

STATE OF TEXAS

COMMISSIONERS' COURT
MEETING MINUTES
JUNE 5, 2017

COUNTY OF COLLIN

On Monday, June 5, 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 6:00 p.m. and recessed the meeting at 6:07 p.m. The meeting was reconvened at 6:13 p.m. and recessed at 7:22 p.m. The meeting was reconvened and immediately recessed into Executive Session at 7:23 p.m. Judge Self reconvened the meeting at 7:40 p.m. and adjourned the meeting at 7:41 p.m.

President Self called to order the meeting of the Collin County Health Care Foundation at 7:22 p.m. and adjourned the meeting at 7:22 p.m.

President Self called to order the meeting of the Collin County Toll Road Authority at 7:22 p.m. and adjourned the meeting at 7:22 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-43228 Budget amendment in the amount of \$300 utilizing the District Attorney State Forfeiture Fund to provide non-alcoholic refreshments for the "Worst Case Scenario: Impaired Driving Crashes from Crash to Courtroom" conference, District Attorney.

2. AI-43265 Personnel Changes, Human Resources.

FYI NOTIFICATION

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

2. AI-43199 Change Order No. 4 to Construction, Restoration of Remediation Areas, 900 E Park (IFB No. 2015-349) with SDB Contracting Services, Inc to make various changes to the contract (previously approved by the County Administrator per Court Order No. 2007-180-02-27), Construction & Projects.

3. Addenda:

a. AI-43209 No. 1 to Painting of Security Barriers at Justice Center (IFB No. 2017-184) to make various changes to the Invitation for Bid, Purchasing.

b. AI-43208 No. 1 and 2 to Concrete Joint and Crack Repairs at Various County Buildings (IFB No. 2017-173) to make various changes to the Invitation for Bid, Purchasing.

c. AI-43210 No. 1 and 2 to Fuels (IFB No. 2017-128) to make various changes to the Information for Bid, Purchasing.

4. AI-43192 P–Card Disbursements, Auditor.

5. AI-43226 Voluntary Terminations, Human Resources.

2. Public Comments.

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Self deleted item 4h1 and then asked for comments on the consent agenda. Commissioner Webb pulled item 4I2. With no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 7:20 p.m.)

Motion by: Commissioner Chris Hill

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

a. AI-43195 Disbursements for the period ending May 30, 2017, Auditor.

COURT ORDER NO. 2017-375-06-05

b. AI-43196 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2017-376-06-05

c. **AI-43174** Tax refunds totaling \$425,139.24, Tax Assessor/Collector.

COURT ORDER NO. 2017-377-06-05

d. Advertisement(s):

1. **AI-43191** Services: Coffee (IFB No. 2017-159), Purchasing.

COURT ORDER NO. 2017-378-06-05

e. Amendment(s):

1. **AI-43176** No. 1 to Collin County Mobility Plan Additional Demographics and Travel Demand Modeling Services with Jacobs Engineering Group, Inc. (AGR No. 2015-188) to add additional services and travel demand model runs, budget amendment in the amount of \$132,900 and further authorize the Purchasing Agent to finalize and execute same, Engineering.

COURT ORDER NO. 2017-379-06-05

2. **AI-43244** No. 5 to the Interlocal Agreement for Teen Court Services with the Town of Little Elm (Contract No. 2014-132) to extend the contract for one (1) year through and including September 30, 2018 and further authorize the Purchasing Agent to finalize and execute same, Administrative Services.

COURT ORDER NO. 2017-380-06-05

f. Change Order(s):

1. **AI-43248** No. 1 to Supplies, Janitorial (IFB No. 2015-148) with Pollock Paper Distributors, Inc. to accept the price changes for various line items, extend the contract for one (1) year through and including September 30, 2018 and further authorize the Purchasing Agent to finalize and execute same, Facilities.

COURT ORDER NO. 2017-381-06-05

2. **AI-43254** No. 1 to Supplies: Fleet Repair Parts (IFB No. 2015-144) with Midway Auto Supply, Inc. to delete various items from the contract, extend the contract for one (1) year through and including September 30, 2018 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2017-382-06-05

3. **AI-43253** No. 1 to Supplies: Fleet Repair Parts (IFB No. 2015-144) with Texas Kenworth Co. dba MHC Kenworth-Dallas to delete various items from the contract, extend the contract for one (1) year through and including September 30, 2018 and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2017-383-06-05

g. Contract Renewal(s):

1. **AI-43231** Professional Services, General Civil Engineering for County Buildings and Property (SOQ No. 2016-080) with Civil Consulting Group, PLLC to extend the contract for one (1) year through and including September 30, 2018, Construction & Projects.

COURT ORDER NO. 2017-384-06-05

2. **AI-43190** Fire Alarm/Fire Sprinkler Inspections, Testing, Maintenance and Repairs (RFP No. 2015-052) with Convergent Technologies, LLC to extend the contract for one (1) year through and including September 30, 2018, Facilities.

COURT ORDER NO. 2017-385-06-05

3. **AI-43215** Parking Lot Striping (IFB No. 2016-330) with NTS Contractors, LLC to extend the contract for one (1) year through and including September 30, 2018, Facilities.

COURT ORDER NO. 2017-386-06-05

4. **AI-43212** Security Gate Repair Parts and Services (IFB No. 2016-295) with Orion Access Control, Inc. dba Royal Access Control to extend the contract for one (1) year through and including September 30, 2018, Facilities.

COURT ORDER NO. 2017-387-06-05

5. **AI-43218** Services, Maintenance HVAC Contractor (IFB No. 2015-141) with 3D Mechanical Service Company, Inc. to extend the contract for one (1) year through and including September 30, 2018, Facilities.

COURT ORDER NO. 2017-388-06-05

6. **AI-43213** Services, Qualified Scheduling Entity (QSE) to Participate in ERCOT (RFP No. 2016-163) with CPower to extend the contract for one (1) year through and including September 30, 2018, Facilities.

COURT ORDER NO. 2017-389-06-05

7. **AI-43249** Services: Vending (IFB No. 2015-150) with Supreme Food Services Inc. dba Vendpro to extend the contract for one (1) year through and including September 30, 2018, Facilities.

COURT ORDER NO. 2017-390-06-05

8. **AI-43257** Supplies: Fleet Repair Parts (IFB No. 2015-144) with Wurth USA, Inc. to extend the contract for one (1) year through and including September 30, 2018, Public Works.

COURT ORDER NO. 2017-391-06-05

9. **AI-43243** Professional Services, Psychological Assessment (Agreement No. 2015-227) with Dr. Kristi Compton Ph.D., P.C. to extend the contract for one (1) year through and including September 30, 2018, Purchasing.

COURT ORDER NO. 2017-392-06-05

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

1. **AI-43134** County overtime for the pay period ended May 21, 2017, Human Resources.
PULLED

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

1. **AI-43224** \$1,000 to reallocate funds to cover the expenses for supplemental training pay, Sheriff.

COURT ORDER NO. 2017-393-06-05

2. **AI-43214** \$5,000 to reallocate funds to reimburse Inmate Transfer staff for mileage, Sheriff.

COURT ORDER NO. 2017-394-06-05

j. Receive and File, Auditor:

1. **AI-43239** Monthly Financial Reports for February 2017.

COURT ORDER NO. 2017-395-06-05

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

1. **AI-43204** May 8, 2017.

COURT ORDER NO. 2017-396-06-05

2. **AI-43245** May 15, 2017.

COURT ORDER NO. 2017-397-06-05

l. Miscellaneous

1. **AI-43225** Establish a cash drawer in the amount of \$100 for the Sheriff's Office front desk, Auditor.

COURT ORDER NO. 2017-398-06-05

2. AI-43260 Final Plat for Preston Park Estates Phase III, Engineering.

Commissioner Webb pulled this item saying the County continues to take on residential streets, and as the County continues to grow, this could become one of its biggest expenditures. The Commissioner said the Court needs to adjust its policy on this issue. With no further comments, a motion was made to approve the item. (Time: 7:21 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 1 Passed
Nay: Commissioner Duncan Webb

COURT ORDER NO. 2017-399-06-05

3. AI-43194 Acceptance of 1,789 cubic yards of asphalt road millings from the Texas Department of Transportation under the TxDOT County Assistance Program (CAP), Public Works.

COURT ORDER NO. 2017-400-06-05

4. AI-43258 Reimbursement for fencing materials in the amount of \$8,060.50 to Mr. Tuan Tran (AJD Group LLC) for property along CR 451, Public Works.

COURT ORDER NO. 2017-401-06-05

5. AI-43207 Acceptance of the Dining Alliance rebate check in the amount of \$580.86 to be deposited in the Going the Extra Mile Employee Incentive Program line item and budget amendment for same, Purchasing.

COURT ORDER NO. 2017-402-06-05

6. AI-43198 Donation of six (6) surplus MDCs to the Anna Fire Department per VTCA LGC 263.152, Sheriff.

COURT ORDER NO. 2017-403-06-05

7. AI-43266 Personnel Appointments, Human Resources.

COURT ORDER NO. 2017-404-06-05

8. AI-43267 Personnel Changes, Human Resources.

COURT ORDER NO. 2017-405-06-05

GENERAL DISCUSSION

5. AI-43117 Accept the donation of portraits of Collin County heroes, Commissioners Court.

As part of the Collin County Fallen Warrior Portrait Project, R. D. Foster came forward to present six portraits of Collin County heroes to be put on permanent display in the "Hall of Heroes" at the Collin County Courthouse. The portraits are created by McKinney artist and US Air Force veteran, Colin Kimball, who donates his time and talents to this historic project. The following are the six heroes being honored:

Richard P. Rush, McKinney, Seaman 1st Class, US Navy, killed in action December 7, 1941 during the attack on Pearl Harbor.

Loyd McGraw, McKinney, Tech/Sgt. US Army, 99th Infantry Division, killed in action at the Battle of the Bulge in 1944 during WWII.

Lloyd R. McCrary, Farmersville, Pvt. 20th Combat Engineers, 49th Infantry Division, 7th Army, killed in action in Europe in April 1945 during WWII

Charles L. King, Prosper, Spc. 5th Class, US Army, 3rd Brigade, 47th Infantry Division, Mobil Riverine Force, killed in action on June 4, 1969 in South Vietnam.

Eric Duckworth, Plano, Staff/Sgt. US Army, 759th Military Police Battalion, 89th Military Police Brigade, died of wounds sustained when an improvised explosive device detonated near his vehicle in Baghdad, Iraq, on October 10, 2007.

Timothy Barber, McKinney, 4th Class Cadet at the US Air Force Academy, killed in a plane crash on December 31, 2016, in McKinney while home on leave.

Mr. Kimball thanked the Court for allowing the portrait project to keep the legacies of these men alive for future generations. He also thanked the families of the men for their support. With no further discussion, a motion was made to accept the portraits and place them in Courthouse. (Time: 6:07 p.m.)

Motion by: Commissioner Chris Hill
Second by: Commissioner Duncan Webb
Vote: 5 – 0 Passed

COURT ORDER NO. 2017-406-06-05

Judge Self thanked the families for their sacrifice and then recessed Commissioners' Court at 6:07 p.m. so families could take photographs with the portraits. Court was reconvened at 6:13 p.m.

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

Clarence Daugherty, Engineering, came forward and introduced Bill Moore representing the Planning Board. The Court had asked the Planning Board to look at available data and make recommendations regarding the need for additional LARs (Limited Access Roadways) in Collin County. The Board met 13 times, and on March 1, 2017, invited all the cities of Collin County to a transportation summit to discuss the issue. Responses from the cities were: (1) three resolutions of support; (2) no resolutions opposing; (3) separate resolutions supporting cost sharing of city thoroughfares; and (4) several cities informally (verbally or via email) expressed the desire for city thoroughfare cost sharing. The Bond Committee concluded that a city that did not send a formal response did not oppose a bond election. Discussions were very positive and, with the rapid growth in Collin County, everyone agreed there is a need for additional LARs.

Mr. Daugherty discussed the population estimates and projections for Collin County. Projections show the 2010 population will double before 2030, and by 2050 Collin County will be larger than Dallas County. The Court notified TxDOT (Texas Department of Transportation) and NCTCOG (North Central Texas Council of Governments) of the county's needs which included US380, SH78, a north/south roadway between US75 and Lake Lavon and the Outer Loop. TxDOT and NCTCOG then developed a Roadway Action Plan for the County. Regarding funding, \$602 million has been allocated in the Regional Ten Year Plan (UTP) Unified Transportation Plan for construction of Collin County LARs. Aside from the Outer Loop, these roadways have not been started yet, so there is a tremendous amount of initial work to be done.

Mr. Daugherty said 20% of construction funding will be available from TxDOT for engineering and ROW (Right of Way) when the environmental clearance process begins. In the first five years, the pre-construction tasks are feasibility, alignment, environmental, public involvement, design, ROW purchase and utility relocation.

According to the Planning Board, it is urgent that freeways be planned now to prevent closing of corridors by development and ROW corridors be acquired as soon as possible at the lowest cost possible. It is extremely important that the County be in the position to fund the tasks necessary to get all of the freeways ready for construction as soon as possible.

The assumptions for the corridors include US380 west of US75 to be along the existing alignment, and the east side would be an extension of Spur 399. The north/south roadway in the southeast part of the County which COG refers to as the Lake Corridor would be from SH121 in the north to the President George Bush Turnpike at the south end. There is also an assumption that there will be an east/west corridor from SH78 between the lakes. The alignment for this has not yet been determined.

Another assumption is that 20% of the UTP funds for US380 will be applied by COG/TxDOT for engineering and ROW for the Spur 399 Extension. Mr. Daugherty is not sure if more than one project can be done at a time. The County will have to provide engineering and ROW funding for the remainder of US380, the Lake Corridor, and the east/west (SH78) corridor. The County will provide ROW funding for all of the Outer Loop. With those assumptions, it is estimated the County will need to contribute \$536 million.

Regarding timelines, the Spur 399 Extension should be approved to start the environmental process in late 2017 and will require an additional \$34 million from the County beyond the 20% from COG/TxDOT. The Lake Corridor should also be approved to start the environmental process in late 2017 and, since this is an extremely long road, would need an additional \$121 - \$191 million from the County. The Outer Loop service road will be ready for construction in 2018 and will require an additional \$9 million from the County. ROW for the Outer Loop between Preston Road and US75 will be ready to start being acquired in 2018 for an approximate cost of \$50 million. While these other projects are going on, the environmental process for US380 west of US75 should be ready to start in early 2019 at a cost of \$157 million.

Mr. Moore said the Planning Board's recommendation is to include a bond election at the maximum amount of funding that will not increase the tax rate for the County. There are three options for how that money can be allocated. They are: (1) 100% of the funding available for LARs; (2) 90% for LARs and 10% for arterials connecting to the LARs; and (3) 80% for LARs, 10% for connecting arterials connecting and 10% for 50/50 sharing of city thoroughfares.

If the Court decides a bond election would be advisable in November, Mr. Moore presented a bond election schedule. The Court would call a bond election on June 30. July 1 would begin voter education meetings with the Public, Planning Board and Commissioners' Court. Promoting voter turnout for the bond election would begin August 1 and the bond election would be held on November 7.

Commissioner Webb is fully supportive of this but is concerned about Spur 399. If the approval of Spur 399 is not tied to US380, then US380 could be stonewalled or blocked. The Commissioner has been assured that more than one project can go forward at the same time. If there is consensus, it can be brought to the RTC (Regional Transportation Council) for approval. Originally the Commissioner wanted all the funding to go toward the freeways, but after talking to the cities he would be supportive of the 80-10-10 option. He would like to see more go to the LARs because he thinks we will not get enough money from the state within the time periods that we need to move these projects along. The County and its taxpayers are going to have to move forward if we want to accelerate these projects and get them built in a timely manner.

Commissioner Fletcher agreed with the 80-10-10 option with the caveat that the 50/50 sharing projects need to be part of our own transportation plan in easing congestion in the County. The Commissioner said something has to be done outside of the LARs because when a major accident shuts down the LARs, people will then go into the cities and need the ability to move through the cities.

Commissioner Williams said some information the Court received after COG did their studies indicated there would be only two additional LARS – the Lake Corridor and the Outer Loop. That would mean the other proposed LARs would be considered principal arterials. The Commissioner said all of the proposed LARs are crucial and integral to each other. Judge Self agreed that SH78 north and south is considered a thoroughfare by the RTC. Commissioner Williams suggested if the 80-10-10 option were selected, that the 80% be used on the SH78 corridor even though it may not be designated as a LARs. The Commissioner wants to be very clear and specific with the terminology. A lengthy conversation ensued.

Judge Self said we are in danger of losing our LARs concept altogether and agreed with Commissioner Webb that the \$500 million could be absorbed in no time. There is a definite disconnect between consensus and cost sharing. No one can anticipate the intensity of the lobbying the commissioners will receive to build city streets. For this reason the Judge said the money needs to be bound. We are in danger of losing control of this because the city staffs want money to go to the cities, and building the six-lane thoroughfares no longer works.

Commissioner Hill said we must have an investment in our infrastructure moving forward, and it is critical that we invest in our LARs and high speed highways. It is critical that our cities invest in city thoroughfares and city streets. The Commissioner is concerned because there are cities that refuse to lower their tax rate, are fighting with the County, and making false statements in Austin about the County's tax rate and services. As they are making these bold proclamations against the County, they are sending us letters asking for money for their cities. We owe it to the taxpayers and citizens to build the infrastructure, but it is frustrating to get those letters at the same time that they are taking swipes at the County in a way that is misleading and false. The Commissioner is not against helping cities with their thoroughfares, but they come lower on the priority list than the LARs. If we don't put some hard lines around what we intend to get done, we run the risk of losing the focus on the big issues.

Commissioner Williams said SH78 was our number two priority. If it is not going to have access to the 80, 90 or 100%, then that is a non-starter for the Commissioner. Whether the improvements are a LARs or a principal arterial, it is a critical roadway both north/south and east/west and must continue to be a priority. Commissioner Hill agreed SH78 is a priority, but COG's advice was that is not the best roadway to build as a LARs. There was a lengthy conversation regarding SH78.

Commissioner Fletcher said when the Commissioners made their presentations to the cities, we started out with a number of \$400 million and now we're talking about \$535 million. Our whole vision and funding has changed. Will some of the \$535 million be diverted to roads that go through cities? We need to focus on how we will move people throughout the county not whether or not it is within a city border. According to the timeline, we will not be building LARs during the first five years, and we need to think about how we will move traffic through these cities because they will have to handle the congestion.

Commissioner Hill said it is important to give citizens as much clarification as possible regarding how their money will be spent. Judge Self agreed saying it needs to be bound in the ballot language and in the presentations to the citizens. (Time: 7:18 p.m.)

NO ACTION TAKEN

7. Board/Committee Appointments, Commissioners Court:

a. AI-43230 North Texas Groundwater Conservation District.

A motion was made to appoint Allen Knight to the board of the North Texas Groundwater Conservation District. (Time: 7:22 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Chris Hill

Vote: 5 – 0 Passed

COURT ORDER NO. 2017-407-06-05

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

NO ACTION TAKEN

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

NO ACTION TAKEN

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

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 7:23 p.m. under Paragraph 551.071, Legal, of the Local Government Code to discuss Judge Gallagher's second order on payment of attorney's fees to attorneys pro tem.

Legal (551.071)

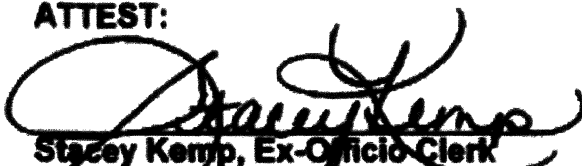
AI-43272 Judge Gallagher's second order on payment of attorney's fees to attorneys pro tem (Case No. 416-81913-2015), Commissioners Court.

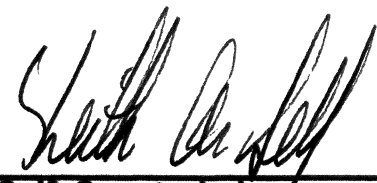
NO ACTION TAKEN

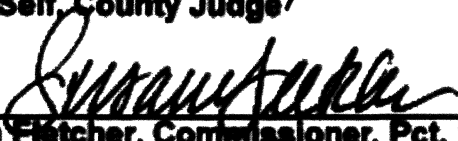
Commissioners' Court was reconvened at 7:40 p.m. Judge Self said there will not be a full Court for the next two Courts and asked the Court members to give their guidance to Mr. Daugherty on the bond election individually. With no further comments, Judge Self adjourned Commissioners' Court at 7:41 p.m.



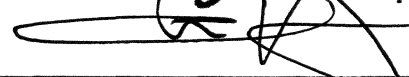
ATTEST:


Stacey 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