

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
AUGUST 3, 2015

COUNTY OF COLLIN

On Monday, August 3, 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 Hill led the Invocation.

Commissioner Webb led the Pledge of Allegiance.

Judge Self 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.

President Self called to order the meeting of the Collin County Health Care Foundation at 2:21 p.m. and adjourned the meeting at 2:21 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 2:21 p.m. and adjourned the meeting at 2:21 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-40245 Personnel Appointments, Human Resources.

FYI NOTIFICATION

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

2. Addenda:

a. AI-40223 No. 1 to Software and Implementation Services for an ERP Financial System (RFP No. 2015-192) to make various changes to the Request for Proposals, Purchasing.

b. **AI-40204** No. 3 to Services: Grinding, Mulching, and Removal of Debris (IFB No. 2015-109) to extend the bid open date, Purchasing.

3. **AI-40216** Budget amendment in the amount of \$128,650 to establish the budget for the FY 2016 Cities Readiness Initiative Program Grant, Auditor.

4. **AI-40160** P-Card Disbursements, Auditor.

5. **AI-40252** 2015 Platinum Leadership Circle Award from the Texas Comptroller of Public Accounts for continued progress toward achieving financial transparency, County Judge.

Judge Self stated Collin County has held the highest level of award every year the award has been given. This year the County is again at the Platinum level. He thanked the entire staff for the information they put on the website so that the County can earn this level of award. (Time: 1:34 p.m.)

6. **AI-40254** North Texas Groundwater Conservation District Annual Financial Report for the year ended December 31, 2014, County Judge.

7. **AI-40251** Property Tax collection rate for 2015, County Judge.

8. **AI-40224** Voluntary Terminations, Human Resources.

2. Public Comments.

Todd Nordby, Princeton, came forward on behalf of the Beverly Hills Community Association to express concern with the development of an RV (Recreational Vehicle) Park in the neighborhood respective to fire safety issues. The plan is to put seven RVs in one residence lot doubling the amount of residents. The main concern is the one-lane roadway coming into the neighborhood which does not allow good access to emergency vehicles. Because there are frequent fires on the Corp of Engineers land which surrounds the neighborhood, it is feared the RVs will try to exit the neighborhood thereby blocking the roadway when emergency vehicles are trying to enter. Mr. Nordby stated the Collin County Fire Marshal is empowered to follow the International Fire Code of 2009. Currently CR 739 and CR 749 do not meet the minimum requirements of this code. The Association believes the County Roads and RV Park put a potential risk on the residents due to improper egress and ingress to the neighborhood. (Time: 1:34 p.m.)

3. Presentation/Recognition:

a. **AI-40217** Certificate of Recognition awarded to the Collin County Medical Reserve Corps for leadership and contributions during the 2014 Ebola Event, Homeland Security.

Kelley Stone, Ph.D., Homeland Security, presented Rebecca Drekmann, Coordinator of the Collin County MRC (Medical Reserve Corps) with a Certificate of Recognition from the United States Department of Health and Human Services for the MRC's outstanding work during the 2014 Ebola Event. The MRC has 700 volunteers which is the second largest number of volunteers in the state. During the 2014 Ebola Event 78 volunteers came forward within a day to be trained on how to monitor 104 people in Collin County. The monitoring had to be done twice a day for 7 days a week which was a tremendous task. (Time: 2:19 p.m.)

4. Consent agenda to approve: Judge Self asked to discuss FYI 5, pulled items 4c1, 4h2, 4j2 and moved item 4f2 to General Discussion. Judge Self asked for comments on the remainder of the consent agenda. Hearing none, a motion was made to approve the remainder of the consent agenda. (Time: 1:33 p.m.)

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

a. **AI-40202** Disbursements for the period ending July 28, 2015, Auditor.

COURT ORDER NO. 2015-483-08-03

b. **AI-40201** Tax refunds totaling \$19,818.69, Tax Assessor Collector.

COURT ORDER NO. 2015-484-08-03

c. Advertisement(s):

1. **AI-40111** Commissioners' Court Camera/Streaming Media Solution (RFP No. 2015-233), Information Technology.

Caren Skipworth, CIO, explained the two main technical pieces for replacement are: 1) replace the aging analog equipment; and 2) integrate the video system and the Minute Maker application to automate the minute taking which will save time after the meetings. Judge Self asked the Court to take into account the locations of the offsite Commissioners' Court meetings with the capability of streaming and the need for good internet access.

Commissioner Williams said because replacing analog equipment is a recurring theme she would like to see a spreadsheet of how much more analog replacement will be needed throughout the County. With no further discussion, a motion was made to approve the item. (Time: 1:36 p.m.)

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

COURT ORDER NO. 2015-485-08-03

d. Award(s):

1. **AI-40163** Video Visitation System (RFP No. 2014-259) and budget amendment in the amount of \$381,120 for same, Information Technology.

COURT ORDER NO. 2015-486-08-03

e. Agreement(s):

1. **AI-40206** Renewal of Maintenance Contracts in the amount of \$435,480.24 for Motorola communications equipment & software (Contract No. 03511-09) through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2015-487-08-03

f. Amendment(s):

1. **AI-40205** No. 2 to the Interlocal Teen Court Services Agreement with the Town of Little Elm (Contract No. 2014-132) 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, Teen Court.

COURT ORDER NO. 2015-488-08-03

2. **AI-40190** No. 10 to the Agreement, Interlocal with the North Texas Municipal Water District (NTMWD) for Participation in Collin County Clean-Up Day 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.

Jon Kleinheksel, Public Works, came forward to brief the Court on the participation in the Collin County Clean-Up Day. This was a request for permission to enter an Interlocal Agreement with the NTMWD (North Texas Municipal Water District) by October 1, 2015. The program which began in 2005 has evolved from 3,600 vehicles to almost 10,000 vehicles annually or 800-900 vehicles per Saturday per month. Approximately \$160,000 is spent annually on the program. The previous rate per vehicle was \$16.57 and will drop to \$14.01 per vehicle beginning in FY2016 if approved by the Court. Judge Self stated the program has become an institution and has saved the County money.

Commissioner Williams said it is a critical program which helps with illegal dumping and gives people an outlet they do not otherwise have. The Judge added the enforcement program on illegal dumping is vitally important in making the clean-up program so successful. With no further discussion, a motion was made to approve the item. (Time: 2:07 p.m.)

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

COURT ORDER NO. 2015-489-08-03

3. **AI-40219** No. 14 to the Lease Agreement with Collin County Homeland Security for property located at the Collin County Courthouse, 2100 Bloomdale Road, McKinney, Texas 75071 to extend the lease for a period of 12 months through and including August 31, 2016, Construction & Projects.

COURT ORDER NO. 2015-490-08-03

g. Change Order(s):

1. **AI-40183** No. 3 to Road Materials, Emulsified Asphalt (IFB No. 08365-12) with TexOp Construction LP to extend the contract 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. 2015-491-08-03

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

1. **AI-40214** \$1,766 to reimburse the Temporary Employee account and the Jury Services account from the Jury Project, District Clerk.

COURT ORDER NO. 2015-492-08-03

2. **AI-40199** \$13,078 to reallocate funds for the Spay/Neuter Program, Development Services.

Judge Self stated with the \$13,078 reallocation of funds there has been \$112,000 moved into the Spay/Neuter Program so far. The Judge said he continues to believe if the generous Collin County citizens know there are needs in the foster care program under the CPS (Child Protective Services) Board, they will give to that program as well. He looks forward to the day when the citizens will have the opportunity to support the foster kids as much as they do the Spay/Neuter Program. 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 Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-493-08-03

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

1. **AI-40212** July 6, 2015.

COURT ORDER NO. 2015-494-08-03

2. **AI-40196** July 13, 2015.

COURT ORDER NO. 2015-495-08-03

j. Miscellaneous

1. **AI-40211** Grant application for the FY2016 CPS/One Time Unique Funding Grant through the Texas Department of State Health Services for public health emergency preparedness, Homeland Security.

COURT ORDER NO. 2015-496-08-03

2. **AI-40059** Move forward with the project for Audio Visual for JP Courtrooms utilizing Justice Court Technology funds and budget amendment in the amount of \$472,420 for same, Justice of the Peace, Precinct 1.

Judge Self pulled this item because it has been discussed three times without coming to an agreement and wanted the Court to discuss the item further. Commissioner Williams asked if this is an effort to bring parity to every building. Judge Paul Raleeh, Justice of the Peace, Precinct 1 came forward as the Administrative Judge for the JP (Justice of the Peace) Courts to explain the need for the project. He confirmed this will bring parity and said the example submitted with the request will be utilized in all of the JP Courts. This will bring digital technology to the Courts that do not have it and upgrade technology in those that are currently analog making them uniform. Commissioner Fletcher asked Judge Raleeh to explain why the analog system needs to be upgraded. Judge Raleeh stated most everything now is recorded in a digital format and without digital capabilities the Judges, for example, have to put their microphones up to the laptops for the court to hear recordings or huddle around the Judge's bench to watch a video.

There was discussion on the need for the 65-inch or larger touchscreen monitor which cost \$10,000 each. Judge Raleeh stated the 65-inch touchscreen will be used inside the courtroom and the smaller monitors will be located outside of the courtrooms to stream docket or court information as well as instructions. Ms. Skipworth stated these monitors are very similar to those in the County and District Courts which were rolled out in FY2015. It is desired to be standardized across the board by keeping the same equipment type in order to avoid a complex environment. The more we standardize and have an enterprise approach, the better it will be for the County from a maintenance and support standpoint. Judge Raleeh said the JP courts will only have one 65-inch touchscreen monitor rather than one larger monitor and multiple desktop monitors like in the District and County courtrooms. The large monitor will allow the jury, the plaintiffs and the defendants to see what is projected from across the room.

Ms. Skipworth was asked to quantify the cost savings by standardizing the JP Courts. Ms. Skipworth said the only JP Court that currently has audiovisual is Judge Raleeh's courtroom; therefore, there is nothing to compare the costs to. There will be savings by staying with the standard we have today. The project will be bid out with multiple vendors bidding, but the equipment used will be standard. Monika Arris, Budget, stated the JP Courts technology fund balance at the beginning of FY2015 was just under \$700,000. Judge Raleeh added, after the expenditures of licensing and printers the fund balance is \$702,000 which includes revenue. Revenues are approximately \$100,000 per year.

Commissioner Webb stated he is supportive of getting away from analog, but asked how many pro se defendants come into the courtroom which have the need for video streaming capabilities. Judge Raleeh said this is becoming more prevalent. Besides video streaming, the Elmo projector is used frequently to project items such as photographs and text messages onto the monitor. Also more attorneys are coming into the court due to the raise in jurisdictional limit. With no further discussion, a motion was made to approve the item. (Time: 1:51 p.m.)

Motion by: Judge Keith Self
Second by: Commissioner Susan Fletcher
Vote: 5 - 0 Passed

COURT ORDER NO. 2015-497-08-03

3. **AI-40220** Deposit the net proceeds totaling \$39,319.90 from the Collin County On-Line Auction held on April 30, 2015 per Local Government Code 263.156, Purchasing.

COURT ORDER NO. 2015-498-08-03

4. **AI-40221** Deposit the net proceeds totaling \$325,970.16 from the Collin County On-Line Auction held on May 7, 2015 per Local Government Code 263.156, Purchasing.

COURT ORDER NO. 2015-499-08-03

5. **AI-40207** Grant application and agreement for the FY 2016 DEA Task Force Grant through the United States Department of Justice, Drug Enforcement Administration (DEA) for continued participation in the DEA Task Force for the reimbursement of overtime NTE \$17,548 in Federal Funds, Sheriff.

COURT ORDER NO. 2015-500-08-03

6. **AI-40246** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-501-08-03

7. **AI-40247** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-502-08-03

GENERAL DISCUSSION

5. AI-40267 Update on briefing to the Interstate 635 East Legislative Delegation on the Expiring Revenue Enhancement Concept, County Judge.

Judge Self stated he updated the Delegation on the progress of the Expiring Revenue Enhancement Concept and explained to them more data is needed to put it together. State Representative Cindy Burkett said the Court would be invited back to address them on interim measures once the Speaker of the House puts out the interim measures. The Judge said this meeting was far more important to Collin County than anticipated. There were six legislators in attendance: four house representatives and two state senators. Based on one legislator's questions she still thought I-635E needed to be tolled. This turned into a discussion between an RTC (Regional Transportation Council) member, an RTC staff member and the legislators. The majority of the legislators said the people have spoken and do not want more tolls. The RTC member told the legislators they have no authority over tolling as the RTC has the authority to make the decision to toll I-635E. Both sides did agree tolling of I-635E is not about revenue but opening it up to more vehicles. Judge Self does not believe the legislators knew relief was available through Congress to a federal managed lane which is what an HOV (High Occupancy Vehicle) lane is considered.

Commissioner Hill was thrilled the legislators have heard from their constituents but was dismayed that the RTC member and RTC staff member have not heard that message. He asked if there are avenues to increase the capacity on those lanes without tolling; in essence, the ability to look at allowing single occupancy vehicles into those lanes without charging a fee. Commissioner Webb said he has not heard that tolling is not about revenue at the RTC because there is currently only 50% of the money necessary to rebuild I-635E. He believes the RTC members as a whole understand no one wants tolls. If the revenues are there to do what needs to be done to increase capacity in the region, the RTC wants to do it without tolls. The question RTC faces is how to make up the differential in rebuilding and redesigning the roads to increase capacity given the limited sources. Judge Self stated part of the RTC briefing was on the splitting of the I-635E frontage road into three sections and had only asked to toll one section. This is one of the reasons they said it is not about revenues.

Commissioner Williams said questions have been presented and the federal response was there will be cost associated with eliminating HOV lanes without allowing a toll. It can be tolled as a managed lane, which is allowed by the federal government, whereas taking the HOV lane down to a regular lane is not allowed without cost. This cost refers to the repayment of some portion of the CMAQ (Congestion Mitigation and Air Quality Improvement Program) money that was used to build the lane.

Commissioner Hill agreed this conversation has huge implications on US 75 if this is any indication of the opinions down the road. If the RTC agrees this is not about revenue, the quickest way to increase capacity is to open up a lane. Because of federal guidelines it cannot simply be opened, but a minimal toll could be charged. Commissioner Fletcher agreed and had heard the message of a 50% reduction in tolling at a COG (Council of Governments) meeting. (Time: 2:16 p.m.)

NO ACTION TAKEN

6. AI-40253 Ratification of the County Judge's prior approval to apply for Emergency Federal Funding Assistance to restore damages to Floodwater Retention Structure, Site 19, Little Elm watershed, Homeland Security.

Judge Self stated the last time this subject was dealt with was in 2007 when a dam was close to failure. Approximately \$300,000 of County funds were used to support the rehab. The difference is at that time there was a lawsuit pending. Kelley Stone, Ph.D., Homeland Security, said funds are available by request on behalf of the Emergency Management and Mitigation of Hazards. There are two funding sources: 1) the USDA (United States Department of Agriculture) Emergency Watershed Protection program can provide 75% of the cost of the repair with a 25% local match; and 2) the TSSWCB (Texas State Soil and Water Conservation Board) can provide 95% of the 25% local match. The estimated repair to the dam is \$1.5 million.

The Judge said his letter was based on a deadline to get the request submitted and does not commit the County. The actual contract does not commit to repair but will commit the County to maintenance. Commissioner Hill asked if the USDA and TSSWCB are prepared to spend their funds. Dr. Stone confirmed this is the purpose of the grants available. Commissioner Hill stated the County match would be a little less than \$19,000. Commissioner Fletcher is supportive of this item but stated her caveat would be if the County moves forward with doing the repair, the County would not be obligated in the future to do a repair that is not under contract. Commissioner Webb does not want to take on a repair obligation that will set precedence down the road when there is no federal or state money available. The Commissioner is against using taxpayer money to benefit a structure located on private property.

The Judge stated there are 99 dams in Collin County and we are still responsible for the maintenance on 42 of those dams. This means we could be committing the county to rehab on 42 dams. The purpose of the dams was flood control and they are all 45-50 years old. Currently the dams are not very deep and have served their function. End of life is near for all of the dams. Jon Kleinheksel, Public Works, stated the end of life for SCS Dam Little Elm 19 is 2020.

Commissioner Williams asked Mr. Kleinheksel to clarify what "maintenance" means regarding the dam. Mr. Kleinheksel said the County provided landscape maintenance which is mowing and removing animals from drainpipes/emergency spillways for an estimated annual cost of \$100. It is not maintenance to the dam to ensure it is functional.

Judge Self said in 2007 there were four houses in danger if the dam failed and asked if there are any structures in danger with this dam. Dr. Stone stated he is working with the University of Texas in Dallas looking at hazard mitigation plans to examine the extension of the flow in those areas. Most likely it is getting beyond the 100-year floodplain which puts the odds of damage quite low.

Commissioner Hill asked if the County does not bring local match money, what is the likelihood another organization would fund the repairs on the dam structure. Dr. Stone stated the grants are set up for the jurisdiction to ask for assistance on behalf of their constituents. He is unaware of a circumstance where a private citizen could ask for these funds, but it could be explored. The Commissioner also asked if there has been a circumstance where a locality has requested the resources but denied the local match and still received funding. Dr. Stone said it is possible, but he is unaware a request of that nature has been granted.

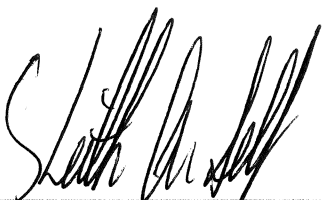
The Court requested Dr. Stone to provide more information on the potential loss if the dam were to fully breach, the long-term need once the County is past obligation, and if there is a possibility of a partnership with another entity with County liability mitigated. (Time: 2:04 p.m.)

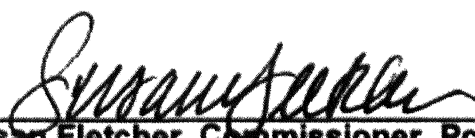
NO ACTION TAKEN

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

EXECUTIVE SESSION

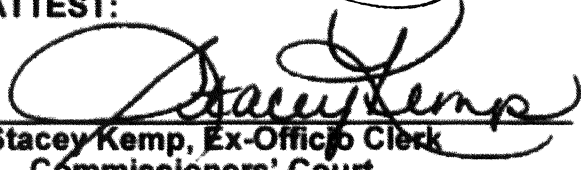
The Court did not recess into Executive Session. There being no further business of the Court, Judge Self adjourned the meeting at 2:20 p.m.

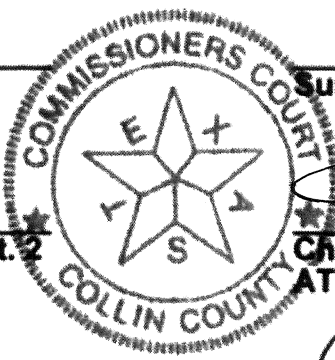

Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1


Cheryl Williams, Commissioner, Pct. 2


Chris Hill, Commissioner, Pct. 3


Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S


The seal is circular with a five-pointed star in the center. The words "COMMISSIONERS COURT" are written along the top inner edge, and "COLLIN COUNTY TEXAS" along the bottom inner edge.

Not Present
Duncan Webb, Commissioner, Pct. 4

ATTEST: