

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
FEBRUARY 13, 2017

COUNTY OF COLLIN

On Monday, February 13, 2017, 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 1:31 p.m. The meeting was reconvened at 1:55 p.m. and recessed into Executive Session at 1:59 p.m. The meeting was reconvened at 3:58 p.m. and recessed at 4:09 p.m. The meeting was reconvened and immediately recessed at 4:10 p.m. The meeting was reconvened and immediately recessed into Executive Session at 4:20 p.m. The meeting was reconvened at 5:11 p.m. and adjourned at 5:13 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 1:31 p.m. and recessed at 1:55 p.m. The meeting was reconvened at 4:09 p.m. and adjourned at 4:09 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 4:09 p.m. and adjourned the meeting at 4:09 p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 4:09 p.m. and adjourned the meeting at 4:10 p.m.

FYI NOTIFICATION

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

2. Addenda:

a. **AI-42611** No. 1, 2, 3 and 4 to Supplies: Veterinary and Animal Care (IFB No. 2017 074) to make various changes to the Invitation for Bid, Purchasing.

b. **AI-42711** No. 1 and 2 to Collin County Courthouse Parking Lot Gate Replacement (IFB No. 2017-087) to make various changes to the Information for Bid, Purchasing.

3. Notification of budget adjustment(s)/amendment(s):

a. **AI-42730** \$649 to establish the budget for the purchase of Microsoft EA license for MDC to be used in the Interdiction vehicle utilizing the Drug Forfeiture Fund, Sheriff.

b. **AI-42725** \$4,830 to establish the budget for the purchase of Level 4 Ballistic Door Panels for the Interdiction vehicle utilizing the Drug Forfeiture Fund, Sheriff.

c. **AI-42699** \$20,406 to establish the budget for the purchase of Honor Guard Uniforms utilizing the Drug Forfeiture Fund, Sheriff.

4. **AI-42680** P-Card Disbursements, Auditor.

5. **AI-42687** Creation of a Felony Prosecutor position with associated costs for training, equipment and furniture; budget amendment in the amount of \$101,136 to establish a budget utilizing the Pre-Trial Intervention Fund (049), District Attorney.

6. **AI-42701** Voluntary Terminations, Human Resources.

2. Public Comments.

3. Presentation/Recognition:

a. **AI-42755** Retirement plaque for Brenda Terrell presented by Judge Payton, Human Resources.

Judge John Payton, Justice of the Peace, Precinct 3-2, presented Brenda Terrell, Court Administrator, with a retirement plaque in recognition of her dedicated and loyal service to Collin County from 2002-2017. (Time: 1:58 p.m.)

4. Consent agenda to approve: Judge Self reminded the Court item 4k10 from the supplemental agenda would be considered as part of the consent agenda. He then asked for comments on the consent agenda. Commissioner Webb pulled item 4k6 and Judge Self pulled item 4k2. Hearing no further comments, a motion was made to approve the remainder of the consent agenda including item 4k10 from the supplemental agenda. (Time: 3:59 p.m.)

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

a. **AI-42673** Disbursements for the period ending February 7, 2017, Auditor.
COURT ORDER NO. 2017-079-02-13

b. **AI-42637** Tax refunds totaling \$1,777,371.85, Tax Assessor/Collector.
COURT ORDER NO. 2017-080-02-13

c. Advertisement(s):

1. **AI-42731** Sale of Mobile Shelving (IFB No. 2017-134) per Local Government Code 263.152, Purchasing.
COURT ORDER NO. 2017-081-02-13

d. Award(s):

1 **AI-42733** Professional Services, General Landscape Architectural Services for County Buildings and Property (RFQ No. 2017-064) and further authorize the Purchasing Agent to finalize and execute the Landscape Architectural Services Agreement, Construction & Projects.
COURT ORDER NO. 2017-082-02-13

e. Agreement(s):

1. **AI-42684** Interlocal Agreement with the City of Farmersville for The Charles J. Rike Memorial Library for FY2017 library services to be paid in quarterly installments for an annual amount of \$14,308.33 beginning October 1, 2016 through and including September 30, 2017, Budget.
COURT ORDER NO. 2017-083-02-13

2. **AI-42455** Interlocal Cooperation Agreement with the McKinney Municipal Utility District No. 1 and No. 2 (Trinity Falls) for Traffic Regulation in Special Districts, Engineering.
COURT ORDER NO. 2017-084-02-13

3. Interlocal Agreement(s) for Dispatch Services through and including September 30, 2017, Sheriff:

a. **AI-42692** City of Anna to be paid in quarterly installments for an annual amount of \$79,365.82.

COURT ORDER NO. 2017-085-02-13

b. **AI-42689** City of Celina to be paid in quarterly installments for an annual amount of \$55,309.81.

COURT ORDER NO. 2017-086-02-13

c. **AI-42686** Town of Fairview to be paid in quarterly installments for an annual amount of \$67,704.50.

COURT ORDER NO. 2017-087-02-13

d. **AI-42693** City of Farmersville to be paid in quarterly installments for an annual amount of \$36,070.44.

COURT ORDER NO. 2017-088-02-13

e. **AI-42691** City of Josephine to be paid in quarterly installments for an annual amount of \$10,230.82.

COURT ORDER NO. 2017-089-02-13

f. **AI-42690** City of Lavon to be paid in quarterly installments for an annual amount of \$24,997.61.

COURT ORDER NO. 2017-090-02-13

g. **AI-42688** City of Melissa to be paid in quarterly installments for an annual amount of \$57,383.14.

COURT ORDER NO. 2017-091-02-13

h. **AI-42723** City of Princeton to be paid in quarterly installments for an annual amount of \$87,197.38.

COURT ORDER NO. 2017-092-02-13

i. **AI-42724** Farmersville ISD to be paid in quarterly installments for an annual amount of \$397.74.

COURT ORDER NO. 2017-093-02-13

j. **AI-42695** Blue Ridge Volunteer Fire Department with no annual payment.

COURT ORDER NO. 2017-094-02-13

k. **AI-42694** Nevada Volunteer Fire Department with no annual payment.

COURT ORDER NO. 2017-095-02-13

I. AI-42697 Westminster Volunteer Fire Department with no annual payment.
COURT ORDER NO. 2017-096-02-13

m. AI-42696 Weston Volunteer Fire Department with no annual payment.
COURT ORDER NO. 2017-097-02-13

f. Amendment(s):

1. AI-42679 No. 10 to the Interlocal Agreement with the City of Frisco for the Facility Construction and Use of an Animal Shelter to set the rate for FY2017 for an annual amount of \$219,624 to be effective October 1, 2016 through and including September 30, 2017 and further authorize the Purchasing Agent to finalize and execute same, Development Services.

COURT ORDER NO. 2017-098-02-13

g. Contract Renewal(s):

1. AI-42746 Herbicide Treatment of Roadside Right-of-Way and Encroachments (IFB No. 2016-052) with Edko, LLC to extend the contract for one (1) year through and including February 28, 2018, Public Works.

COURT ORDER NO. 2017-099-02-13

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

1. AI-42698 \$43,366 to purchase the equipment required to upgrade the AFIS equipment in order to maintain connectivity to the State, Sheriff.

COURT ORDER NO. 2017-100-02-13

i. Receive and File, Auditor:

1. AI-42714 Investment Report (4th Quarter FY2016).

COURT ORDER NO. 2017-101-02-13

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

1. AI-42720 January 23, 2017.

COURT ORDER NO. 2017-102-02-13

k. Miscellaneous

1. AI-42710 Re-designation of Ball Avenue to Feagins Drive (with associated address updates), GIS/Rural Addressing.

COURT ORDER NO. 2017-103-02-13

2. **AI-42748** Donate one (1) LED light bar and one (1) rear deck light assembly for a Crown Victoria to the Farmersville ISD Police Department per LGC V.T.C.A. 263.152 4(B), Public Works.

Judge Self said the County has equipment in storage that may be useful to smaller departments. Jon Kleinheksel, Public Works, said this is equipment taken off Crown Victoria vehicles coming out of the fleet. Because it is against government code to sell the vehicles with any police equipment attached, quite a bit of inventory has built up. A catalog of the inventory will be prepared in order to offer it to smaller departments. With no further discussion, a motion was made to approve the item. (Time: 4:00 p.m.)

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

COURT ORDER NO. 2017-104-02-13

3. **AI-42685** Partial road closure (right lanes) of County Roads 132, 134, 135, 138, 176, 177, 178 and 179 on March 26, 2017 to facilitate the Texas High School Cycling League (THSCL) bicycle race, Public Works.

COURT ORDER NO. 2017-105-02-13

4. **AI-42732** Adoption of a resolution authorizing the creation of the North Central Texas Regional 9-1-1 Emergency Communications District and Bylaws, Sheriff.

COURT ORDER NO. 2017-106-02-13

5. **AI-42734** Grant application and resolution for the FY 2018 Justice Assistance Grant (JAG) Program through the Office of the Governor (OOG), Criminal Justice Division (CJD), Sheriff.

COURT ORDER NO. 2017-107-02-13

6. **AI-42726** Relocation of the Communications Center at the Sheriff's Office and budget amendment in the amount of \$399,142 for same, Sheriff.

Commissioner Webb is supportive of the item but questioned the capacity based on two different estimate numbers for population growth in 15 years. One estimate, from the GIS (Geographic Information Services) Department, was an increased population for Collin County of 500% and the consultant estimate was only an increase of 25% over 15 years. The Commissioner does not want to spend the \$400,000 if there will not be enough space to handle the capacity down the line. Bobby Jones, Black & Veatch, said the 500% estimate of growth is mostly in the major cities of McKinney and Frisco; therefore, those calls are not taken into account when doing the analysis for Collin County.

Mr. Jones said there is a contingency plan within the space to get up to 300% of county population expansion. With no further discussion, a motion was made to approve the item. (Time: 4:05 p.m.)

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

COURT ORDER NO. 2017-108-02-13

7. **AI-42719** Grant application and resolution for the FY 2018 Juvenile Justice and Delinquency Prevention (JJDP) Grant through the Office of the Governor (OOG), Criminal Justice Division (CJD), Teen Court.

COURT ORDER NO. 2017-109-02-13

8. **AI-42752** Personnel Appointments, Human Resources.

COURT ORDER NO. 2017-110-02-13

9. **AI-42753** Personnel Changes, Human Resources.

COURT ORDER NO. 2017-111-02-13

10. **AI-42774** Adoption of an Order authorizing the sale of fireworks for Texas Independence Day, San Jacinto Day and Memorial Day, Fire Marshal.

COURT ORDER NO. 2017-112-02-13

GENERAL DISCUSSION

5. **AI-42706** Public Hearing – Consideration and any action for the issuance of a "Mass Gathering" permit for the Garden Show 2017 event on March 18-19, 2017 at Myers Park & Event Center in accordance to the Health and Safety Code 751, Special Projects.

Judy Florence, Myers Park, came forward to request a public hearing for the consideration and any action for the issuance of a "Mass Gathering" permit for the Garden Show 2017 event on March 18-19, 2017. Judge Self opened the public hearing at 4:06 p.m. and asked for comments. Hearing none, Judge Self closed the public hearing at 4:06 p.m. A motion was made to approve the item. (Time: 4:06 p.m.)

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

COURT ORDER NO. 2017-113-02-13

6. AI-42728 Board/Committee Appointments, Commissioners Court:

a. Historical Commission.

The following board appointments/re-appointments were made by the Court:

Commissioner Hill reappointed Michael Black to the Historical Commission and Commissioner Webb appointed Chris Krupa-Downs to the Historical Commission. (Time: 4:06 p.m.)

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

COURT ORDER NO. 2017-114-02-13

7. AI-42773 Conference of Urban Counties update, Commissioner, Precinct 3.

HELD

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

Commissioner Webb updated the Court on the last RTC (Regional Transportation Council) meeting. The RTC approved letters to be sent to the Federal Government regarding funding for the high-speed rail between Dallas and Fort Worth. There was also follow up to a workshop on modern day people movers and the areas identified for infrastructure planning. Those areas include the General Motors plant to the railroad in Arlington, the Midtown Project and the hospital district. Commissioner Webb is pushing to get the Legacy area considered because 40,000-50,000 more people will be employed there in the next two years. (Time: 4:08 p.m.)

NO ACTION TAKEN

9. AI-42768 Texas Transportation Forum update, County Judge.

HELD

10. AI-42580 85th Legislative Agenda for 2017, Commissioners Court.

HELD

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

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 1:59 p.m. under Paragraph 551.071, Legal to discuss: Jeffery Blackard v. Kent A. Schaffer, et al., Cause No. 380-00320-2017; the Collin County Felony Indigent Defense Plan and Texas Local Government Code Sec. 74.093; and to consult with legal counsel on matters relating to Texas Open Meetings Act, Ch. 551 TX Government Code and under Paragraph 551.072, Real Estate to discuss the Right-of-Way Acquisition for the Dallas North Tollway - Phase 4A from U.S. Highway No. 380 north to F.M. Highway 428 – Settlement offer from Prosper Commercial Joint Venture.

Judge Self reconvened Commissioners' Court at 3:58 p.m.

Judge Self recessed Commissioners' Court into Executive Session at 4:20 p.m. under Paragraph 551.071, Legal to discuss the Collin County Felony Indigent Defense Plan and Texas Local Government Code Sec. 74.093.

Judge Self reconvened Commissioners' Court at 5:11 p.m.

Legal (551.071)

AI-42708 Jeffery Blackard v. Kent A. Schaffer, et al., Cause No. 380-00320-2017, Commissioners Court.

NO ACTION TAKEN

AI-42712 Collin County Felony Indigent Defense Plan and Texas Local Government Code Sec. 74.093, Commissioners Court.

A motion was made to pass the following resolution:

Be it resolved that Collin County Commissioners Court will not pay any requests or orders for payment unless the Collin County Auditor has certified for payment and provided the Commissioners Court with orders and backup documentation in sufficient detail to allow the Commissioners Court to determine that such orders comply with the Collin County Local Rules to implement the Texas Fair Defense Act, Section 26.05 of the Texas Code of Criminal Procedure, and procedures for paying court-appointed attorneys. This Resolution does not apply to any requests or orders for payment that are the subject of a court ordered stay.

Be it further resolved that the Commissioners Court will retain Siebman, Burg, Phillips and Smith LLP to assist with implementing this resolution, and to investigate a challenge to the constitutionality of Section 26.05 of the Texas Code of Criminal Procedure and the statutory framework for the county paying for court-appointed attorneys. (Time: 5:13 p.m.)

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

COURT ORDER NO. 2017-115-02-13

AI-42745 Consult with legal counsel on matters relating to Texas Open Meetings Act, ch 551 Tx. Gov't Code, County Judge.

NO ACTION TAKEN

Real Estate (551.072)

AI-42749 Right-of-Way Acquisition for the Dallas North Tollway - Phase 4A from U.S. Highway No. 380 north to F.M. Highway 428 – Settlement offer from Prosper Commercial Joint Venture, Special Projects.

A motion was made to accept the settlement offer from Prosper Commercial Joint Venture. (Time: 4:09 p.m.)

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

COURT ORDER NO. 2017-116-02-13

With no further business of the Court, Judge Self adjourned the meeting at 5:13 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

Duncan Webb

Duncan Webb, Commissioner, Pct. 4

ATTEST:

Stacey Kemp

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