

STATE OF TEXAS  
COUNTY OF COLLIN

COMMISSIONERS' COURT  
MEETING MINUTES  
JUNE 26, 2017

On Monday, June 26, 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 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. and recessed the meeting at 3:00 p.m. The meeting was reconvened and immediately recessed into Executive Session at 3:06 p.m. The meeting was reconvened and recessed at 3:23 p.m. The meeting was reconvened at 3:30 p.m. and adjourned at 3:40 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 3:00 p.m. and adjourned the meeting at 3:00 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 3:00 p.m. and adjourned the meeting at 3:00 p.m.

President Self called to order the meeting of the Collin County Housing Finance Corporation at 3:00 p.m. and adjourned the meeting at 3:05 p.m.

**DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:**

1. AI-43338 Personnel Appointments, Human Resources.
2. AI-43332 Personnel Changes, Human Resources.

**FYI NOTIFICATION**

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

2. **AI-43309** Addendum No. 1 to Cisco UCS Blade Server Chassis System (RFP No. 2017-213) to add Attachment B and Attachment C to the Request for Proposal, Purchasing.

3. **AI-43340** North Texas Tollway Authority Notice of Issuance of Revenue Bonds, County Judge.

4. **AI-43238** County overtime for the pay period ended June 18, 2017, Human Resources.

5. **AI-43319** Budget amendment in the amount of \$2.00 to establish a budget for interest earned for the 2015 Justice Assistance Grant (JAG), Auditor.

**2. Public Comments.**

**3. Presentation/Recognition.**

**4. Consent agenda to approve:** Judge Self deleted item 4h3 and asked for comments on the remainder of the consent agenda. Hearing no comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:31 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

a. **AI-43235** Disbursements for the period ending June 20, 2017, Auditor.

**COURT ORDER NO. 2017-448-06-26**

b. **AI-43236** Indigent Defense Disbursements, Auditor.

**COURT ORDER NO. 2017-449-06-26**

**c. Advertisement(s):**

1. **AI-43314** Food: Bread Products (IFB 2017-209), Sheriff.

**COURT ORDER NO. 2017-450-06-26**

2. **AI-43326** Engineering Services, Geotech and Materials Testing for Roads and Buildings (RFQ No. 2017-247), Construction & Projects.

**COURT ORDER NO. 2017-451-06-26**

3. **AI-43327** Professional Services, Mechanical, Electrical, and Plumbing (MEP) Engineering Services (RFQ No. 2017-246), Construction & Projects.

**COURT ORDER NO. 2017-452-06-26**

**d. Agreement(s):**

1. **AI-43302** Arbitrage Rebate Compliance Services with First Southwest Asset Management, LLC, Auditor.

**COURT ORDER NO. 2017-453-06-26**

**e. Contract Renewal(s):**

1. **AI-43321** Professional Services, General Landscape Architectural Services for County Buildings (RFQ No. 2017-064) with David C. Baldwin, Inc. dba DCBA Landscape Architecture to extend the contract for one (1) year through and including September 30, 2018, Construction & Projects.

**COURT ORDER NO. 2017-454-06-26**

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

1. **AI-43317** \$7,213 to reallocate funds for the Spay/Neuter Program, Development Services.

**COURT ORDER NO. 2017-455-06-26**

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

1. **AI-43322** June 5, 2017.

**COURT ORDER NO. 2017-456-06-26**

**h. Miscellaneous**

1. **AI-43315** Adoption of the FY2017 Investment Policy, Auditor.

**COURT ORDER NO. 2017-457-06-26**

2. **AI-43320** Acceptance of the Community Supervision & Corrections Department Financial Statements and Supplementary Information for the year ended August 31, 2016, Auditor.

**COURT ORDER NO. 2017-458-06-26**

3. **AI-43304** Installation of Varonis on the Collin County network for a 30 day no cost trial, Information Technology.

**PULLED**

4. **AI-43333** Personnel Appointments, Human Resources.

**COURT ORDER NO. 2017-459-06-26**

5. **AI-43334** Personnel Changes, Human Resources.

**COURT ORDER NO. 2017-460-06-26**

## **GENERAL DISCUSSION**

5. **AI-43296** Award Grounds Maintenance, Roadside and Erosion Control Supplies (IFB No. 2016-298) to various vendors, Public Works.

In the event of a tie when awarding contracts, the decision is made by a random draw which becomes the recommendation of the Purchasing Department. Michalyn Rains, Purchasing, presented four items to be determined by random draw. The following are the outcomes: items 26 and 28 were awarded to JC Ehrlich Co. Inc. dba Target Specialty Products; and items 24 and 27 were awarded to Winfield Solutions, LLC. (Time: 1:36 p.m.)

Following General Discussion item 6, the Court returned to General Discussion item 5 to take a vote. With no further discussion, a motion was made to approve the item. (Time: 1:49 p.m.)

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

### **COURT ORDER NO. 2017-461-06-26**

6. **AI-43305** Mental Health transition update, LifePath.

Randy Routon, Ph.D., LifePath Systems, gave an update on the Behavioral Health System transition. The transition phase is complete and the Behavioral Health System is in operation. Dr. Routon reviewed the goals set up for the Behavioral Health System which were to build a comprehensive and efficient system for Collin County that meets state requirements, increases access to providers and has ongoing communication with all stakeholders. A number one priority in gaining efficiencies has been to reduce crises resulting in higher levels of care. This is better for the clients and family members. LifePath has been working on eligibility reviews to ensure people meet the criteria for state or county funded services and to ensure they have access to the care they need.

Dr. Routon reviewed the population covered under state contract. The Crisis Hotline and Mobile Crisis have no restrictions; anyone can call them and the team will respond. The contract with HHSC (Health and Human Services Commission) for ongoing services is for individuals documented as indigent with serious mental illness or substance use disorders. People with Medicaid are covered by the Medicaid Managed Care plan.

A few of the mental health state required services are MHFA (Mental Health First Aid) and MVPN (Military Veteran Peer Network). MHFA is training LifePath does for school employees. This year legislators added college employees to the training. MVPN provides outreach to service members, veterans and their families. This program is very active in Collin County and works with several of the courts.

Required services for substance abuse include: screening and assessment; outpatient services; residential services; detox; medication assisted treatment; and local planning and coordination.

Dr. Routon shared the optional services added by LifePath which are currently operating or close to operation. There will be two crisis units open by the end of July. LifePath is contracting with three hospitals for private psychiatric inpatient beds. LifePath offers an after-hours Crisis Clinic and also has open access enrollment for people to walk in from 8:00 a.m. to 5:00 p.m. every day of the week to enroll in services.

LifePath is continuing to build a network of providers in Collin County for substance use disorders. LifePath is also in negotiations with one of the big hospitals in the County to work with mental health. In looking at other centers across the state, LifePath has the largest provider network.

The Open Access System was reviewed next. Today LifePath is close to the target number for the year. This time last year there were approximately 106 people being enrolled per month. This year there are over 200 plus enrollees per month. Two-thirds of those are people with severe mental illness and one-third have substance abuse. There are two Open Access Clinics; one in McKinney and one in Plano.

Hotline calls and crisis response is one thing Dr. Routon believes LifePath can do better. There are approximately 1,700 calls to the hotline per month. The Mobile Crisis Outreach Team, prior to LifePath taking over, was going on 30-35 calls a month in County. Since LifePath has taken over the team is going on over 200 calls per month. The team works 24-hours a day. Calls come in from hospitals for consults, the community (which is someone calling that is in distress), third parties (which is family calling for help for a relative) and calls from law enforcement. LifePath hopes to develop the community and third party calls before they get to the point where law enforcement is involved and before the person needs to go to the emergency room.

Significant challenges LifePath is facing include: access to state hospital beds; state funding availability in relation to the rest of the state with the increased population; the opioid crisis; the suicide crisis; and the statewide psychiatric workforce shortages. Current system initiatives include: the opening of the Crisis Unit in July; total clients/new processes for some providers; assess the impact of the legislative session; and renew contracts with providers for 2018.

Commissioner Williams asked if there is staff to help people get set up on Medicaid as soon as they come through the door. Dr. Routon said there are two full-time Medicaid Eligibility Specialists. The Commissioner said there has been valuable legislation passed allowing jails to suspend a person's Medicaid rather than ending it when a person is jailed. This should have positive benefits. Dr. Routon said similarly, SB292 passed which allows for a coordination group to work with the county jail and the behavioral health authority to find more ways of keeping these people out of jail. LifePath will be working with the Sheriff's Office on this issue.

Judge Self asked what the relationship is with LifePath and NorthStar. Dr. Routon said LifePath works with the NTBHA (North Texas Behavioral Health Authority) in a few ways, most importantly with border issues; for example, when a person is on the border of Collin County and is picked up in Dallas County or vice versa. NTBHA is an authority and has several providers where LifePath is the authority and the provider. LifePath is receiving cooperation from NTBHA and treats them like every other center in the state. (Time: 1:49 p.m.)

**NO ACTION TAKEN**

**7. AI-43252 Planning Board recommendations for a Transportation Bond Program, Engineering.**

Clarence Daugherty, Engineering, said on June 5, 2017 the Planning Board gave a report to the Commissioners' Court recommending a bond program in November 2017. He then presented a timeline for funding for upcoming roadway projects which is an estimate from now until the time when proceeds would come in from a November 2018 election. The earliest the County could see proceeds is 90 days from the election which would be March 1, 2019.

Mr. Daugherty shared a list of projects arranged in the order funding will be needed. The first project is the southbound DNT (Dallas North Tollway) service road from FM428 to US380. This project will be ready for construction in the late spring of 2018; therefore, funding will be needed in early to late spring of 2018. The second project on the list is the eastbound Outer Loop service road from DNT to Preston Road. It will be ready for construction a little later in 2018, but an additional \$9 million is needed around August 2018 to move forward.

ROW (right-of-way) will be ready to purchase for the Outer Loop from Preston Road to US75 in late spring 2018. Engineering will be finishing up alignment studies the Court authorized earlier. This will include MAPOs (Meeting with Affected Property Owners) and public hearings on a tweaked alignment. Then partial surveys can be prepared and ROW acquirement can begin. Approximately \$50 million will be needed when Engineering starts making offers. It is recommended that the County take steps to be in a position to begin acquiring ROW for the rest of the Outer Loop as soon as possible. This will require hiring engineers to begin schematics. Approximately \$8 million will be needed to do this. All of these projects total up to approximately \$87 million needed between now and March 1, 2019.

The analysis of new projects on US380 will be completed next year. The consultant doing the analysis is trying to provide answers about the proposed expansion of Spur 399/Extension SH121. Some consensus could be reached by next spring which means the environmental process could begin with schematics. Engineering has been told TxDOT (Texas Department of Transportation) will be covering those costs. This would take approximately 18 months to prepare. Once the schematics are completed the true environmental assessment can begin.

One thing the County could consider is buying the ROW at risk, after schematics are completed, while the state is going through the assessment. This would put the County ahead of cost escalation and time. Everything up to the ROW at risk is COG (Council of Governments) and TxDOT dollars. Commissioner Hill said the County would be left with unneeded ROW if the County were to take on the risk of \$24 million for ROW acquisition and the environmental assessment does not pass resulting in the project not moving forward. The alternative is the County would be looking at the cost in October 2020. Mr. Daugherty said that would depend on the nature of the project. It will be decided later whether it will require an environment assessment or a full EIS (Environmental Impact Statement). If an EIS is needed it will be a five-to-seven-year process. However, if it is left to TxDOT's process it will be more risky in terms of time to get funds for ROW. The County's part of the risk would be that Collin County would not be reimbursed for ROW. This is a judgment call whether the Court weighs the urgency of the roadway versus the wait for TxDOT to pay for it. Discussion continued.

The Lake Corridor is similar and is considered the main candidate for a new north/south freeway. It is roughly on the same timeline as Spur 399. The ROW would be approximately \$52 million.

The new freeways for US380, west of US75 and for SH78, may not be on the existing alignment. These will take longer to get consensus putting schematics to mid-2019 and ROW purchasing to 2021 or later. The County could provide a backstop for the funding of the schematics to move forward which would cost approximately \$7 million for the two projects.

Commissioner Williams asked if the \$50 million for the Outer Loop between SH289 and US75 could be entirely expended by March 2019 based on experiences of purchasing ROW. Mr. Daugherty said it would not be expended by that time, but the money needs to be there in order to make offers on all the properties.

Shep Stahel, Collin County Planning Board, came forward to speak. Mr. Stahel said the June 1<sup>st</sup> report was to provide an outline of developing a LAR (Limited Access Roadway) system and recommendations on bond funds needed to advance the program. The mission of the Board was to pull the information together for the Court to determine if and when a bond election would take place. He believes the Board helped nudge TxDOT and COG to move the ball forward. The Board had anticipated more information from TxDOT on US380 to make a recommendation to the Court; however, TxDOT has just recently hired a consultant so information will not be ready for several months.

On March 1, 2017 the Planning Board invited the 27 cities to attend a presentation on the thought process of LARs. The Board asked them to respond with a resolution of support or with specifics they would want changed. Less than one-third of the cities responded.

After four months it is indicative there are a lot of questions and that the plan is underwhelming as it was laid out by the Planning Board. This is discouraging when thinking about moving forward with an election in five months.

Mr. Stahel said Collin College just had a bond election that passed with 56.4% of the vote. The President of Collin College attributes the success to three things: 1) volunteer support; 2) a master plan mailed out to thousands of people; and 3) making 104 personal presentations to educate voters on the plan. In looking at a 2017 bond election Mr. Stahel shared some personal thoughts: 1) routes need to be better defined particularly for US380 east towards Farmersville and the north/south routes to Wylie and Murphy; and 2) the need for a better education plan for the public. These would increase the odds of a successful bond election.

Commissioner Webb asked if Mr. Stahel and the Planning Board had changed positions on a 2017 bond election. Mr. Stahel said the Planning Board has not changed positions, but he personally believes, based on information over the last few weeks, a bond election in November 2018 would be more successful.

Judge Self asked for discussion.

Commissioner Fletcher thanked the Planning Board for their work on this matter and said it is the Court's responsibility to constituents to have a long-term vision. It is important to move forward now to anticipate needs. Direction was given to the Planning Board by the Court to be general in the way they approached this. The Commissioner does not believe it is correct for the Court to go back now and say it does not know where the funds will be spent. The Court knows approximately how much money this all will cost and that no bonds will be sold until it is known exactly where the money will be spent. This Body has done a great job in having the lowest tax rate in the state and has earned the respect and trust of the constituency to make the decisions. The cities have worked hard, without much of the County's help, to create economic development and extra tax revenue. The Court needs to work with the cities to turn the revenue back into roads to help facilitate and network the transportation mobility necessary to handle over three million people. Commissioner Fletcher believes the cities are looking to the Court for the leadership, vision and foresight to move forward. It is important to look at what is needed now and into the future.

Commissioner Webb said in October 2014 he put the need for a Collin County bond election on an outstanding future agenda. On February 1, 2016 the Commissioner gave a presentation to the Court on the concept of the LARs corridors. Support was unanimous and resulted in a resolution of support to move forward with four corridors and to prioritize them. All the members of the Court have stepped up and have given speeches on the need for transportation infrastructure. As a result the RTC (Regional Transportation Council) approved \$600 million for LARs infrastructure over the next ten years.



He is concerned that if the Court does not keep pushing the accelerator, it will send a message to the people that transportation infrastructure is not as important as they lead them to believe or give a reason to the RTC to get out of the \$600 million. The Commissioner thanked the Planning Board for taking this on with a short period of time. Commissioner Webb said if this is postponed there would be higher costs in ROW acquisitions, engineering and interest rates. He is also concerned with the concept of using reserve funds the first year. Doing so pushes other things back like in prior years: for example, election equipment and a new AMCAD type system. Plus the County buildings are aging. He wants to make sure there is enough to keep up the County's infrastructure and he is concerned there is not enough money to do it all. A bond election may solve that issue. Commissioner Webb asked Budget if funding for 180 days is kept in reserve, what amount could be moved over for transportation, not considering the other possible expenditures, using the tax rate. There have been rumors the rate would be the effective tax rate so he asked Budget to use that figure. The reserve amount remaining would be \$57 million. From that perspective he is supportive of moving forward with a 2017 bond election.

Commissioner Williams said when looking at the new potential routes, there is no need for additional dollars until after November 2018. Costs are going to go up regardless if the bond election is in November 2017 or November 2018. The County will not be ready to expend those dollars until after November 2018. Looking at the other corridors, the Outer Loop and DNT, DNT was not even part of these discussions and the Outer Loop was fourth on the list of priorities. The focus should be trying to get the new LARs in place. The Commissioner told a story of her past experience regarding bond elections when she was on the Plano City Council. From that experience she has had strong convictions for voting on bonds. A bond must be specific enough for people to believe that what they are voting for is what they are going to get. In her opinion the specifics have not been adequately defined. She is not prepared to ask people to vote without more clarity to the bond. There are a lot more questions that have not been answered which will make it difficult to sell to the voters. Commissioner Williams said if she cannot get up in front of a group and defend it, then she is not willing to put it on a ballot.

Commissioner Hill is encouraged overall with how the conversations have been going. The point has come where the Court is talking about investing \$500 million plus into the infrastructure of Collin County for the citizens and communities. The decision is when and how this will happen. The Court is committed to investing what is needed for the infrastructure to move Collin County forward. Today there are four to seven major highways on the horizon. This includes new highways and improvements to existing highways. Consensus across the region is growing, but it is not there yet. More partnership is still needed from the region and cities to make sure moving forward is successful. There are dangers on both sides of this: the danger of moving too slow- losing momentum and opportunity; and the danger of moving too fast before the cities and region have embraced the vision causing the County to run over people. In the end it is the citizens who have to embrace the vision, vote and pay the taxes. There has been talk that the next bond election will be the first of several bond elections of the same magnitude.

He fears that if the Court moves too quickly, is not prepared for the election and has not instilled trust and confidence with the people it will make it very difficult to come back to them again two to three more times. Commissioner Hill believes the County will be okay in delaying the bond election until November 2018 giving the Court the greatest opportunity to bring the citizens into the discussion and bring all the cities on board.

Judge Self applauded the Planning Board for their work on the analysis. The discussion is about timing and everyone will need to be on board when the decision is finally made. Mr. Daugherty gave a valiant effort in providing a timeline on the projects. It showed the County is okay for the next year or two. In order to move forward successfully and not lose momentum we must continue to develop a better product to present to the citizens and the Court must come to a consensus. In 2007 the citizens approved a \$285 million bond which was supposed to be a five-year bond program just like this one. That one went to cities for city streets. That was ten years ago and talks of another bond election is just now occurring because the cities chose not to fund the five-year bond program. The Judge does not believe the Court should be in that position this time around. The Court should have the County vision to build the new highways and fund them with the \$500 million plus bond. He feels the citizens will approve it once they are given the product and roads. Referring to the story Commissioner Williams told of the need for a bond to be specific, Judge Self said if there is any wiggle room at all the pressure the Court will absorb to change what the bond proceeds go for will be incredible. Again there needs to be consensus of the Court when moving forward and a clear product to present to citizens. With that and the timeline of projects this looks to be on track for a November 2018 bond election.

Commissioner Fletcher referred to the free-lanes of the DNT going north of US380. The amount of growth occurring in that area is tremendous. By the end of 2018 there will be over 20,000 active lots under development north of US380 in Celina. That should give a clue on the number of people that will need to move on roadways. We need to look toward LARs and alternate routes to the LARs. She agreed there are dangers on both sides as Commissioner Hill said and it is important to look at those. Some are political, but that is what the Commissioners signed up for. She is open to approving the item today, but if the will is not there today, she is open to doing it as soon as possible.

Commissioner Webb agreed with Commissioner Fletcher as this seems to be moving into more of a political effort than a real need. He also agreed with Judge Self that if there is not a unanimous vote there could be a significant impact on the future of the County. The Commissioner represents the small southwest corner of the County and none of these LARs will directly impact his constituents, but they do understand the importance of the bond issue and that they will be indirectly impacted. He had a motion that would provide enough specificity of the corridors that it would be well received, but because he also wants the Court to be in consensus, he did not present the motion.

Commissioner Williams said her precinct is directly impacted by several of the proposed roads and because they are directly impacted there is a desire to get a lot more questions answered on how traffic will be distributed across the communities. A lot more information and data will be needed before she can expect her constituents to get on board.

Commissioner Hill expanded on the danger of moving too fast. Over the last several months he has heard from citizens in his precinct who have been very clear they want the Court to focus on infrastructure development. He believes when the Court gives the citizens a plan that all five Court members stand behind, it will pass. One of the common refrains from the people has been they want the specifics of where the roads will be located. They want to support it, but cannot do so blindly.

Judge Self said it will be important how the decision today is articulated. In no way does it mean the Court wants to take the foot off the accelerator, but the Court wants to get to a plan everyone can support. The Court wants to refine the products and to make sure they are knowledgeable when asking citizens to spend \$500 million on roadways. In the end if all five members of the Court can go to the people and say "this" is what we are asking you to support, he has no doubt the citizens will support it.

Commissioner Williams would like the Planning Board and the Court to receive regular updates in order to continue to ask additional questions and direct any additional routes or tweaks so the public knows the Court is engaged in this process. Judge Self said Mr. Daugherty and the Planning Board have been given a new mission to refine the product.

Commissioner Fletcher asked why the vision the Court gave to the Planning Board was not more direct. Judge Self said the County has moved faster than TxDOT and COG have been able to move, so now we have to allow them time to catch up with some of the planning the County cannot do. (Time: 2:56 p.m.)

**NO ACTION TAKEN**

**8. AI-38983 North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.**

Judge Self gave a brief update on the last NCTCOG (North Central Texas Council of Governments) Executive Board meeting. The eighth CASA (Collaborative Adaptive Sensing of the Atmosphere) radar will be installed in the region here in McKinney. There is an app for citizens of governments who participate in the CASA radar. Because Collin County participates, Judge Self asked Bill Bilyeu, County Administrator, and James McCrone, Emergency Management, to get the app out to the citizens. An electrical contract was held because the NCTCOG staff wanted to give it to TXU, but it was pointed out the P3 electrical contract is quite a bit cheaper. P3 will be providing a brief to the Board.

The RTC (Regional Transportation Council) has approved several hundred thousand dollars for a parking garage consultant. There is a science to how DART (Dallas Area Rapid Transit) stations, highways, and people movers are integrated into parking garages. Judge Self asked Clarence Daugherty, Engineering, to make people aware of the product once NCTCOG gets it because it should be available to the region.

The Judge asked Commissioner Webb if the RTC membership is correct and should it be addressed by the Court. Commissioner Webb said every two years the RTC is supposed to look at redistributing the membership which should be coming up this year. Judge Self asked the Commissioner to work on a recommendation for the Court. (Time: 3:00 p.m.)

**NO ACTION TAKEN**

**9. Board/Committee Appointments, Commissioners Court:**

**a. AI-43337 LifePath Systems.**

A motion was made to appoint Anne Bramlett to the LifePath Systems Board. (Time: 3:00 p.m.)

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

**COURT ORDER NO. 2017-462-06-26**

**10. Possible future agenda items by Commissioners Court without discussion.**

**EXECUTIVE SESSION**

Judge Self recessed Commissioners' Court into Executive Session at 3:06 p.m. in accordance with Paragraph 551.072, Real Estate to discuss: the Right-of-way acquisition for the Collin County Outer Loop from the DNT east to SH289 (Preston Road) counter offer from Equity Trust Co. - Parcels 13, 15 and 16 and Old Celina, Ltd. - Parcel 17; and to discuss the sanitary sewer easement with Lennar Homes of Texas Land and Construction, Ltd.

Judge Self reconvened Commissioners' Court and recessed the meeting at 3:23 p.m.

Judge Self reconvened the meeting at 3:30 p.m.

## **Real Estate (551.072)**

**AI-43328** Right-of-way acquisition for the Collin County Outer Loop from the Dallas North Tollway east to State Highway 289 (Preston Road) counter offer from Equity Trust Co. - Parcels 13, 15 and 16 and Old Celina, Ltd. - Parcel 17, Special Projects.

A motion was made to accept the counter offer from Equity Trust Co. for Parcels 13, 15, 16 and Old Celina, Ltd. - Parcel 17. (Time: 3:30 p.m.)

Motion by: Commissioner Cheryl Williams

Motion by: Commissioner Chris Hill

Vote: 4 – 0 Passed

Commissioner Susan Fletcher was not present for the vote.

**COURT ORDER NO. 2017-463-06-26**

**AI-43348** Sanitary Sewer Easement with Lennar Homes of Texas Land and Construction, LTD, Engineering.

Commissioner Webb moved to support the item as long as the following concerns were addressed: 1) on Page 8, the requirement for the owner to provide necessary easements to be developed – the Commissioner assumed the other easement developers are requesting the additional easement for ingress/egress – please identify prior to execution of the easements; 2) the need for a notice deadline in Paragraph 2a of Page 1, regarding the time limit the developer has to give notice to the Court or the agreement will become null and void; 3) the Court may wish to inquire how deep the line is – the line is controlled by the city – the Commissioner said the Court wants to reserve the right to tap into it and have knowledge of the depth of the line as to not run into it; 4) the Court wanted notification of the assignment and the reason for the connection; 5) change the 10-day period for the Court to review and confirm the plans to 30 days; and 6) if the line reaches capacity and hinders the County side that expansion of the line is not at the County's cost. Judge Self said the Court would like Lennar Homes to agree to the changes. If there is a vote, any signature by the County would be based on Lennar Homes agreeing to the changes.

Greg Urech, Lennar Homes, said Lennar can agree to the changes to the extent it is in Lennar's control. Necessary easement does mean the easement for the sewer line just as described. They will not need to access County property from another angle; access will be done through the area depicted in Exhibit C of the document. Lennar can agree to no more than one year for notification and completion of construction. Lennar will provide the County with a profile of the depth of the sewer line; however, it is at the city's control. Since it is a city line Lennar has no problem with the County tapping into the line, but the approval will have to come from the city's permit process. Lennar agrees to tighten up the assignment to be assigned to only the contractor/ownership entity conducting the work.

Exhibit A is the County's land, Exhibit B is Lennar land and Exhibit C is showing where the easement will go. The survey for the location of the easement is being conducted today. Lennar will give the County 30 days to review and confirm plans. Any capacity issues, to the control of Lennar, will be at no cost to the County. Mr. Urech will confirm these changes with a written response. If the item is approved, the response from Lennar will go to the Judge for review and his signature. Commissioner Hill had concern with supporting an agreement without personally reviewing it. Discussion continued on reviewing the completed agreement with a two-person committee. Commissioner Hill said he would rather pass the item with a three to one vote. With no further discussion the motion carried. (Time: 3:40 p.m.)

Motion by: Commissioner Duncan Webb  
Second by: Commissioner Cheryl Williams  
Vote: 3 – 1 Passed  
Nay: Commissioner Chris Hill

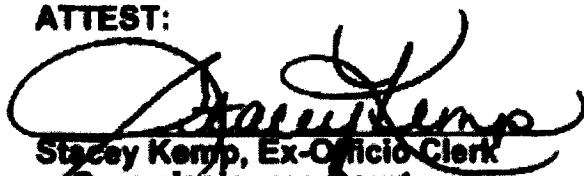
Commissioner Fletcher was not present for the vote.

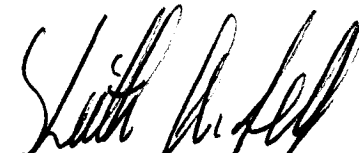
**COURT ORDER NO. 2017-464-06-26**

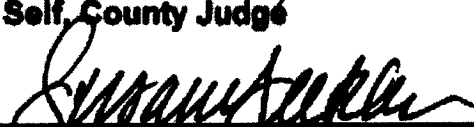
There being no further business of the Court, Judge Self adjourned the meeting at 3:40 p.m.





**ATTEST:**

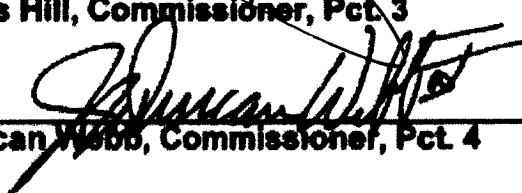
  
Stacy Kemp, Ex-Officio Clerk  
Commissioners Court  
Collin County, T E X A S

  
\_\_\_\_\_  
Keith Self, County Judge

  
\_\_\_\_\_  
Susan Fletcher, Commissioner, Pct. 1

  
\_\_\_\_\_  
Cheryl Williams, Commissioner, Pct. 2

  
\_\_\_\_\_  
Chris Hill, Commissioner, Pct. 3

  
\_\_\_\_\_  
Duncan Webb, Commissioner, Pct. 4