

THE STATE OF TEXAS

COMMISSIONERS COURT MINUTES

COUNTY OF COLLIN

December 9, 2008

On Tuesday, December 9, 2008, the Commissioners Court of Collin County, Texas, met in regular session with the following members present, and participating to wit:

Keith Self
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Kathy Ward

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

Commissioner Hoagland led the Invocation.

Commissioner Jaynes led the Pledge of Allegiance.

Commissioner Ward led the Pledge of Allegiance to the Texas Flag.

President Self called the Collin County Health Care Foundation meeting to order at 1:38 p.m. and adjourned at 1:39 p.m.

Item No. 1 Judge Self convened the Collin County Commissioners Court meeting at 1:39 p.m.

FYI NOTIFICATION

1. Decisions mandated by legal entities outside of Commissioners Court authority:

a. AI-29434 Personnel Appointments.

2. Addendum(s):

a. AI-29345 No. 1 to Services, IT Audit (RFP No. 10171-09) to offer Telephone Conference access to the optional pre-bid meeting, Information Technology.

b. AI-29354 No. 1 to Supplies: Animal Care (IFB. No. 10003-09) to extend the bid invitation date, Purchasing.

c. AI-29356 No. 1 to Supplies: Veterinary Lab and Medical (IFB. No 10005-09) to extend the bid invitation date, Purchasing.

d. AI-29409 No. 2 to Supplies: Animal Care (IFB No. 10003-09) to make various changes to the bid specifications, Purchasing.

3. AI-29372 Notification of the donation of a portion of the FY2009 compensation for Commissioner-Elect, Precinct 1 to the rate that was in effect prior to the FY2009 budget process, Human Resources.

4. AI-29420 Update Indigent Defense expenditures (4th Quarter FY2008), Budget. Commissioner Jaynes questioned the Budget office regarding the Indigent Defense Budget. Jeff Mays, Budget, stated the reason the number is so high is due to an increase in capital murder cases. Commissioner Jaynes requested further information. (Time: 1:47:19 p.m.)

5. AI-29411 Budget amendment(s)/adjustment(s) for FY2008 totaling \$102,631 (over \$5,000 per c/o 2005-589-08-01), Budget.

6. AI-29422 Budget amendment(s)/adjustment(s) for FY2009 totaling \$242,360 (over \$5,000 per c/o 2005-589-08-01), Budget.

Item No. 2 Public Comments. There were no public comments.

Item No. 3 Presentation/Recognition:

a. Service Pins to employees with 10, 15, 20 and 25 years of service in the month of December, Human Resources. Candy Blair, Health Care Services, presented a ten-year service pin to Carmen Longoria.

b. AI-29347 Collin County Sheriff's Office Criminal Investigation Section for receiving the International Association of Chiefs of Police (IACP) 2008 August Vollmer Excellence in Forensic Science award and a \$7,500 scholarship to the National Forensic Science Institute, Sheriff. Sheriff Terry Box presented Major Charles Ruckel, Sgt. Mitch Selman and Lt. Larry Smart with the 2008 August Vollmer Excellence in Forensic Science Award.

c. AI-29416 Retirement plaque for Judge Charles Sandoval - 380th District Court, Human Resources. Commissioner Cole presented Judge Sandoval with a retirement plaque for twelve years of service.

d. Retirement of Don Cozad – County Auditor, Commissioners Court.

Judge Self recognized Monika Arris, Budget, for earning the certificate of County Investment Officer.

Item No. 4 Consent agenda to approve. Judge Self asked if any member of the Court or any member of the audience would like to have an item pulled off the

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consent agenda for individual consideration. Commissioner Jaynes requested items FY14, 4f2, h4 and l2 be pulled, Commissioner Hoagland moved to approve the remainder of the consent agenda, Commissioner Jaynes seconded, and the motion passed with a 4-0 vote of the Court. Commissioner Cole abstained. (Time: 1:46:21 p.m.)

- a. Filing of the December 9, 2008, Regular Agenda.

COURT ORDER NO. 2008-1080-12-09

- b. AI-29375 Disbursements for the period ending December 3, 2008, Auditor.

COURT ORDER NO. 2008-1081-12-09

- c. AI-29408 Tax Refunds totaling \$180,766.19, Tax Assessor Collector.

COURT ORDER NO. 2008-1082-12-09

- d. Advertisement(s):

1. AI-29415 Professional Services, Mechanical, Electrical and Plumbing (MEP) Engineer for County Projects (RFQ No. 11236-09) (budgeted), Construction Projects.

COURT ORDER NO. 2008-1083-12-09

- e. Award(s):

1. AI-29365 Water Filtration System (IFB No. 10079-09) to Garratt Callahan (budgeted), Facilities.

COURT ORDER NO. 2008-1084-12-09

2. AI-29339 Culverts, Thermoplastic Pipe (IFB No. 08637-08) to Mainline Supply (Type S) and Municipal Waterworks Supply, L.P. (Type D) (budgeted), Public Works.

COURT ORDER NO. 2008-1085-12-09

- f. Agreement(s):

1. AI-28829 Interlocal Agreement with the City of McKinney for library services at the McKinney Public Library in the amount of \$10,909 (totaling \$43,634), Budget.

COURT ORDER NO. 2008-1086-12-09

2. AI-29320 Grant exemption from the competitive bidding process per VTCA LGC, Chapter 262.024 (a)(7)(A); approve a Maintenance Services Agreement with ADB Consulting, LLC for Fusion System Operation and Maintenance for an annual amount of \$36,400 and further authorize the Purchasing Agent to finalize and execute same, Homeland Security. Jason Lane,

Homeland Security, approached the Court and explained why this item was not sent out for bid. Maintenance Services Agreement will be sent out for bid in 2009. Discussion with the Court followed. Commissioner Hoagland made a motion to approve, Commissioner Cole seconded, and the motion passed with a 4-1 vote of the Court. Commissioner Jaynes voted no. (Time: 1:49:33 p.m.)

COURT ORDER NO. 2008-1087-12-09

3. AI-29410 Tax Abatement Agreement - Reinvestment Zone No. 116 with CMC-Plano Parkway Equity Investors, L.P. and Connecticut General Life Insurance Company and further authorize the County Judge to finalize and execute same, City of Plano.

COURT ORDER NO. 2008-1088-12-09

4. AI-29403 Interlocal Cooperation Agreement with the City of Frisco for the purchase of fuel and further authorize the County Judge to finalize and execute same, Public Works.

COURT ORDER NO. 2008-1089-12-09

5. AI-29381 Interlocal Agreement with the City of Farmersville for the construction of a concrete trail to Northlake Park through the 5th Series, Park/Open Space Project Funding Assistance Program (NTE \$141,000) and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2008-1090-12-09

6. Cooperative Purchasing Agreement(s) With the Northern and/or Eastern Coalition Member(s) to provide emergency medical services and further authorize the Purchasing Agent to finalize and execute same, Fire Marshal:

a. AI-29369 City of Blue Ridge.

COURT ORDER NO. 2008-1091-12-09

b. AI-29373 City of Princeton.

COURT ORDER NO. 2008-1092-12-09

c. AI-29387 City of Weston.

COURT ORDER NO. 2008-1093-12-09

g. Amendment(s):

1. AI-29429 No. 3 to the Interlocal Cooperative Agreement with the North Texas Tollway Authority to extend the contract through and including September 30, 2009 to fund a full time Legal Clerk I for all JP courts impacted by NTTA activity and further authorize the County Judge to finalize and execute same, Human Resources.

COURT ORDER NO. 2008-1094-12-09

2. AI-29331 No. 9 to Software: Cashiering, Indexing and Imaging for the County Clerk (RFP No. 06101-04) with American Cadastre (AmCad) to add Online Marriage Filing functionality and Return Label Report in Marriage License, budget amendment in the amount of \$30,947 and further authorize the Purchasing Agent to finalize and execute same, County Clerk.

COURT ORDER NO. 2008-1095-12-09

h. Change Order(s):

1. AI-29398 No. 3 to Supplies: Janitorial (IFB No. 07107-06) with ECOLAB to delete item no. 61221129 Padlock Floor Sealer and item no. 61189733 Gemstar Gemini Floor Finish from the contract and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2008-1096-12-09

2. AI-29397 No. 5 to Supplies: Janitorial (IFB No. 07107-06) with Eagle Brush Chemical Inc. to delete item no. 07107-06-1-71 Floor Sealer from the contract and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2008-1097-12-09

3. AI-29412 No. 6 for Supplies: Janitorial (IFB No. 07107-06) with Corporate Express to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2008-1098-12-09

4. AI-29414 No. 8 to Construction, Building: Collin County Administration Building (IFB No. 05097-07) with Ratcliff Constructors, L.P. to provide various changes to the contract and further authorize the Purchasing Agent to finalize and execute same, Construction Projects. Commissioner Jaynes asked for an explanation of the \$833,000 credit. Bill Bilyeu, Administrative Services, came forward with an explanation of this item, stating furniture and equipment were being removed from the construction company's contract; they would now be purchased internally through the Purchasing Department. Commissioner Hoagland made a motion to approve, Commissioner Jaynes seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:50:05 p.m.)

COURT ORDER NO. 2008-1099-12-09

i. Budget adjustment/amendment(s):

1. AI-29384 \$1,274,462 to close out Criminal Justice Refunding 1998 Debt Service Fund 209, Auditor.

COURT ORDER NO. 2008-1100-12-09

2. AI-29342 \$20,000 to establish a budget for the drug seizure revenues to purchase electronic surveillance equipment for narcotic investigations, Sheriff.

COURT ORDER NO. 2008-1101-12-09

3. AI-29421 \$7,687,612 to correct negative category amounts on various line items of the FY2008 expenditure budget; and to correct FY2008 revenue estimate adjustments totaling \$13,897,777, Auditor.

COURT ORDER NO. 2008-1102-12-09

j. Receive and File, Auditor:

1. Final Audit Result(s):

FY2008). a. AI-29357 Justice of the Peace, Precinct 3-1 (2nd Quarter

COURT ORDER NO. 2008-1103-12-09

FY2008). b. AI-29359 Development Services (2nd & 3rd Quarter

COURT ORDER NO. 2008-1104-12-09

c. AI-29425 Constable, Precinct 4 (4th Quarter FY2008).

COURT ORDER NO. 2008-1105-12-09

2. Annual Inventory FY2008:

a. AI-29362 Equipment Service Parts.

COURT ORDER NO. 2008-1106-12-09

b. AI-29361 Facilities.

COURT ORDER NO. 2008-1107-12-09

c. AI-29364 Handheld.

COURT ORDER NO. 2008-1108-12-09

d. AI-29363 Public Works Stockpile (Physical Inventory).

COURT ORDER NO. 2008-1109-12-09

3. Payroll Audit:

a. AI-29358 County Clerk.

COURT ORDER NO. 2008-1110-12-09

b. AI-29426 District Attorney.

COURT ORDER NO. 2008-1111-12-09

c. AI-29360 Sheriff's Office.
COURT ORDER NO. 2008-1112-12-09

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

1. AI-29386 November 11, 2008.
COURT ORDER NO. 2008-1113-12-09

2. AI-29399 November 12, 2008 - Special Session.
COURT ORDER NO. 2008-1114-12-09

3. AI-29424 November 18, 2008.
COURT ORDER NO. 2008-1115-12-09

l. Miscellaneous

1. AI-29404 Issuance of a Tax Exempt Note and related loan agreement by the Pecan Hill Education Facilities Corporation for the McKinney Christian Academy project and further authorize the County Judge to finalize and execute associated documents, Administrative Services.

COURT ORDER NO. 2008-1116-12-09

2. AI-29379 Amend Court Order No. 2008-845-09-23 to include the RMA duties and Phase III and IV of the extension of the Dallas North Tollway (DNT) within the boundaries of Collin County, Commissioners Court. Bill Bilyeu, Administrative Services, stated after consulting with Counsel on this issue that this item be pulled and brought back before the next Court. (Time: 1:50:25 p.m.)

PULLED

3. AI-29448 Nomination of Patricia Hatchell to serve on the Regional Aging Advisory Committee (RAAC), Commissioners Court.

COURT ORDER NO. 2008-1117-12-09

4. AI-29312 Submission by Lockwood, Andrews, and Newnam, Inc. (LAN) of a scope of services and fee proposal for the SH 289/Preston Road and US 380 interchange to make it a stand alone project in order to expedite the environmental process and keep improvements on track with the improvements North and South of US 380 to avoid a possible bottleneck and congestion problem, Engineering.

COURT ORDER NO. 2008-1118-12-09

5. AI-29261 Specifications for Software Imaging Solution for County Workstations and further authorize the use of Department of Information Resources (DIR) vendors to quote the solution through their approved contracts (budgeted), Information Technology.

COURT ORDER NO. 2008-1119-12-09

6. AI-29334 Abandonment of a portion of Third Street undeveloped right-of-way within Copeville Original Donation plat, Public Works.
COURT ORDER NO. 2008-1120-12-09

7. AI-29346 Transfer a 2001 Bearcat Stump Grinder (Unit No. 43560) from Equipment Services to Facilities, Public Works.
COURT ORDER NO. 2008-1121-12-09

8. AI-29368 Acceptance of the FY2009 Internet Crimes Against Children grant funds from the City of Dallas, Sheriff.
COURT ORDER NO. 2008-1122-12-09

9. AI-29402 Certified Tax Roll for 2008, Tax Assessor Collector.
COURT ORDER NO. 2008-1123-12-09

GENERAL DISCUSSION

Item No. 5 AI-29333 Public Hearing - Consideration, discussion and any action regarding the placement of Regulatory Signs on various County Roads, Public Works. Jon Kleinheksel, Public Works, came forward to request a public hearing for the placement of regulatory signs on various county roads due to new construction. Judge Self asked if there were any public comments. There were none. Commissioner Jaynes made a motion to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 1:52:07 p.m.)

COURT ORDER NO. 2008-1124-12-09

Item No. 6 AI-29401 Consideration, discussion and any action regarding an amended agreement with the City of Plano to participate in the Tax Increment Financing Reinvestment Zone No. 2, Budget. Monika Arris, Budget, and Frank Turner, Executive Director, City of Plano, approached the Court to discuss expanding the TIF zone to include additional properties and to amend the project and financial plan. Mr. Turner stated the City of Plano is requesting participation from the County in tax increment financing. A recommendation of adjustment has been approved by Plano City Council and Collin College. Judge Self had questions regarding TIF. A discussion followed, with Judge Self noting that since the TIF has been successful, could it be moved back to 50%. Commissioners Hoagland and Ward are working together to write a policy for TIF in order to be consistent. Commissioner Hoagland suggested moving back to 80%, and made a motion to approve, Commissioner Cole seconded. Commissioner Jaynes had questions regarding area to be included. Judge Self stated Collin County will contribute enough in the next five years to fund five courts. Commissioner Cole felt the County will benefit in the long run. The motion passed with a 4-1 vote of the Court. Judge Self voted no. (Time: 2:08:50 p.m.)

COURT ORDER NO. 2008-1125-12-09

Item No. 7 **AI-29383** Consideration, discussion and any action regarding a request from the City of Dallas to reallocate awarded Park/Open Space bond funds from the Bentwood Park project to the NorthBark Park project, Special Projects. Jeff Durham, Parks and Projects Manager, came forward with an update on this item. Mr. Durham assured Commissioner Jaynes that due process had been completed. Commissioner Hoagland made a motion to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:11:16 p.m.)

COURT ORDER NO. 2008-1126-12-09

Item No. 8 **AI-29380** Consideration, discussion and any action regarding an award to the City of McKinney in the amount of \$87,500 for Professional Design Services of the Crape Myrtle Trails through the 5th Series, Park/Open Space Project Funding Assistance Program and budget amendment for same, Special Projects. Jeff Durham, Parks and Projects Manager, again came before the Court with an update, stating the Parks Advisory Board has recommended that the County fund \$87,500 for this project. Commissioner Hoagland made a motion to approve, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 2:10:10 p.m.)

COURT ORDER NO. 2008-1127-12-09

Item No. 9 **AI-29349** Update, discussion and any action regarding NorthStar outreach efforts, Administrative Services. Bill Bilyeu, Administrative Services, introduced Susan Miles, Board Member, North Star; Sharon DeBlant, Value Options; and Rhonda Davis, Interim Director, North Texas Behavioral Authority, to the Court. Mr. Bilyeu briefed the Court on NorthStar outreach efforts. Ms. DeBlant thanked Mr. Bilyeu for his efforts and updated the Court on the increase in calls to the mobile crisis service. Questions and discussion with Court members followed. Judge Self asked if inpatient care had been considered and Commissioner Jaynes asked whether a facility would open in Princeton. Further comments and discussion followed. (Time: 2:22:02 p.m.)

NO ACTION TAKEN

Item No. 10 **AI-29427** Consideration, discussion and any action regarding Engineering firms for the Outer Loop from HWY 380 to SH 121, Commissioners Court. Ruben Delgado, Engineering, came forward with an update on the outer loop via a PowerPoint presentation and also offered the Court a handout. Mr. Delgado asked the Court to vote on an engineering firm for segments 3 and 5. Judge Self wanted focus placed on the commercially viable sections of the outer loop and had questions on the County's options. Discussion followed between the Court, Ms. Arris, Mr. Bilyeu and Mr. Delgado. Commissioner Jaynes made a motion to approve HNTB as the engineers for segment 3 and CH2M Hill as the engineers for segment 5, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. Commissioner Jaynes additionally

requested that segment 4 be brought back to the first Court in January 2009.
(Time: 3:07:09 p.m.)

COURT ORDER NO. 2008-1128-12-09

Item No. 11 **AI-29440** Discussion and any action regarding feasibility study by the Planning Board for an intermodal facility, Commissioners Court. Commissioner Hoagland brought this project before the Court and started by thanking Tim Nolan, GIS, for preparing an outstanding presentation. The project involves the efficient handling of rail shipments, which currently take a day to transport through Dallas traffic. Moving the shipments at night would avoid traffic congestion through the metropolitan area. Commissioner Hoagland gave the Court an overview of the project via PowerPoint presentation. George Elking, Collin County Planning Board, came forward and stated the project would start with the expansion of the Panama Canal, which would allow large shipping vessels from the Asian and Indian markets to bring commerce into Mexico and then up through Texas. There is a proposal to use formerly abandoned NETEX rail lines to bring that commerce through Collin County, which would result in new jobs, new businesses and new neighborhoods. Explanation and discussion continued. Commissioner Hoagland felt this project had the potential to be an economic magnet for Collin County, but wanted a feasibility study conducted. Additionally, COG involvement will be necessary. Gerald Vokolek, Collin County Planning Board, also requested a feasibility study conducted for long-term planning in Collin County. Jeffrey C. Neal, COG, spoke about traffic flow, noting that currently the majority of rail traffic flows through Fort Worth's "Tower 55", the nation's most congested rail intersection. This proposal would help alleviate that congestion. Judge Self wanted more information and more discussion. (Time: 3:39:54 p.m.)

NO ACTION TAKEN

Item No. 12 **AI-29350** Consideration, discussion and any action regarding Personnel Appointments, Human Resources. Cynthia Jacobson, Human Resources, stated all appointments were within standard guidelines. Commissioner Cole made a motion to approve, Commissioner Ward seconded, and the motion passed with a 4-0 vote of the Court. Commissioner Hoagland abstained. (Time: 3:40:34 p.m.)

COURT ORDER NO. 2008-1129-12-09

Item No. 13 **AI-29351** Consideration, discussion and any action regarding Personnel Changes, Human Resources. Cynthia Jacobson, Human Resources, stated all personnel changes were within standard guidelines, with one exception: Sharon Rowe, Elections, was requesting a 26% increase for an employee promotion. Standard promotion increase is 5%; in this situation HR is recommending a 6.5% increase. Ms. Rowe came forward and explained her reasoning for such a high increase. Commissioner Hoagland made a motion to approve based on recommendations by Human Resources, Commissioner Cole seconded, and the motion passed with a 5-0 vote of the Court. (Time: 3:56:22 p.m.)

COURT ORDER NO. 2008-1130-12-09

Item No. 14 Discussion and any action regarding Potential 81st Legislative items, Commissioners Court. Bill Bilyeu, Administrative Services, stated letters had been sent to the State Representatives and the matter would be brought back before the next Court. (Time: 3:59:59 p.m.)

NO ACTION TAKEN

Item No. 15 Consideration, discussion and any action regarding 2007 RTR funding, Commissioners Court. Ruben Delgado, Engineering, presented an update on RTR funding and recommended the Court visit their new website. Commissioner Jaynes provided some additional information. (Time: 4:00:45 p.m.)

NO ACTION TAKEN

Item No. 16 Possible future agenda items by Commissioners Court without discussion.

EXECUTIVE SESSION

The Court recessed into Executive Session from 4:01 p.m. until 4:26 p.m, in accordance with Chapter 551 of the Government Code, to discuss the following subjects:

Personnel (551.074)

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

AI-29438 Assistant Director of Engineering, Administrative Services.

NO ACTION TAKEN

Board/Committee Appointments (551.0745)

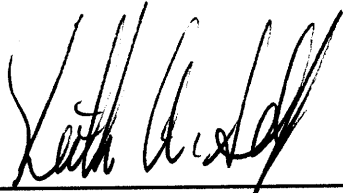
AI-29405 Board/Committee Appointments. Judge Self recited the list of nominees for Board/Committee Appointments. Commissioner Jaynes made a motion to accept the nominations, Commissioner Ward seconded, and the motion passed with a 4-0 vote of the Court. Commissioner Cole abstained. (Time: 4:28:25 p.m.)

COURT ORDER NO. 2008-1131-12-09

AI-29366 North Central Texas Workforce Board appointment.

COURT ORDER NO. 2008-1132-12-09

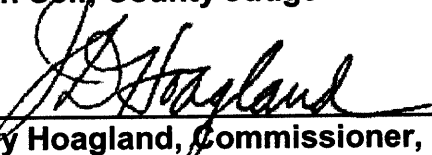
There being no further business of the Court, Judge Self adjourned the meeting at 4:29 p.m.




Keith Self, County Judge



Matt Shaheen, Commissioner, Pct. 1

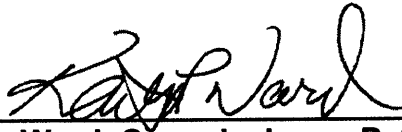


Jerry Hoagland, Commissioner, Pct. 2

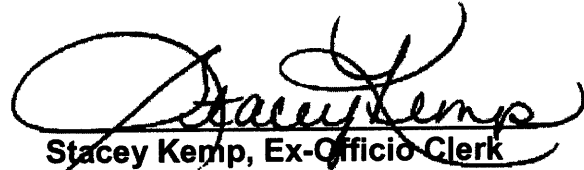


Joe Jaynes, Commissioner, Pct. 3

ATTEST:



Kathy Ward, Commissioner, Pct. 4



Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S

