

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES

COUNTY OF COLLIN

June 8, 2009

On Monday, June 8, 2009, the Commissioners Court of Collin County, Texas, met in regular session in the Commissioners' Courtroom, Jack Hatchell Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas with the following members present, and participating, to wit:

Present: Judge Keith Self
Commissioner Prct 1 Matt Shaheen
Commissioner Prct 2 Jerry Hoagland
Commissioner Prct 3 Joe Jaynes
Commissioner Prct 4 Kathy Ward

Commissioner Shaheen led the Invocation.
Commissioner Hoagland led the Pledge of Allegiance.
Commissioner Jaynes led the Pledge to the Texas Flag

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF
COMMISSIONERS COURT AUTHORITY:**

1. **Notification of budget adjustment(s)/amendment(s), Auditor:**
 - a. AI-30168 \$7,500 to purchase furniture for the new conference area and provide funding for day travel.
 - b. AI-30160 \$12,000 to replace all chairs in the Juvenile Detention Center.
 - c. AI-30173 \$150,000 for the Out of County Sex Offender fund to remove the revenue estimate for the transfer in from the Juvenile Probation fund.
2. AI-30217 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. **Addenda:**
 - a. AI-30195 No. 1 to Construction, Bridge: County Road 593 Over Price Creek to make various changes to the bid invitation, Purchasing.

b. AI-30155 No. 1 – 4 to Services: Commissary (RFP No. 01349-09) to make various changes to the Request For Proposal, Purchasing.

2. **Notification of budget adjustment(s)/amendment(s), Auditor:**

a. AI-30129 \$16,000 for the Clean Vehicle Fleet Local Initiative Project FY 2009.

b. AI-30143 \$26,497 to establish the budget for the 2007 Justice Assistance Grant.

c. AI-30145 \$30,000 to zero out the budgets set up for the FY2008 EMPG Grant.

d. AI-30137 \$93,494 2007 UASI Grant to establish the revenue and expenditure budgets for the remainder of funds that rolled over from FY'08.

e. AI-30144 \$130,000 to roll forward the revenue budget for the 2007 LETPP Grant.

1. Call to order. The court will convene in open session for consideration of the following business matters:

2. Public Comments.

3. **Presentation(s)/Recognition(s):**

a. AI-30178 Teen Court Coordinator and Teen Court participants from the North Texas competition, Commissioners Court.
Commissioner Ward presented proclamation awards to three participants in the Teen Court program. Commissioner Ward commended Shirlane Grant, Teen Court Coordinator for her leadership and contributions to the program.

b. Service Pins to employees with 10, 15, 20 and 25 years of service in the month of June, Human Resources.

c. AI-30213 Homer Reeves for service to Collin County, Human Resources.
Judge Self introduced Judge Paul Rahleeh, Justice of the Peace Precinct 1, to give comments in appreciation of the services Dr. Homer Reeves provided to the citizens of Collin County in his 13 years of service. Ms. Kitty McClain approached the court to give her comments on the contributions Dr. Reeves provided to those in need in Collin County.

4. **Consent agenda to approve:**

a. AI-30206 Approved Disbursements for the period ending June 2, 2009, Auditor.

COURT ORDER NO. 2009-389-06-08

- b. AI-30161 Approved Tax Refunds totaling \$334,626.44, Tax Assessor Collector.
COURT ORDER NO. 2009-390-06-08

c. **Advertisement(s):**

1. AI-30196 Approved New Exterior Stairs, 900 Park Plaza Building (IFB No. 03439-09) (budgeted), Construction & Projects.
COURT ORDER NO. 2009-391-06-08

2. AI-30154 Approved Services, Maintenance: Plumbing (IFB No. 03489-09) (budgeted), Facilities.
COURT ORDER NO. 2009-392-06-08

d. **Award(s):**

1. AI-30166 Approved Software Assurance to SHI Government Solutions utilizing the State's DIR Program (DIR-SDD-198), approval of the Microsoft Enterprise Agreement and further authorize the Purchasing Agent to finalize and execute same (budgeted), Information Technology.
Judge Self asked for more information. Caren Skipworth, Information Technology approached to answer the questions saying this was part of the project to update the County's computer systems. Roll out will begin as soon as approved by court.

Motion to approve agreement.
Motion Judge Keith Self
Second Commissioner Prct 1 Matt Shaheen
Vote 5-0

COURT ORDER NO. 2009-393-06-08

2. AI-30180 Held Maintenance, Printer (RFP No. 11260-09) (budgeted), Information Technology.
3. AI-30201 Approved Vehicle: Water Tank Truck & Pumping Equipment (IFB No. 03435-09) to Southwest International Trucks, Inc. (budgeted), Public Works
COURT ORDER NO. 2009-394-06-08

e. **Agreement(s):**

1. AI-30170 Approved Renewal of the Service Agreement with Appriss, Inc. to participate in the 2010 Texas VINE (Victim Information & Notification Everyday) program for the period beginning September 1, 2009 through and including August 31, 2010 with a maximum liability of the Office of

the Attorney General NTE \$30,108 and further authorize the County Judge to finalize and execute the agreement, Auditor.

COURT ORDER NO. 2009-395-06-08

2. AI-30163 Approved Modified Interlocal Agreement with the City of Plano for the Design and Construction of the US 75 Ramp Improvement Project (Bond Project No. 03-045) for an increase for design of \$204,703.40 (Collin County's total participation is \$1,057,383.90) (budgeted), Engineering. *Commissioner Shaheen asked Bill Bilyeu, Administrative Director for clarification on the cost of the agreement and questioned why the cost of the project had increased. Judge Self asked why cost have continued to increase over the life of the project. Mr. Bilyeu explained that there were two components to the project design and construction, this was for the design costs. Commissioner Jaynes commented that the bottom line was that the 2003 bond was approved for \$4 million dollars and this project came in at approximately \$1 million dollars which is considerably less than what was projected. Discussion regarding the extent of the project followed.*

Motion to approve as requested

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 2 Jerry Hoagland
Vote 5-0

COURT ORDER NO. 2009-396-06-08

3. AI-30172 Approved Interlocal Agreement with the McKinney Independent School District to provide technical support for students at the Juvenile Detention Center and further authorize the County Judge to finalize and execute same, Information Technology. *Commissioner Shaheen asked for clarification on the agreement. Caren Skipworth, Information Technology, approached to give additional information saying this would allow teachers in the McKinney ISD access to certain network capabilities, and this agreement would clarify who supports what regarding the computers located at the Juvenile Detention Facility for the purposes of education. Brief discussion with the court.*

Motion to approve.

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 2 Jerry
Vote 5-0

COURT ORDER NO. 2009-397-06-08

f.

Amendment(s):

1. AI-30171 Approved No. 3 to Common Integrated Justice System with Tyler Technologies, Inc. (Contract No. 01318-09) to add the Odyssey Integration Toolkits and Connectors and further authorize the Purchasing Agent to finalize and execute the License Agreement, Information Technology.

Judge Self asked for a brief explanation on what this application actually does. Caren Skipworth, Information Technology, gave an overview of the application stating that the tool kits would enable the IT department to write integrations instead of depending on Tyler. This functionality would also help to lower the County's cost of implementing the Odyssey system.

Motion Judge Keith Self
Second Commissioner Prct 2 Jerry Hoagland
Vote 5-0

COURT ORDER NO. 2009-398-06-08

g.

Change Order(s):

1. AI-30189 Approved No. 1 to Road Materials: Hot Mix Asphaltic Concrete (IFB No. 10004-09) with Austin Asphalt, L.P. to reflect a price reduction on various contract items and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2009-399-06-08

2. AI-30177 Approved No. 2 to Filters: Heating, Ventilation & Air Conditioning (IFB No. 03064-07) with Tex-Air Filters to extend the contract for one (1) year through and including June 12, 2010 and further authorize the Purchasing Agent to finalize and execute same (budgeted), Facilities.

Commissioner Shaheen asked for an actual dollar amount which was not on listed the agenda. Dan James, Facilities, addressed the court saying the average cost is \$80 to \$100 thousand per year, but the amount varies. Mr. James said the contract would provide consistency in purchasing filters for county facilities. Commissioner Shaheen commented that in the future it would be appreciated if the dollar amount of the contracts were included in the initial request.

Motion to approve.

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 2 Jerry Hoagland
Vote 5-0

COURT ORDER NO. 2009-400-06-08

3. AI-30175 Approved No. 2 to Uniforms: Law Enforcement & Related Items, Work Uniforms and Misc (IFB No. 07126-07) with Lone Star Uniforms, Inc. to extend the contract for one (1) year through and including September 30, 2010 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

Terry Box, Sheriff, addressed the court saying as an FYI this was a five year contract with the last two years being an option to extend one year. There are no changes to the costs of the uniforms, just extending the contract.

Motion to approve extending the contract for one year.

Motion Commissioner Prct 2 Jerry Hoagland
Second Commissioner Prct 1 Matt Shaheen
Vote 5-0

COURT ORDER NO. 2009-401-06-08

h. **Ratification of the County Judge's prior approval:**

1. AI-30200 Approved Purchase five (5) Ford Hybrid Escapes at a cost higher than originally anticipated and budget amendment in the amount of \$9,570 for same, Public Works.

COURT ORDER NO. 2009-402-06-08

i. **Receive and File, Auditor:**

1. AI-30105 Held 2nd Quarter Investment Report for FY2009.
Commissioner Shaheen asked for a walk through on how this report is generated and what the investments include. Jerry Higgins, Auditor's Office, approached the court in response stating he was not familiar with the report since it was created by Don Cozad, County Auditor. Mr. Higgins said he would have to come back to the court with the requested information. Commissioner Shaheen asked that this be held once more until the next court to get more information on the investments and how they are comprised.

2. **Financial Statement(s):**

- | | | | |
|-------------|----------|----------------|--|
| a. AI-30183 | Approved | January 2009. | <u>COURT ORDER NO. 2009-403-06-08</u> |
| b. AI-30186 | Approved | February 2009. | <u>COURT ORDER NO. 2009-404-06-08</u> |
| c. AI-30187 | Approved | March 2009. | <u>COURT ORDER NO. 2009-405-06-08</u> |
| d. AI-30188 | Approved | April 2009. | <u>COURT ORDER NO. 2009-406-06-08</u> |

3. **Final Audit Results:**

- a. AI-30197 Approved County Clerk (3rd & 4th Quarter FY2008).
COURT ORDER NO. 2009-407-06-08
- b. AI-30193 Approved CSCD (3rd & 4th Quarter FY2008 and 1st Quarter FY2009).
COURT ORDER NO. 2009-408-06-08
- c. AI-30190 Approved District Attorney (2nd, 3rd & 4th Quarter FY2008 and 1st Quarter FY2009).
COURT ORDER NO. 2009-409-06-08
- d. AI-30191 Approved Justice of the Peace, Precinct 2 (2nd, 3rd & 4th Quarter FY2008).
COURT ORDER NO. 2009-410-06-08
- e. AI-30194 Approved Justice of the Peace, Precinct 4 (3rd & 4th Quarter FY2008 and 1st Quarter FY2009).
COURT ORDER NO. 2009-411-06-08
- f. AI-30192 Approved Myers Park (4th Quarter FY2008 and 1st Quarter FY2009).
COURT ORDER NO. 2009-412-06-08

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

1. AI-30146 Approved May 11, 2009.
COURT ORDER NO. 2009-413-06-08
2. AI-30158 Approved May 18, 2009 Canvass Election - Special Session.
COURT ORDER NO. 2009-414-06-08
3. AI-30159 Approved May 18, 2009 - Workshop.
COURT ORDER NO. 2009-415-06-08

k. **Miscellaneous**

1. AI-30179 Approved Services, Maintenance: HVAC Contractor (IFB No. 10006-08) to upgrade the air system in the Adult Detention Security/Data room with Gulf Energy Systems and budget amendment in the amount of \$11,680 for same, Construction & Projects.
COURT ORDER NO. 2009-416-06-08
2. AI-30198 Approved Re-designation of Private Road 5559 to Thornfield (with address updates) GIS/Rural Addressing.
COURT ORDER NO. 2009-417-06-08
3. AI-30152 Approved Transfer a 2004 20' Pace Tandem Axle Cargo Trailer (Unit No. 42899)

to Facilities, Public Works.

COURT ORDER NO. 2009-418-06-08

4. AI-30199 Approved Reimbursement in the amount of \$250 to Mr. Lonnie Messenger and \$125 to Flying T Ranch for dust control oiling of CR 525 (budgeted), Public Works.

COURT ORDER NO. 2009-419-06-08

5. AI-30174 Approved Apply under the 2009 Low Loan Program for the loan of two Yamaha Waverunners to be used for Lake Patrol contract with the Corp of Engineers, Sheriff.

Judge Self asked Sheriff Terry Box for more information about this program including potential liability and training. Sheriff Box clarified how this program would be managed saying the Waverunners were for emergency use only. In the event the vehicles were needed, they would be manned by a Deputy to quickly access someone in or on the lake. Sheriff Box also stated he would get more information on the insurance issue while meeting with the county's Risk Manager. A brief discussion regarding the program followed.

Motion to approve application.

Motion Judge Keith Self

Second Commissioner Prc 3 Joe Jaynes

Vote 5-0

COURT ORDER NO. 2009-420-06-08

6. AI-30149 Approved Proclamation in observance of the 26th Annual National Night Out, October 6, 2009, Sheriff.

COURT ORDER NO. 2009-421-06-08

GENERAL DISCUSSION

Presentation, discussion and any action regarding:

5. AI-30184
No Action Taken

JJAEP and Juvenile Probation Facilities, Commissioners Court.

Bill Burke, Construction and Projects, gave a presentation at the request of Commissioner Shaheen regarding a plan to build a new facility for Juvenile Probation. Commissioner Shaheen commented that he thought this was unnecessary. Mr. Burke explained how the space will be used and the number of students this would provide services to. Discussion by the court followed.

Joe Scott, Director Juvenile Services, approached the court to address questions regarding the type of services that will be provided. Mr.

Scott said the teachers are employed by McKinney ISD and the Juvenile Justice Alternative Education Program (JJAEP) by statute must keep the curriculum in line for the student to graduate. Mr. Scott asked the court to approve the build out of two clusters and a shell for a third cluster. Judge Self expressed concerns regarding building out more space than is currently needed and said the court should be focusing on saving tax payer money while still providing classrooms outside the UDCF (University Drive Courts Facility) building. Commissioner Ward commented that this project was approved in a facilities bond previously so this is not above the budget and since it could be built one cluster short of what was approved they are already saving taxpayer dollars.. Extensive discussion with the court continued through-out the presentation. Mr. Burke will advertise for bid at end of July.

Commissioner Ward asked Mr. Scott to elaborate on the program to inform the citizens of why we have the program. Mr. Scott explained this is required by Texas law which is governed by population in each county. The program is used in one of two situations: expulsion or persistent misbehavior. Additional discussion followed. Commissioner Hoagland stated he wanted to see all three alternatives for the sake of comparison saying if a second cluster could be built out for \$400 thousand dollars it would be foolish not to do so. The court continued with a brief discussion on the number of clusters that should be considered. Judge Self told Mr. Scott the court would give him further direction at a later date.

6. AI-30202
No Action Taken

Emergency Interruptible Load Service Program through Electric Reliability Council of Texas (ERCOT) by TD Industries, Facilities.

Barry Whaley, TDIndustries presented a power point presentation which included the history of the company and the company's group mission. Services provided include HVAC, Plumbing and Electrical Services. By using UtiliVisor software the user will have the ability to monitor and archive the energy management system. It will allow the user to compare energy usage between each of the buildings on campus. After the presentation Mr. Whaley received questions from the court. There is no cost to the county for this program. Discussion followed.

Dan James, Facilities, approached to give additional comments on the program and how it works. Collin County would be the first government entity to utilize this service to save tax payer money on the cost of running County facilities.

7. AI-30223 Approved Audit of benefit payments, Commissioners Court.
Commissioner Shaheen addressed the court to ask for information regarding certain companies who provide audit services for healthcare claims and whether the reimbursements are accurate and the right services are being provided. At the request of Commissioner Shaheen Cynthia Jacobson, Human Resources, approached to give clarification. Ms. Jacobson stated that currently the claims payments are about \$13 million dollars and Human Resources would need to submit a Request for Proposal in order to obtain the audit services and the contract allows for the current year claims and the prior year claims for an audit.

Motion to approve submittal of a RFP for health insurance claims audit.

Motion Commissioner Prct 3 Joe Jaynes
Second Commissioner Prct 1 Matt Shaheen

Vote: 5 – 0

COURT ORDER NO. 2009-422-06-08

8. AI-30141 Approved Redistricting, Commissioners Court.
Judge Johnny Lewis addressed the court regarding the redistricting of Constable and JP departments. Judge Lewis presented a survey on the justice courts in 12 counties in Texas which included the number of courts and clerks per judge in each county. Eight of these are comparable to Collin County. Judge Lewis also addressed a concern from Judge Self regarding the Office of Court Administration (OCA) stating that the numbers are skewed because they do not include hearings, only the cases filed and there could be four to five hearings per case. Judge Lewis asked the following Judges and Constables to approach: Judge Terry Douglas, Pct 2, Judge John Payton, Pct 3-2, Judge Paul Rahleeh, Pct 1, Constable Paul Elkins, Pct 1, Constable Johnny Todd, Pct. 4 and Constable Chuck Presley, Pct 3. Judge Yarborough, Pct 4 could not attend due to his court docket. Judge Lewis continued with the presentation saying Collin County JP courts do not have visiting judges. Judge Lewis gave the court future estimated cases if a redistricting was approved.

Judge Self introduced Constable Joe Barton who submitted a blue card regarding this issue. Constable Barton addressed the court with commentary to express his opposition to the plans submitted. He also expressed his concern for the citizens of Collin County who do not know about these plans, and said he did not have enough staff to cover the additional areas the redistricting would bring to his precinct.

Constable then told the court they should leave the districts as they currently are. Judge Paul Rahleeh gave comments on his thoughts as did Constable Paul Elkins who stated he had no problem with the changes. Judge Rahleeh stated the court asked th Judges and Constables to find a solution and they did; and he requested the approval of modified plan 8b. Extensive discussion with the court followed. Constable Chuck Presley approached to inform the court that if this is approved he will submit a proposal for additional staff. Additional extensive discussion followed including all parties. Commissioner Shaheen said he pulled his own numbers which did not include traffic cases.

Constable Todd gave comments stating he was agreeable with the proposal but not with eliminating any deputies. He said there are eight in his office and if the proposal is approved they could finally catch up on the workload.

Motion to adopt plan 8b with an effective date of January01, 2010

Motion Commissioner Prct 3 Joe Jaynes
Second Commissioner Prct 4 Kathy Ward

Vote 5-0

COURT ORDER NO. 2009-423-06-08

Discussion followed the vote regarding the redistricting of Commissioners' precincts. Bill Bilyeu addressed the court with a recommendation for the proposal and stating that GIS should be present for the discussion. No action taken on this discussion.

9. AI-30181 Approved Personnel Appointments, Human Resources.
Cynthia Jacobson, Human Resources, addressed the Court regarding the appointment of new employees. Ms. Jacobson informed the Court all appointments follow standard procedures.

Motion to approve personal appointments.

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 3 Joe Jaynes

Vote 4-0

COURT ORDER NO. 2009-424-06-08

10. AI-30182 Approved Personnel Changes, Human Resources.
Cynthia Jacobson, Human Resources, addressed the Court regarding changes to current employees. Ms. Jacobson informed the Court all changes follow standard procedures.
- Motion to approve personnel changes.
- Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 3 Joe Jaynes
- Vote 4-0
- COURT ORDER NO. 2009-425-06-08**
11. AI-30209 Board/Committee Appointments, Commissioners Court.
No Action Taken
12. Active 81st Legislative Items (including the following), Commissioners Court:
- a. AI-30020 SB882, HB2833 and HB719, Commissioners Court.
No Action Taken *Commissioner Jaynes gave comments on legislation which effects Collin County. Brief discussion by the court followed.*
- Possible future agenda items by Commissioners Court without discussion.
13. *Judge Self asked the addition of CTA next steps*
Commissioner Jaynes asked the addition of a housekeeping item regarding having the median on Bloomdale in front of the Administration Building remodeled to add a turn lane.
- Executive Session
There being no reason to recess into executive session Judge Self adjourned the meeting at 12:13 p.m. Court scheduled to reconvene at 1:30 p.m. to hear presentations on General Discussion item 14
- 1:30 P.M.**
14. Interview(s)/presentation(s) for Engineering Services for Segment 3 of the Collin County Outer Loop (RFQ No. 03436-09), Commissioners Court.
Judge Keith Self reconvened court at 1:37 p.m. to hear presentations from engineering firms to provide services for Segment 3 of the Outer Loop Project.
Bill Bilyeu, Administrative Services addressed the court with handouts

which listed the final scores of the candidates competing to provide services for segment 3 of the Outer Loop Project. There were seven finalists in the selection process. Each firm was given 10 minutes for presentation and five minutes to answer questions from the Court. Presentations included each firm's project team, relevant experience and qualifications. The candidates made their presentations in the following order:

*PBS&J
Jacobs Engineering
URS
CH2M Hill
Dannenbaum Engineering
Infrastructure Group Texas (IGT)
Transystems*

After all presentations were given extensive discussion by court members followed. Individual rankings from each Court member was given to Bill Bilyeu, Administrative Director to determine who was ranked highest in the selection process.

a. AI-30241

Firms Order Determination.

The court determined the order of the competing firms as follows:

- 1. CH2M Hill*
- 2. PBS&J*
- 3. Dannenbaum Engineering and Infrastructure Group Texas*
- 4. Jacobs Engineering*
- 5. URS*

After discussion by the court as to the order in which the firms were ranked Judge Self asked for a motion to determine who would take third place due to a tie in the ranking. Commissioner Jaynes made a motion to determine Dannenbaum as the third and Infrastructure Group Texas as fourth.

Motion Commissioner Prct 3 Joe Jaynes
Second Commissioner Prct 2 Jerry Hoagland

Vote 4-1

Commissioner Prct 1 Matt Shaheen voting nay.

Judge Self then asked for a motion to approve the ranking order as determined in the previous vote.

Motion Commissioner Prct 1 Matt Shaheen
Second Commissioner Prct 2 Jerry Hoagland
Vote 5-0

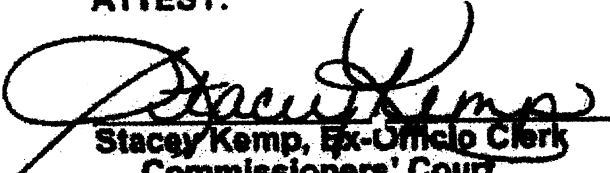
b. AI-30242

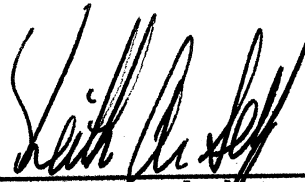
CH2M Hill as the most qualified - begin negotiations.
CH2M Hill was determined to be the most qualified firm to provide services for Segment 3 of the Outer Loop Project.

There being no further business of the court Judge Self adjourned the meeting at 4:54 p.m.



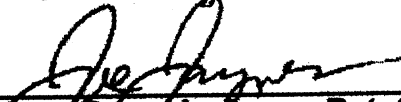
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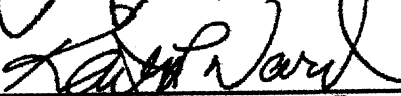

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S


Keith Self, County Judge


Matt Shaheen, Commissioner, Pct. 1


Jerry Hoagland, Commissioner, Pct. 2


Joe Jaynes, Commissioner, Pct. 3


Kathy Ward, Commissioner, Pct. 4