

STATE OF TEXAS

COMMISSIONERS' COURT

MEETING MINUTES

COUNTY OF COLLIN

AUGUST 18, 2014

On Monday, August 18, 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.

Judge Self led the Pledge of Allegiance.

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

1. Judge Self called to order the meeting of the Collin County Commissioners' Court at 1:31 p.m. and recessed the meeting at 2:36 p.m. The meeting was reconvened at 2:38 p.m. and recessed into Executive Session at 2:39 p.m. The meeting was reconvened at 3:00 p.m. and adjourned at 3:00 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:37 p.m. and adjourned the meeting at 2:37 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:38 p.m. and adjourned the meeting at 2:38 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-38652 Reclassification of a Supervision Officer position (pay grade 435) to a Caseworker position (pay grade 633) and a Secretary position (pay grade 632) to a Clerk position (pay grade 630), Human Resources.

2. AI-38675 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. **AI-38645** Addendum No. 1 to Detergents and Dispensers for Laundry and Kitchen (IFB No. 2014-139) to change the bid due date, Purchasing.

3. **AI-38656** Change Order No. 3 to Construction, Interior and Exterior Alterations, 900 E. Park (IFB No. 2014-110) to make various changes to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

2. Public Comments.

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 item 4e1. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 4 - 0 Passed

Commissioner Cheryl Williams was not present for the vote.

a. **AI-38646** Disbursements for the period ending August 12, 2014, Auditor.

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

COURT ORDER NO. 2014-538-08-18

A motion was made to approve the disbursement to Schindler Elevator. Commissioner Webb and Commissioner Reid did not participate in the vote. (Time: 2:36 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. 2014-539-08-18

b. **Advertisement(s):**

1. **AI-38648** Road Materials, Asphaltic Concrete (IFB No. 2014-324), Public Works.

COURT ORDER NO. 2014-540-08-18

c. **Award(s):**

1. **AI-38657** Dairy Products: Milk (IFB No. 2014-138) to Oak Farms Dairy, Sheriff.

COURT ORDER NO. 2014-541-08-18

2. **AI-38659** Supplies: Jail and Personal Inmate (IFB No. 2014-122) to various vendors, Sheriff.

COURT ORDER NO. 2014-542-08-18

d. Agreement(s):

1. **AI-38602** Interlocal Cooperation Contract with Texas Facilities Commission pursuant to Texas Government Code 791 for the sale/disposal of forfeited property, specifically gambling equipment received from Collin County District Court under section 263.152(a)(5) of the Local Government Code and Texas Government Code 2175.904(b) and further authorize the County Judge to finalize and execute same, Purchasing.

COURT ORDER NO. 2014-543-08-18

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

1. **AI-38666** \$6,000 to transfer funds from Election Supplies to the Contract Fund for education and conference, Elections.

Commissioner Webb pulled this item to discuss the budget adjustment request to move monies from Election Supplies to Education and Conference. The Commissioner wanted clarification that the revenue associated with mileage costs are not being put back into the expense category resulting in the needed adjustment.

Sharon Rowe, Elections, confirmed the revenue from mileage costs will not be put back into the expense category and said \$2,500 was budgeted this year for mileage reimbursements. To date a little over \$6,000 has been spent. There was an unusual occurrence this year: during the May city school elections, one jurisdiction had 32 temporary early voting sites that required equipment being moved daily. This included workers to set up and move the equipment. These costs are all reimbursable from the contracted authorities. The County did not absorb the mileage costs and the contracted authorities have been billed. With no further discussion, a motion was made to approve the item. (Time: 1:35 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 4 - 0 Passed

Commissioner Cheryl Williams was not present for the vote.

COURT ORDER NO. 2014-544-08-18

2. **AI-38642** \$7,283 to reallocate funds for the Spay/Neuter Program, Development Services.

COURT ORDER NO. 2014-545-08-18

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

1. **AI-38650** July 28, 2014.

COURT ORDER NO. 2014-546-08-18

g. Miscellaneous

1. **AI-38641** Grant application through the Meadows Foundation in the amount of \$158,110 for FY 2015 Enhanced Mental Health Managed Counsel Program Services, 296th District Court.

COURT ORDER NO. 2014-547-08-18

2. **AI-38664** Early Voting locations, dates and times for the November 4, 2014, General and Special Elections, Elections.

COURT ORDER NO. 2014-548-08-18

3. **AI-38665** Election Day Vote Centers for the November 4, 2014, General and Special Elections, Elections.

COURT ORDER NO. 2014-549-08-18

4. **AI-38649** Reject all bids received for Road Materials: Asphaltic Concrete (IFB No. 2014-146), Public Works.

COURT ORDER NO. 2014-550-08-18

5. **AI-38677** Personnel Appointments, Human Resources.

COURT ORDER NO. 2014-551-08-18

6. **AI-38678** Personnel Changes, Human Resources.

COURT ORDER NO. 2014-552-08-18

GENERAL DISCUSSION

5. 84th Legislative Agenda for 2015

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

Carrie Rogers, Director of Government Affairs, NTTA (North Texas Tollway Authority), came forward to ask the Court for their support for the requested resolution of the NTTA's 2015 legislative goals and creation of the Contiguous County Advisory Committee.

The legislative program this year is focused largely on continuing to enhance the existing authority for effective operations of the NTTA received in the last legislative session, specifically toll enforcement. Another main focus is customer enhancements. One of those items is changing the billing cycle to 21-25 days rather than a 30-day billing cycle.

Another item is adding NTTA emergency vehicles to the existing Move Over/Slow Down Law. Also included is the standard item to preserve the existing authority. The last item is related to the creation of a Contiguous County Advisory Committee. This is an effort to offer the regional counties who have an NTTA project the opportunity to give input on projects in their area. The Committee is only advisory in nature and does not bind the Board in any way. Ms. Rogers stated the draft bill language was included in the packet for the Court.

Commissioner Hill asked if Section 1, subsection 336.013e, of the draft bill refers to the Board or to the Advisory Committee. Ms. Rogers clarified it refers to the current Board of Directors. It says that a new county cannot have a full seat on the Board unless they meet both a 4% revenue and a 4% population trigger. This section is being recommended as a new legislative item. The draft also includes the striking of a second seat for any new member county. For example, Johnson County would receive one seat under the first section of the bill by meeting the 4% revenue and 4% population triggers; however, later in the bill the second seat option has been removed. Any new member county would never have the same number of Board seats as the existing founding counties. Commissioner Hill asked if the Board feels this is a necessary compromise. Ms. Rogers stated the Board is comfortable with this. The Board adopted the legislative program unanimously in July which included this package. The Commissioner asked if Johnson County has reached the 4% revenue and 4% population triggers. Ms. Rogers stated Johnson County has not reached either trigger. Johnson County is well under 1% for both triggers. Judge Self asked if Johnson County is collecting revenue at this time. Ms. Rogers said yes, the Chisholm Trail Parkway opened in May.

Judge Self stated the portion of subsection 336.013e that says "part of the authority" is a vague term and asked if it should be changed to "member". Ms. Rogers said other sections of the existing statute in this bill define what "part of the authority" means. It refers to the four founding counties. Ms. Rogers will take the item back to the attorneys to review. With no further comments, a motion was made to approve the item. (Time: 1:45 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Cheryl Williams
Vote: 5 - 0 Passed

COURT ORDER NO. 2014-553-08-18

6. AI-38633 Adoption of the Collin County Mobility Plan 2014 Update, Engineering.

Tracy Homfeld, Engineering, introduced Mike McAnally, Project Manager for Jacobs Engineering Group and Clarence Doherty, formerly of Jacobs Engineering Group, to present the changes made to the Collin County Mobility Plan (CCMP). Ms. Homfeld requested the Court vote to approve the adoption of the Mobility Plan after the presentation has been made.

Mr. McAnally gave an overview of changes made to the final report. The final review comments were received from the Court on August 4, 2014. The CCMP final report was revised to include the changes and the final plan was printed for submittal today for adoption. The following updates have been made and are included in the final plan:

The red lines on the travel demand map for SH 121, page 41, are the tolled main lanes and the frontage roads can be seen alongside the toll lanes. On pages 52-53 the term “proposed” refers to the requests from cities or reconciliation with city thoroughfare plans and the term “accepted” refers to those that were incorporated into the plan as acceptable changes. In paragraph 6.3 on page 65 extra wording was removed. Page 83, Section 7 describes the “what” that is needed to keep up with mobility needs in the future and Section 8 is the “how” it will be implemented moving forward.

Because city limits change often there was no attempt to provide percentages for the project list on page 84. Also on page 84 the table shows only the portions of the roadway projects that are not funded. The US 75 Corridor Study between Allen and I-635 is being conducted by the Texas Department of Transportation and is scheduled for completion in November 2015. Additional public meetings are scheduled for early November 2014 and September 2015. NTTA (North Texas Tollway Authority) was added to the bullet list on page 86 as a coordination agency related to their proposed widenings and extensions within Collin County. It is recommended to not make Parker Road a principal arterial road because it is next to Spring Creek Parkway which is a principle arterial road. There are spacing issues and two principal arterials should not be located adjacent to each other. The following sentence was added to page 67 in regards to the Blacklands Corridor: “As the corridor is found to be feasible and the final alignment is determined a modification may need to be made to the County’s plan to reflect this change”.

The wording “fiscally constrained analysis” in the second paragraph on page 14 has been reworded to “analysis of potential improvement for 2020 Level of Service”. The number of municipalities on page 62 has been corrected to 30 municipalities within Collin County. This has been corrected throughout the document. Wording has been added to page 19 to clarify North Central Texas Council of Governments as a voluntary organization and states they serve as the Metropolitan Planning Organization for the Dallas-Fort Worth metropolitan area.

The text and map referring to Environment Constraints on pages 26 and 27 are now consistent with each other. Finally, the first paragraph on page 50, section 4.2.3, has been reworded to clarify the deficiency analysis related to the 2020 Level of Service.

Mr. Doherty thanked the Court for their review and input and stated he is pleased with the final report. Commissioner Webb agreed and made a motion to approve the adoption of the Collin County Mobility Plan. (Time: 1:56 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Mark Reid

Vote: 5 - 0 Passed

COURT ORDER NO. 2014-554-08-18

7. AI-38382 Interlocal Agreement with the City of Frisco concerning the engineering and construction of Custer Road (SH 121 to Stonebridge Drive), 2007 Bond Project No. 07-043 and further authorize the County Judge to finalize and execute same, Engineering.

Tracy Homfeld, Engineering, explained that the Cities of McKinney and Frisco have decided it is in the best interest of the project for Frisco to manage the construction of Custer Road from SH 121 to Stonebridge Drive. McKinney originally received 2007 bond funds totaling \$2.5 million for this project and is willingly submitting those funds so Frisco can manage the project. The ILA (Interlocal Agreement) stipulates the money the County would be sending to Frisco for participation in this project. Frisco has secured TxDOT (Texas Department of Transportation) pass-through financing for a portion of the construction costs totaling \$5.850 million to be repaid over a 10- to 20-year period. Frisco has already funded \$1.116 million in engineering and the estimated construction cost is \$7.050 million, for a total project cost of \$8.150 million. The total project funding is \$8.350 million. McKinney has agreed to send their bond funds to Frisco to manage the project as long as the County receives the reimbursement in proportion to the amount that the County has funded on the project when the pass-through funding was received. The County would get back \$1,794,478 of the bond money when the project is completed. This means the County would only end up paying approximately \$705,522 for the project. Frisco would fund approximately \$1,594,478 million and TxDOT would fund \$5.850 million on the project. As the County is reimbursed, McKinney has requested the funds be available to be used on a mutually agreed upon project.

The first part of this item for consideration is if the Court wants to approve the ILA as it stands. The second part is whether the Court wants to make the reimbursable funds available to McKinney or put the funds back into the discretionary account. Judge Self asked if there was any risk on the pass-through financing. Ms. Homfeld said there is a solid contract on the pass-through and the only risk would be if the volumes on Custer Road did not produce. Then the County would receive less. Ms. Homfeld explained the locals have to fund the project up front and then TxDOT reimburses them. The County is putting in \$2.5 million in bond funds and Frisco has to come up with the rest of the funds.

Ms. Homfeld then gave an update on the status of the project. They are close to getting environmental approval and are hoping to have that in the next month or two. A final engineering contract with Kennedy Associates has been approved with construction to begin next summer.

Commissioner Webb stated he is fine with the ILA but would like the reimbursements to go back into the discretionary account. The Commissioner would prefer the savings go toward the next project on the priority list that the County is taking so much time to put together as opposed to having the city make a decision to put the funds towards projects of a lesser ranking. Judge Self said that would be a significant policy shift. Bond funds allocated to the cities in the original project list have remained with the cities. If the funds were traded, they have been credited back to the cities. If a bond amount was allocated to a city, whether or not they did the project, the bond amount stayed with that city. Commissioner Webb asked if the bond funds were initially directed to a project or to the city. Ms. Homfeld said they were directed to McKinney for this project.

Commissioner Hill confirmed with Ms. Homfeld when the County has allowed cities to re-task their savings within their city on other projects, that those projects were required to be on the County's Thoroughfare Plan.

Commissioner Webb is proposing this to try to accelerate the County's implementing congestion mitigation. Commissioner Hill is concerned that voters will lose faith if they have adopted a bond project for their roads and then see the savings on those projects given to another city. Commissioner Williams does not know if the Court has adequate information to make a substantial policy change as it relates to: 1) how many projects remain; 2) how much potential savings there is; and 3) what kind of distribution there would be. The Commissioner is not willing to make that kind of policy change without this information. Judge Self stated he does not feel the policy should change during the middle of this bond program and recommended addressing the Court Order and letting the other issue be a stand-alone discussion. The Judge then said if the Court accepts this Court Order and makes no mention of changing the policy, then it can be assumed that the policy remains the same. With no further discussion, a motion was made to approve the ILA with Frisco. (Time: 2:25 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Mark Reid

Vote: 5 – 0 Passed

COURT ORDER NO. 2014-555-08-18

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

Commissioner Webb provided items of interest from the RTC (Regional Transportation Council) meeting. The Supplemental Data Collection Revenues item was deleted because the grant was not received; therefore, a vote was not necessary. The RTC finalized the sale of 100 million Transportation Development Credits (TDCs) to TxDOT (Texas Department of Transportation) for \$10 million in order to create the Revolver Fund. This will allow the RTC to front projects before federal dollars come in as reimbursement. Before the sale there were 465 million TDCs. After the sale of 100 million TDCs to TxDOT and 39 million TDCs consumed for transit purposes there is a balance of 326 million TDCs.

That number is growing. Judge Self asked how Revolver Funds will be allocated. Commissioner Webb believes these funds will be for smaller projects that can be fully reimbursed with federal funds.

The Commissioner said the Environmental Speed Limit Transportation Control Measure Substitution was approved and is moving forward. This will reverse the five-mile-per-hour speed reduction put in place years ago on all highways going into Dallas/Fort Worth. The speed limit reduction was to reduce air pollution. Because vehicles are more efficient now, higher speeds do not pollute the air. Sometime in November the speed limits will go up on those highways.

In reference to the Texas Transportation Commission Follow Up on SH 360 and Regional Tolling Services Agreement the Commissioner said a master agreement is being drawn up. This will be the base agreement between NTTA and TxDOT over any and all toll roads or managed lanes throughout the metroplex. This came before the RTC not as an agreement to sign off on, but only as basic guiding principles and principles were approved. Commissioner Hill asked if the RTC is signaling the moving forward of the managed lane project on SH 75. Commissioner Webb replied at this point there has been no further discussion by the RTC on the managed lane concept on SH 75. Commissioner Webb reiterated that the item discussed was only for approval of guiding principles and was not approving the agreement between NTTA and TxDOT.

The RTC was presented with a proposed legislative update related to RTC efforts to develop a legislative program for the upcoming session. This included the following items: 1) Proposition 1 support was listed as an action item and support from RTC was unanimous; 2) I-635 E being looked at as a special funding category; 3) retaining limited authority on public-private partnerships; 4) support full funding for AirCheck Texas Program and expanding what those counties could spend those monies for; and 5) adding vehicle sales tax to the highway fund for increased funding for transportation.

The analysis that was requested on the Innovation Revenues/Financial Backstop regarding what the RTC is taking on as financial backstop of risk was received. Also, Vehicle-for-Hire is moving forward to have one permit for all cities. The Commissioner is unaware of any Collin County city participating at this time. The Metropolitan Transportation Plan Amendment does include the Blacklands Corridor inclusion amendment and the planning process for Mobility 2040 will begin soon. (Time: 2:36 p.m.)

NO ACTION TAKEN

9. AI-38083 Medicaid 1115 Update, Administrative Services.

NO ACTION TAKEN

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

Judge Self requested the Attorney General's opinion on the Tax Increment Reinvestment Zone. The Judge also requested a briefing of the Texas Emissions Reduction Plan and the Low-Income Repair Assistance Program funds that are not appropriated. (Time: 2:36 p.m.)

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session, in accordance with Chapter 551.087 of the Local Government Code, Economic Development Negotiations, to discuss the Allen Economic Development Corporation from Administrative Services. (Time: 2:39 p.m.)

Economic Development Negotiations (551.087)

AI-38535 Allen Economic Development Corporation, Administrative services.

NO ACTION TAKEN

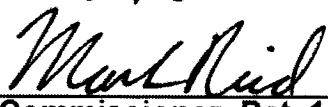
The meeting was reconvened at 3:00 p.m. There being no further business of the Court, Judge Self adjourned the meeting at 3:00 p.m.



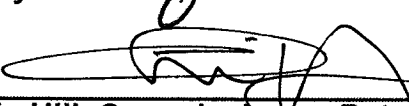
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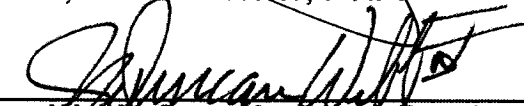

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S


Keith Self, County Judge


Mark Reid, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4