

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 27, 2014

COUNTY OF COLLIN

On Monday, October 27, 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 Chris Hill, Precinct 3
Commissioner Duncan Webb, Precinct 4

Absent: Commissioner Cheryl Williams, Precinct 2

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 1:30 p.m. and recessed the meeting at 1:37 p.m. The meeting was reconvened at 1:40 p.m. and adjourned at 2:23 p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 1:37 p.m. and adjourned the meeting at 1:40 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 Collin County Toll Road Authority 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-39063 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

Commissioner Webb pulled this because last week he had asked to have a discussion added on the bond issue on 50/50 funding but it was not added to the list. (Time: 1:41 p.m.)

2. Addenda:

a. AI-39027 No. 1 to Construction, Canopy At Juvenile Detention Center (IFB No. 2014-335) to make various changes to the Invitation For Bid, Purchasing.

b. AI-39058 No. 1 & No. 2, Construction, Roof Replacement of Collin County Public Works Service Center (IFB No. 2014-333) to make various changes to the Invitation for Bid, Purchasing.

c. AI-39022 No. 1, Insurance, Group Life & Accidental Dismemberment (AD&D) (RFP No. 2014-304) to make various changes to the Request for Proposal, Purchasing.

d. AI-39021 No. 1, Insurance, Short & Long Term Disability (RFP No. 2014-303) to make various changes to the Request for Proposal, Purchasing.

3. AI-39056 Budget amendment in the amount of \$33,725 to purchase sit-stand desks for employees utilizing Fund 037 District Attorney State Forfeiture Fund Balance, District Attorney.

2. Public Comments.

Roy Serpa, Fairview, came forward to ask for clarification as to what effect NTTA (North Texas Tollway Authority) and COG (Council of Governments) have on the County's transportation policy. Mr. Serpa said it would be helpful to know what these organizations do for the taxpayers and what effect they will have on the legislature that will impact Collin County. (Time: 1:37 p.m.)

3. Presentation/Recognition:

a. Service Pins, Human Resources.

Judge Greg Willis, District Attorney, presented Alyson Dietrich, Chief of the Family Justice Division, with her 15-year service pin. Ms. Dietrich works on child abuse cases, juvenile cases and with victims of domestic violence and leads a team of seven attorneys, four investigators and three secretaries. Judge Willis thanked Ms. Dietrich on

behalf of the County, the citizens and the children of Collin County for setting a great example for her team. (Time: 1:35 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled item 1 from FYI Notification and 4h3. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:41 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Mark Reid
Vote: 4 – 0 Passed

a. AI-39049 Disbursements for the period ending October 21, 2014, Auditor.
COURT ORDER NO. 2014-812-10-27

b. Advertisement(s):

1. AI-39011 Indigent Defense Design Consultant Services (RFP No. 2014-364), Information Technology.

COURT ORDER NO. 2014-813-10-27

2. AI-39053 Professional Services, Engineering, Mechanical, Electrical and Plumbing (MEP) (RFQ No. 2015-011), Construction & Projects.

COURT ORDER NO. 2014-814-10-27

c. Award(s):

1. AI-39047 Construction, Roof Replacement for Public Works Service Center (IFB No. 2014-333) to Roof Management Services, Inc., budget amendment in the amount of \$104,200 and further authorize the Purchasing Agent to finalize and execute the Construction Agreement, Construction & Projects.

COURT ORDER NO. 2014-815-10-27

2. AI-39046 Services: GPS, Offender Monitoring (RFP No. 2014-135), Sheriff.

COURT ORDER NO. 2014-816-10-27

d. Agreement(s):

1. AI-39015 Interlocal Agreement with LifePath Systems and further authorize the County Judge to finalize and execute same. Payments to be made in quarterly installments of \$189,781.25 (totaling \$759,125 for FY2015), Budget.

COURT ORDER NO. 2014-817-10-27

2. Interlocal Agreement(s) for Child Abuse, Investigation Services, Law Enforcement Services and further authorize the County Judge to finalize and execute same, Sheriff:

- a. **AI-39034** City of Lavon (Annual Amount \$1,500).
COURT ORDER NO. 2014-818-10-27
- b. **AI-39040** City of Melissa (Annual Amount \$3,500).
COURT ORDER NO. 2014-819-10-27
- c. **AI-39035** City of Murphy (Annual Amount \$13,500).
COURT ORDER NO. 2014-820-10-27
- d. **AI-39036** City of Parker (Annual Amount \$2,500).
COURT ORDER NO. 2014-821-10-27
- e. **AI-39038** City of Princeton (Annual Amount \$7,500).
COURT ORDER NO. 2014-822-10-27
- f. **AI-39041** Town of Prosper (Annual Amount \$6,000).
COURT ORDER NO. 2014-823-10-27
- g. **AI-39039** City of Royse City (Annual Amount \$2,500).
COURT ORDER NO. 2014-824-10-27

e. Amendment(s):

1. **AI-39050** No. 1 to the Interlocal Teen Court Services Agreement, Town of Little Elm (Contract No. 2014-132) 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, Teen Court.

COURT ORDER NO. 2014-825-10-27

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

1. **AI-39007** \$5,557 to purchase an all-in-one machine and Judges Edition license for the County Court at Law Auxiliary Courtroom, 296th District Court.

COURT ORDER NO. 2014-826-10-27

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

1. **AI-39033** October 6, 2014,

COURT ORDER NO. 2014-827-10-27

h. Miscellaneous

1. **AI-39068** Resolution Supporting the Texas Department of Agriculture Home-Delivered Meal Grant Program, Administrative Services.

COURT ORDER NO. 2014-828-10-27

2. **AI-39077** Sale of property located at 1100 West Louisiana Street, McKinney, Texas (Lot 1B, Block 1, Waddill Addition, Volume 692, Page 640) as recorded in the Collin County Deed Records to Ronald Lustig in the amount of \$60,500 and further authorize the County Judge to finalize and execute the associated documents, County Judge.

COURT ORDER NO. 2014-829-10-27

3. **AI-39057** Final Plat of The Hills of Lone Star Phase 3 Hollyns Cove Pond Lots 1, 2, 3 and Tract C-A-1, Engineering.

Commissioner Webb pulled this item because this is another situation in which the County will take over the management of private roads. The Commissioner is not in favor of this and would like to look at ways to prevent private roads from coming into the County which then makes the County responsible for the maintenance of the roads. The Commissioner would like to know whether this can be done administratively or if it will need legislative assistance.

Tracy Homfeld, Engineering, came forward in response. She is waiting to hear from Jim Shepherd, Legal Counsel, as to whether the County can amend its subdivision regulations and what the "minimum standard" is if the County does have to allow public roads. Ms. Homfeld said, according to the current subdivision regulations, this road can be a public roadway. Commissioner Hill asked if the Court has a duty to approve this since all of the regulations and statutes have been met. Ms. Homfeld said that was correct. With no further discussion, a motion was made to approve the item. (Time: 1:43 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Mark Reid
Vote: 4 – 0 Passed

COURT ORDER NO. 2014-830-10-27

4. **AI-39051** Re-Plat of The Hills of Lone Star Subdivision lot 34R, Engineering.

COURT ORDER NO. 2014-831-10-27

5. **AI-39055** Re-Plat of The Hills of Lone Star Phase 2B Deer Meadow Lot 9/10R, Engineering.

COURT ORDER NO. 2014-832-10-27

6. **AI-39054** FY2015 Pay for Performance increases, Human Resources.

COURT ORDER NO. 2014-833-10-27

7. **AI-39064** Personnel Appointments, Human Resources.

COURT ORDER NO. 2014-834-10-27

8. **AI-39065** Personnel Changes, Human Resources.

COURT ORDER NO. 2014-835-10-27

GENERAL DISCUSSION

5. **AI-39076** Applicable Elected Representative Pursuant to Section 147(f) of the Internal Revenue Code of 1986 for Multifamily Housing Revenue Bonds Proposed to be Issued by the Collin County Housing Finance Corporation to Finance the Acquisition, Construction and Equipping of Villas at Plano Gateway Senior Living in an Aggregate Principal Amount Not to Exceed \$20,000,000, Administrative Services.

Judge Self asked for comments or discussion on this item. Hearing none, a motion was made to approve the item. (Time: 1:44 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Chris Hill

Vote: 4 – 0 Passed

COURT ORDER NO. 2014-836-10-27

6 AI-38422 Board/Committee Appointments, Commissioners Court:

a. Historical Commission.

A motion was made to re-appoint Clyde Kerley of Frisco, appoint Alfredo Arias of Celina and Michael Mendenhall of Plano to the Historical Commission. (Time: 1:45 p.m.)

Motion by: Commissioner Mark Reid

Second by: Judge Keith Self

Vote: 4 – 0 Passed

COURT ORDER NO. 2014-837-10-27

7. **AI-38983** North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.

Judge Self said the photogrammetry process that he had mentioned last month was approved and the Judge did vote for it. Approximately \$600,000 has been spent so far for both equipment and training and the photogrammetry equipment will be going to the cities along the major highways. There was nothing else of major consequence on the Board's agenda. (Time: 1:46 p.m.)

NO ACTION TAKEN

8. **AI-38856** 84th Legislative Agenda for 2015, Commissioners Court.

NO ACTION TAKEN

9. AI-39099 Consideration to oppose the RTC Legislative Agenda Item seeking toll authority for 7 highways, County Judge.

Judge Self explained the RTC (Regional Transportation Council) passed a legislative agenda item that included asking the legislature for the authority to toll seven highways in the region. The environment in Austin is more positive than the Judge has ever seen it and many candidates statewide have come out against adding tolls in the state. The legislators are talking to each other about how to do that with one option being vehicle sales taxes going to fund transportation. The Judge does not think we should send mixed messages in our legislative agenda item to Austin. If there is a chance for true transportation reform, we then should not be asking for the back-up which is the authority to toll seven more roads. This is one of those examples where the citizens, not the politicians, have lead the way in stopping the tolling on the HOV lane on US 75 and the Blacklands Corridor. We owe it to the citizens to try to encourage the legislature to return to a more historic percentage of the state budget funding transportation.

Judge Self read from Chapter 391 of the Local Government Code stating that a commission may plan for the development of a region and make recommendations concerning major thoroughfares, streets etc. It also states that a plan or recommendation of a commission may be adopted in whole or in part by the governing body of a participating governmental unit. Therefore, the Judge's recommendation is that the Court state that it is opposed to this mixed message and that we ask our legislators to come up with a plan to fund transportation adequately in the state of Texas.

Commissioner Hill agreed that the citizens have spoken strongly against tolling and feels that this is an opportunity to speak with one mind saying we expect the state to help us and would not like to see movement towards more toll roads.

Commissioner Webb was unsure as to what the seven toll roads were. The back-up referenced seven CDA (Comprehensive Development Agreement) projects, all of which have been approved by the state legislature with none of these seven projects impacting Collin County. The Commissioner does not want to get into the middle of other counties' affairs. Judge Self said we are a participant in this region, not a subset of Dallas and Tarrant Counties. The RTC has 44 members and Collin County is routinely outvoted in the RTC in terms of dollars. Collin County needs to lead not just for our region but for the whole state.

The Judge said the state budget needs to be reprioritized and, with the change in the environment in Austin, feels this would be the right time to encourage the legislature to adequately fund transportation. Commissioner Webb agreed that Collin County is outvoted all the time. There was a lengthy discussion about the Judge's recommendation potentially jeopardizing the funding for the seven CDAs and alienating the other 43 RTC members.

Commissioner Hill supports Judge Self's recommendation and would like a unified approach to opposing tolling. Commissioner Webb said these are regional roads and the state should fund them since they benefit the region and the whole state. Moving commerce through DFW to Houston or Austin is a state benefit to everyone. Commissioner Reid said a few years ago the economy of the Greater Dallas/Fort Worth metroplex was equivalent to 1/6 of the economy of China and 1/3 the economy of India. This is a huge economy and he agrees with Commissioner Webb entirely that transportation is critical to the continued growth of the economy. Transportation of goods and services contributed to the prosperity of this country. It is important that the legislature gets back to funding transportation as it has done historically. It is important to send a message to the legislature to fix transportation funding and oppose additional tolling. The Commissioner does not feel this will affect other regions' abilities to complete their roads. For those reasons Commissioner Reid also supports the Judge's recommendation.

Commissioner Webb opposes this and hopes this does not jeopardize funding on US 75 and the Outer Loop. However, the Commissioner said if the recommendation is limited to future CDAs he would support it because he is not in favor of public/private partnerships which include the element of profit. There was a brief discussion regarding the CDAs which have already been approved by the state legislature and whether the Judge's recommendation would affect them.

Judge Self suggested amending the Court Order to read, "Thereupon, a motion was made, seconded and carried with a majority vote of the Court to oppose any Comprehensive Development Agreements not already authorized and signed."

Commissioner Webb suggested omitting the word "signed" since all of these CDAs have been authorized but may not yet be signed. A motion was made to change the wording to "Thereupon, a motion was made, seconded and carried with a majority vote of the Court to oppose any Comprehensive Development Agreement not already authorized by the state legislature." (Time: 2:22 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Chris Hill
Vote: 4 – 0 Passed

COURT ORDER NO. 2014-838-10-27

10. Possible future agenda items by Commissioners Court without discussion.
Judge Self asked that Commissioner Webb's item be added to the list of future agenda items.

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:23 p.m.



ATTEST:

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

Keith Self, County Judge

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Chris Hill, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4