

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES

COUNTY OF COLLIN

JUNE 22, 2015

On Monday, June 22, 2015, 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 Susan Fletcher, 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 Fletcher 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 2:48 p.m. The Judge reconvened the meeting at 2:49 p.m. and immediately recessed into Executive Session. The meeting was reconvened and adjourned at 3:59 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:49 p.m. and adjourned the meeting at 2:49 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:49 p.m. and adjourned the meeting at 2:49 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-40007 Advertise for Services: Offender Specimen Collection and Drug Testing (RFP No. 2015-200), Adult Probation.

2. AI-40019 Reclassification of a vacant Supervision Officer position (pay grade 435) to an Administrative Secretary position (pay grade 534), Human Resources.

FYI NOTIFICATION

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

2. **Public Comments.**

3. Presentation/Recognition:

- a. **AI-40029** Certificate of Compliance for the Collin County Jail from the Texas Commission on Jail Standards to acknowledge the excellent work of the Collin County Sheriff's Office for 28 consecutive years, County Judge.

Judge Self referenced a letter from the Texas Commission on Jail Standards acknowledging the excellent work of the Sheriff's Office with a Certificate of Compliance for the Collin County Jail. The Judge congratulated Sheriff Box and his staff because they have received the Certificate of Compliance for the last 28 years. (Time: 1:32 p.m.)

4. **Consent agenda to approve:** Judge Self deleted item 5 from General Discussion, pulled items 4f1 and 4i1 and then asked for comments on the consent agenda. Commissioner Fletcher pulled item 4f2 for discussion. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

- a. **AI-40021** Disbursements for the period ending June 16, 2015, Auditor.

COURT ORDER NO. 2015-373-06-22

b. Advertisement(s):

1. **AI-40013** Armored Car Services (IFB No. 2015-212), Auditor.

COURT ORDER NO. 2015-374-06-22

2. **AI-40037** Services, Maintenance: HVAC Contractor (IFB No. 2015-141), Facilities.

COURT ORDER NO. 2015-375-06-22

3. **AI-39981** Maintenance, Roads: Crack Sealing Services (IFB No. 2015-161), Public Works.

COURT ORDER NO. 2015-376-06-22

4. **AI-39983** Road Materials, Flexbase, Delivery (IFB No. 2015-102), Public Works.

COURT ORDER NO. 2015-377-06-22

5. **AI-39980** Services, Onsite Grinding, Mulching and Removal of Debris (IFB No. 2015-109), Public Works.

COURT ORDER NO. 2015-378-06-22

c. Agreement(s):

1. **AI-39973** Change of contract for the Tyler Odyssey Criminal Justice Information System; approve an Amendment to the Maintenance and Support Services Agreement (change the invoicing for maintenance from the CUC to Tyler), approve Tyler Technologies, Inc. as the sole source provider for Odyssey software licensing, maintenance and support in accordance with Local Government Code 262.024(7)(A) and approval to enter into the Continuous Improvement Program Agreement for FY2016 for option 3, Information Technology.

COURT ORDER NO. 2015-379-06-22

d. Amendment(s):

1. **AI-40032** Contract revisions with the Texas Department of State Health Services for Contract No. 2015-001265-01: CPS/CRI CPS – Cities Readiness Initiative Program to end the contract on June 30, 2015 in order to align with the CDC fiscal year and to reduce the contract amount from \$126,633 to \$105,191, Homeland Security.

COURT ORDER NO. 2015-380-06-22

e. Change Order(s):

1. **AI-40031** No. 1 to Herbicide Treatment of Roadside Right-of-Ways & Encroachments (IFB No. 2015-076) with Edko, LLC to add an additional five (5) feet of roadside spraying along 310 miles of road and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2015-381-06-22

2. **AI-40012** No. 6 to Interlocal Agreement for Recycling (Agreement No. 05591-09) with the Branch VFD to extend the contract for one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2015-382-06-22

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

1. **AI-40014** \$8,229 to reallocate funds for the Spay/Neuter Program, Development Services.

Judge Self stated that a total of \$97,787 in donations has been collected for the Spay/Neuter Program. The Judge challenged the CPS (Child Protective Services) Board and looks forward to the day when the donations for foster children match the donations for the Spay/Neuter Clinic at the Animal Shelter. With no further comments, a motion was made to approve the item. (Time: 1:34 p.m.)

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

COURT ORDER NO. 2015-383-06-22

2. **AI-40016** \$530,870 to establish the budget for furniture and equipment to set-up the 469th District Court, 470th District Court and the County Court at Law No. 7 and A/V equipment for two (2) auxiliary courts, Budget.

Commissioner Fletcher pulled this item to ask about preparations for staffing of the new courts. Monika Arris, Budget, said the furniture and equipment has a six to eight week lead time and this was budgeted in the FY 2015 budget. The plan is to have the staff funding implemented in the FY 2016 budget which means the funding would be available on October 1, 2015. It is up to the Court to decide whether to post the positions before that time in order to have an October 1st start date. The Commissioner would like to move forward with the staffing of the courts. With no further comments, a motion was made to approve the item. (Time: 1:35 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 5 – 0 Passed

COURT ORDER NO. 2015-384-06-22

g. Receive and File, Auditor:

1. **AI-40015** Monthly Financial Report for April 2015.

COURT ORDER NO. 2015-385-06-22

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

1. **AI-39912** May 6, 2015 Workshop.

COURT ORDER NO. 2015-386-06-22

2. **AI-40027** June 1, 2015.

COURT ORDER NO. 2015-387-06-22

i. Miscellaneous

1. AI-40055 Acknowledgment of the McKinney Independent School District's Denial of Petition for Detachment, Administrative Services.

Judge Self referred to page 412 of the Court packet saying it is an administerial duty to acknowledge this action in the Court minutes and wanted everyone to understand what the Court was acknowledging.

The Judge read the following paragraph: "Whereas, at the June 24, 2014, hearing, the McKinney Independent School District Board of Trustees considered the educational interests of the current students residing or future students expected to reside in the affected Territory and in the affected school districts and the social, economic, and educational effects of the proposed boundary change." On page 421 of the Court packet are the signatures of a majority of the resident parents stating it is in their educational, social and economic best interests to allow for this change. Therefore, Commissioners' Court is acknowledging their saying they have the social, educational and economic best interest of the student. With no further discussion, a motion was made to approve the item. (Time: 1:37 p.m.)

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

COURT ORDER NO. 2015-388-06-22

2. AI-40020 Termination of the Interlocal Agreement with the City of Parker for Dispatch Services and further waive the 90 day notification period to make the termination effective July 1, 2015, Sheriff.

COURT ORDER NO. 2015-389-06-22

3. AI-40050 Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-390-06-22

4. AI-40051 Personnel Changes, Human Resources.

COURT ORDER NO. 2015-391-06-22

GENERAL DISCUSSION

5. AI-40033 Public Hearing – Consideration and any action for the issuance of a "Mass Gathering" permit for the Blue Ridge Rodeo on July 10–11, 2015 from 8:00 P.M. to 10:00 P.M. each day at the Blue Ridge Riding Club located at 10895 County Road 504, Blue Ridge, Texas 75424 in accordance to Health and Safety Code Chapter 751, Fire Marshal.

PULLED

6. AI-40034 Update on the Air Check Texas and Local Initiative Projects (LIP) Programs, Special Projects.

Jeff Durham, Special Projects, introduced Chris Klaus, Senior Program Manager for Air Quality Planning & Operations with NCTCOG (North Central Texas Council of Governments.) Mr. Klaus explained they have worked hard to not only reinstate the funding back to the counties, but also to make some changes to the program though the later was not accomplished. The program is now fully funded and the money will go back to the counties. There is also the Special Projects funding which has been very complicated to work through and coordinate with the state. The COG (Council of Governments) will continue to work on the details and propose an alternative and is asking the County not to opt out of the program.

Mr. Klaus presented a LIRAP (Low-Income Repair and Replacement Assistance Program) and LIP (Local Initiative Projects) funding summary from 2008 through 2014. LIRAP had significant budget cuts of 87% from FY 2011 to FY 2012. The good news with LIRAP is the money has been re-appropriated for FY 2016 and FY 2017 with full funding back to the counties. With regard to LIP, this is generally 10% of the overall budget. FY 2008 through FY 2014 has been 100% appropriated and COG will work with the County for FY 2015 to see how to proceed. TCEQ (Texas Commission on Environmental Quality) has asked for counties to not leave any money on the table after FY 2015 so they can start fresh in FY 2016. Mr. Klaus acknowledged there were issues in the past of not getting answers to what type of projects were eligible for this funding.

Mr. Klaus estimates there will be \$2.6 million in funding available to the County from LIRAP in FY 2016 with no required match. There will be approximately \$300,000 in funding available with LIP in FY 2016. Unfortunately with LIP, there is the complication of not knowing which projects are eligible and there is a 50% match required.

NCTCOG is asking the Court to not opt out of the program. The region gets CMAQ (Congestion Mitigation and Air Quality) money and, if Collin County does not utilize LIP or LIRAP money, it could use other funds in trade like CMAQ. Mr. Klaus identified what types of projects are eligible with LIP and those for CMAQ. Under the partnership proposal, any balance of LIRAP/LIP funds not spent by Collin County could be traded for an equivalent amount of CMAQ funds and TDCs (Transportation Development Credits.) The County would be able to use CMAQ with TDCs as the local match to eliminate the 50% match. The proposal has an assurance of a two-year commitment for fiscal years 2016 and 2017.

The next steps would be: 1) Collin County approves the partnership proposal; 2) Collin County withdraws their LIRAP/LIP opt out from TCEQ; 3) RTC (Regional Transportation Council) approves the partnership; 4) NCTCOG will monitor the progress, assess expenditures and trigger the funding swap; 5) Collin County selects projects and 6) RTC approves projects.

There was a lengthy discussion regarding SIP (State Implementation Plan) for clean air and the EPA's Ozone Air Quality Plan. Judge Self mentioned the problems with LIP projects because TCEQ tells us they must be in a single fiscal year and intersection improvements are difficult to get done in one year. Mr. Klaus said those restrictions don't apply with the flexibility of CMAQ.

The Judge asked when emissions seriously declined with the newer more efficient cars. Mr. Klaus said that would have been in 2011 or 2012 with the newer phase of engine standards. They are now working on tougher standards for 2018 and they are also working on cleaner fuels with lower sulfur content.

Commissioner Webb finds the CMAQ utilization more attractive because of the ability to take something from LIP and bring it to CMAQ which seems to have a broader ability to utilize the funds with no deadlines. The Commissioner also confirmed that there is no time limit on CMAQ funds and that the County can use the millions of TDCs it has as a match.

Commissioner Williams believes cities would be willing to participate because many of the potential uses for the funds are on their list of top ten improvements, and all cities along US 75 want to see traffic improve.

Judge Self reviewed the list of uses for the funds in CMAQ and said there are no hard core construction projects on the list aside from intersection improvements. The Judge has concerns because we are telling the citizens we are collecting these dollars for clean air and the SIP is the document. We get no direct impact on the SIP. Mr. Klaus said one direct benefit into the SIP on an intersection improvement project is reducing and impacting speed and congestion levels. There is a directness but not directly apparent in a report per se.

Commissioner Williams said when we chose to opt out, the concern was we were not getting the full funding and we did not have enough flexibility. With this program we now have more flexibility and full funding. The Commissioner would not object to remaining for a year to see where we stand and what kind of projects we are able to get approved. There are uses for the funds that have been high on some cities' priority lists and we have not had funds to spend on them. The Commissioner would like to see traffic light synchronization across city lines.

Commissioner Webb agreed that the two reasons the Court opted to get out of the program have been addressed and asked if it was a one or two-year commitment. The Commissioner would like to see what the cities and County can come up with and how we can utilize CMAQ using the transportation credits. He is also very interested in seeing how we do the allocation piece of this and suggested doing it for one year. Judge Self agreed.

Commissioner Hill asked if we will have local Collin County control over directing the projects at the engineering level and Commissioners' Court level. Mr. Klaus said yes but the projects must be air-quality beneficial and within the boundaries of the program. While most of the projects will be city projects, the Commissioner would like to see the County Engineering Department take the lead working with the cities and help identify the projects and bring everyone together as a team. Commissioner Webb agreed and would like the cities to come to the County with the projects and the County will prioritize the list. Commissioner Fletcher agrees as long as we aren't relegated to being told we have to do bike or pedestrian paths.

Mr. Klaus said the funding is available for two years and the staff is willing to take the challenge of making this a success and hopefully moving into the second year. With no further comments, a motion was made to stay with the program for one year. (Time: 2:19 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2015-392-06-22

7. AI-40024 RHP18 update, Administrative Services.

des Anges Cruser, Ph.D., came forward to give a high-level overview and update on the RHP 18 (Regional Healthcare Partnership) Medicaid Waiver Project. Texas is organized into 20 Regional Health Partnerships. Each RHP has a different number of counties and RHP 18 consists of three counties – Collin, Rockwall and Grayson. Each RHP has an anchor entity which works with the providers and HHSC (Health and Human Services Commission) to ensure project success and compliance. This aims to dramatically change how healthcare is delivered for Medicaid and indigent/low income clients. It also aims to prevent unnecessary use of more expensive facilities and emergency services.

In RHP 18 there are 23 infrastructure expansion and service innovation projects, 25 quality improvement or population health improvement projects, eight providers, four hospitals, one health science center and three behavioral health systems. The Executive Committee meets every other month and consists of the seven DSRIP (Demonstration System Reform Improvement Payment) providers and two county health department directors.

During this past year all of the providers underwent a mid-point assessment conducted by an independent audit firm. They also audited the procedures that HHSC uses to ensure compliance. Of the 25 projects, 13 were reviewed and were rated according to a risk factor. One was rated a 5 which is considered high risk, three were rated a 4 and the rest were rated at 3 and below. We did not agree with these ratings because they were looking at older data from when these projects were just ramping up. We provided documentation suggesting that these risk ratings were high and HHSC agreed with that.

Dr. Cruser explained some of the process activities since April 2014 and the investments and payments for DY2 (Demonstration Year) and DY3. In DY2 there was approximately \$24 million in value and approximately the same amount was paid to providers. In DY3 approximately \$24 million was paid out leaving a balance of \$1.6 million which is expected to be paid out this year. Dr. Cruser is anticipating \$28 million to be paid out in DY4.

Regarding challenges over the past year, one project was at risk for not achieving goals and some projects were undervalued or overshot in terms of goals. The first challenge was resolved and the second should be able to be adjusted during the extension period.

In summary, DY3 presented more challenges in meeting goals than DY2. All providers completed DY3 goals in the first quarter of DY4. DYs 3 and 4 have required more involvement from the anchor team for problem solving and interactions with HHSC. Payment processes have been smooth with all problems resolved. Providers are networking with each other and other key stakeholders and all required processes are on target.

Dr. Cruser said at the outset of this waiver there were approximately 47,000 individuals reported as pre-project recipients of services in these categories, and this year there are another 40,000 people receiving these kinds of services. Are these services they should have received but didn't or are these services that were unavailable? There is an increasing impact every year of approximately 40,000 people. Commissioner Webb would like to hear what the findings are on this. (Time: 2:41 p.m.)

NO ACTION TAKEN

8. AI-40025 Local Mental Health Authority Transition update, Administrative Services.

des Angles Cruser, Ph.D., referred to this as Transition Planning out of NorthSTAR to Independence. From August 2014 through December 2014, the Sunset Advisory Commission recommended discontinuation of the 1915(b) Medicaid Waiver program under which NorthSTAR was operating. In January 2015, the planning process with the PIA (Public Information Associates) project team began. In March 2015, the Preliminary Plan for Indigent Behavioral Health Care was submitted and was approved by DSHS (Department of State Health Services) and HHSC (Health and Human Services Commission) in April 2015. In May 2015, the final appropriation decisions were made for State Biennium 2015-17.

The current estimates for Collin County are between \$11 million and \$16 million as an annual budget. Dr. Cruser is not sure of the amount since much of that money comes from different buckets. As we become an LMHA (Local Mental Health Authority), there will be certain dollars that will be funneled directly to Collin County and others which the County may need to compete for or fulfill other requirements to acquire the money. Commissioner Webb asked when we will be more certain as to what that number is. Dr. Cruser said they have been assured that within the next week they will get that information.

What we know now is the effective date for the new system is supposed to be January 2017. The final Indigent Care Plan is scheduled for approval by October 1, 2015. LifePath Systems has been nominated as the proposed LMHA for Collin County. There was a brief discussion regarding the state getting its lines of communication aligned with this change. We know that local match must be included and that Medicaid funds will be held at the State Medicaid agency with Managed Care Organizations getting the contracts and negotiating with each local provider. Non-Medicaid funds will be distributed to the LMHA in buckets tied to services menus.

What we are doing now is interacting with other LMHAs and MHMRs (Mental Health and Mental Retardation) and other key organizations with existing components in the current system to help with our planning process. We are acquiring data for planning and rationale for the final plan. We are conducting our local planning meetings with a focus on defining an outpatient system to reduce dependence on higher levels of care while still ensuring a robust crisis response system. Dr. Cruser thanked all the people involved and the Court for their time. (Time: 2:48 p.m.)

NO ACTION TAKEN

9. AI-40075 Construction permitting in the ETJ, Commissioners Court.

Bill Bilyeu, County Administrator, came forward and explained there was a letter addressed to Judge Self and signed by multiple mayors regarding construction permitting in the ETJ (Extraterritorial Jurisdiction). Mr. Bilyeu gave the Court a letter which he had worked on with the County's attorney in Austin and asked the Court to determine if it is an appropriate response or if there are any changes the Court would like to make.

Brian Loughmiller, City of McKinney Mayor, came forward to address the Court on this item. To eliminate any misconceptions or misunderstandings relative to the letter signed by the mayors of Collin County cities, the Mayor said it was important to point out inaccuracies and statements made by members of the Court regarding this issue. In Commissioner Hill's County Line Newsletter he indicated that under current state law, cities do not possess the authority to impose their zoning regulations and construction-related regulations outside the boundaries of city limits. It would appear that the 13 mayors that signed the letter desire to change that in what would be an unprecedented expansion of municipal regulatory power.

The Mayor said Mr. Hill's statement belies the true nature of the letter sent to the Commissioners' Court and is a misstatement of past practices and current law under the Local Government Code. The issue before the Court is not one of zoning. Section 242.001 of the Texas Local Government Code enacted by the State of Texas provides that municipalities may be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the ETJ and may regulate subdivisions under Subchapter A of Chapter 212 and other statutes applicable to municipalities. A municipality, as defined by state law, includes general-law cities, home-rule cities or special-law cities. Section 212.044 specifically states, "after a public hearing on the matter, the municipality may adopt general plans, rules or ordinances governing development plats of land within the limits and in the extraterritorial jurisdiction of the municipality to promote the health, safety, morals and general welfare of the municipality and the safe, orderly and healthful development of the municipality."

In an effort to promote this as a new unprecedented effort by municipalities to expand legislative power, the Mayor claims Commissioner Hill's statement ignores the fact that the City of McKinney has had an agreement with the County that was signed on March 19, 2002 in accordance with provisions of HB 1445 passed by the 77th Legislature of the State of Texas that granted the City of McKinney exclusive jurisdiction to regulate subdivision plats and approve all related permits in its ETJ in accordance with the local government code. The agreement specifically limits the authority to within areas of the ETJ and does not apply to areas that are in the unincorporated area outside of the city's ETJ.

The Mayor agrees with Judge Self's comment as it relates to the unincorporated areas of the County. We are talking specifically to areas in our ETJ. The interlocal agreement was approved by the City Council of McKinney on March 19, 2002, and as part of the cooperative agreement the City of McKinney provides emergency response services within the ETJ with nominal reimbursement from the County. In 2014 the cost for fire services within the ETJ exceeded \$500,000 of which the City received \$56,000 in reimbursement from the County. Other cities with similar interlocal agreements with the County include Frisco, Celina, Farmersville and Princeton.

Commissioner Fletcher stated in her newsletter that the County must be diligent not to create policies that are outside its authority which could result in costly litigation and liability. The Mayor agrees with that statement and the position that the Court's decisions must be within the scope of county governance. Chapter 242 gives express authority to the County to enter into agreements with cities to regulate plats and approve related permits within the ETJ.

Section 212.045 states that a person who proposes a development within the limits of the city or ETJ must have a development plat that sets forth each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building structure or improvement. New development cannot begin until the development plat is filed and approved by the municipality.

Judge Self said ETJs are unincorporated and “related permits” is probably at the center of this issue. San Antonio has the same issue with the exact same sort of lawsuit having been filed. The Judge said the Court can disagree on what the Mayor cited because it believes that agreement does not specifically give the city construction permits on commercial property in the ETJ because plats are different than construction permits. Mayor Loughmiller said that plats ultimately deal with what the structures will be in order to get that plat approved. The Judge said that is what will have to be sorted out in the courts.

The Mayor said the letter states they want to work with the County to try to reach a resolution and they are not trying to be adverse to the County. Judge Self said the Court does not believe it has the authority to give them the permission to do what they want.

Judge Self explained the letter drafted by the County’s legal counsel was lengthy in order to lay out the salient points. The Judge then asked if there were any revisions to the letter. Commissioner Williams said she has neither the desire nor inclination to even concede that the matter is particularly unclear. The Commissioner asked for the following three changes:

Observation #2 - change from “the County’s efforts to seek legal clarification from the Attorney General” to “the County’s efforts to seek a legal opinion from the Attorney General”.

Observation #6 – in the first sentence strike “believing that the law on such matters is unclear”.

Observation #7 – in the last sentence strike “as current Texas law is vague on whether home-rule cities possess such authority”.

With no further comments or substantive changes to the letter, a motion was made to approve the item. (Time: 1:46 p.m.)

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

COURT ORDER NO. 2015-393-06-22

Commissioner Fletcher asked to make a grammatical change to the letter by changing “I” and “my” to “we” and “our.” The Court’s vote was to make the changes and send the letter. (Time: 1:47 p.m.)

10. AI-40076 Future of US 75 in the Mobility Plan 2040, County Judge.

Judge Self referenced page 505 of the Court packet which is a briefing from the RTC (Regional Transportation Council) and shows that increased highway funding is going to be available at the state level in 2018 and the County will need to have major projects ready to go.

Next the Judge referenced page 506 which states that new revenue restrictions will impact project scopes resulting in a need to balance tolled vs. tax funded projects. Commissioner Williams who attended the meeting believed that was a recognition that they need to move away from tolled projects and towards non-tolled projects. The Judge referenced page E60 on Mobility 2035 which talks about US 75 south in Collin County and shows the two HOV (High Occupancy Vehicles) lanes tolled from Spring Creek Parkway down to PGBT (President George Bush Turnpike). The Judge does not know where the figures on the Mobility 2035 plan come from because \$17 million and \$36 million is not nearly enough compared to the briefing in December in Richardson. The redesign of US 75 was \$2.275 billion to re-build from I-635 to SH-121. The Judge requested the RTC members make sure that moving away from tolling is in Mobility 2040.

Commissioner Webb asked the Judge if he thought they would come up with \$2.75 billion to rebuild US 75 without any kind of tolling facility. Judge Self explained a study being done by TxDOT (Texas Department of Transportation) called Expiring Revenue Enhancement. This entails taking a highway and drawing a box around it out approximately one mile and calculating the increase in state sales tax. What they are trying to determine is if this might be able to provide as much funding as a CDA (Comprehensive Development Agreement.) We are working with the Comptroller to get the data because we have a year and a half before the next session to do these studies. The Judge wants to make sure that US 75 is considered for an Expiring Revenue Enhancement project. There will be no tax rate increase and it would be similar to a TIF (Tax Increment Financing). (Time: 2:26 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session at 2:49 p.m. under Paragraph 551.071, Legal, to discuss pending claims and litigation against Collin County and a federal lawsuit, Hoppenstein v. Ruckel. The Court will also discuss under Paragraph 551.087, Economic Development Negotiations, a business tax abatement in the City of Plano.

Legal (551.071)

AI-39959 Pending claims and litigation against Collin County.

NO ACTION TAKEN

AI-39960 Federal lawsuit Hoppenstein v. Ruckel, et.al.

NO ACTION TAKEN

Economic Development Negotiations (551.087)

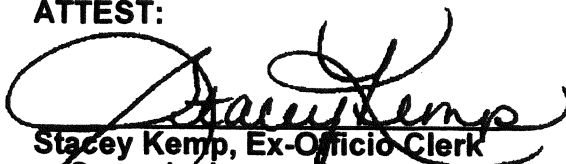
AI-40069 Business Tax Abatement in the City of Plano, Budget.

NO ACTION TAKEN

Judge Self reconvened Commissioners' Court at 3:59 p.m. and asked for a motion. Hearing none, Judge Self adjourned the meeting at 3:59 p.m.

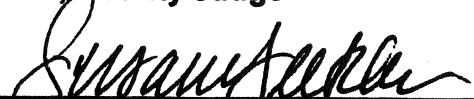


ATTEST:


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

Not Present

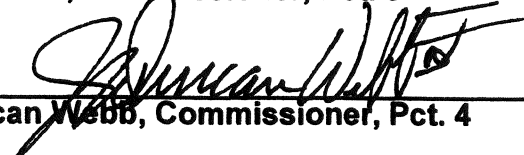
Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2

Not Present

Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4