

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
JANUARY 13, 2014

COUNTY OF COLLIN

On Monday, January 13, 2014, 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 Keith Self

Commissioner Mark Reid, Precinct 1

Commissioner Cheryl Williams, Precinct 2

Commissioner Chris Hill, Precinct 3

Commissioner Duncan Webb, Precinct 4

Commissioner Reid led the Invocation.

Commissioner Williams led the Pledge of Allegiance.

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

Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:30 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:23 p.m. and adjourned the meeting at 2:23 p.m.

President Self called to order the meeting of the Housing Finance Corporation at 2:23 p.m. and adjourned the meeting at 2:23 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-37836 Personnel Appointments, Human Resources.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda items, Commissioners Court.

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

a. **AI-37827** \$4,040 to establish the budget for the FY2013 Title IV-E Child Welfare grant.

Judge Self asked for clarification on the amount of the medical costs of \$5,000 since the entire County budget for medical costs was set at \$4,000. Monika Arris, Budget, explained this was cleaning up FY2013. (Time: 1:36 p.m.)

b. **AI-37828** \$37,049 to establish the budget for the FY2013 Title IV-E County Legal Services grant.

c. **AI-37829** \$4,250 to establish the budget for the FY2014 Title IV-E Child Welfare grant.

Commissioner Reid asked for clarification on this item. Jeff May, Auditor, explained the money which was going to be spent in the grant fund was being moved to the grant fund in order to separate the funds. (Time: 1:38 p.m.)

d. **AI-37830** \$33,580 to establish the budget for the FY2014 Title IV-E County Legal Services grant.

e. **AI-37814** \$134,801 to establish the budget for the State Criminal Alien Assistance Program (SCAAP) fund.

2. Public Comments.

3. Presentation/Recognition:

a. **AI-37815** Retirement plaque for Johnnie Newton, Human Resources.

Constable Joe Wright, Precinct 4, came forward to present Johnnie Newton with his retirement plaque. Sergeant Newton's law enforcement career spans 52 years starting with the Dallas Police Department in 1962. He then worked for the Denton County Constables' office before coming to Collin County. The sergeant is also an active member of the Coast Guard Auxiliary. (Time: 2:15 p.m.)

b. Service Pins, Human Resources.

Chuck Ruckel, Justice of the Peace, Precinct 3-1, presented Misty Beaty, Plano Court Administrator, with a service pin in recognition of 10 years of service.

4. Consent agenda to approve: Judge Self pulled item 2a under FYI and deleted 4e1. Commissioner Hill pulled item 4c2, and Commissioner Williams pulled items 4d1 and 4d2. Commissioner Reid pulled item 2c under FYI and Commissioner Webb pulled items 4c1, the Schindler check and 4f1. A motion was made to approve the remainder of the consent agenda. (Time: 1:35 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

a. AI-37834 Disbursements for the period ending January 7, 2014, Auditor.

All disbursements with the exception of Schindler Corporation were approved with the consent agenda vote.

COURT ORDER NO. 2014-020-01-13

A motion was made to approve the disbursement to Schindler Corporation. Commissioners Webb and Reid did not participate in the vote. (Time: 1:39 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Chris Hill
Vote: 3 – 0 Passed
Abstained: Commissioner Duncan Webb and Commissioner Mark Reid

COURT ORDER NO. 2014-021-01-13

b. AI-37825 Tax refunds totaling \$421,533.34, Tax Assessor Collector.

COURT ORDER NO. 2014-021-01-13

c. Award(s):

1. AI-37779 Jury Management System (RFP No. 2013-179), District Clerk.

Commissioner Webb pulled this item because he was concerned there was only one responder while there were 38 proposals requested for the RFP (Request for Price). The Commissioner then read from a corresponding memo that three vendors implied there was not enough time to respond, and one went so far as to say the only one that could satisfactorily respond to this RFP was the current vendor. Before the Commissioner would approve the item he asked for a response to the allegations.

Michalyn Rains, Purchasing, came forward to explain the RFP was extended for one week, and everyone was allowed the same amount of time to respond. IT and the District Clerk worked together on the specifications, and no advantages were given to anyone in the scope of work. Ms. Rains said the integrity of the process was followed, and there is no merit to the allegations. Statutorily the County complied with the law. Ms. Rains added the only vendor to request an extension of time was the vendor they are asking to award to.

Judge Self said the comment concerned the contents and requirements of the RFP creating an advantage not the timeframe. Caren Skipworth, CIO, said the requirements of the RFP were based on the requirements set by the District Clerk for the jury system, the current jury application and by networking with other counties and comparing RFP's these counties had recently submitted. This is the process for all technical RFP's. In response to the vendor's comment, Ms. Skipworth stated the database conversion needs to be done out of the existing ACS system which was procured by Xerox. In addition, this is a standard SQL (structured query language) enterprise database which is fairly standard in the market.

Andrea Stroh Thompson, District Clerk, explained the juror history would need to be retrievable and put into the new system or other statutes would be violated. During the meeting with many of the vendors, several felt Xerox had an edge since Xerox already had that information. However, this information could be easily extracted. A motion was made to approve the item. (Time: 1:44 p.m.)

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

COURT ORDER NO. 2014-023-01-13

2. AI-37788 Construction, Bridge: County Road 419 over Brinlee Creek (IFB No. 2013-271) to Massana Construction and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Special Projects.

Commissioner Hill asked Ruben Delgado, Engineering, to clarify the statement that Massana Construction was the lowest qualified bidder. Mr. Delgado explained Massana Construction had the lowest bid and was fully qualified meeting all specifications including equipment, manpower, background, bonding and insurance capacity and financial backing. With no further discussion, a motion was made to approve the item. (Time: 1:47 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Mark Reid
Vote: 5 – 0 Passed

COURT ORDER NO. 2014-024-01-13

d. Agreement(s):

1. **AI-37797** Interlocal Agreement with the City of Allen and the Town of Fairview for the construction of improvements to Stacy Road from Greenville Avenue (SH 5) to FM 1378 (2007 Bond Project No. 07-00-25), budget amendment in the amount of \$3,000,000 (County participation \$1,500,000) and further authorize the County Judge to finalize and execute same, Engineering.

Commissioner Williams pulled 4d1 and 4d2 because these requests were similar to requests made earlier by the cities of Richardson and McKinney. The Commissioner is concerned about being consistent with the communities. She does not object to this project, but questioned whether all communities are being treated in a similar fashion. The city of Murphy had a TxDOT (Texas Department of Transportation) program that had an overage but were told they would have to take their dollars from their bond funds and were not given the opportunity to request discretionary funds.

Tracy Homfeld, Engineering, addressed the specific request from the City of Murphy and explained it was not a requirement of TxDOT, was out of the scope of the project and was not included in the original engineering or cost estimates. While the County would share in the cost, Collin County's portion would have to come from the City of Murphy's bond funding. Since the County had fought to get RTR (Regional Toll Revenues) dollars for Murphy's Betsy Lane project, then the County's portion for this new project should come from Betsy Lane bond dollars.

Engineering looks at this as a regional or county discretionary project not as a city discretionary project. Commissioner Williams asked why there was no suggestion for using available savings when the projects for the cities of Richardson and McKinney were presented. Ms. Homfeld explained the savings from County-managed projects are put towards other discretionary County-managed projects and city money is not used for County discretionary projects. Stacy Road is a project the City of Allen submitted for RTR dollars. There was a funding gap and TxDOT recognized this which then sent this project to the top of the list. Since this was an existing RTR project, it went from the bottom of the list to the top because TxDOT was going to immediately fund those projects. TxDOT does not recognize the right-of-way participation and the 20% required RTR match as a funding gap; they view that as a local responsibility. COG (Council of Governments) has recognized if there is enough RTR money to cover the construction, they will waive the 20% match. There is still a 20% required match which TxDOT is capping at \$3 million which is less than 20%, so there is a bit of an advantage.

Regarding savings, Ms. Homfeld explained the \$2.1 million in savings is from County-managed projects. Savings from city-managed projects stay with that city's bond project account. There was a lengthy discussion on the allocation of the discretionary funds regarding TxDOT required projects and treating cities comparably. Commissioner Williams would like the Court, not staff, to decide what is considered a County project. Judge Self recommended sending this item back to the staff to clarify funding. The Judge referenced the Richardson and McKinney projects discussions which had clarified what the Court wanted. Judge Self suggested going back to those court minutes for guidance in order to develop a policy. There was a brief discussion regarding using reserves on future US 75 Right-of-Way projects. Commissioner Williams is concerned the Court's priorities are being driven by TxDOT rather than what the community's needs might be. (Time: 2:12 p.m.)

HELD

2. AI-37796 Local Project Advance Funding Agreement for Voluntary Local Government Contributions to Transportation Improvement Projects with No Required Match regarding the required local match for FM 2786 (Stacy Road) from SH 5 to FM 1378 (local participation is capped at \$3,000,000) and further authorize the County Judge to finalize and execute same, Engineering.

HELD

3. AI-37824 Interlocal Agreement with the City of Farmersville for funding through the 4th Series – 2007 Parks/Open Space Project Funding Assistance Program (Bond Project No. 07PG53) for the construction and land acquisition for Chaparral Trail and further authorize the County Judge to finalize and execute same, Special Projects.

COURT ORDER NO. 2014-025-01-13

e. Amendment(s):

1. AI-37808 No. 1 to Services: Cafeteria Management (RFP No. 06306-12) with The Vitasek Leasing Co., Inc. to provide various changes to the contract, extend the contract for one (1) year through and including December 31, 2014 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

HELD

f. Ratification of the County Judge's prior approval:

1. **AI-37839** Schindler Disbursements for the period ending December 30, 2013, Auditor.

A motion was made to approve the December disbursement to Schindler Corporation.
(Time: 2:15 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 3 – 0 Passed

Abstained: Commissioner Duncan Webb and Commissioner Mark Reid

COURT ORDER NO. 2014-026-01-13

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

1. **AI-37821** December 16, 2013.

COURT ORDER NO. 2014-027-01-13

h. Miscellaneous

1. **AI-37739** Acceptance of the FY2014 Series XIV-A Fund for Veterans' Assistance grant through the Texas Veterans Commission in the amount of \$20,000 for Veterans' Court evaluations, counseling/treatment, and alcohol abstinence monitoring and travel monies for the Veterans' Court program team and further authorize the County Judge to finalize and execute same, 296th District Court.

COURT ORDER NO. 2014-028-01-13

2. **AI-37826** Purchase Document Preservation Services from Kofile Preservation, Inc. utilizing the cooperative state contract (TXMAS-13-36010) and budget amendment in the amount of \$417,425 for same, County Clerk.

COURT ORDER NO. 2014-029-01-13

3. **AI-37837** Personnel Appointments, Human Resources.

COURT ORDER NO. 2014-030-01-13

GENERAL DISCUSSION

5. AI-37816 Public Hearing – 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 county roads. Commissioner Williams asked if the requests are a result of getting the roads paved. Mr. Kleinheksel said five of the six are new construction and one is for a stop sign. Judge Self opened the public hearing at 2:16 p.m. and asked for comments. Hearing none, the Judge closed the public hearing at 2:16 p.m. A motion was made to approve the item. (Time: 2:16 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2014-031-01-13

6. AI-37838 Personnel Changes, Human Resources.

Judge Self informed the Court that Cynthia Jacobson, Human Resources, made a request to remove one of the personnel changes. A motion was made to approve the item. (Time: 2:17 p.m.)

Motion by: Commissioner Chris Hill

Second by: Commissioner Mark Reid

Vote: 5 – 0 Passed

COURT ORDER NO. 2014-032-01-13

7. AI-37833 Board/Committee Appointments, Commissioners Court:

a. Historical Commission.

Commissioner Hill made a motion to reappoint Michael Black to the Historical Commission. (Time: 2:17 p.m.)

Motion by: Commissioner Chris Hill

Second by: Judge Keith Self

Vote: 5 – 0 Passed

COURT ORDER NO. 2014-033-01-13

8. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb reported that there were some TIP (Transportation Improvement Program) modifications, and while going over the proposed modifications with Tracy Homfeld, a \$540,000 error with respect to Collin County was found. This error was corrected before it was approved.

The next item of interest was a sponsorship of NTTA (North Texas Tollway Authority) toll tags as abatement for reduced access. When the tollway was put in on the west region of RTC (Regional Transportation Council) in Tarrant County, it cut off access to a retirement community. Tarrant County asked the RTC to take \$100,000 of their RTR monies and use it to buy toll tags for the members of this retirement community. This was the least expensive approach when compared to building a multi-million dollar bridge. The RTC approved this since it was Tarrant County money. Each member of the community that has a tag will receive a \$250 toll tag. The theory being when the toll tag runs out, the residents of this community will have made alternate arrangements.

The last item of interest was the Regional Trail Project which has \$28 million available for FY2014/2015, and there is a call for projects on the Regional Trail system. Judge Self asked if Collin County's Six Cities Trail is part of the Regional Trail and Commissioner Webb confirmed it was. The trail will go from Dallas to Fort Worth parallel to Interstate 30 and the north/south trails will lead into it. (Time: 2:22 p.m.)

NO ACTION

9. AI-35285 Medicaid 1115 Waiver, Regional Health Partnership, Administrative Services.

NO ACTION

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

Judge Self asked for a short discussion on personnel policy exceptions. Commissioner Williams would like to discuss the 5% personnel policy. (Time: 2:22 p.m.)

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:22 p.m.



Keith Self

Keith Self, County Judge

Mark Reid

Mark Reid, Commissioner, Pct. 1

Cheryl Williams

Cheryl Williams, Commissioner, Pct. 2

Chris Hill

Chris Hill, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S