

STATE OF TEXAS

COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
OCTOBER 19, 2015

On Monday, October 19, 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

Judge Self led the Invocation.

Commissioner Fletcher led the Pledge of Allegiance.

Commissioner Williams 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 2:00 p.m. The meeting was reconvened at 2:00 p.m. and immediately recessed into Executive Session. The meeting was reconvened and adjourned at 2:48 p.m.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 2:00 p.m. and adjourned the meeting at 2:00 p.m.

FYI NOTIFICATION

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

2. **AI-40632** Addendum No. 3 to Detention Center Camera and Monitor Upgrades (IFB No. 2015-251) to make various changes to the Invitation for Bid, Purchasing.

3. **AI-40627** Budget amendment in the amount of \$22,900 to establish the budget for the FY 2016 Criminal Justice Division Teen Court Grant, Auditor.

2. Public Comments.

Roy Serpa, Fairview, came forward to share his concern on TAPS (Texoma Area Paratransit System). Mr. Serpa was concerned with the number of empty buses he has observed over the last year and a half running between McKinney and Plano. Occasionally he has seen buses run with only one passenger. Mr. Serpa said much more needs to be done to determine the advisability of having bus services throughout the area versus spot service for those who need it. Some individuals do need the service, but using a bus rather than an automobile in those instances is a waste resources. (Time: 1:33 p.m.)

3. Presentation/Recognition:

a. **AI-40580** Plaque presented to Jeff May from the Government Finance Officers Association (GFOA) for the FY2014 Comprehensive Annual Financial Report (CAFR), Auditor.

John Oldner, 416th District Court Judge, came forward to present Jeff May, County Auditor, and his staff with a plaque from Government Finance Officers Association for the FY2014 Comprehensive Annual Financial Report. This is the thirty-seventh year the Collin County Auditor's office has received this certificate of achievement for financial reporting. (Time: 1:31 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Hearing none, a motion was made to approve the consent agenda. (Time: 1:34 p.m.)

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

a. **AI-40624** Disbursements for the period ending October 13, 2015, Auditor.

COURT ORDER NO. 2015-770-10-19

b. Advertisement(s):

1. **AI-40641** Supplies, OEM Toner Cartridges for Laser and Inkjet Printers (IFB No. 2015-344), Budget.

COURT ORDER NO. 2015-771-10-19

c. Agreement(s):

1. **AI-40637** Interlocal Agreement with the Prosper Independent School District for Child Abuse, Investigation Services and Law Enforcement Services, Sheriff.

COURT ORDER NO. 2015-772-10-19

2. **AI-40634** Property Tax Collection Services Agreement with the Collin County Water Control and Improvement District No. 3, Tax Assessor Collector.

COURT ORDER NO. 2015-773-10-19

d. Amendment(s):

1. **AI-40619** No. 1 to the Intergovernmental Cooperative Reimbursement Agreement with the Texas Commission on Environmental Quality (TCEQ) (Contract No. 582-14-40119) for the Local Initiative Project (LIP) Program to add additional funding for FY 2016 and FY 2017, Special Projects.

COURT ORDER NO. 2015-774-10-19

2. **AI-40584** No. 3 to Inmate Telephone Services (RFP No. 03191-12) with Securus Technologies to extend the contract for one (1) year through and including October 31, 2016 and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2015-775-10-19

e. Change Order(s):

1. **AI-40640** No. 3 to Uniforms: Law Enforcement and Related Items, Work Uniforms and Miscellaneous (IFB No. 03193-12) with Galls, LLC 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, Sheriff.

COURT ORDER NO. 2015-776-10-19

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

1. **AI-40620** \$13,584 to reallocate funds for the Spay/Neuter Program, Development Services.

COURT ORDER NO. 2015-777-10-19

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

1. **AI-40631** September 28, 2015.

COURT ORDER NO. 2015-778-10-19

h. Miscellaneous

1. **AI-40628** Grant Application and Resolution/Internet Form for the FY2016 Indigent Defense Formula Grant through the Texas Indigent Defense Commission – Office of the Governor, Auditor.

COURT ORDER NO. 2015-779-10-19

2. **AI-40528** Resolution Supporting the Texas Department of Agriculture Home-Delivered Meal Grant Program, Budget.

COURT ORDER NO. 2015-780-10-19

3. **AI-40642** Re-designation of Private Road 5500 to Cowboy Way (with associated address updates), GIS/Rural Addressing.

COURT ORDER NO. 2015-781-10-19

4. **AI-40658** Personnel Appointments, Human Resources.

COURT ORDER NO. 2015-782-10-19

5. **AI-40659** Personnel Changes, Human Resources.

COURT ORDER NO. 2015-783-10-19

GENERAL DISCUSSION

5. **AI-40635** Funding assistance request from the City of Anna to fund the TxDOT (Texas Department of Transportation) required Utility Relocation Project along US 75 from North of Melissa Road to FM 455, Engineering.

Clarence Daugherty, Engineering, stated the US 75 project from north of Melissa Road to FM 455 requires utility adjustments as all state projects do. The state has a policy in which it will reimburse for utility adjustments which are located off of the right-of-way and are protected in private utility easements. If the utility is located in the right-of-way, the utility company has to pay for the relocation. In this case the water utility company is the City of Anna. Most of the waterline along this project is protected by private easements, but a portion is not. Anna is not in a financial situation to do this project. Therefore, they have requested the County assist with the relocation since it is a regional project. Because Anna's master plan calls for a waterline upgrade from an 8-inch line to a 12-inch line, the total cost of the project is approximately \$2 million. Engineering suggested the County pay the \$1.7 million for the relocation of the existing waterline. Mr. Daugherty said the memo in the Court packet included two funding options using discretionary and bond funds. He also mentioned a third option of satisfying Anna's total request of relocation and line upgrade.

Philip Sanders, City Manager of Anna, and Mayor Mike Crist, Anna, came forward to discuss the city's request. Mr. Sanders stated this project is not one that Anna had considered undertaking at this point in their growth. The request is for the County to front the funds necessary for the project and then the City of Anna would assign reimbursement funds from TxDOT (Texas Department of Transportation) back to the County. TxDOT will reimburse for the replacement of an 8-inch line in conflict. However, the issue is the line needs to be a 12-inch line rather than an 8-inch line. An 8-inch line will need to be upgraded to a 12-inch line at some point which would cost an additional \$1.7 million or more. By spending the additional \$300,000 the 12-inch line could be installed now. Mr. Sanders suggested using transportation bond funds to offset the dollar difference for the line upgrade.

Judge Self asked if the City Council has considered a repayment plan. Mayor Crist said a few different alternatives have been discussed, but the Council has not determined what the right answer is without speaking with the Court.

Mr. Sanders said bonds were issued based on a 50/50 match. The TxDOT reimbursement will be more than the 50% of this particular part of the project. Fifty percent of Anna's portion along with the upgrade would be approximately \$350,000. For the shared jurisdiction roadways Anna committed \$1.5 million of bond funds toward upgrading the mutual boundary roadways. Anna began with \$4 million in bond funds and now has a little under \$1 million. Commissioner Hill asked, if the Court was willing to apply the bond funds to the project for both the city's share of \$462,000 and the upgrade cost of \$288,000, would the city be amenable. The combined total would be \$750,000. Mayor Crist believes the city would agree to this. Commissioner Williams said she would support the shift of bond funds because relocation of utilities is critical for completing transportation projects.

Judge Self asked if there is a timeline on the Mantua project. Mr. Sander said Mantua is not a scheduled project and has not had any movement for three years. While \$3.3 million was originally dedicated to that project, a portion of those funds was shifted to mutual boundary projects and FM 455 utilities. Commissioner Webb said the remaining bond funds on Mantua would cover the \$750,000 cost of the utility project. He was supportive of using bond funds for the \$462,000 but had reservations about setting precedence by advancing money for the upgrading of a city project. However, if enough bond funds are available he is willing to support advancing the whole \$2 million. Judge Self was also supportive of shifting bond funds for the \$462,000, but suggested making the \$288,000 a direct loan with a repayment plan.

There was a brief discussion on the possibility of using discretionary funds for the \$462,000 which is Anna's estimated responsibility of the relocation costs since US 75 is a regional roadway critical to county movement. There was fear of setting precedence by using discretionary funds for the relocation costs due to the city having bond funds available. If the city did not have bond funds available it is likely discretionary funds would be used to move the project forward. The Court has used discretionary funds on city projects that are not as critical as this project involving US 75; however, those funds were not used to upgrade a city's project. Commissioner Fletcher supports using the mutual boundary bond funds to fill the gap. The Commissioner said she was not ready to use discretionary funds at this point because she would like a more comprehensive review on how to move forward in the future.

Judge Self said the County is eight years into the 2007 bond program. The last of the transportation bond funds will be sold in 2016; therefore, those bond funds need to be used. Williams agreed the bond funds need to be used and this project would be an appropriate use of those funds.

With no further discussion a motion was made to reallocate \$750,000 of Anna's 2007 bond funds to cover both Anna's portion of the project and the line upgrade cost as well as advancing TxDOT's portion to the city. (Time: 1:54 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Susan Fletcher
Vote: 5 – 0 Passed

COURT ORDER NO. 2015-784-10-19

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

Commissioner Hill stated the TAPS (Texoma Area Paratransit System) Board will hold a meeting on Wednesday, October 21, 2015, in Sherman, Texas. It is anticipated the TAPS staff will bring forward a proposal to reduce service levels across the seven-county service area. The Board has asked for a significant attempt to get back to realistic funding levels. A report will be given by management on the plan to pay back the operating deficit from FY2015. The Commissioner hopes it will be a plan the Board can accept and move forward with. The last issue that remains is the cash flow for current operating levels. TAPS is in a cash flow crisis and there may be disruption in service before the organization can be rightsized.

Commissioner Fletcher referred to the public comment made by Roy Serpa and asked for data showing the number of riders for each leg of the routes in question. The Commissioner hoped that if there was an ongoing problem the Board would have addressed it. Commissioner Hill stated there were significant studies on the region before TAPS launched the new routes. The routes were designed after negotiations with the cities and the studies were done. For the first 18 months TAPS served Collin County, the ridership reports showed astronomical usage. The reports continue to show high levels of riders on fixed routes and on-demand services. The goal is to drive more people to the fixed routes and reduce the on-demand calls. One of the frustrations Commissioner Hill has had with the on-demand calls is that often the vehicle tasked to the call is a fifteen to twenty passenger vehicle which may be what Mr. Serpa has observed.

Commissioner Hill said as prioritization is put into place one aspect which will affect several cities is the operating contracts. These contracts are limited in the city payments but are unlimited in the service levels. The cities will be given the option to either limit ridership or to bring more funds to the table. The Commissioner noted the contracts were originally signed by TAPS management and not by the Board. This is something the Commissioner wants to see corrected. (Time: 1:59 p.m.)

NO ACTION TAKEN

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

EXECUTIVE SESSION

Judge Self recessed the meeting into Executive Session at 2:00 p.m. in accordance with Chapter 551.074 of the Government Code, Personnel, to discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Homeland Security Director; Chapter 551.071 of the Government Code, Legal, to discuss the SunGard litigation update; and Chapter 551.087 of the Government Code, Economic Development Negotiations, to discuss the potential location of Project R3 in Plano.

Personnel (551.074)

AI-40666 Homeland Security Director, Administrative Services.

NO ACTION TAKEN

Legal (551.071)

AI-40612 SunGard Litigation Update, Administrative Services.

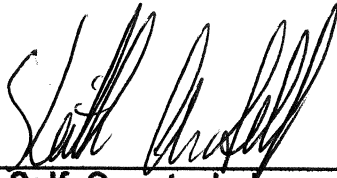
NO ACTION TAKEN

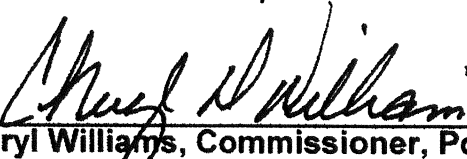
Economic Development Negotiations (551.087)

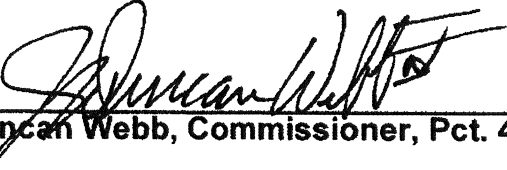
AI-40654 Project R3 potentially to be located in Plano, Texas, Budget.

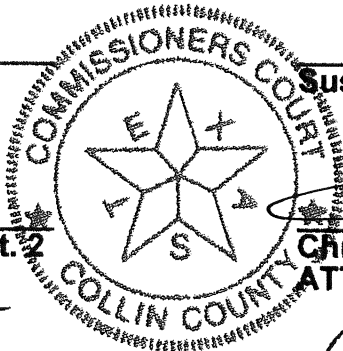
NO ACTION TAKEN

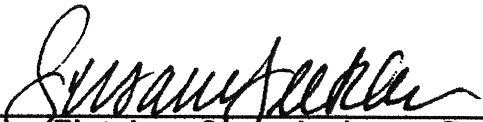
Judge Self reconvened the meeting at 2:48 p.m. With no further business of the Court, the meeting was adjourned at 2:48 p.m.


Keith Self, County Judge


Cheryl Williams, Commissioner, Pct. 2


Duncan Webb, Commissioner, Pct. 4




Susan Fletcher, Commissioner, Pct. 1


Chris Hill, Commissioner, Pct. 3

ATTEST:

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