

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
SEPTEMBER 8, 2014

On Monday, September 8, 2014, the Commissioners' Court of Collin County, Texas, met in Regular Session in the Council Chambers, Allen City Hall, 1st Floor, 305 Century Parkway, City of Allen, 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 Webb led the Invocation.
Judge Self led the Pledge of Allegiance.
Commissioner Reid led the Pledge of Allegiance to the Texas Flag.

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 6:00 p.m. and recessed the meeting at 7:20 p.m. The meeting was reconvened at 7:35 p.m. and adjourned at 7:58 p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 7:20 p.m. and adjourned the meeting at 7:34 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 7:58 p.m. and adjourned the meeting at 7:58 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 7:58 p.m. and adjourned the meeting at 7:58 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-38511 Advertise for Services, CSCD: Evaluations and Counseling for Drug Offenders (RFP No. 2014-282), Adult Probation.

FYI NOTIFICATION

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

2. AI-38727 Addendums No. 1, 2 and 3 for Construction, Collin County Walking Trail (IFB No. 2014-261) to make various changes to the bid specifications, Purchasing.

3. **AI-38763** Voluntary Terminations, Human Resources.

2. Public Comments.

Public comments were heard under General Discussion item 5.

3. **Presentation/Recognition.**

4. **Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Webb pulled the disbursement to Schindler Elevator and Commissioner Reid pulled items 4c1 and 4i1. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 7:35 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Duncan Webb
Vote: 5 – 0 Passed

a. **AI-38782** Disbursements for the period ending September 2, 2014, Auditor.

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

COURT ORDER NO. 2014-588-09-08

A motion was made to approve the disbursement to Schindler Elevator. Commissioners Webb and Reid did not participate in the vote. (Time: 7:35 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. 2014-589-09-08

b. **AI-38737** Tax refunds totaling \$333,187.52, Tax Assessor Collector.

COURT ORDER NO. 2014-590-09-08

c. Advertisement(s):

1. **AI-38760** Construction, Roof Replacement for Collin County Public Works Service Center (IFB No. 2014-333), Construction & Projects.

Commissioner Reid pulled this item to question why there was not a mandatory pre-bid meeting for this RFP (Request for Price). Bill Burke, Construction and Planning, stated there usually are pre-bid meetings for RFPs. Commissioner Reid said it is important to hold mandatory pre-bid meetings and made a motion to require a mandatory pre-bid meeting for this item and approve the item with this change. (Time: 7:36 p.m.)

Motion by: Commissioner Mark Reid
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2014-591-09-08

2. **AI-38701** Maintenance: Elevators/Escalators (IFB No. 2014-176), Facilities.

COURT ORDER NO. 2014-592-09-08

3. **AI-38704** Supplies: Electrical Parts and Materials (IFB No. 2014-216), Facilities.

COURT ORDER NO. 2014-593-09-08

d. Agreement(s):

1. **AI-38713** Consent to Assignment and Assumption for Services: Inmate Healthcare (RFP No. 2013-153) to change the name from Correctional Healthcare Companies to Correct Care Solutions, LLC and further authorize the Purchasing Agent to execute the same, Purchasing.

COURT ORDER NO. 2014-594-09-08

2. **Interlocal Agreement(s) for Dispatch Services through and including September 30, 2015 and further authorize the County Judge the finalize and execute same, Sheriff.**

- a. **AI-38734** City of Anna in quarterly installment payments of \$9,243.45 (totaling \$36,973.80).

COURT ORDER NO. 2014-595-09-08

- b. **AI-38731** City of Celina in quarterly installment payments of \$6,043.73 (totaling \$24,174.92).

COURT ORDER NO. 2014-596-09-08

- c. **AI-38736** Town of Fairview in quarterly installment payments of \$11,499.62 (totaling \$45,998.48).

COURT ORDER NO. 2014-597-09-08

d. **AI-38735** City of Farmersville in quarterly installment payments of \$6,972.25 (totaling \$27,889).

COURT ORDER NO. 2014-598-09-08

e. **AI-38733** City of Josephine in quarterly installment payments of \$1,102.20 (totaling \$4,408.80).

COURT ORDER NO. 2014-599-09-08

f. **AI-38730** City of Lavon in quarterly installment payments of \$3,363.38 (totaling \$13,453.52).

COURT ORDER NO. 2014-600-09-08

g. **AI-38726** City of Melissa in quarterly installment payments of \$7,024.02 (totaling \$28,096.08).

COURT ORDER NO. 2014-601-09-08

h. **AI-38732** City of Parker in quarterly installment payments of \$3,558.77 (totaling \$14,235.08).

COURT ORDER NO. 2014-602-09-08

i. **AI-38742** Farmersville ISD in quarterly installment payments of \$31.73 (totaling \$126.92).

COURT ORDER NO. 2014-603-09-08

e. Amendment(s):

1. **AI-38720** No. 1 to Services: Inmate Healthcare (RFP No. 2013-153) with Correct Care Solutions for a 2.59% increase to the contract and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2014-604-09-08

2. **AI-38723** No. 5 to the Lease Agreement with Collin County Health Care Trust Foundation and Collin County Homeland Security for property located at 920 East Park Blvd., Plano, Texas to extend the lease for a period of 12 months through and including August 31, 2015 and further authorize the County Judge to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2014-605-09-08

3. **AI-38721** No. 12 to Lease Agreement with Collin County Homeland Security for property located at 2100 Bloomdale Road, McKinney, Texas to extend the lease for a period of 12 months through and including August 31, 2015 and further authorize the County Judge to finalize and execute same, Construction & Projects.

COURT ORDER NO. 2014-606-09-08

f. Change Order(s):

1. **AI-38446** No. 1 to Specialized Printing for Elections (IFB No. 2013-118) with Color Document Solutions LLC to add various items to the contract and extend the contract for one (1) year through and including June 10, 2015; further authorize the Purchasing Agent to finalize and execute same, Elections.

COURT ORDER NO. 2014-607-09-08

2. **AI-38707** No. 2 to Supplies, Janitorial (IFB No. 05263-12) with Grainger to extend the contract for one (1) year through and including September 30, 2015 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2014-608-09-08

3. **AI-38708** No. 2 to Supplies, Janitorial (IFB No. 05263-12) with Janpak Supply Solutions to extend the contract for one (1) year through and including September 30, 2015 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2014-609-09-08

4. **AI-38681** No. 2 to Supplies, Janitorial (IFB No. 05163-12) with Pyramid School Products for a price redetermination on various items and extend the contract for one (1) year through and including September 30, 2015, further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2014-610-09-08

5. **AI-38719** No. 4 to Services, GPS Offender Monitoring (RFP No. 03204-10) with Sentinel Offender Services, LLC to extend the contract for sixty days through and including October 31, 2014 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2014-611-09-08

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

1. **AI-38759** \$29,700,000 to allocate the 2014 bond funds to road and open space bond projects, Budget.

COURT ORDER NO. 2014-612-09-08

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

1. **AI-38718** August 11, 2014.

COURT ORDER NO. 2014-613-09-08

2. **AI-38745** August 18, 2014.

COURT ORDER NO. 2014-614-09-08

i. Miscellaneous

1. AI-38743 Construction of a 12 inch water line and a 12 inch sewer line within the County owned DNT right-of-way on the north side of Frontier Parkway west of DNT, Special Projects.

Commissioner Reid pulled this item for clarification on the size of the water and sewer lines that will be used. The Commissioner is also concerned about Celina's accepting the responsibility for any potential relocation of these lines or the road that is being built when the County develops the ROW (Right-of-Way) for the DNT (Dallas North Tollway). Jeff Durham, Special Projects, said that Celina is working with DNT to decide on a location for the utilities that will not conflict in the future. At this point the best that can be done is to have assurances that Celina will be responsible for any relocation expenses. Commissioner Williams asked if the Court could wait to approve the item until Celina has formalized the location of the utilities with NTTA (North Texas Tollway Authority). Mr. Durham stated the location for the placement of utilities is fairly certain. The only adjustment that will be made is where the future DNT intersection will be located. There is only a short section that is within the County's ROW and the improvements that will be done will run about a mile to the west. The western 300 feet of the County's 400 feet of ROW will be impacted which is why Celina had to come to the County for permission.

Commissioner Williams would like assurances that the County will not be responsible for any future expenses associated with relocation. Gabe Johnson, Celina City Engineer, stated the NTTA has given Celina their proposed utility-clear zones for the placement of the utilities. The City of Celina will assume the financial responsibility for any future replacement or relocation. The plans are at 95% as far as the city review is concerned. Commissioners Williams and Reid would like to see the NTTA utility-clear zones and want to know if approval of this item is urgent. Clarence Daugherty, Engineering, stated this item was moved forward because Celina initiated the request and is satisfied that they have coordinated adequately with the NTTA. Celina is assuming the contractual liability if they are wrong.

Commissioner Webb said it could be years before it is known if the lines need to be moved and bond funds that are held for the city could be gone by then. Judge Self supports the item because once this is completed, it will be a city-owned utility and the city will be responsible for it.

There was a brief discussion regarding the need for an ILA (Interlocal Agreement) with Celina. The resolution from Celina is binding upon the city and is effectively an ordinance committing them to pay for any expense associated with relocation or repair. A motion was made to approve the item with the expectation of an ILA with Celina in the near future. (Time: 7:50 p.m.)

Motion by: Commissioner Mark Reid
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2014-615-09-08

2. **AI-38780** Personnel Appointments, Human Resources.

COURT ORDER NO. 2014-616-09-08

GENERAL DISCUSSION

5. FY2015 Budget

Monika Arris, Budget, came forward with a Power Point presentation to re-cap the previously discussed FY2015 budget before the opening of the Public Hearing. The proposed tax rate is \$0.235 per \$100 valuation. Collin County has not had a tax rate increase in 21 years. The 5% Homestead Exemption has been in place for five years. The FY2014 certified adjusted taxable value is \$86.4 billion which is an increase of 9.2% over the 2013 tax year. The average home value in Collin County is \$257,767 according to statistics compiled by the Central Appraisal District. With the proposed tax rate and the Homestead Exemption, the average homeowner will pay \$575.46 for Collin County taxes for the 2014 tax year which is 11% of the total tax bill. This is an increase of \$38.43 or 7.2%.

Ms. Arris then reviewed truth-in-taxation calculations. The effective tax rate is a calculated rate that provides the County with the same amount of revenue it had in the previous fiscal year for properties that existed in both tax years. That has adjusted out to \$0.223782 for this year's effective tax rate. The effects of the tax rate are determined by the increases or decreases in the appraised value each year for properties that existed in both tax years. If appraised values go up, the effective tax rate goes down and vice versa.

The rollback rate is a calculation that splits the tax rate into two separate components - maximum operating rate and debt service rate. The rollback rate allows the County to raise the same amount in operations as in the prior year plus an additional 8%. The County's maximum operating rate is \$0.183446. Adding the maximum operating rate to the debt service rate gives a total of \$0.241178 for this year's rollback rate. This total is the maximum tax rate the County can adopt without going to a rollback collection. The current proposed operating tax rate is \$0.177268 plus the debt tax rate of \$0.057732 which gives the proposed total tax rate of \$0.235 for 2015.

Since the Budget Workshop, there have been changes to the Court recommended budget. The County Auditor held a Public Hearing and added an increase in education reimbursement, removed a request for scanners and the Compa-ratio. A PFP (Pay for Performance) increase of 3% was approved by the Board of District Judges. At the August 25, 2014, Commissioners' Court meeting, the General Fund was decreased by \$150,000 for Library Association funding and was moved instead to the Economic Development Fund. CSCD (Community Supervision and Corrections Department) held a Public Hearing and approved the County 3% PFP increase. Juvenile Services held a Public hearing and approved the 3% PFP and continued the stipends from the FY2014 budget into FY2015. This evening there is an item on the agenda to discuss the installation of locks in the courthouse and the District Judges' salary supplements.

The County Auditor will be holding a Public Hearing Friday, September 12, 2014. The second Public Hearing on the FY2015 tax rate will be September 15, 2014, during the regularly scheduled Commissioners' Court meeting at 1:30 p.m. in the Commissioners' Courtroom. Also on September 15, 2014, the proposed budget will be filed. On September 22, 2014, there will be a Public Hearing on the proposed budget and adoption of the FY2015 Fee Schedule, FY2015 Elected Officials' Salaries, FY2015 Tax Rate and FY2015 Budget at 1:30 p.m. during the regularly scheduled Commissioners' Court meeting.

Judge Self wanted to discuss the locks for the courthouse and the salary supplement for the District Judges.

Commissioner Williams asked Bill Bilyeu, County Administrator, to explain why the locks are needed in the County courtrooms and if there is a difference in the configuration of the County courtrooms and the District Court courtrooms. Mr. Bilyeu requested the discussion be held in a closed session. The Commissioner held her questions until the Court can meet in Executive Session.

Commissioner Reid asked why one of the bids is half the amount of the other. Mr. Bilyeu stated the lower bid is straight from the manufacturer as opposed to a reseller and does not include labor because the County will do the install.

Judge John Roach, Jr., 296th District Court, came forward to speak on behalf of the Board of District Judges to request the Court's approval for an increase to the District Judges' supplemental salary. Salaries of a State District Court Judge are primarily a state salary with a supplement from the counties. The supplement is for extra work which includes supervision of the CSCD (Community Supervision and Corrections Department), the Purchasing Department and the Auditor's office. The supplement maximum is \$18,000. Currently the supplement from Collin County is \$14,000 which is lower than the full supplement. Therefore, it is requested of the Court to approve the full supplement amount of \$18,000. This would make the overall salary of the District Judges less than the 3% salary increase for Elected Officials. The overall impact to the County would be less than a \$30,000 increase to the budget for all nine State District Judges.

There was a brief discussion on the state salary increases for the Judges. A motion was made to raise the State District Court Judges' salary supplement to the full \$18,000 maximum. (Time: 6:14 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Mark Reid

Vote: 5 – 0 Passed

COURT ORDER NO. 2014-617-09-08

Judge Self wanted to discuss keeping the current tax rate rather than lowering it as in the proposed budget. This is a one-time opportunity to keep the current tax rate as it is for this year. The Judge felt it prudent to leave the option of free lanes on US75 in place and believes there are assurances, yet no guarantees, that tolling on the current HOV (High Occupancy Vehicle) lanes has been postponed until 2017. In order for the County to keep free lanes as an option, the tax rate needs to remain as it is. The more than \$2 million generated from the non-decrease can be set aside for US75. This is not only about the two HOV lanes, but also about the future tolling of US75 and the hope of keeping it free. If the County does nothing, it will almost guarantee that any future lane expansion on US75 will be tolled according to regional policy. These funds will be kept in County accounts for use on US75 in order to have them available. The legislature will be working on transportation funding during their session but it is unclear if they will be able to totally fund the amount they are behind in transportation funding. If the tax rate is not kept where it is now, the County will have little to offer if the legislature cannot fund it. The best option is for the legislature to fund transportation adequately, but if they do not, they will want to toll all new lanes on US75.

The managed lanes are not NTTA toll roads where tolls are approximately \$0.17 per mile. The managed lanes for US75 will go to a maximum toll of \$0.75 per mile for peak periods within six months of being open. Judge Self then said the tax revenues the County can expect off of the tolled lanes of US75 need to be discussed and asked Commissioner Hill to share with the Court the NTTA's assumption of 12,000 tolled vehicles in the single lane by 2016.

Commissioner Hill stated he was delighted to propose a quarter cent decrease in taxes with a unanimous vote during the Budget Workshop. As the Court is working toward guidance for funding the County government, the Court is always working parallel to transportation issues for the region. Currently this scenario is before the Court where COG (Council of Governments) is looking for a solution on how to fund transportation capacity in the future. COG's solution includes toll roads for every road. The Commissioner read a summary of a response given by Michael Morris, the COG Transportation Director, at a meeting on August 25, 2014, to the question on how to add new capacity for the system. The RTC (Regional Transportation Council) policy is all additional or any new capacity built in the region will be tolled. The Commissioner does not prefer that as a solution for the citizens. The County is weighing the response from RTC with the Court's duty to fund transportation needs in Collin County.

The opportunity here is to not lower the taxes by a quarter of a cent but to set aside that \$2 million of the tax rate decrease for transportation infrastructure here in the County. This would be an investment and the opportunity for the County to set aside a tax decrease next year in order to hold off on a toll road increase that will be coming in the near future. It is not a guaranteed plan but a strategy to discuss.

Commissioner Hill said COG estimates that if turning the current HOV lane on US75 into an SOV (Single Occupancy Vehicle) toll lane, the usage capacity could be increased by 12,000 vehicles per day mostly during peak hours. That is 12,000 vehicles paying for the privilege to drive in that lane at a rate that will be up to \$0.75 per mile during peak times. That is \$28.125 million annually for the twelve miles - seven miles in Collin County and five miles in Dallas County - on US75 from what are now HOV lanes. This is a revenue source for transportation. But if the solution is for every new mile of highway capacity to be tolled, this is a tax on citizens for every new mile provided to them. The Commissioner would like to see transportation funded with citizens' transportation dollars at the state and federal levels and look for a strategic opportunity at the county level to get engaged with the state and federal government. The offset of the quarter cent tax decrease provides \$2 million a year in revenue. If the \$2 million is set aside, it will give the County the opportunity to speak to state leaders and the transportation department saying Collin County is ready to bring local dollars to cooperate and participate in looking for a free solution as opposed to a tolled solution. Judge Self clarified the figure the Commissioner read is one tolled lane. The plan would either be four or six tolled lanes once the expansion of US75 is complete. The maximum toll revenue for four lanes would be \$112 million annually in tolls and \$168 million for six lanes annually according to the estimated average toll charge.

Commissioner Reid questioned how the lanes will be tolled with the current laws. The Judge replied that it is believed to be a 4:2:2:4 configuration which does not include the three outer lanes on either side for the frontage lanes. The proposal is for four free lanes and two tolled lanes on either side. The Commissioner asked if it is possible to set aside \$2 million out of the County surplus as opposed to taking away the tax decrease. Commissioner Webb has spoken with TxDOT and the total for the US75 expansion will be \$2 billion plus 3% every year which is \$90 million a year.

Commissioner Williams expressed her concerns with having no agreement between TxDOT and the County to even consider this as an option. She would hate to raise the expectation of the citizens that by doing this it would prevent tolling from occurring. The Commissioner agreed that taking a larger amount of money from the fund balance might actually have some impact on the effort. She is not convinced this proposed effort is in any way going to be satisfactory to TxDOT. Judge Self said this effort would be on top of fund balance dollars.

Commissioner Williams is concerned with telling the citizens the money set aside from the tax rate will be used for this transportation project if an agreement cannot be made with TxDOT. Judge Self stated if that occurs, there will be plenty of transportation projects to fund. This is a one-year commitment.

The Court will know what the legislature has done when they adjourn in May and whether they will fund transportation. If this is not done now, there will not be an opportunity to come back to these dollars. Judge Self said the Court will be totally transparent with the taxpayers, telling them it will be used for US75 if the effort works, and moved to other transportation projects if it does not. Commissioner Williams feels this is a critical aspect.

Commissioner Reid asked if there is a reasonable expectation if this commitment is made that TxDOT will forgo a managed HOV lane on the single lane as it stands today.

Commissioner Webb said there was a letter sent out from the US Department of Transportation saying they will not consent to the HOV lane being a general purpose lane. Judge Self replied there are options with that lane: 1) leave it as it is; 2) a managed HOV lane; 3) an SOV/HOV lane; or 4) a free lane. A free lane will not be an option anytime soon. Commissioner Williams does not believe the proposed effort by the Court has any weight on their decision now and believes the effort is toward them forgoing managed lanes on the total reconstruction of US75. Commissioner Reid would be more supportive of the effort if there was some indication to forgo the SOV managed lane that is currently proposed. The informal commitment heard is that the HOV lane will stay as it is stands today a least until after the Legislative session.

Commissioner Webb agrees with Commissioner Williams and is very hesitant to take money back from the taxpayer. The Commissioner does not want the expectation of his constituents to be that by leaving the tax rate at \$0.2375, that will keep US75 free from tolls in the future. To rebuild the four free lanes plus the 4:2:2 managed lanes in the middle is a \$2 billion project. The Commissioner would like the state to fund this project so that it is not just Collin County citizens paying the \$2 billion. He does not want to take the pressure off of the local legislators to get funding for US75. The Commissioner said the County has done well, the tax decrease has been announced and he is not going to support reversing the decrease. Next year after the Legislative session the Court can look at trying to enhance the situation.

Commissioner Hill appreciated the great comments as they indicate the level at which the Court has to wrestle with this issue. He agreed that legislature should fund the highways of the state as they should be funded and pressure needs remain on them. The reality is the \$2 million associated with the quarter cent decrease will not pay for the rebuild of US75 but the County at some point will be required to participate locally. Focus needs to be on the vision of how to fund transportation in the future. Is the County going to accept the vision the RTC has given that every new mile of highway will be tolled? The Commissioner would like to fight against that vision by putting local dollars in and expecting legislature to bring adequate dollars to aid in funding transportation infrastructure. This is not saying the County can solve the issue out of the budget, but the County does not want to see toll roads as the primary model for funding transportation. Commissioner Hill wants to see a unified Commissioners' Court against that model for Collin County.

Judge Self said, if the hold off on tolling the managed lanes is only until after the legislative session, then the Court should support the effort. If that is the plan, the Court needs to stand firm because the letter that was signed was on that managed lane. Other roads will be paid for by the tolling on US75.

Commissioner Webb pointed out that the RTC was a pay-as-you-go organization until the legislature and federal government stopped adequately funding transportation. The RTC then had to deal with congestion and needed ways to fund transportation projects. The Commissioner stated his precinct is in West Plano and his constituents use DNT more than US75. Should they pay for US75 if they do not use it or should the people who use it pay for it? The state needs to be the one to fund it.

Commissioner Hill said the County needs to make a statement by putting in money showing the COG, NTTA and legislature that the County is serious about fending off the managed lane now as well as the idea of four to six future tolled lanes. How else will this be funded if tolls are not taken? It will not be funded out of the County budget, but the County will be able to bring local dollars. This can be done by not reducing the tax rate or by reducing the tax rate and taking funds from the fund balance.

Commissioner Williams believes the same message can be accomplished with providing a resolution stating the County will take dollars out of the fund balance to show it is serious about this issue. The message can be sent and the Court can still move forward with the tax rate decrease. If funds are set aside, those funds will be used for some other transportation project in the event no agreement is made for US75. Because of the cost of the project, she believes it will be tough to keep managed lanes off of US75 and it will be a hard sell for the legislators to citizens.

Commissioner Reid is opposed to keeping the current tax rate to commit \$2 million to fund the effort. The Commissioner suggested that if a message is to be sent, it should be a bold one by setting aside \$10 or \$20 million of the fund balance to dedicate to the effort and taking that amount to the legislature.

Judge Self said options are possible. He then opened the Court to public comments. (Time: 7:03 p.m.)

Ronald Woodruff, McKinney, came forward to express his opinion against the proposed expansive toll road strategy to solve transportation problems caused by federal government overreach unless the fuel tax is eliminated. The fuel tax is supposed to be used for roads. The HOV lane as it is causes congestion which wastes gasoline. A toll road will not solve that problem. It may make it worse by causing congestion on free lanes that is not necessary. (Time: 7:05 p.m.)

a. AI-38748 Public Hearing – Proposed FY 2015 Tax Rate, Budget.

Judge Self opened the Public Hearing on the Proposed FY2015 Tax Rate at 7:05 p.m.

Roy Serpa, Fairview, found the discussion informative and helpful. He believes \$2 million will not influence anyone. Sooner or later substantial amounts of money will be required. It is the Court's judgment to address it now. Putting \$10 million or \$20 million in is what will give the County leverage.

Mr. Serpa doubts there will be leverage as there is too much pressure that will be applied for the County to move in the direction legislature has decided. He understands the Court is in a difficult situation but felt the best thing is to go through with the tax reduction while they are able to do so. (Time: 7:07 p.m.)

Chuck Presley, Allen, asked the Court to keep the tax rate the same because he does not believe the County is providing the level of service it should in the area of criminal justice. As a veteran of the Sheriff's and Constable's offices, Mr. Presley stated there is a backlog of warrants at the Sheriff's office. Warrant deputies have not been added for 20-plus years. More warrant deputies are needed to execute those warrants. Judge Self stated a yearlong study has been instituted which includes additional staff in one of the Constable's offices. Commissioner Williams said we are talking about the tax rate dollars being set aside for transportation only and would not be available for those types of uses.

Commissioner Hill agreed with Commissioner Williams and stated the issue of warrants not being served has been recognized and the elected officials have been asked to run studies to see who can be the most effective at bringing the count down. This year a deputy in a Constable's office, an investigator in the Sheriff's office and four new Assistant District Attorneys have been funded for processes such as this. (Time: 7:12 p.m.)

Larry Wainwright, Allen, stated the Court has a rare opportunity to lower the tax rate. Taxpayers will be more receptive if the Court sets aside specific funds for a specific project rather than setting aside taxpayer money into a vague account for transportation. Mr. Wainwright said there are not many opportunities to lower the tax rate and urged the Court to consider helping taxpayers now. (Time: 7:12 p.m.)

Commissioner Hill asked is this the time for a strategic move to forgo a tax rate decrease to offset a tax rate increase by another means? A good point has been made that when the opportunity is here to decrease the rate the Court should take it unless there is an overriding reason not to.

Judge Self was disturbed that members of the Court are willing to accept tolls and felt that is not the position to take. Commissioner Webb disagreed with that statement and said he supports the tax rate decrease and is willing to put money from the fund balance into an account if the legislature and TxDOT come up with the money to fund US75.

Commissioner Williams also disagreed with Judge Self's statement saying by believing the \$2 million is a mechanism that will not make an impact is in no way saying that she is in favor of toll roads. She wants it to be clear that her objection to raising the tax rate in no way constitutes a willingness to accept or support toll roads.

Judge Self thanked the Commissioners for their clarification on their opinions. He then closed the Public Hearing and asked for comments from the Court. (Time: 7:15 p.m.)

Judge Self stated if there is a vote this evening, it will only be a vote to change the proposed tax rate and is not a final vote on the tax rate. Commissioner Williams would like a discussion at a future meeting to create a resolution to go to the legislators indicating the County is willing to put up funds for US75. Commissioner Reid would like more time to review the details on changing the rate.

Commissioner Hill made a motion to propose a tax rate of \$0.2375 for FY 2015. Judge Self seconded the motion and asked for a show of hands. (Time: 7:19 p.m.)

Motion by: Commissioner Chris Hill

Second by: Judge Keith Self

Vote: 2 – 3 Failed

Nay: Commissioner Cheryl Williams, Commissioner Mark Reid, Commissioner Duncan Webb

b. AI-38758 Purchase of hardware to be installed at the entry to the County Court at Law Judge benches, Homeland Security.

This item was held to be discussed in a closed session at the next Commissioners' Court meeting. (Time: 7:50 p.m.)

HELD

6. AI-38778 AG Opinion on Tax Increment Reinvestment Zones, County Judge.

Bill Bilyeu, County Administrator, said in 2011 an election was held for a constitutional amendment to allow counties to be able to issue debt on a TIRZ (Tax Increment Reinvestment Zone). This amendment failed. Legislature met and decided to get in the energy and transportation business to try to reimburse counties for roads that were damaged by energy companies. Webb County questioned the ability to issue the debt on the TIRZ to be reimbursed and sent in an AG (Attorney General) opinion in August 2014.

The AG responded and said they cannot issue the debt and cannot create a TIRZ to pay back the county on debt. CUC (Conference of Urban Counties) and the bond council looked at the opinion. It matches up with the past opinions in which the County can participate in TIRZ or an existing or future tax increment financing with a city operating it but cannot create one itself to issue debt. The County can create one, for example, on the Outer Loop, but can only use current revenue or saved money from that area for expenditures.

Mr. Bilyeu expects CUC and TxDOT (Texas Department of Transportation) will go back and try to take this to the voters again. This is one of the financing tools that TxDOT has been pushing for years for counties to create the transportation zones and use the increase in value. It is hoped that the legislature will look at this again. Representative Joe Pickett has asked the legislature to review it one more time but they have been consistent on their opinions. (Time: 7:53 p.m.)

NO ACTION TAKEN

7. 84th Legislative Agenda for 2015, Commissioners Court:

a. **AI-38698** NTTA Legislative Platform.

NO ACTION TAKEN

b. **AI-38729** TIRP and LIRAP Funds.

NO ACTION TAKEN

c. **AI-38671** Integrated Care in the Mental Health System, Administrative Services.

Randy Routon, Ph.D. and Rick Crawford, Ed.D., LifePath Systems, came forward to give a summary on Integrated Care in the Mental Health System. In this last year a pilot program using the 1115 dollars has been implemented to integrate behavioral healthcare with physical healthcare. This has been very popular with the clients. Mind and body is one and the state is moving services toward integrating care as it tries to save money on Medicaid. Dr. Crawford said one of the aspects of integrated care is it consolidates the need for more than one insurance card. It also saves money because there is a provider located in the office who can address the client's health issues, such as diabetes or heart disease, which normally would go untreated.

Commissioner Williams asked how this effort is envisioned to work within the North Star model with ValueOptions. Dr. Routon said the state will have to work this out. Currently North Star has moved away from physical health with no future plan as to what direction it is going.

Judge Self said as the Court gets closer to finalizing the legislative agenda, it will work with Dr. Routon and Dr. Crawford to write specific language for a resolution for the Court to sign. Commissioner Williams supports this effort but wants to make sure that a resolution can in no way be construed by DSHS (Department of State Health Services) as the County trying to opt out at this point. (Time: 7:57 p.m.)

NO ACTION TAKEN

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

Judge Self stated the resolution on the fund balance commitment for US75 will be on a future agenda. (Time: 7:57 p.m.)

Commissioner Hill thanked the City of Allen and Gary Caplinger, Mayor Pro Tem, for the use of the city's facility. (Time: 7:58 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 7:58 p.m.



Keith Self, County Judge

Mark Reid, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Not Present

Chris Hill, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4

ATTEST:

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