

STATE OF TEXAS

COMMISSIONERS COURT MEETING MINUTES

COUNTY OF COLLIN

OCTOBER 18, 2010

On Monday, October 18, 2010, 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:

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

Commissioner Ward led the Invocation.
Judge Self led the Pledge of Allegiance.
Commissioner Shaheen led the Pledge of Allegiance to the Texas Flag.

Judge Self called to order the meeting of the Collin County Commissioners Court at 9:34 a.m. and recessed into the Collin County Health Care Foundation.

President Self called to order the meeting of the Collin County Health Care Foundation at 9:35 a.m. and adjourned the meeting at 9:37 a.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-32772 Personnel Appointments, Human Resources.
2. AI-32791 Personnel Changes, Human Resources.

Commissioner Hoagland asked Bill Bilyeu, Administrative Services, if there were any items on Personnel Appointments or Personnel Changes. Mr. Bilyeu replied no.

FYI NOTIFICATION

1. AI-32760 Budget amendment(s)/adjustment(s) totaling \$10,462 (over \$5,000 per c/o 2005-589-08-01), Budget.
2. Public Comments. There were no public comment cards handed to the Court.

3. Presentation/Recognition.

4. Consent agenda to approve:

Judge Self stated item 4b1, the Emergency Alert Notification System, would be pulled from the consent agenda, and then asked if any member of the Court or any member of the audience had an item they wanted pulled from the consent agenda for individual consideration. Commissioner Hoagland made a motion to approve the remainder of the consent agenda. (Time: 9:37 a.m.)

Motion by: Commissioner Jerry Hoagland

Second by: Commissioner Matt Shaheen

Vote: 5 - 0 Passed

a. **AI-32746** Disbursements for the period ending October 12, 2010, Auditor.

COURT ORDER NO. 2010-855-10-18

b. Award(s):

1. **AI-32708** Emergency Alert Notification System (RFP No. 03221-10), Homeland Security.

PULLED

2. **AI-32736** Construction, Bridge: County Road 463 over Branch of Sister Grove Creek (IFB No. 07300-10) to Jeske Construction Co., budget amendment in the amount of \$259,000 and further authorize the Purchasing Agent to finalize and execute the construction agreement, Special Projects.

COURT ORDER NO. 2010-856-10-18

c. Agreement(s):

1. **AI-32739** Novation Agreement for Engineering Services for Improvements to US 380 to change the name from Turner, Collie, and Braden, Inc. to AECOM Technical Services, Inc. (AGR No. 11238-09) and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2010-857-10-18

2. **AI-32735** Personal Services Agreement with James White (Agreement No. 09414-10) for park maintenance at Parkhill Prairie Preserve through and including September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2010-858-10-18

3. **AI-32734** Personal Services Agreement with Jody Howard (Agreement No. 09416-10) for park maintenance at Sister Grove Park through and including

September 30, 2011 and further authorize the Purchasing Agent to finalize and execute same, Special Projects.

COURT ORDER NO. 2010-859-10-18

d. Amendment(s):

1. **AI-32731** Amended Interlocal Agreement for Wilmeth Road Tower for 700 MHz Interoperable Communication Overlay System (Contract No. 06706-09) with NCTCOG to extend the agreement through and including June 30, 2011, further authorize the County Judge to finalize and execute same, Sheriff.

COURT ORDER NO. 2010-860-10-18

2. **AI-32751** No. 4 to the Interlocal Agreement for the Facility Construction and Use of Animal Shelter Services with the City of McKinney to set the rate for FY2011 and extend the contract for one (1) year through and including September 30, 2011. Payment will be made in quarterly installments for an annual amount of \$309,709 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2010-861-10-18

e. Change Order(s):

1. **AI-32738** No. 2 to Supplies: Jail and Personal Inmate (IFB No. 03447-09) with ICS to change the bar size for Line Item No. 03447-09-03-07, bar soap from approximately 5 ounces to 3 ounces and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2010-862-10-18

f. Miscellaneous

1. **AI-32689** Acceptance the FY2011 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Office of Justice Programs in the amount of \$96,672.75 and approval of a budget amendment in the amount of \$193,346 to establish the budgets for the grant funds and the 50% County match, Auditor.

COURT ORDER NO. 2010-863-10-18

2. **AI-32750** Deposit the net proceeds totaling \$104,822.74 from the Collin County On-Line Auction held on August 30, 2010 per Local Government Code 263.156, Purchasing.

COURT ORDER NO. 2010-864-10-18

GENERAL DISCUSSION

5. AI-32696 Public Hearing – Placement of Regulatory Signs on Various County Roads, Public Works.

Jon Kleinheksel, Public Works, came forward and requested a public hearing for placement of regulatory signs on county roads. Judge Self opened the public hearing and asked for any public comments. Hearing none, the public hearing was closed. Commission Hoagland made a motion to approve. (Time: 9:38 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2010-865-10-18

6. AI-32722 Joint Committee of citizens and employees to review total compensation, Commissioner, Precinct 4.

Commissioner Ward led this discussion. She stated she was looking for guidance from the Court. She said while she realizes the Court has the final say in employee compensation, she would like to see more citizen and employee input in an organized fashion so we don't have "us against them" working against us in the future. She thought maybe each Commissioner could appoint someone to the Committee, as well as have five employees, and Ms. Jacobson will have the compensation person in place. Commissioner Ward wanted to open the idea up for discussion. She wanted to make sure the timing of this is done right so we can have the comp person in place to get the preliminary work to the Court before we put it before other employees and citizens. Commissioner Jaynes said he thought it had been decided that we put the matter in Ms. Jacobson's hands to have a comp person on board and bring us back results. He wanted to stick with that for right now. It's going to be a tough enough job to bring a new comp person in, and tougher if we have to put them in a situation where they have to work with a political committee of employees and citizens. Commissioner Shaheen said HR does a salary survey almost every year. He agreed with Commissioner Jaynes, he wanted to hold off and see what the new person brings. He has full faith in our HR department and the evaluations they perform. Commissioner Ward said this isn't a knock on the HR department. She said we've had extreme interest from the citizens and employees, and she's never seen anything like that before. Commissioner Jaynes said let's let HR put something together. Commissioner Ward said, yes, timing is everything, let's get the HR person in place, but in the meantime this group can discuss which employees we appoint. Commissioner Jaynes was unsure if he wanted to go in that direction.

Commissioner Ward made a motion to form a committee and appoint members to the committee, including employees who are interested in serving and citizens

who are interested in serving, and from there wait until the comp person gets in place. Commissioner Hoagland asked Judge Self for his thoughts. Judge Self said he doesn't think this is the time. This is total compensation, not a salary study. HR can do a salary study and tell us what our compensation and benefits packages are. At that point it becomes a political decision, how do we balance salary with benefits. He agreed with Commissioners Jaynes and Shaheen. Commissioner Ward said she was confused by Court members saying this isn't a good time to have citizen input on a topic which has generated a lot of interest from the public. It's their money paying for it and it's the employees living with it. Commissioner Jaynes said he doesn't mind citizen-employee input; he wants something on the table for them to comment on. Commissioner Ward stated she has no problem with that. She said let's approve the concept and appoint an employee and put the citizens in place. A committee like this is not formed overnight.

Commissioner Jaynes agreed, but he thinks it's premature to get it together now. He stated if we do this, we need to pull names out of the grand jury pool because if we just appoint people, we'll be appointing people who agree with our political philosophy on this issue. Commissioner Ward said she would be gone in a few months and she didn't think this idea would be brought back up and then we'll have missed an opportunity to be proactive and listen to the employees and citizens. We made the news. It's a big deal. Judge Self said we can have more public hearings, but he agreed it was premature. When you form a committee, you need a very strict charter and a portfolio. Commissioner Ward said that is what she wanted to start today.

Judge Self asked for a second. Hearing none, the motion died for lack of a second. (Time: 9:45 a.m.)

NO ACTION TAKEN

7. AI-32773 Personnel Appointments, Human Resources.

Cynthia Jacobson said all personnel appointments were at the beginning of the pay grade. Commissioner Hoagland made a motion to approve. (Time: 9:45 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Kathy Ward
Vote: 5 - 0 Passed

COURT ORDER NO. 2010-866-10-18

8. AI-32774 Personnel Changes, Human Resources.

Cynthia Jacobson, Human Resources, said all personnel changes met standard guidelines. Commissioner Hoagland made a motion to approve. (Time: 9:46 a.m.)

Motion by: Commissioner Jerry Hoagland
Second by: Commissioner Matt Shaheen
Vote: 5 - 0 Passed

COURT ORDER NO. 2010-867-10-18

9. AI-32776 Board/Committee Appointments, Commissioners Court.

Judge Self asked if there were any Board/Committee appointments. Hearing none, he moved on to future agenda items.

NO ACTION TAKEN

10. Potential 82nd Legislative items, Commissioners Court:

a. AI-31816 Discussion of legislative priorities

Judge Self said items 10 and 10a would be held until the afternoon Workshop session.

Judge Self stated there would be a legislative agenda meeting with the legislators at noon. Everyone was invited back to hear the discussion. Commissioner Jaynes said he would like to be part of the Regional Transportation update.

NO ACTION TAKEN

11. Possible future agenda items by Commissioners Court without discussion.

Commissioner Shaheen said he wanted a report from Public Works on a fleet optimization study that was done a while back. Commissioner Jaynes asked for an update on the Judge's meeting with NTTA on primacy.

EXECUTIVE SESSION

Judge Self recessed the Court into Executive Session at 9:49 a.m. under Personnel, 551.074; Security, 551.076; and Legal, 551.071, for the topics listed in the agenda. Judge Self stated the Court would return to open session to adjourn at a later time.

Commissioners Court was reconvened at 10:35 a.m. Judge Self asked for motion.

Personnel (551.074)

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

AI-32621 Retirement insurance coverage for an employee, Commissioner, Precinct 4.

Commissioner Ward made a motion to approve continuous tenure for a personnel issue with a health care services individual. Commissioner Jaynes added with the caveat that this was a County employee who went to work after we privatized and then shortly came back. Commissioner Ward stated it was a very independent, individual situation. (Time: 10:36 a.m.)

Motion by: Commissioner Kathy Ward
Second by: Commissioner Jerry Hoagland
Voted no: Judge Keith Self
 Commissioner Matt Shaheen
Vote: 3-2 Passed

COURT ORDER NO. 2010-868-10-18

Security (551.076)

AI-32768 Courthouse Security plans, Sheriff.

NO ACTION TAKEN

**Supplement Agenda Item
Legal (551.071)**

AI-32799 Consultation with counsel regarding Right-of-Way (ROW) – Dishaw property, Commissioner Precinct 3.

NO ACTION TAKEN

Commissioners Court was recessed at 10:36 a.m.

Transportation and Legislative Workshop

Commissioners Court was reconvened at 12:20 p.m. for the Transportation and Legislative Workshop. Judge Self introduced Representatives Ken Paxton and Jerry Madden and Robin McCoy who was representing Senator Estes. Judge Self stated two more representatives were on their way. Also present were Representative Van Taylor; Tracy Homfeld and Ruben Delgado, Collin County Engineering; Bill Hale, TxDOT; and Michael Morris, North Central Texas Council of Governments.

Judge Self stated the plan was to discuss the County's legislative agenda with our legislators. He asked the legislators, one, what we should take on in the

legislature, whether we have a reasonable enough expectation, and whether it's important enough to do it whether or not we have a reasonable expectation of it going through; second, what you are willing to take on for us as a sponsor; and, third, what sort of allies do we need to gather to get something through. Judge Self stated the proposed legislative issues are divided into two separate sections: the first is Legislative Policy Statements and the second is Specific Legislative Proposals.

At this time Representative Jodi Laubenberg entered the Commissioners Courtroom. Judge Self said the Workshop would start with updates: Michael Morris will present a regional update, and then Bill Hale will present the TxDOT update, then to Mr. Delgado for the county update. Judge Self said from the Court's standpoint for our legislators, our number one priority is protecting our \$3.2 billion from the Regional Toll Revenues (RTR). He believes it will be a major fight to protect that money.

1. AI-32777 Regional Transportation Update

Mr. Morris said he's the Director of Transportation for the North Central Texas Council of Governments (NCTCOG) and Staff Director for the Regional Transportation Council (RTC). Mr. Morris noted that Commissioner Jaynes is Collin County's representative on the RTC. He said he will share where the Regional Transportation Council is going, which is in a very strategic manner. Mr. Morris directed everyone's attention to a legal-sized handout entitled "Transportation Issues for the 82nd Texas Legislature".

He introduced Amanda Wilson. She is their legislative person and contact who works to get whatever legislators or congressional representatives want. Mr. Morris said their approach under federal rules as the Metropolitan Planning Organization is they try to do three things which is their charge from Congress: be comprehensive in what they do; be coordinated, meaning reaching out and trying to get a consensus; and be continuous. Those are their three C's. Mr. Morris said the Federal Government realized in the 1960's and 1970's that they had an inability to build transportation projects within metropolitan regions. The states were doing a good job, especially on highway interstate systems, but transportation projects were not getting built within the metropolitan regions. He referred to the Funding Options Matrix, and discussed three of the options: end diversions, index motor fuels tax, and increase motor fuels tax. Also outlined on the handout is the amount of revenue generated in the region and the average annual additional cost to individuals. Mr. Morris gave a brief explanation of those items. He stated if diversions ended, we would receive approximately \$6.2 billion in the DFW region, with a note that says increase in general tax/fee. He noted Judge Self has advocated maybe there is a lot that state government is doing that it shouldn't be doing, so is there a way to end diversions without increasing taxes and fees in the general revenue. There was discussion back and forth regarding end diversions.

Mr. Morris moved to the presentation handout. NCTCOG did a survey; they went out and collected information. Some of the questions asked on the survey were: "I would like to have access to different modes of transportation." More and more of the region would like to have more modes of transportation available to them.

"The level of roadway congestion I experience is a concern to me." We have a strong consensus that the amount of congestion they're experiencing isn't all that great.

And "I expect to pay for my use of the transportation system." The answers received were we understand if we're going to get more things, we'll have to pay for more things.

Mr. Morris stated everybody wants improvements and nobody wants to pay for it. The challenge NCTCOG has is population growth. Collin County is the fastest growing county in the country. This is happening at a very bad time where transportation revenues are low so there is pressure placed on you for toll roads. The citizens of Collin County pay about 39% of the total share for toll roads; Dallas County pays about 37-38%. There was a discussion of toll revenues between Representative Madden and Mr. Morris. Judge Self said when we focus on I-35, we're repairing the wrong road. 75 has 275,000 vehicles per day and the next highest is I-35 with just over 200,000 vehicles per day. Commissioner Jaynes said we're working on 75. Judge Self said if we lose RTR funding, 75 won't be part of the group.

Moving on, Mr. Morris referred to the M2030 slide and there was discussion of the regional loop. 80% of the regional loop will be out of the next transportation plan as a result of the magnitude of the shortfall we are facing in this session.

Mr. Morris addressed the next slide, which is passenger rail. He said the passenger rail lines will have to come out of the plan. There is no financial mechanism. Sales tax and local options were defeated. 250 miles of the passenger rail will have to come out of the plan. Commissioner Shaheen had questions regarding the budget numbers and the light rail. Mr. Morris said the only light rail line that is warranted to be light rail is the extension of the dart line to McKinney. Ridership on the Frisco line is a regional rail.

Mr. Morris turned to the economic impact to the region and state. Commissioner Shaheen asked if there was a dialogue about giving transportation a higher priority. Representative Paxton said he and Representative Laubenberg talk about this a lot. He said it seems the efforts are always for a new tax or a higher new tax. He's always wondered why does no one ever come and push for a higher percentage of our existing budget. He believes a Republican legislature would be very open to moving up funding. He also believes that would be a better strategy. Mr. Morris said they don't think they should be the generators of

the idea since they're not the legislature. His question is why the legislature hasn't done such things.

Representative Laubenberg thought it would be interesting to see if there was a Constitutional proposal to see if we should stop diversions. Judge Self said you're talking about one tax. We need to focus on transportation as economic development. Representative Paxton said since he and Representative Laubenberg have been there, there's been lobbying money put in to passing taxes, but no lobbyist has ever come to them and asked for ways to get more money out of the budget. As noted, the budget has increased 400% over the past 20 years, but transportation has increased 180%. Commissioner Shaheen said transportation used to be 14% of the budget in 1986 and now it's 7%. Mr. Morris asked if we do that, would you introduce a bill. Representative Paxton said absolutely. He was willing to push that now.

Representative Laubenberg said think of all the taxes put in under transportation guidelines that have all been diverted. Commissioner Shaheen said in our Collin County legislative items one of our priorities is to prioritize transportation funding. Representative Paxton said he is begging for outside forces, such as Collin County's Commissioners Court, to push for increasing what we spend in our budget for transportation. Mr. Morris gave an example of transportation fees that are going to the general fund. In our region we would be able to build \$14 billion worth of transportation projects. Representative Paxton said we need to focus on redirects.

Mr. Morris returned to the slide on economic impact to the region and state. He said they compete internationally for employers and it's not unusual for them to pitch to large employers that want to come to the region. Mr. Morris said if we're not careful this region will lose out on jobs because we fell too far behind in transportation. He encouraged the panel to read the TTI (Texas Transportation Institute) study. Judge Self said one of the unusual sources that has taken up this issue is the New York Times. They asked why do large governments that have a lot of money not have the money to do large projects. It's because they've diverted their money to other projects that people want them to do and then they don't have the money to do interstates and large projects that governments used to do.

Mr. Morris returned to transportation issues facing the 82nd legislature and he went through the bullet points. Representative Laubenberg said the focus ought to be to increase funding for transportation. Mr. Morris continued with bullet points saying there is a need for public-private partnerships. He spoke about Proposition 12 and regional toll revenues.

Moving on to the slide entitled TxDOT Sunset, Mr. Morris addressed those bullet points:

- Served on TxDOT Committee to evaluate new planning and programming rules
- Work based on HB 300 (81st Texas Legislature)
- Goal to implement concepts from HB 300 that did not require legislative action
- Final rules adopted July 2010.

Revenue Options was the next slide discussed.

- Simplify vehicle registration collection
- Stop diversions
- Adjust fuel costs based on fuel efficiency
- Authorize voter-approved county transportation revenue elections

Referring to the slide entitled "gas tax indexing to fuel efficiency", Mr. Morris gave examples of vehicles becoming more fuel efficient which means less gas tax revenues to the State. Commissioner Shaheen said the last time the gas tax was increased was in 1992, which went into effect in 1993. When comparing the annual increase to the State, we're collecting a billion dollars more. This year is the first year it went down. Commissioner Shaheen doesn't believe we'll lose revenues because of fuel efficiencies. Mr. Morris said you're losing it on an individual basis. Commissioner Shaheen agreed but said we have many more drivers than we did in 1993. Mr. Morris stated his job is to provide a transportation system for 8 or 9 million people. He said the State understands roads and bridges are getting older, but we're charging people half of what we used to.

Commissioner Shaheen said just because you don't increase tax doesn't mean you're getting a shortfall in revenue. Mr. Morris said revenue is constant over time, but how can you think you can add 3 million more people to the region on the same revenue you have today.

Discussion continued. Commissioner Shaheen said instead of increases in taxes, do we look at making transportation a higher priority. Mr. Morris said that is an issue for the legislature. Representative Madden said we have several options to look at. Commissioner Shaheen said as far as what Representative Paxton is saying, it would be helpful to them if they can hear from the outside as far as transportation so he wanted to join forces and talk about making transportation a higher priority. Commissioner Ward said let's have a phase-in program. Again, in-depth discussion continued. Commissioner Shaheen asked to join forces. Mr. Morris said we should get a feel from our legislative delegation.

Mr. Morris continued with his presentation and spoke about "Next Generation Public-Private Partnerships". Many of the bullet points had been previously discussed.

Moving on to "Practical Implications of Primacy/First Option", Mr. Morris said they do the best they can with regard to primacy to get Collin County and the NTTA to reach an agreement so it doesn't become a legislative issue. Proposition 12 was discussed. Mr. Morris said they wanted to ensure Senator Shapiro's formal distribution requirements apply. And finally, Regional Toll Revenues, Mr. Morris said they wanted to return existing funds to the region.

Mr. Morris said his recommendation is to take the comments he heard today and come up with four or five things that don't require a tax increase and see if they can't find compensation some other way. Representative Laubenberg said one of the things Representative Paxton brought up is past legislators have been more rural centered but have not felt the importance of the urban/suburban growth. She thinks that will change the next session.

Judge Self said Mr. Morris said revenues, not taxes; and what they do is sweep them and they will become State taxes. Representative Madden asked for a list of inefficiencies in the general system. Judge Self said we need volunteers at RTR to increase their manpower. Mr. Morris said they'll work on that and get back to the Court. Representative Paxton told Mr. Morris to bring ideas to them and they will work with him. (Time: 1:16 p.m.)

NO ACTION TAKEN

2. AI-32792 TxDOT Transportation Update

The next presenter was Bill Hale from TxDOT. He presented a slide show called "TxDOT - Dallas District Regional Toll Revenue (RTR) Expenditure Plan and Progress On-System Projects". He said he would be talking about RTR money and Proposition 14 and Proposition 12. He began his presentation by talking about NTTA dollars transferred to TXDOT. NTTA paid \$3.5 billion upfront. Since then \$200 million has been earned in interest. Mr. Hale stated NTTA will construct, operate, and maintain the SH121 project for 52 years. The RTC allocated the \$3.2 billion to transportation projects throughout the DFW region. Mr. Hale continued with the timeline of the approval process and then moved on to an overview of the year-to-date expenditures. Mr. Hale said other communities feel that Dallas is greedy when it comes to transportation dollars. Discussion followed on that topic.

Mr. Hale continued his presentation with "FY2011 Collin County". Judge Self said all but one of these projects for FY2011 will be let after the session could have swept our money. Mr. Hale continued with explanations of various projects. Moving on to "FY2012 Collin County", Mr. Hale highlighted projects up to and past Anna and Celina, and 75 south to north to the Grayson County line. Similar explanation was presented for FY2013 and FY2014 Collin County. Mr. Delgado referred to environmental issues with the project in Murphy. Mr. Hale had a slide which gave a summary of construction costs for Collin, Dallas and Denton

projects, as well as engineering and right-of-way costs. Mr. Hale quickly covered Proposition 12, Proposition 14 and economic stimulus dollars.

Mr. Hale moved on to TxDOT's thoughts on the 82nd legislature and challenges for the legislature, which included TxDOT and Sunset, 2030 Committee, inflation, flat revenues and increasing fuel efficiency. He said according to the 2030 Committee, which is a panel comprised of 12 business people, there was a need for \$315 billion between 2009 and 2030 to keep up with mobility and rehab issues statewide.

Judge Self said anything the Representatives could do to speed up signing 2011 contracts would help us because it would protect a little of our RTR money. Mr. Morris asked can we come up with a contract before the session that commits all of the money again. Judge Self said he looked at everything, he sat down with lawyers and looked at a grant anticipation note, but he was willing to look at something again. Mr. Morris suggested trying to contractually obligate the funds through a Commission minute order and reaffirm the Legislative Budget Board's position in advance of the legislative session so if the money got swept you can argue you can't contractually do that. Commissioner Ward said then you have another legal document that we can say, wait, we had a contractual obligation. Mr. Morris wanted to work on that.

Mr. Hale said there are certain dollars we benefit from in the DFW area. Mr. Hale moved to future considerations:

- General obligation bonds
- Diversions
- Transportation reinvestment zones
- Transportation finance zones
- Public Private Partnerships (PPPs)

In conclusion, Mr. Hale addressed potential bills with negative impacts, which included eminent domain, engineering consultants and diversions. (Time: 1:56 p.m.)

NO ACTION TAKEN

3. AI-32793 Collin County Transportation Update

Judge Self asked Ruben Delgado, County Engineer, to go through the Collin County Transportation Update. Mr. Delgado said he's been with Collin County for 29 years and been involved with every bond program. He said the County has increased its population but his office has maintained a very small staff and used very few consultants. He presented a slide entitled "Bond Programs" and said the common thread among the bond programs is they've strived for regionalism, multi-jurisdictional projects, collaboration and flexibility. Mr. Delgado said he's been involved in over 360 projects worth over \$1.1 billion. He went through his presentation which consisted of slides showing bond projects in

various years, superimposing one slide over another to show the progress of road projects. Mr. Delgado noted that all of these projects have been completed without tax increase in spite of quadruple growth since 1983.

Tracy Homfeld, Engineering, spoke about Regional Toll Revenue funding. The RTR is made up of toll proceeds from the Sam Rayburn/SH 121 toll project. The original \$3.2 billion in RTR funds were placed in two subaccounts. Ms. Homfeld said TxDOT makes monthly draws from these funds. Slides were presented which showed the funding of the ledger for Collin County. She stated we had \$873 million, we earned \$55 million in interest, and year-to-date we've spent \$169 million. Ms. Homfeld's next slide showed the Regional Toll Revenue projects, both on and off system. Her final slide showed bond projects and RTR from 1983 through 2007. Representative Laubenberg had a question and in-depth discussion followed. Mr. Delgado said concerning the RTR funds, sometimes we would like locals to take charge of those projects, but because they're in TxDOT's hands, it makes it difficult. He would like to see that process streamlined. Mr. Hale said we're on the verge of having that agreement with the RTC. (Time: 2:05 p.m.)

The meeting was recessed at 2:09 p.m. and reconvened at 2:18 p.m. with the Commissioners, Representative Laubenberg, Representative Madden, Representative Taylor, Mr. Hale, Mr. Bilyeu, Ms. Homfeld and Mr. Delgado in attendance.

NO ACTION TAKEN

4. AI-32794 Collin County Legislative Platform

Judge Self said we'll move on to policy statements. Bill Bilyeu, Administrative Services, recited the Legislative Policy Statements and the panel discussed each item.

No. 1 is electronic circulation of Court records including electronic signatures and acknowledgements. Mr. Bilyeu asked the legislators if they see these items come across, don't be opposed to them. Mr. Bilyeu said County Clerk Stacey Kemp said there are county clerk associations working on this. She's spoken with Representative Paxton last session and she's hoping he'll carry on foreclosures and a couple other notifications.

No. 2 is Commissioners Court authority to regulate special districts including Commissioners Court approval prior to the creation or expansion of a special district. Mr. Bilyeu said this is put on bi-annually. It has to do with giving the Commissioners Court more authority in creating the districts or not and what their support will be financially and from a safety standpoint. Representative Laubenberg would like to do this but Harris County seems to crush it every time.

No. 3 is prioritize transportation spending. Mr. Bilyeu said this item has already been discussed.

No. 4 is redistricting, Congress, State Senate, State Rep. Fair to Collin County residents without splitting constituencies. Mr. Bilyeu said resolutions have been sent trying to keep constituencies together.

No. 5 is with the exception of constitutionally required diversions, appropriate 100% of gas taxes to transportation infrastructure improvements and maintenance. Mr. Bilyeu said this item has already been discussed.

No. 6 is no statutory assignment or primacy for the development of toll road projects. The first entity that executes a CDA for a project shall have the exclusive right for that project. Mr. Bilyeu said this item has already been discussed.

No. 7 is support mental health services and funding for Collin County residents. Mr. Bilyeu said the jail ends up becoming the de facto mental health provider in Collin County. Representative Madden asked for recommendations. Representative Taylor said he's working on mental health dollars which were apportioned 30 years ago. Judge Self said Dallas County has a legislative agenda already published. Mr. Bilyeu introduced members of LifePath who were present in the Courtroom.

Mr. Bilyeu moved to Specific Legislative Proposals. There were eleven items under that heading which were referenced and discussed.

No. 1 refers to building slaughter houses in unincorporated areas. Mr. Bilyeu said Representative Laubenberg has taken hold of this item. There is no restriction to building slaughter houses and the law needs to be updated.

No. 2 is regarding the authority of a county to regulate certain communications facility structures. Harris and Dallas Counties have control over where cell towers can be located. Collin County is asking that the Commissioners Court have that same control. Currently you can have a rural subdivision and the guy next to you can build a 300 foot cell tower.

No. 3 is various updates to the TCDRS statutes. The request is to allow a county to fund and operate a two tier/class retirement system within TCDRS; the ability to withdraw a tier/class of employees from TCDRS; the ability for a participating entity to adjust the guaranteed rate of return on employee contributions; more transparency in investment and accounting reporting; and more conservative, less risky investment.

No. 4 is amend Chapter 213 of the Transportation Code to give Commissioners Court authority to adopt a fee to offset the impact of utility construction that

crosses county roads. Mr. Bilyeu said this request came from Public Works Director Jon Kleinhessel. An example would be a cable company comes out to install cable lines and in the process tears up the road. The county then has to send inspectors out to assess the road damage.

No. 5 is update local initiative project statutes to allow for more uses of the funding including replacing fleet and improving traffic flows. This is TCEQ money to help clean the air. This is for law enforcement to look for false inspection stickers. The Sheriff's office does not believe it is an issue in Collin County, and we are not allowed to use the money for anything else.

No. 6 is update Chapter 1956 of the Occupations Code to require a recycler to maintain customer identification information on all purchases. The Commissioners Court will adopt an ordinance next week. This has to do with thieves stealing copper from a building and selling it to recyclers.

No. 7 is amend Section 157.021 of the Local Government Code to require unbudgeted overtime to be paid from an office's adopted budget. The Commissioners Court sets a budget for all departments. The one exception is with overtime; the Commissioners Court has to pay it. We are looking for the ability to make them pay it out of their adopted budget.

No. 8 is provide special districts with the explicit authority to contract and collect taxes for law enforcement. This item has to do with contracting of law enforcement for MUDs and SUDs.

No. 9 is amend Section 61.006 of the Health and Safety Code. This item has to do with sponsoring resident aliens. There is a flaw in the law that requires the County to cover resident aliens in the indigent program even though the federal law generally prohibits it. One-third of the people in the indigent program are resident aliens and most of them are parents of U.S. citizens.

No. 10 is amend Section 152.0007 of the Human Resource Code to transfer budget approval authority for the Juvenile Probation and Detention funds from the County Juvenile Board to the Commissioners Court. Some budgets are established by entities within the County like the Juvenile Board and they are not under the Commissioners Court; however, the Commissioners Court has to fund them. The Court is asking for some control over that.

No. 11 is amend Section 105.03(c) and 105.05(c) of the Alcoholic Beverage Code to increase population limits for late night mixed drink alcohol sales from 800,000 to 1.3 million. Commissioner Shaheen said this has to do with alcohol sales past midnight. This would apply to all of Collin County except cities that voted on their own.

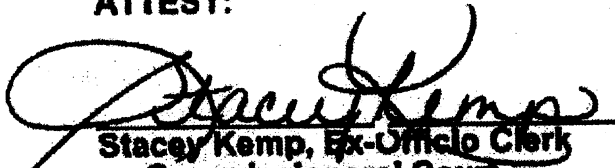
NO ACTION TAKEN

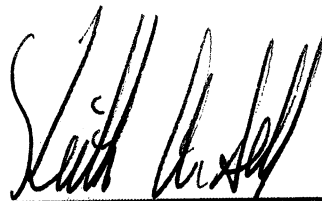
Judge Self thanked everyone for attending.

There being no further business of the Court, Judge Self adjourned the meeting at 2:55 p.m.



ATTEST:


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



Keith Self, County Judge



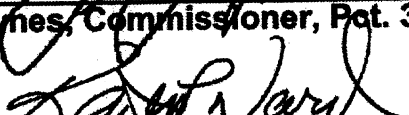
Matt Shaheen, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



Joe Jaynes, Commissioner, Pct. 3



Kathy Ward, Commissioner, Pct. 4