

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 5, 2015

On Monday, October 5, 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 2:19 p.m. and adjourned the meeting at 2:21 p.m.

FYI NOTIFICATION

1. AI-34688 Outstanding Agenda Items, Commissioners Court.
2. AI-40572 Addendum No. 1 to Services, Onsite Grinding, Mulching and Removal of Debris (IFB No. 2015-287) to make various changes to the Invitation for Bid, Purchasing.
3. AI-40507 P-Card Disbursements, Auditor.
4. AI-40583 Voluntary Terminations, Human Resources.
2. Public Comments.
3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled item 4j1. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:30 p.m.)

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

a. **AI-40589** Disbursements for the period ending September 29, 2015, Auditor.
COURT ORDER NO. 2015-731-10-05

b. Advertisement(s):

1. **AI-40531** Testing: Postmortem Toxicology (IFB No. 2015-286), Medical Examiner.
COURT ORDER NO. 2015-732-10-05

c. Agreement(s):

1. **AI-40496** Interlocal Agreement with the City of Wylie to provide GIS services, GIS Rural Addressing.

COURT ORDER NO. 2015-733-10-05

2. **AI-40552** Easement for a Public Road or Street Located at Lake Lavon Agreement with the Department of the Army (Easement No. DACW63-2-15-0605), Public Works.

COURT ORDER NO. 2015-734-10-05

d. Amendment(s):

1. **AI-40562** No. 2 to Consulting Services Agreement (Contract No. 2014-223) with Life Path Systems to extend the contract one (1) year through and including September 30, 2016 and further authorize the Purchasing Agent to finalize and execute same, 219th District Court.

COURT ORDER NO. 2015-735-10-05

e. Change Order(s):

1. **AI-40579** No. 2 to Supplies: Jail and Personal Inmate (IFB No. 2014-122) with ICS to add EVA Sneakers (Bid Item# 2014-122-02-79) to the contract and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2015-736-10-05

f. Ratification of the County Judge's prior approval:

1. **AI-40515** Renewal of the Title IV-E County Legal Services Contract (Contract No. 23939924) with the Texas Department of Family and Protective Services for partial reimbursement of county legal services for CPS cases through and including September 30, 2016, Auditor.

COURT ORDER NO. 2015-737-10-05

2. **AI-40516** Renewal of the Title IV-E Child Welfare Services Contract (Contract No. 23939923) with the Texas Department of Family and Protective Services for partial reimbursement of county foster care maintenance for CPS cases through and including September 30, 2016, Auditor.

COURT ORDER NO. 2015-738-10-05

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

1. **AI-40573** \$283,000 to establish the budget for the FY 2016 TIDC Multi-Year Discretionary Grant, Auditor.

COURT ORDER NO. 2015-739-10-05

h. Receive and File, Auditor:

1. **AI-40581** Monthly Financial Report for August 2015.

COURT ORDER NO. 2015-740-10-05

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

1. **AI-40568** September 14, 2015.

COURT ORDER NO. 2015-741-10-05

j. Miscellaneous

1. **AI-40565** Adoption of the revised Collin County Policy for Indemnification of Elected and Appointed Officers, Auditor.

Commissioner Webb pulled the item to make a correction in the text of the Collin County Policy for Indemnification of Elected and Appointed Officers. Under section 2.01, Purpose of Policy, the second to the last line should read "than \$20,000 or if the loss..." instead of "than \$20,000 or is the loss..." With no further discussion, a motion was made to approve the item with the correction made to the text. (Time: 1:31 p.m.)

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

COURT ORDER NO. 2015-742-10-05

2. **AI-40594** Acceptance of a private offer upon the payment of \$10,000 for property located at 808 Fitzhugh Street, McKinney, Texas (Lots 4 & 5B, Block 3, Fitzhugh Addition) as recorded in the Collin County Deed Records (Instrument No. 20080307000273730), County Judge.

COURT ORDER NO. 2015-743-10-05

3. **AI-40595** Sale of property located at 902 Anthony Street, McKinney, Texas (Lot 15A, Block 10, Russell #01 Addition, Volume 674, Page 449) as recorded in the Collin County Deed Records to Gene Grimes upon the payment of \$10,000, County Judge.

COURT ORDER NO. 2015-744-10-05

4. **AI-40563** Reject the bid received for Testing: Postmortem Toxicology (IFB No. 2015-241), Medical Examiner.

COURT ORDER NO. 2015-745-10-05

5. **AI-40544** Acceptance of the FY2016 General Victim Assistance Grant through the Office of the Governor (OOG), Criminal Justice Division (CJD) in the amount of \$68,250 for a full time Collin County Sheriff's Office Crime Victim Advocate for grant period beginning September 1, 2015 through September 30, 2016, Sheriff.

COURT ORDER NO. 2015-746-10-05

6. **AI-40591** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-747-10-05

GENERAL DISCUSSION

5. **AI-40467** FY 2016 Reclassifications, Human Resources.

HELD

6. **AI-40586** FY 2016 salary adjustments based on comparatio analysis, Human Resources.

Julie Rutherford, Human Resources, came forward to discuss the list of individuals who met the criteria established this year for salary adjustments. The figures represent adjustments to base salaries. Ms. Rutherford explained guidelines used to compile the list of individuals. During the budget workshop there was concern that there were individuals who received a strong performance rating in years the salary adjustment was given but did not receive the payment due to the set criteria. This year the criteria were those individuals who had strong performance but may be below the department average and who did not meet the criteria in the two previous years. In 2013 the criteria was hard to replace/fill positions. In 2014 the criteria was individuals who were at or above department average.

Commissioner Hill asked what the full dollar amount was for the full list of those who had not been caught up by the salary adjustment. Ms. Rutherford did not have the information for the current year but said she would get the breakdown to the Court.

Judge Self asked how many employees have received the comparatio adjustment over the last three years. Ms. Rutherford said there have been approximately 500 employees, including this year, who have received the adjustment. She explained when the initial analysis was done there were a number of individuals who did not qualify for the payment due to not being in their pay grade long enough or those who met their comparatio by not being outside of their pay range. There was concern of 1,300 employees not meeting those qualifications. Therefore, the Court requested an analysis on the number of employees who did and did not receive the payment broken down into those who were within range, out of range, did not qualify and et cetera. Judge Self said for years the Court has said the County pays based on performance yet in the last three years the County has paid at where the employee should be on the scale. He said he looks forward to the consultant coming in as the County has set up conflicting goals and processes. The item was held in order for the Court to receive the requested documents. (Time: 1:42 p.m.)

HELD

7. AI-40617 Update on Regional Transportation Projects in the Prosper/Celina Area, Engineering.

Commissioner Fletcher stated the Frontier Parkway area has seen tremendous growth and has been something the Court has tried to get accomplished for a long time now. She has worked very hard with the city councils and city managers of Prosper and Celina on ways to alleviate the amount of traffic coming in on US 380 by diverting traffic over to Preston Road.

Clarence Daugherty, Engineering, came forward to update the Court on the projects mentioned in the letter from Michael Morris, the Director of the RTC (Regional Transportation Council). The projects mentioned in the letter were as follows:

1) Denton County has proposed working with the NTTA (North Texas Tollway Authority) providing \$5 million in RTR (Regional Toll Revenue) funds for the design and construction of the S-Curve which is the west/southbound service road from FM 428 to the County line in order to fill in the gap of the extension of the DNT (Dallas North Tollway).

2) The NCTCOG (North Central Texas Council of Governments) has proposed the funding and the conducting of traffic signal studies along the existing DNT east/northbound service road from US 380 to FM 428. This is to determine if replacing current stop signs with traffic signals will improve the traffic flow. If the study warrants the upgrade, NCTCOG will recommend the RTC fund the new signals along this corridor. It is expected a few signals will be warranted.

3) The NCTCOG is encouraging Collin County to pursue construction of the Outer Loop from DNT to Preston Road/SH 289 with a grade separation at the Burlington Northern Rail Line. The County is currently in the process of the schematics, the design and the environment assessment which will come to the Court for approval. The grade separation will come with the main lanes at a later date. This is a new roadway with new alignment and should be adequate with future traffic.

4) The NCTCOG recommends exploring a more comprehensive effort to study the Outer Loop as a US 380 Bypass. It has become apparent to most transportation agencies that US 380 as currently built will not have the capacity for future traffic demands. In some areas it does not have capacity for the current traffic. TxDOT (Texas Department of Transportation) per the Court's request is in the process of a feasibility study of US 380 to look at next steps. TxDOT is looking at a connection to the Outer Loop. Mr. Daugherty said the east /west portions of the Outer Loop are far enough away from US 380 that the connection may not be of value.

5) The NCTCOG recommends expediting the Frontier Parkway grade separation at the Burlington Northern Rail Line, including a recommendation the RTC fund a cost increase of up to \$4 million to help close the funding gap. Mr. Daugherty said since Commissioner Fletcher has been in office she has been working with the cities to come up with an option that would satisfy both the cities and the property owners. The concept now is believed to have the best chance for all parties to acquiesce. The cities have been asked to pass resolutions agreeing with the proposed concept. Some of them are making sure the owners will agree to it. There is at least one property owner with whom they haven't met, but Engineering is optimistic the concept will be agreed upon.

Mr. Daugherty asked the Court to authorize Judge Self to send a letter to Mr. Morris indicating the Court's agreement with the transfer of \$5 million in RTR funds for DNT, accepting NCTCOG's offer to study the need for signals along the current service road of DNT between US 380 and FM 428, acknowledge the need for the Outer Loop connection between DNT and Preston Road and acknowledge the need for further study of the effect of the Outer Loop on the future of US 380 traffic as well as accepting the \$4 million contribution to the Frontier Parkway grade separation. The acceptance of the \$4 million contribution can wait until the resolutions are received from the cities.

Commissioner Fletcher expressed her appreciation for the work that has been done thus far. She stated Frontier Parkway is a principle arterial and the County has to move forward on preserving the right-of-way. The Commissioner proposed doing half of the bridge on Frontier Parkway now. This may not be warranted at the moment but the Commissioner is concerned if the County does not move forward there will be a situation in the future where it is unable to be built. Prosper has asked to include a request for going over US 380 to their resolution.

Judge Self asked Mr. Daugherty if the \$5 million from Denton County is enough to build at no cost to Collin County. Mr. Daugherty said it is his understanding that NCTCOG and Denton County will cover the cost. The Interlocal Agreement will be no cost to the County. The Judge stated the city resolutions are important and recommended making the acceptance of the \$5 million from Denton County contingent on the \$4 million promise from the RTC for Frontier Parkway. He then shared a chart from August 2014 on Collin County formula funding prepared by TxDOT. The chart shows 76% of the funding was from local sources for all the projects from 2007-2014. Collin County has not received its share of the state dollars.

Commissioner Webb was supportive of Frontier Parkway and said it is very important to get the right-of-way nailed down. He is willing to put in the money necessary to get the overpass built because Frontier Parkway is the midpoint between US 380 and the Outer Loop. It will be a major east/west arterial which will drive tremendous amounts of traffic and will be fully utilized.

Judge Self asked if the RTC is suggesting US 380 cannot be made more capable. Commissioner Webb said the RTC's position has always been if a city opposes a project they will not push through it even if it is the right solution for the long-term. Currently there are cities opposing US 380. The Commissioner is fighting this concept for the long-term betterment of the County given the continued growth. He is a proponent of US 380 continuing to be a major highway through the County. A County with the anticipated population of 3 million people has to have more than one main highway. Mr. Daugherty stated the Court's wishes for US 380 could be included in the letter back to the RTC.

Commissioner Hill said if the County has assistance with projects that are outside of his precinct he is supportive because the network across the County has to be worked on. A motion was made to draft a letter from Judge Self to Mr. Morris accepting the \$5 million RTR funds from Denton County contingent on the \$4 million commitment from the RTC for the Frontier Parkway grade separation, express agreement with the southbound S-Curve east service road tied to the NCTCOG traffic signal study and acknowledge the need for the Outer Loop connection between DNT and Preston Road.

Following the motion Mr. Daugherty mentioned there is anticipation of substantial right-of-way donations for Frontier Parkway at roadway level which will lower the funding gap. More details will be brought to the Court at a later time. With no further discussion, the motion carried. (Time: 2:09 p.m.)

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

COURT ORDER NO. 2015-748-10-05

8. AI-36908 TAPS update, Commissioner, Precinct 3.

Commissioner Hill gave an update on TAPS (Texoma Area Paratransit System). Discussion has been active among stakeholders. Everyone is aligned with keeping TAPS running and giving enough time for the major management and operational issues to be corrected. The TAPS Board of Directors will meet Wednesday to discuss the recovery plan that is being drafted by TAPS management. Thursday the RTC (Regional Transportation Council) will meet with an action item related to TAPS. This item will be asking the RTC to consider backstopping a loan for up to \$250,000 for immediate cash needs as well as securing financial consultants to assist TAPS management in getting bookkeeping in order. The financial consultants would be paid for by the RTC from emergency funds.

If TAPS does not recover, which would leave a void in service for seven counties, the discussion would have to turn to who will be the new transit provider. Commissioner Williams asked if the request for financial consultants suggests there is still lack of knowledge on the severity of the situation. Commissioner Hill said the Board is still waiting to hear where the mark was missed. It was only at the last meeting where the Board finally received reports from staff showing budget marks would be missed this year. The interim CFO, who is a CPA, is working to get everything up to speed. The goal is to bring staff in to assist the CFO to potentially re-create a year of accounting records to determine where the team missed the mark while at the same time meeting commitments moving forward.

Commissioner Fletcher asked if TAPS has been able to maintain their workforce during this crisis. Commissioner Hill stated the workforce has had two reductions, with the most recent last week. The Board has directed the staff they have to get back to a manageable budget. Payroll has not been missed; however, there are significant liabilities which have not been paid at this point. The Board's last directive was to prioritize the liabilities and provide guidance on how they will be paid back and with what funds. Commissioner Hill would like to keep TAPS on the agenda to provide updates as they are available. (Time: 2:19 p.m.)

NO ACTION TAKEN

9. 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 2:19 p.m.



Keith Self

Keith Self, County Judge

Susan Fletcher

Susan Fletcher, Commissioner, Pct. 1

Not Present

Cheryl Williams, Commissioner, Pct. 2

Chris Hill

Chris Hill, Commissioner, Pct. 3

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, TEXAS