat and sign plan for Pelican Bay Estates, Engineering.

COURT ORDER NO. 2022-361-04-18

3. **AI-51921** Redesignation of County Road 86 as S Coit Road, GIS/Rural Addressing.

COURT ORDER NO. 2022-362-04-18

4. **AI-51955** Redesignation of Private Road Buckeye Dr, Private Road Jayde Dr and Private Road 5802, GIS/Rural Addressing.

COURT ORDER NO. 2022-363-04-18

5. **AI-51956** Redesignation of Private Road 5815 as Salas Lane, GIS/Rural Addressing.

COURT ORDER NO. 2022-364-04-18

6. **AI-51911** Asset transfer to Dell/EMC, and further authorize the Purchasing Agent to finalize and execute same, Information Technology.

Judge Hill asked for comments on this item. Hearing none, a motion was made to approve this item. (Time: 1:32 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 4 – 0 Passed

Abstained: Commissioner Susan Fletcher

COURT ORDER NO. 2022-365-04-18

7. **AI-51941** Acceptance of the FY2022 Body Worn Camera grant through the Office of the Governor, Criminal Justice Division in the amount of \$22,785 with a county match in the amount of \$7,595, Sheriff.

COURT ORDER NO. 2022-366-04-18

8. **AI-51967** Personnel Appointments, Human Resources.

COURT ORDER NO. 2022-367-04-18

GENERAL DISCUSSION

a. AI-51982 ManeGait Therapeutic Horsemanship, Commissioner, Precinct 1.

Commissioner Fletcher said TxDOT has extended the public comment period for the US-380 alignment, and she has received an increased amount of communication regarding the alignment. The Commissioner believes it is important to bring this to both the Court and public's attention to understand the impacts bypass B would have on the town of Prosper.

Bill Darling, ManeGait, said there has been a lot of discussion about bypass segment B. Mr. Darling said he drives down Custer Road often and sees kids playing outside of Founders Academy. These kids would be very close to the freeway. Two lengths of the courtroom is how far ManeGait would be from the freeway. TxDOT (Texas Department of Transportation) sent a representative to ManeGait in a thinly-veiled effort to research if it can operate in an environment with the freeway close by. They identified the only center similar to ManeGait is located 1.5 miles away from a freeway. ManeGait serves children, adults, and veterans with disabilities, and the results of this center are incredible. Many healings have taken place because of it. Mr. Darling presented the Court with a three-minute video highlighting the importance of ManeGait. He knows of no better brain-building program than ManeGait's. ManeGait's trails are located on Mr. Darling's personal property and are important for therapy needs. Seventy percent of families say this is the only therapy that works. A big question is why ManeGait cannot move. Mr. Darling said it is located in a strategic site, and to try to find another 25-30 acres in today's climate would be very difficult. Its current location is accessible for all families who need it as well as the thousands of volunteers. Part of ManeGait's mission is to serve the surrounding community and stand as a beacon of hope and healing. The annual budget is \$1.38 million relying on over 800 donors and, if ManeGait is out of sight and out of mind, it would be difficult to keep the funding. In 2019, TxDOT said they would not disturb ManeGait citing the ADA (Americans with Disabilities Act) and the Environmental Justice Order. Mr. Darling asked the Court to say no to route B for the US-380 bypass and stand for those who are often overlooked.

Commissioner Fletcher said, according to the graphics in the slideshow, ManeGait's property with riding trails would be directly affected by the proposed B bypass. Commissioner Fletcher said she strongly believes in what ManeGait is doing for veterans and the disabled community. The Commissioner asked Mr. Darling how recent improvements to Custer Road have affected operations. Mr. Darling said Custer Road is strategic and provides easy access for all constituents. Construction has been difficult, but ManeGait does not anticipate it impacting the program. However, if ManeGait is wedged between a six-lane Custer Road and a twelve-lane route B, it would not be able to operate. (Time: 1:47 p.m.)

b. AI-51974 Proposed US 380 alignment through the Town of Prosper, Commissioner, Precinct 1.

Commissioner Fletcher said she added this item to the meeting with four resolutions. The Court unanimously passed a resolution several years ago supporting the improvement of US-380 along the corridor, but it is no longer possible, and we are now facing a bypass. Commissioner Fletcher said she would like to bring the alignment down to the corridor as soon as possible. It is also important to understand what is going on with ManeGait. Whatever TxDOT passes she will support because we must have it for this region, but it is important for the Court to stay consistent.

Judge Hill moved to Public Comments at 1:51 p.m. and returned to this item at 2:10 p.m.

Commissioner Fletcher asked Mr. Darling where the people live that ManeGait serves. Mr. Darling said the 2,000 active volunteers come from McKinney, Prosper, and other parts of Collin County, and the riders come from five different counties.

Commissioner Hale said he looked through the three different resolutions and supports portions of each of them. His thoughts align with the previous resolution of staying on US-380. The Commissioner said he met with a McKinney city councilperson who said they recognize Prosper and McKinney's positions, and each constituency is going to support their constituents. The Commissioner said keeping the alignment on US-380 recognizes planning from Prosper and Frisco. Any lack of planning from McKinney happened before the current council and mayor. Commissioner Hale said he asked TxDOT (Texas Department of Transportation) if they would look at keeping the alignment on US-380, and they said yes. However, that alignment is not on the EIS (Environmental Impact Statement) which is frustrating. The Commissioner said, out of the three different resolutions, he would support option B even though he would prefer TxDOT to consider staying on US-380.

Commissioner Webb said US-380 is the most important roadway for long-term growth within the County. The Outer Loop is substantially farther north, and the traffic studies show the Outer Loop will not provide the mobility needed. The Commissioner said he convinced the Court to put in a limited access roadway system for the County, and the projections for population are now 3-3.5 million people by 2050 for Collin County. If US-380 does not progress, traffic times from US-75 to DNT (Dallas North Tollway) are projected to take two hours. Whatever TxDOT decides will take 10-15 years to implement. Therefore, it is important to keep this process going without any more delays. Commissioner Webb said he does not care which option is picked, he just knows US-380 is critical infrastructure and must move forward otherwise the center road in the County will be gridlocked. When the process started, TxDOT looked at numerous options including keeping the proposed freeway on its alignment. Over time, TxDOT whittles down options and narrowed it down to options A and B on the west side of US-75, and the concerns are

being weighed. Commissioner Webb said the Court should not do anything to impact this process until we see the ultimate determination. Otherwise TxDOT may have to start over, and the process will be delayed another two or three years. The County cannot afford to lose these years due to delays. Commissioner Webb said he would not vote in favor of any resolution. Commissioner Fletcher said she appreciates Commissioner Webb's comments, but the Court already passed a resolution in support of the current US-380 alignment, and this is being consistent. Commissioner Fletcher said option A is the lengthy one and leans towards option B which is short and concise. The Commissioner moved to approve option B with the amendments of two whereas statements from option A and one whereas statement and section 4 from option C added.

Commissioner Hale moved to second option B with Commissioner Fletcher's amendments. Judge Hill asked Commissioner Fletcher where the amendments would be placed. Commissioner Fletcher said the "whereas" statements would be placed at the end and section 4 would be placed consecutively within the document. (Time: 2:25 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Susan Fletcher

Vote: 3 – 2 Passed

Nay: Commissioner Cheryl Williams and Commissioner Duncan Webb

COURT ORDER NO. 2022-369-04-18

c. **AI-51963** Emergency staffing for incremental workload associated with SB6, and budget amendment in the amount of \$132,310 for same, Administrative Services.

Commissioner Webb left the meeting at 2:26 p.m.

Kerry Lindsey, Director of Strategic Initiatives, said she is requesting emergency staffing of four full-time Legal Clerk I positions due to SB6 (Senate Bill 6) mandated incremental duties. SB6 was passed subsequent to the budget last year, and the information was not known at the time. A time study was conducted to evaluate additional tasks required and defined the number of staffing needed. Currently, the work is being performed by staff from the temporary pool. Because they are contractors, they cannot continue beyond a certain period. Ms. Lindsey said she is also requesting the transition of a part time Legal Clerk I to full time. Because this position is at the bottom of the paygrade scale, it is difficult to attract and maintain employees. Ms. Lindsey is asking for the positions now as opposed to waiting for the budget meetings due to the time it takes to fill the positions. Judge Hill asked if most municipalities have transferred their magistration work to the County due to SB6. Ms. Lindsey said yes, and it is a major increase in workload for the County which will have a long-term impact.

Judge Hill asked Linda Riggs, County Auditor, if the County could handle the financial impact of this item. Ms. Riggs said it could. Commissioner Fletcher asked if something could be done to help streamline training with videos and other initiatives to offset the turnover in a position like this. Ms. Lindsey said there is already a magistrate clerk manual that is constantly being updated, and it takes about three to six months to operate at the level of a lead clerk. Commissioner Fletcher moved to approve this item.

Commissioner Hale asked what the State has done to offset these expenditures. Ms. Lindsey said the state has done nothing. Ms. Riggs said she will keep track of it. Judge Hill asked Bill Bilyeu, County Administrator, to ask HR (Human Resources) to review the appropriateness of the classification of this position for the budget workshop. (Time: 2:35 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2022-370-04-18

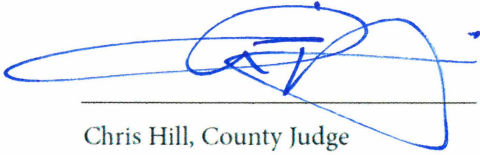
d. **AI-33858** Regional Transportation Council monthly update, Commissioner, Precinct 4.

Commissioner Williams said there were a lot of action items on the agenda, but very few were related to Collin County. This FY2022 Omnibus Appropriations Bill has been fully funded, so there will be additional funding coming to all states. There was also a request to authorize a grant application for RAISE (Rebuilding American Infrastructure with Sustainability and Equity) which is a new infrastructure sustainability and equity discretionary grant program. Regarding the Mobility 2045 plan, there are additional equity and sustainability items to address. The last thing talked about in the meeting were three additional grant programs. The RTC (Regional Transportation Council) will look closely at what projects will be in line and can qualify for federal funding. If the RTC can get federal funding, it can alleviate the need to use RTC or state funding. (Time: 2:38 p.m.)

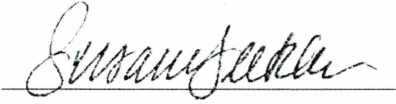
NO ACTION

Executive Session

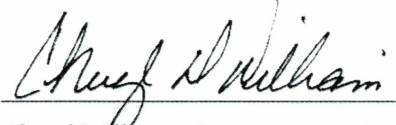
The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 2:38 p.m.



Chris Hill, County Judge



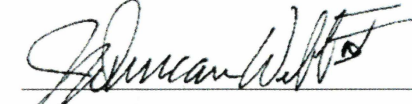
Susan Fletcher, Commissioner, Pct 1



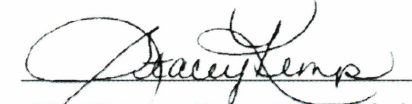
Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3



Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk