

STATE OF TEXAS
COUNTY OF COLLIN

COMMISSIONERS' COURT
MEETING MINUTES
FEBRUARY 15, 2016

On Monday, February 15, 2016, 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 Fletcher led the Invocation.
Commissioner Williams 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 2:21 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:22 p.m. The meeting was reconvened and adjourned at 2:28 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 2:22 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-41176 Personnel Appointments, Human Resources.
2. AI-41190 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. Addenda:

a. **AI-41140** No. 1 to Cellular Antenna System for Myers Park Show Barn (RFP No. 2016-051) to add Pre-Proposal Notes and Attendee List to the Request for Proposal, Purchasing.

b. **AI-41152** No. 1 to Minimum Security Metal Roof Recovery (IFB No. 2016-066) to make various changes to the Invitation For Bid, Purchasing.

c. **AI-41154** No. 1 and No. 2 to Audio Upgrade for County Courtrooms (RFP No. 2016-099) to make various changes to the Request for Proposal, Purchasing.

d. **AI-41138** No. 2 to Herbicide Treatment of Roadside Right-of-Way and Encroachments (IFB No. 2016-052) to change the bid open date, Purchasing.

e. **AI-41147** No. 2 and No. 3 to Juvenile Detention Facility Touchscreen and Camera System Upgrade (RFP No. 2016-060) to make various changes to the Request for Proposal, Purchasing.

3. **AI-41145** Change Order No. 1 to Construction, Truck Canopy At Juvenile Detention (IFB No. 2015-190) with KC Construction to make various changes to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

4. **AI-41150** Pre-Trial Release Bond Office 2015 Annual Statistical Summary, Sheriff.

2. Public Comments.

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Self asked for comments on the consent agenda. Commissioner Fletcher pulled items 4b1 and 4e5. Commissioner Webb pulled items 4e2, 4e3 and 4e4. Commissioner Hill pulled items 4e6 and 4e10. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:31 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Chris Hill

Vote: 5 - 0 Passed

a. **AI-41135** Disbursements for the period ending February 9, 2016, Auditor.

COURT ORDER NO. 2016-102-02-15

b. Advertisement(s):

1. **AI-41172** Compensation Analysis Consultant (RFP No. 2016-167) and budget amendment in the amount of \$150,000, Human Resources.

Commissioner Fletcher referred to paragraph 5.11.2 on page 175 in the court packet which states, "Analyze the comparative entities that the County utilizes for comparison to external markets and make recommendations for any improvements or changes needed". The Commissioner wanted it noted that the County will also use relational criteria when comparing positions with other entities.

Commissioner Webb said a non-disclosure agreement should be included in the agreement. The Commissioner also requested the following changes: 1) replace the word "relate" with the word "impact" in paragraph 5.11.4; and 2) strike the words "standard compensation" in the first sentence under Section 5.12, Methodology, to read "Analysis will be based using best practices and reviewing information from Collin County's pay plans, benefit plans and Human Resources practices". Hearing no further comments, a motion was made to approve the item with the changes made. (Time: 1:33 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 - 0 Passed

COURT ORDER NO. 2016-103-02-15

2. **AI-41158** IT Asset Management Software Solution (RFP No. 2016-138), Information Technology.

COURT ORDER NO. 2016-104-02-15

3. **AI-41161** IT Security Audit (RFP No. 2016-137), Information Technology.

COURT ORDER NO. 2016-105-02-15

4. **AI-41144** Services and Materials: Erosion Control and Hydro-Mulch (IFB No. 2016-021), Public Works.

COURT ORDER NO. 2016-106-02-15

c. Award(s):

1. **AI-41131** Supplies, OEM Toner Cartridges for Laser and Inkjet Printers (IFB No. 2015-344) to various vendors, Budget.

COURT ORDER NO. 2016-107-02-15

2. **AI-41151** Herbicide Treatment of Roadside Right-of-Way and Encroachments (IFB No. 2016-052) to Edko, LLC, Public Works.

COURT ORDER NO. 2016-108-02-15

3. **AI-41173** Professional Services, Engineering, General Civil Engineering Consulting (RFQ No. 2015-266) and further authorize the Purchasing Agent to finalize and execute the Engineering Services Agreement, Engineering.

COURT ORDER NO. 2016-109-02-15

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

1. **AI-41159** January 25, 2016.

COURT ORDER NO. 2016-110-02-15

e. Miscellaneous

1. **AI-41121** 50/3 application for Exco Extrusion Dies (Texas), Inc. located in Wylie, Texas, Budget.

COURT ORDER NO. 2016-111-02-15

2. **AI-41166** Sale of property located at 1211 Gough Street, McKinney, Texas as recommended by the City of McKinney (Lot 16C, Block 4, Russell's 3rd Addition, Volume 462, Page 260, DRCCT) as recorded in the Collin County Deed Records to Robert Wakefield upon the payment of \$2,144, County Judge.

Items 4e2, 4e3 and 4e4 were discussed together. Commissioner Webb said government has the ability to file liens on private property and the ability to sell that property in the event liens are not paid. In this case, McKinney has decided to sell the properties at the tax minimum versus the higher amount bid on the properties. Normally the equity generated from a foreclosure sale would go to the property owner; therefore, Commissioner Webb was opposed to approving these items because it would take away the equity from the owner.

Commissioner Hill said in the past if there was a bid over the minimum price that bid had to be accepted. Because the County took formal action on a bid of \$12,000 would that compel the City to accept the bid. Bill Bilyeu, County Administrator, said as long as the price is equitable for all entities to receive what is due the bid has to be accepted. Policy is if the entity is made whole the County Judge is able to approve the bid without it going to court which is how the \$12,000 was approved. Mr. Bilyeu will ask Gay McCall to explain to the Court why these properties are laid out differently and how to move forward with the opposing bids. With no further discussion, items 4e2, 4e3 and 4e4 were held. (Time: 1:40 p.m.)

Commissioner Hill had a follow-up comment on this discussion. The Commissioner asked Mr. Bilyeu to speak with McKinney to see if their buyer would be willing to put in a matching bid. (1:50 p.m.)

HELD

3. AI-41167 Sale of property located at 711 East Standifer Street, McKinney, Texas as recommended by the City of McKinney (Lot 003A, Block 2, Russell #01 Addition, Volume 340, Page 69) as recorded in the Collin County Deed Records to Robert Wakefield upon the payment of \$14,500, County Judge.

HELD

4. AI-41168 Sale of property located at 805 1/2 East Standifer Street, McKinney, Texas as recommended by the City of McKinney (Lot 5B, Block 3, Russell #1 Subdivision, Volume 3793, Page 52) as recorded in the Collin County Deed Records to Robert Wakefield upon the payment of \$11,800, County Judge.

HELD

5. AI-41170 Collin County Engineering to manage the Frontier Parkway Improvement Project, determine the appropriate allocation of funding for the first phase, authorize the coordination of funding with partner agencies, deem Birkhoff, Hendricks and Carter LLP as the most qualified engineering firm to design the project and further authorize Engineering to negotiate the scope of services and design fee, Engineering.

Commissioner Fletcher pulled this item due to two small differences in the resolutions from Prosper and Celina. Clarence Daugherty, Engineering, came forward to discuss the project. This project has been in the works for a number of years and is a result of the two cities approving resolutions of support. The resolutions support the first phase of the project which will ultimately be a six-lane thoroughfare with grade separation and a service road. The first phase approved by Prosper and Celina consists of four lanes of roadway, one-half of the grade separation and the two-lane service road. The estimated cost for the first phase is \$16.6 million. The gap the County would need to cover for this phase is approximately \$600,000. Mr. Daugherty shared a few other options for the project with the recommended option being what was approved by the cities. He also requested the Court designate the firm of Birkhoff, Hendricks and Carter as the best qualified firm to design the project. This firm has worked with Celina for several years doing the preliminary engineering required to get the project to this point.

Mr. Daugherty said there was one slight difference in the resolutions. Prosper's resolution says they will maintain the grade separation on their side and Celina will maintain Celina's side. Celina's resolution says Prosper will maintain both sides. The project option recommended for the first phase includes only one bridge at this time on the Prosper side; therefore, the difference in wording is not an issue if approved. Mayor Ray Smith, Prosper, and Mayor Sean Terry, Celina, shared their support for the project. Mayor Terry said, long term, Celina knows maintaining the grade separation will be necessary but not in the present because the City does not have any tax base in place there.

With no further discussion, a motion was made to approve Engineering's project recommendation which includes \$600,000 from the County as well as the designation of Birkhoff, Hendricks and Carter, LLP as the most qualified engineering firm to design the project and further authorize Engineering to negotiate with the firm on the scope of services and design fee. (Time: 1:49 p.m.)

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

COURT ORDER NO. 2016-112-02-15

6. AI-41130 Re-designation of Private Road 5624 to Old Rooster Circle (with associated address updates), GIS/Rural Addressing.

Commissioner Hill had concern with there being only one signature on the petition which affects a dozen addresses. Ramona Luster, GIS, explained the property will become an RV Park but it is not there yet. The signature is of the sole owner of the property. With no further discussion, a motion was made to approve the item. (Time: 1:51 p.m.)

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

COURT ORDER NO. 2016-113-02-15

7. AI-41134 Modification of the Tapeless Backup Process and Image Archive Solution, Information Technology.

COURT ORDER NO. 2016-114-02-15

8. AI-41137 Grant application and resolution for the FY 2017 Specialty Court Program Grant through the Office of the Governor (OOG), Criminal Justice Division (CJD) to provide out-patient substance abuse treatment services for juvenile SOAR Program participants, Juvenile Probation.

COURT ORDER NO. 2016-115-02-15

9. AI-41143 Partial road closure (right lanes) of County Roads 132, 134, 135, 138, 176, 177, 178 and 179 on March 20, 2016 to facilitate the Texas High School Cycling League (THSCL) bicycle race, Public Works.

COURT ORDER NO. 2016-116-02-15

10. AI-41169 Sale of a 30 foot section of county road right-of-way in Pebble Beach Subdivision to Mr. and Mrs. Schultz for the appraised value and costs associated with the sale, Special Projects.

Commissioner Hill asked what the difference would be in charging fair market value versus abandoning the 30-foot section to Mr. and Mrs. Schultz. This is their backyard and always has been. Jeff Durham, Parks and Projects, said when the County abandons a road it is prescriptive right-of-way. Meaning what is abandoned is any interest the County or the public has into the roadway. In this instance property rights are involved. In order for the property to be put back on the tax roll, to be able to be sold in the future, a deed from the County will be needed. The law states the buyer must pay fair market value for the property; therefore, it cannot be abandoned. With no further discussion, a motion was made to approve the item. (Time: 1:54 p.m.)

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

COURT ORDER NO. 2016-117-02-15

11. AI-41177 Personnel Appointments, Human Resources.

COURT ORDER NO. 2016-118-02-15

12. AI-41178 Personnel Changes, Human Resources.

COURT ORDER NO. 2016-119-02-15

GENERAL DISCUSSION

5. Board/Committee Appointments, Commissioners Court:

a. AI-41188 Nomination of a member to serve on the Regional Aging Advisory Committee (RAAC).

A motion was made to nominate Pat Rodgers to serve as a member of the Regional Aging Advisory Committee. (Time: 1:55 p.m.)

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

COURT ORDER NO. 2016-120-02-15

6. AI-41059 Rural Transit Services, Commissioners Court.

Tracy Homfeld, Engineering, came forward with rural transit options for the Court's consideration. The options are: 1) create a new RTD (Rural Transit District); or 2) join an existing RTD close to Collin County. Option one has two sub options: a) administer the rural program in house; or b) contract with an existing RTD or MTA (Metropolitan Transit Authority) close to Collin County.

Rural transit funding is provided by TxDOT (Texas Department of Transportation) from federal and state matching dollars. Allocations are made at the RTD level, not on an individual county basis, unless a county is a stand-alone RTD. Allocations are based on each district's proportional share of population, land area and performance. Formula funding is allocated as soon as it becomes available. State funding for FY2016 has already been awarded. TAPS (Texoma Area Paratransit System) received the FY2016 dollars. Federal formula funding for 2016 will be approved through the Transportation Commission at their March or April meeting. The next scheduled distribution of state funding will be in June 2016. Federal funds will become available in 2017 following Commission action. Collin County would not be included in the allocation if the County does not join or create an RTD.

Discussion followed. Ms. Homfeld has spoken with most of the providers and they are interested in having discussions, but first the decision has to be made whether the Court wants to join an RTD or create one. Judge Self said multiple providers can be designated to service the County. He suggested Ms. Homfeld ask the providers which areas they would like to provide service to. Ms. Homfeld said the County may only need to pick one provider and that one provider could subcontract services. The Court could also create a district much like the Housing Finance Corporation in order to contract with an MTA. Contracting with an MTA could be on a limited basis or a turnkey basis where the MTA would handle all aspects of the operation and provide updates to the Court. The MTA could subcontract with the minor RTDs throughout the County. Commissioner Hill asked Ms. Homfeld to find out what liabilities the County would be open to if the MTA missed a step. Would the MTA be responsible or would the County be responsible as the district? Judge Self suggested comparing DCTA (Denton County Transit Authority) and DART (Dallas Area Rapid Transit), which are MTAs who could handle the full operation, and find out what they are willing and able to take on. (Time: 2:13 p.m.)

NO ACTION TAKEN

7. AI-33858 RTC monthly update, Commissioner, Precinct 4.

Commissioner Webb said the RTC (Regional Transportation Council) tabled the policy for possible employer location indefinitely. There was a small tweak to I-35 regarding managed lanes for Mobility 2040. Mobility 2040 will be up for vote in March.

The Cotton Belt Corridor has stayed the same. Addison's position remains rails only while other jurisdictions just want service. Mobility 2040 is trying to push DART (Dallas Area Rapid Transit) to accelerate the Cotton Belt Corridor. As of now it is scheduled to be completed by 2035. If DART cannot accelerate the project in the next four years other options will be looked at.

The Transportation Congestion Relief Program was approved for \$1.3 billion. Nothing has changed as far as project prioritization, but it did free up \$100 million for other big projects.

The 2017-2020 TIP (Transportation Improvement Program) is in draft form and is scheduled for approval in April. Collin County will need to get comments submitted soon on the proposed projects for 2017-2020.

A letter has been drafted to the Attorney General in regards to the lawsuits against Volkswagen, Audi and Porsche for emissions fraud. The letter requests that if any settlement funds are awarded they be disbursed to nonattainment regions for air quality projects and/or programs. There are 3,000 vehicles involved in the lawsuit in Texas with 467 being in Collin County.

The phase one plan for US75 will be approved by the RTC in March in order to move forward for federal approval. This phase involves converting the managed lane back to a shoulder and use it as a fifth lane during rush hour. (Time: 2:20 p.m.)

NO ACTION TAKEN

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

Commissioner Webb would like indigent defense on the next Court agenda. Judge Self asked Engineering to come up with an action plan for spadework in Collin County for the limited access action plan. (Time: 2:21 p.m.)

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:22 p.m. in accordance with Chapter 551.072 of the Government Code, Real Estate to discuss the County owned property at 900 East Park Blvd.

Real Estate (551.072)

AI-41187 County owned property at 900 East Park Blvd., County Judge.

NO ACTION TAKEN

Judge Self reconvened the meeting at 2:28 p.m. With no further business of the Court, the meeting was adjourned at 2:28 p.m.



Keith Self

Keith Self, County Judge

Susan Fletcher

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams

Cheryl Williams, Commissioner, Pct. 2

Chris Hill

Chris Hill, Commissioner, Pct. 3

Not Present

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

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