

An order of the Commissioners Court approving the filing of the January 8, 2024 minutes.

On Monday, January 8, 2024, 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

Commissioner Fletcher led the Invocation.
Commissioner Webb 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. The meeting recessed into Executive Session at 2:40 p.m. and reconvened at 3:14 p.m. The meeting adjourned at 3:15 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 3:15 p.m. and adjourned the meeting at 3:15 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-55282 Purchase of two (2) utility vehicles, Adult Probation.

FYI NOTIFICATION:

1. AI-55249 Intra-County account transfers transmitted on December 7, 2023, Auditor.
2. AI-55270 IRS mileage rate for 2024, Auditor.
3. AI-55290 Turnover, Human Resources.

4. AI-55291 Voluntary terminations, Human Resources.

5. AI-55209 Addendum No. 1 and No. 2 to Lubricants, Oils and Miscellaneous (IFB No. 2023-431) to make various changes to the Invitation for Bid, Purchasing.

6. AI-55261 Addendum No. 1 to Construction: Generator Replacements & Additions (IFB No. 2023-349) to make various changes to the Invitation for Bid, Purchasing.

7. Notification of budget adjustment(s)/amendment(s):

a. AI-55245 \$169,046.79 to establish the budget for the FY2024 Juvenile Mental Health Court Grant, through the Office of the Governor, Criminal Justice Division, Auditor.

b. AI-55256 \$483,226 to establish the budget for the COVID-19 Detection and Mitigation in Confinement Facilities Grant (Contract No. HHS001193700005) Amendment No. 2, Auditor.

c. AI-55257 \$96,261.05 to establish the budget for the DVE-Fusion Center Software and Hardware-L Project grant, through the Office of the Governor, Auditor.

COMMISSIONERS COURT BUSINESS:

Public comments related to an item on the Agenda.

1. **Consent Agenda Items:** Judge Hill asked for comments on the consent agenda. Commissioner Webb pulled item 1d5, and Commissioner Hale pulled item 1k8 for comment. Commissioner Fletcher pulled item 1k5 for discussion. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 5-0: Passed

a. AI-55246 Disbursements for the period ending January 2, 2024, Auditor.

COURT ORDER NO. 2024-001-01-08

b. AI-55247 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2024-002-01-08

c. AI-55272 Tax refunds totaling \$125,174.86, Tax Assessor-Collector.

COURT ORDER NO. 2024-003-01-08

d. Award(s):

1. AI-55214 Microfilm Creation and Storage (Coop Quote No. 2024-142) to Granicus, LLC through OMNIA Partners Cooperative Contract No. 01-115, County Clerk.

COURT ORDER NO. 2024-004-01-08

2. AI-55275 Veterinary & Animal Care Supplies (IFB No. 2023-176) to various vendors, Development Services.

COURT ORDER NO. 2024-005-01-08

3. AI-55276 Palo Alto Firewall for Datacenter Network Access (Coop Contract No. 2024-138) to Dell Marketing, LP through DIR Cooperative Contract No. DIR-TSO 3763, Information Technology.

COURT ORDER NO. 2024-006-01-08

4. AI-55278 City of Lucas Vehicles (Contract No. 2024-150) to Silsbee Ford, Inc. through Buyboard Cooperative Contract No. 724-23, Public Works.

COURT ORDER NO. 2024-007-01-08

5. AI-55149 Sheriff's Office Vehicles (Contract No. 2024-088) through Buyboard Cooperative Contract No. 724-23, and budget amendment in the amount of \$242,648 for same, Sheriff.

Commissioner Webb stated he supports this item. However, he was concerned regarding the information found on page 369 of the budget which states the County would use FY2023 funds. Since the Sheriff's Office is trading vehicles for trucks, there will be a savings of \$22,574. Commissioner Webb wanted to ensure the money will be reallocated for other budgetary needs. A motion was made to approve Budget's recommendation to retain the \$22,574 and approve the \$30,000 budget amendment to equipment for fuel services. (Time 1:35 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5-0: Passed

COURT ORDER NO. 2024-008-01-08

6. AI-55255 Vertiv/Liebert UPS Maintenance (Contract No. 2024-155) to Vertiv Corporation, Sheriff.

COURT ORDER NO. 2024-009-01-08

e. Agreement(s):

1. AI-55279 Interlocal Cooperation Agreement for Road and Bridge Improvements (Contract No. 2024-153) with the City of Royse City, Public Works.

COURT ORDER NO. 2024-010-01-08

2. AI-55251 Interlocal Agreement for Child Abuse Investigation Services and Law Enforcement Services (Contract No. 2023-405) with the City of Lavon through and including September 30, 2027, Sheriff.

COURT ORDER NO. 2024-011-01-08

f. Amendment(s):

1. AI-55269 No. 2 to Image Management Agreement for Leased Copiers (Contract No. 2022-347) with Novatech, Inc. to make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2024-012-01-08

g. Contract Renewal(s):

1. AI-55260 Disaster Debris Removal (Emergency) (RFP No. 2020-199) with CrowderGulf, LLC to extend the contract for one (1) year through and including February 22, 2025, Fire Marshal.

COURT ORDER NO. 2024-013-01-08

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

1. AI-55271 \$1,342,753 to fund right of way for Park Blvd West from FM 1378 to FM 2514 (Bond Project No. RI070076), Engineering.

COURT ORDER NO. 2024-014-01-08

i. Receive and File, Auditor:

1. AI-55253 Investment Report (3rd Quarter FY2023).

COURT ORDER NO. 2024-015-01-08

2. AI-55254 Investment Report (4th Quarter FY2023).

COURT ORDER NO. 2024-016-01-08

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

1. AI-55235 October 2, 2023.

COURT ORDER NO. 2024-017-01-08

2. AI-55237 October 16, 2023.

COURT ORDER NO. 2024-018-01-08

3. AI-55239 November 6, 2023.

COURT ORDER NO. 2024-019-01-08

4. AI-55240 November 6, 2023, Supplemental Agenda Item.

COURT ORDER NO. 2024-020-01-08

5. AI-55241 November 6, 2023, Special Session.

COURT ORDER NO. 2024-021-01-08

6. AI-55273 November 20, 2023, Special Session.

COURT ORDER NO. 2024-022-01-08

7. AI-55274 November 21, 2023, Special Session.

COURT ORDER NO. 2024-023-01-08

k. Miscellaneous:

1. AI-55243 2024 Collin County Historical Commission historic tax abatement recommendations, Engineering.

COURT ORDER NO. 2024-024-01-08

2. AI-55244 Adoption of Myers Park & Event Center Advisory Board Bylaws, Engineering.

COURT ORDER NO. 2024-025-01-08

3. AI-55234 Abandon 1,672 feet of County Road 50, Public Works.

COURT ORDER NO. 2024-026-01-08

4. AI-55280 Acceptance of the Citibank rebate in the amount of \$9,139.77 to be deposited in the Going the Extra Mile Employee Incentive Program line item, and budget amendment for same, Purchasing.

COURT ORDER NO. 2024-027-01-08

5. AI-55264 Employee salary changes for wage movement adjustments effective January 8, 2024, Human Resources.

Commissioner Fletcher provided a presentation to the Court regarding Deputy Constable & Deputy II pay grade inequity which has been a topic for discussion many times before. Due to the latest changes when the Court approved the 75th percentile for all staff, Commissioner Fletcher reanalyzed the data and found an even greater separation in pay between constables and deputies. Commissioner Fletcher outlined her concerns. This included the inequity in how the County evaluates job duties without regard to other relevant factors or state law. She cited Texas law where deputy constables and deputy sheriffs are both considered peace officers. Commissioner Fletcher said to pay constables disproportionately to their sworn duties under Texas law was degrading, devaluing and de-motivating. Sworn peace members of law enforcement have duties they swear to uphold or they face contempt of court or legal ramifications. Every peace officer regardless of agency, has assigned daily duties. Previous Court testimony stated deputy sheriffs have identical duties as deputy constables, and constables can be moved to patrol at will. Therefore, they should be paid for what they might have to do. Both provide mental health, DEA take-backs, community events and other call work including service calls to County facilities. There have been instances where deputy sheriffs have refused to back-up a constable because they either did not understand the task or felt it was too risky. However, constables are unable to do the same. Additionally, both face the same hazardous job duties such as serving court papers and removing children from their home.

When comparing job position duties, Commissioner Fletcher noted they were the same except for the fact constables do not currently provide prison transport although they are qualified to do this as well. Even the Chief Deputy Constable, who is second in command to the elected Constable, is proposed to be paid the same as an unlicensed sheriff's recruit who is an unsworn officer. Deputy constables are required to take the same 40 hours of continuing education as deputy sheriffs through TCOLE (Texas Commission on Law Enforcement). However, deputy constables are mandated to take an additional 20 hours of TCOLE training in civil process courses, and they have the highest training mandates of any peace officer. Commissioner Fletcher noted the Constables' Offices always hire experienced officers and recruits. Many have previous experience as deputies in the Sheriff's Office or State Troopers and have advanced peace officer skill levels. If the Court were unable to agree on correcting this pay gap, Commissioner Fletcher would like to address inequity by requesting a specific law enforcement compensation consultant to evaluate the pay plan and duties. Commissioner Fletcher is concerned with the pay gap and proposed to move the deputy constables to the same pay grade as our deputy sheriffs. Commissioner Webb asked HR (Human Resources) for an explanation on why there is such a difference in pay scales.

Cynthia Jacobson, Director of Human Resources, said the direction of the Court was to use market data and to pay at the 75th percentile. Deputy constables are paid within 1% of the 75th percentile. The differential between deputy constables and deputy sheriffs is because HR uses city positions when making comparisons as per Court direction. Ms. Jacobson cannot compare them from a job duties standpoint

since they are different between deputy constables and deputy sheriffs. While constables are considered peace officers, they are more in the same category as bailiffs. Ms. Jacobson said HR simply looked at market data for these positions. She confirmed this included making comparisons with deputy constables in other counties. However, Rockwall county and Tarrant county were not included in the comparison because Rockwall does not have any deputy constables and Tarrant had significantly higher requirements for their constables than Collin County.

Commissioner Fletcher is concerned with comparing any city marshal with Collin County's deputy constables. Ms. Jacobson explained city marshals were added per the request of the Court several years ago. Unfortunately, the City of McKinney has changed, and the County can no longer use them for comparisons. Ms. Jacobson offered removing the comparison with the city marshals which would move the sheriff deputies down closer in pay to the constables. Commissioner Fletcher felt the deputy sheriffs are where they need to be, and her concern is to elevate the deputy constables pay. She suggested removing the regression calculations thereby removing any negative affects to law enforcement offices. Additionally, she was concerned with paying deputy constables two pay grades lower than other peace officers who are not in the same dangerous environments as the constables. Ms. Jacobson said, from a market standpoint, the order from Court was to pay all employees at 75th percentile. HR did a massive amount of work to reach this goal. Although it is not perfect, Ms. Jacobson said constables match to 75th percentile of all other constables. Commissioner Fletcher requested to remove the city marshals from the comparison. She feels we have stellar constables, and she sees a great inequity in pay. Ms. Jacobson reassured the Court the County's starting pay for a constable is \$ 65,341 and the highest starting pay is Denton County at \$67,000. Therefore, the differential is not significant.

Commissioner Fletcher asked who makes changes to the job descriptions because she noticed some items has been deleted. Ms. Jacobson said HR received an email from Constable Knapp expressing a concern with a posted job description. When changes were made, all the constables have to agree to the changes before HR proceeds. Judge Hill asked if HR intentionally or knowingly deleted duties for the deputy constables. Mr. Jacobson said no. The elected constables made the determination and approval regarding changes to the job duties for deputy constables.

A motion was made to remove all city marshals from the comparison survey for Collin County deputy constables. (Time: 2:05 p.m.)

Motion: Commissioner Cheryl Williams

Second: Commissioner Duncan Webb

Vote: 5-0: Passed

Commissioner Fletcher said she still shares in the concerns of others in the inequity of pay. For all the reasons she previously stated, Commissioner Fletcher believes the constables need to be moved up at least

one salary grade. Ms. Jacobson noted this would bring the constables outside of market, and if they were still included in regression analysis, it would negatively affect all other positions such as sheriff deputies. Commissioner Webb asked Ms. Jacobson if the comparisons with other counties has ensured Collin County is paying constables at the 75th percentile from the midpoint, and the difference in other counties between deputy constables and deputies sheriffs is not two pay grades. Ms. Jacobson confirmed this is accurate by reading the information from the analysis. Commissioner Fletcher asked if Collin County is at the 75th percentile when compared with other counties, how the deputy sheriffs moved up in pay but the deputy constables did not. Ms. Jacobson said, when looking at the data chart for deputy sheriff minimums, Collin County is below the cities of Allen, Garland, Plano, Richardson, Frisco, and McKinney. The item which moves up deputy sheriffs is the comparison with the cities. If the cities were removed, the sheriffs would likely still be in the same place. Commissioner Fletcher said the cities should not be removed from the deputy sheriff comparison. However, instead of comparing to city marshals, it should be in comparison with patrol cities. Ms. Jacobson noted the data provided for the pay scales was pure numbers, and there was no ill intent behind the outcome of the analysis. Commissioner Fletcher recognized the excellent hard work by Ms. Jacobson and her team in carrying out the policy when making analyses for pay scales. Commissioner Fletcher said this is not an issue with HR's process. It is on the Court to give HR the direction needed to improve the analyses in order to make the needed adjustments to pay scales. Judge Hill suggested putting a hold on this topic to discuss further at another time. Ms. Jacobson said not approving this item would affect when the effective date of pay raises for all employees scheduled for January 8, 2024. A motion was made to move the deputy constable I and deputy constable II up to higher paygrades of 556 and 557 respectively and remove the constables from the regression analysis which would cost approximately \$168,000 for the budget. The motion failed for lack of a second.

Ms. Jacobson said HR uses PFP (Pay for Performance) data for their calculations. Due to all the significant changes made this year, Ms. Jacobson's team feels it would be best not to use PFP calculations and employees would be able to see the calculations easier. After some discussion, the Court decided to stay with using PFP data for calculations.

A motion was made to approve this item as presented. (Time: 2:36 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Duncan Webb
Vote: 4-1: Passed
Nay: Commissioner Susan Fletcher

COURT ORDER NO. 2024-028-01-08

6. **AI-55252** Acceptance of the FY2023 State Criminal Alien Assistance Program Grant award in the amount of \$120,859, Sheriff.

COURT ORDER NO. 2024-029-01-08

7. AI-55292 Personnel Appointments, Human Resources.

COURT ORDER NO. 2024-030-01-08

8. AI-55293 Personnel Changes, Human Resources.

Commissioner Hale congratulated the large number of County employees receiving promotions. These included Christopher Bradley, Jenifer Mocko, Kristen Wissinger, Matthew Hawkins, Rickee Harris, Christopher Ronan and Gorge Ordonez. Commissioner Hale thanked them for all their hard work and everything they did to accomplish these promotions, including licenses and certifications. With no further comments, a motion was made to approve the item. (Time: 2:37 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Cheryl Williams

Vote: 5-0: Passed

COURT ORDER NO. 2024-031-01-08

2. General Discussion Items:

a. AI-33858 Regional Transportation Council monthly update, Commissioner, Precinct 2.

Commissioner Williams said there were quite a number of action items, although most did not pertain to Collin County. One item of note was the discussion regarding the Dallas-Fort Worth high-speed rail. There was a very tense discussion between the City of Dallas and City of Arlington, although, the item eventually passed with additional funding. Additionally, the RTC (Regional Transportation Council) approved \$7 million for speed enforcement. The details regarding funding, whether by grant or some other source, are still being worked out. This project will be to implement ideas to reduce car crashes. Another item, which has been discussed before, was regarding the ozone. The County has experienced the worst season for ozone since 2012 due to the hot, dry, windless summers along with high traffic. It begs the question of are emissions coming from the Dallas-Fort Worth area or from other locations. Is the County being penalized for emissions which are actually from other areas? The RTC struggled to identify the source. They are reaching out to the Federal Government so they are aware, and to find out how to address this. (Time: 2:40 p.m.)

NO ACTION

3. **Executive Session Items:** Judge Hill recessed into Executive Session at 2:40 p.m. under Chapter 551.071, Legal, of the Local Government Code to discuss Case No. 006-01910-2023.

Legal (551.071)

AI-55284 Collin County, Texas v. Tollway Celina 45 Partners, LLC (Case No. 006-01910-2023), Administrative Services.

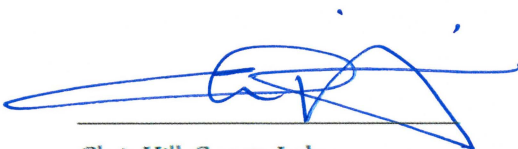
Judge Hill reconvened Commissioners Court at 3:14 p.m. A motion was made to engage David Schick to represent the County. (Time: 3:15 p.m.)

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

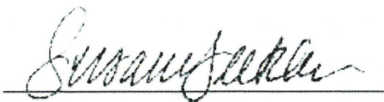
COURT ORDER NO. 2024-032-01-08

Public Comments not related to an item on the Agenda.

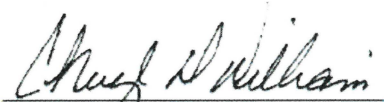
With no further business of the Court, Judge Hill adjourned the meeting at 3:15 p.m.



Chris Hill, County Judge



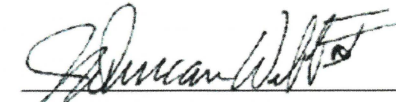
Susan Fletcher, Commissioner, Pct 1



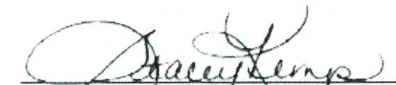
Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3



Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk