

STATE OF TEXAS

COMMISSIONERS' COURT

MEETING MINUTES

COUNTY OF COLLIN

MARCH 12, 2018

On Monday, March 12, 2018, 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 John Thomas, Precinct 3

Commissioner Duncan Webb, Precinct 4

Absent: Commissioner Cheryl Williams, Precinct 2

Judge Self led the Invocation.

Cub Scout Pack 298, Frisco, led the Pledge of Allegiance and 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 2:37 p.m. The meeting was reconvened and immediately recessed into Executive Session at 2:38 p.m. The meeting was reconvened at 3:41 p.m. and adjourned at 3:42 p.m.

President Self called to order the meeting of the **Collin County Health Care Foundation** at 2:37 p.m. and adjourned the meeting at 2:38 p.m.

FYI NOTIFICATION

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

2. **AI-44505** Amendment No. 1 to the Interlocal Agreement with Community ISD for Dispatch Services to correct the quarterly installment amount from \$68.49 to \$186.21, Purchasing.

3. **AI-44583** Change Order No. 1 to Collin County Jail, Book-In Millwork Replacement (IFB No. 2017-281) with Gomez Floor Covering, Inc. dba GFC Contracting to remove data cable installation in new millwork from the project scope, Construction & Projects.

4. **AI-44484** Indemnification of the Tax Assessor/Collector in the amount of \$100, Auditor.

5. **AI-44483** P-Card Disbursements, Auditor.

2. Public Comments.

3. Presentation/Recognition. Judge Self recognized Jim Skinner, Sheriff, who last week was certified to practice in front of the US Supreme Court. (Time: 1:31 p.m.)

4. Consent agenda to approve: Judge Self asked for comments on the consent agenda. Commissioner Webb pulled items 4h1, 4h2, and 4h4. Hearing no further comments, a motion was made to approve the remainder of the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 4 – 0 Passed

a. AI-44567 Disbursements for the period ending March 6, 2018, Auditor.

COURT ORDER NO. 2018-218-03-12

b. AI-44568 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2018-219-03-12

c. Advertisement(s):

1. AI-44590 Elastic Platinum X-Pack Subscription (IFB No. 2018-182), Information Technology.

COURT ORDER NO. 2018-220-03-12

2. AI-44591 Extractor and Scanner for Tax Office (IFB No. 2018-125), Tax Assessor/Collector.

COURT ORDER NO. 2018-221-03-12

d. Award(s):

1. AI-44565 Hardware/Software Storage Replacement (Sheriff's Office) (Contract No. 2018-160) to Unique Digital, Inc., Information Technology.

COURT ORDER NO. 2018-222-03-12

2. AI-44592 Road Widener/Shouldering Attachment for Skid Steer or Compact Track Loaders (IFB No. 2018-003) to ROMCO INC dba ROMCO Equipment Co. or ROMCO Exchange Co LLC, Public Works.

COURT ORDER NO. 2018-223-03-12

e. Contract Renewal(s):

1. AI-44560 County Depository (Contract No. 2014-206) with The American National Bank of Texas, Inc. (ANBTX) to extend the contract through and including May 30, 2020, Auditor.

COURT ORDER NO. 2018-224-03-12

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

1. **AI-44588** \$726 for the Liebert Modbus card and LON gateway for Dispatch CR 1, CR 2 and Hall Liebert Units for the Relocation and Expansion of the 911 Dispatch Center Project, Construction & Projects.

COURT ORDER NO. 2018-225-03-12

g. Receive and File, Auditor:

1. **AI-44585** Investment Report (1st Quarter FY2018).

COURT ORDER NO. 2018-226-03-12

h. Miscellaneous

1. **AI-44581** Amend the FY 2018 Fee Schedule to increase the Passport Acceptance Fee (Passport Application Fee) from \$25 to \$35 effective April 2, 2018, District Clerk.

Commissioner Webb pulled this item to ask if the increase of the Passport Acceptance Fee from \$25 to \$35 is mandatory. Lynne Finley, District Clerk, said the increase is mandatory for all passport application acceptance agents and will take effect on April 2, 2018. Initially the increase was questioned, but Ms. Finley reached out to the US Department of State and received clarification. The District Clerk is holding a Passport Day on Saturday, March 24, 2018, for citizens to take advantage of the lower rate before the fees change. The County Clerk's Vital Statistics Department will also be open that day to issue birth certificates which are required for passports.

Ms. Finley added the State Department has recognized the District Clerk's Office in McKinney and Plano for having a no deficiency survey. With no further discussion, a motion was made to approve the item. (Time: 1:38 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2018-227-03-12

2. **AI-44461** Acceptance of the portion of River Park Road within The Hills of Lone Star Phase 4/East Fork North Subdivision for County maintenance, Engineering.

Commissioner Webb pulled this item to say the County should not be taking on the responsibility of residential streets. The Commissioner said the policy needs to be changed. He is concerned for the long-term with what is going on with forced annexation. Commissioner Fletcher agreed and said she would like to table the item for now in order to discuss the policy because it will affect how cities are able to annex and will affect the County's responsibility in maintaining the roads.

Commissioner Thomas was in favor of discussing the policy at a future time, but pointed out the County has already made a commitment with this particular road which has gone through the requirements of the performance bond process to bring the road up to the County standards. Clarence Daugherty, Engineering, reiterated the statement made by Commissioner Thomas and said the policy change should be considered for future development. Discussion continued. A motion was made to accept the portion of River Park Road per the County policy. (Time: 1:47 p.m.)

Motion by: Commissioner John Thomas
Second by: Commissioner Susan Fletcher
Vote: 3 – 1 Passed
Nay: Commissioner Duncan Webb

COURT ORDER NO. 2018-228-03-12

Following the General Discussion items Judge Self revisited item 4h2. The Judge asked that staff be informed if an item needs to be heard by the full Court. This will avoid the Court having to vote more than once on an item. (Time: 2:36 p.m.)

3. AI-44578 Replat of Lot 1R, Block A of Eisenhower Estates, Engineering.

COURT ORDER NO. 2018-229-03-12

4. AI-44510 Opt-in to the FirstNet – First Responder Network, Information Technology.

Commissioner Webb is supportive of the system, but pulled the item because part of the memo shows the cost associated with the opt-in is unknown. The Commissioner is very hesitant to opt-in to something with unknown costs. Caren Skipworth, CIO, said there will be hardware coming out on the market that runs on the Band Class 14 network; however, it's not there yet. Opting in now will allow the County to participate as part of the network. The first responders can be put on the network as a priority one using current devices at no cost. The cost will come later with the purchase of new hardware. Any County device currently running on the AT&T data and voice plan will be moved to the FirstNet plan at the same costs currently paid. There will be no increase in budget.

Commissioner Webb asked if this would accelerate the buying of equipment. As part of the budgetary process, Ms. Skipworth has recommended that any first responders who will be using this product on a daily basis should put it in their next budget. Judge Self asked why the County has to opt-in if it is already available to the County since Texas opted in. Ms. Skipworth said it is a contractual requirement between AT&T and FirstNet that all city and county first responders must opt-in through their governing body. With no further discussion, a motion was made to approve the item. (Time: 1:52 p.m.)

Motion by: Commissioner Duncan Webb
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2018-230-03-12

5. **AI-44589** Reject all bids received for ElasticSearch Use Cases (IFB No. 2018-106), Information Technology.

COURT ORDER NO. 2018-231-03-12

6. **AI-44579** Partial road closure (right lanes) of County Roads 132, 134, 135, 138, 176, 177, 178 and 179 on April 8, 2018 to facilitate the Texas High School Cycling League (THSCL) bicycle race, Public Works.

COURT ORDER NO. 2018-232-03-12

7. **AI-44582** Grant application for the FY2017 State Criminal Alien Assistance Program (SCAAP) grant through the US Department of Justice, Bureau of Justice Assistance, Sheriff.

COURT ORDER NO. 2018-233-03-12

8. **AI-44603** Personnel Appointments, Human Resources.

COURT ORDER NO. 2018-234-03-12

9. **AI-44604** Personnel Changes, Human Resources.

COURT ORDER NO. 2018-235-03-12

GENERAL DISCUSSION

5. **AI-44584** Creation of two (2) new patrol positions, Sheriff.

Sheriff Jim Skinner came forward to request approval for two new patrol positions currently in contingency in the FY2018 budget. These positions are part of the Sheriff's reorganization plan for the patrol division. During the FY2018 budget process he asked the Court to approve the plan to move from 33 deputies to 48 deputies supervised by four sergeants and two lieutenants for a total of 54 patrol deputies. To accomplish those numbers, deputies throughout the organization have been moved to patrol, but the target number has not been reached. The reorganization plan called for ILAs (Interlocal Agreement) with Lowry Crossing, New Hope, Lucas, Inspiration Point, Trinity Falls, Blue Ridge, Nevada and Seis Lagos. A combination of those would have fielded five deputies with four fully-equipped cars for a cost of \$611,236. ILAs have not been accomplished with Blue Ridge, Nevada or Seis Lagos leaving the patrol division 1.25 shares short of the five positions or lacking \$181,091.25. Currently the patrol division has 24 deputies, 13 recent hires – six in field training, two waiting to field train, five in the police academy, and 11 vacant positions.

Judge Self took this request as an opportunity to do a mid-year payroll budget review. The SO (Sheriff's Office) payroll budget year-to-date is \$12,518,457. Of that, \$12,077,852 has been spent, leaving an excess payroll budget of \$440,605. The budget includes both salaries and overtime. The excess normalized through the entire fiscal year is \$1,041,430. The Sheriff needs approximately \$79,054 in the personnel budget to fully fund the two requested deputies which would leave the current normalized personnel budget at \$962,278, even if overtime continues at the current pace.

Therefore, 26 new fully-qualified deputies could be hired for this fiscal year within the SO's current personnel budget. As of today, there are ten open deputy positions with none waiting approval and five open detention positions with two waiting approval. Even if all open positions are filled, there is enough money in the SO personnel budget; therefore, no additional tax dollars are needed out of contingency. The budget amendment would be for equipment for the two positions if approved.

Commissioner Webb said he looked at the budget amendment independent of the creation of the two new patrol positions. He asked if the Judge supports the creation of two positions. Judge Self said there is no need to create two new positions because there are already open positions. If two more are created, it will only add to the openings. Sheriff Skinner said he does have 11 open positions, but to get to the total of 48 deputies he needs the two additional positions. Judge Self said this would be something to address in the next budget because the average number of openings in patrol remains at 11. Discussion continued.

Commissioner Thomas asked if the Court made a commitment to hire the positions or if it was contingent on the ILAs. Judge Self replied it was contingent on the signing of the ILAs. Commissioner Webb agreed and said those cities have not come to the table which does not fulfill what he supported as part of the budget. Commissioner Webb supports the plan of 48 deputies.

Sheriff Skinner said eventually he will need 48 deputies to be able to provide sufficient back up throughout the County. Once there are 48 patrol deputies there will be four platoons running in 12-hour shifts. The 12-hour shifts will help with retention, hiring, morale and unit cohesiveness. If 11 deputies are hired before the end of the fiscal year, closing the gap, the Sheriff asked if he could get started on the last two deputies. At that point there will still be \$181,091.25 in contingency. Judge Self said the contingency can be done at any time.

Commissioner Thomas spoke with the Mayor and City Manager of Blue Ridge about the amount of money it takes to fund a position which was not possible this year within their tight budget. He said it is likely for Blue Ridge to be on board with the ILA next year. In looking at Precinct 3, the Commissioner said having a full contingency of patrolmen is very important for the Precinct.

Judge Self said this would be adding to where the Sheriff already has authority because he has positions open and equipment in his budget. The positions are fungible whether they are funded by ILAs or open positions which are already funded. Commissioner Webb said the funding is not the issue; the issue is creating two new positions. He supported the 48 because it is a safety issue, but with the understanding that five were to come from ILAs so the impact to the County wasn't so severe. Now the plan is being reshuffled so that the County will be responsible for the two positions. The Commissioner said if the SO runs up against the cap, he is prepared to approve the two new positions, but if the SO does not run up against the cap this can be revisited during budget.

Sheriff Skinner appreciated the discussion and asked for the opportunity to come back to Court to get the two positions if the 11 openings are filled. Commissioner Fletcher is supportive of the reorganization plan and would like to set the SO up for success given the continued growth in population. Commissioner Thomas asked how long it takes to get the vehicles and equipment from the time they are ordered. John Kleinheksel, Public Works, said the time frame is six to eight months. Sheriff Skinner will work with Mr. Kleinheksel on the timing of vehicles to officer ratio as deputies are hired and ready for the field.

A motion was made to approve the creation of two new patrol deputy positions. (Time: 2:18 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner John Thomas

Vote: 2 – 2 Failed

Nay: Judge Keith Self and Commissioner Duncan Webb

NO ACTION TAKEN

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

Commissioner Webb updated the Court on the March 8, 2018 RTC (Regional Transportation Council) meeting. Mobility 2045 and the situation with IH635 East were the most interesting topics. The Chairman of the Texas Transportation Commission sent a letter to the RTC asking them why they aren't doing something about IH635 E. The RTC replied with a letter stating they are doing what is needed and asked the Commission why they are not moving forward with procurement. Sandy Greyson, Dallas Council Member along with the Mayor of Garland and representatives along the IH645 E corridor said if there are no managed lanes, they will not build it. They will wait. If managed lanes are taken out, the shortfall is approximately \$1 - \$1.5 billion. There was discussion from other representatives in the RTC not wanting their projects wiped out to fund IH635 E. In the end RTC did nothing with IH635 E.

The RTC did move forward with approving Mobility 2045. There was one change Commissioner Webb had made. US380 and the LARs (Limited Access Roadway) corridors are not on the Mobility 2045 map. The reason for this is because consensus is still building on some corridors. It was decided to highlight the roadway corridors on a map with large orange lines showing them being studied. Mobility 2045 is going to the public at the beginning of April 2018. Commissioner Webb hopes one of the corridors will be on the Mobility 2045 map as a LAR within the next year. (Time: 2:24 p.m.)

NO ACTION TAKEN

7. AI-44626 Review of the Federal Infrastructure Plan from the NACo Conference, Administrative Services.

Bill Bilyeu, County Administrator, updated the Court on the Federal Infrastructure Plan from the NACo (National Association of Counties) Conference. The big push was for the P3 (Public-Private Partnership) match. Approximately \$200 billion will be offered for P3. The federal government will put up 20% and the rest will be brought forward by the public sector in conjunction with the private sector. Projects will be self-funding projects such as toll roads or waste water/fresh water improvements that can have a fee attached to generate money. This will all be leveraged by the private sector – pension funds and foreign investments. It will be a struggle for Texas due to its opposition of toll roads and foreign investments.

TIGER (Transportation Investment Generating Economic Recovery) Grants were discussed. The US Department of Transportation decides where these funds are used. Last year only 3% of the applications received were accepted, 97% were unfunded. It is expected the same amount of money will be available for shovel ready projects.

Huge changes are expected with environmental review. Savings are expected to be \$300-\$500 million a year with cutting down the environmental time period by outsourcing engineering companies to do the review.

There was a lot of talk on earmark money. In order to get the Federal Infrastructure Plan funded, which is beyond typical transportation funding, Congress may be allowed to individually make more earmark decisions.

It was also mentioned the gas tax is never expected to increase because there is a full understanding that vehicles are much more efficient.

Commissioner Thomas asked if there are any other funding mechanisms for the rural area infrastructure like the LARs (Limited Access Roadway) in Collin County. Mr. Bilyeu said those would not be eligible here because they are included in our MPO (Metropolitan Planning Organization) which is an urban area. (Time: 2:35 p.m.)

NO ACTION TAKEN

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

Commissioner Webb would like a discussion on the policy for the acceptance of residential/subdivision roads. Commissioner Thomas would like to invite TxDOT (Texas Department of Transportation) and NCTCOG (North Central Texas Council of Governments) to discuss their transportation studies. Bill Bilyeu, County Administrator, said the Court has contracted with a firm to rewrite the subdivision regulations which will be on an agenda when completed. (Time: 2:37 p.m.)

Judge Self recessed the meeting at 2:37 p.m. and called to order the meeting of the Collin County Health Care Foundation. Judge Self reconvened the meeting at 2:38 p.m.

EXECUTIVE SESSION

Judge Self recessed Commissioners' Court into Executive Session at 2:38 p.m. under paragraph 551.071, Legal to discuss three subjects: 1) opioid litigation; 2) Case No. 401-03649-2015 The City of McKinney, Texas, vs. Custer Storage Center, LLC; and 3) the petition for the creation of Collin County Municipal Utility District No. 2.

Judge Self reconvened the meeting at 3:41 p.m.

Legal (551.071)

AI-44627 Opioid Litigation, Administrative Services.

NO ACTION TAKEN

AI-42504 Case No. 401-03649-2015 The City of McKinney, Texas, vs. Custer Storage Center, LLC, Commissioners Court.

NO ACTION TAKEN

AI-44629 Petition for the creation of Collin County Municipal Utility District No. 2, Administrative Services.

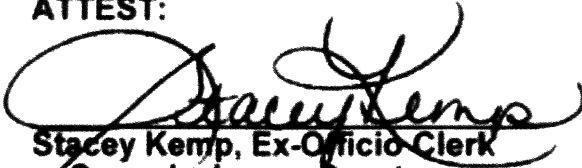
A motion was made to file an objection to the creation of Collin County Municipal Utility District No. 2. (Time: 3:41 p.m.)

COURT ORDER NO. 2018-230-03-12

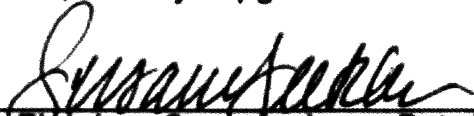
There being no further business of the Court, Judge Self adjourned the meeting at 3:42 p.m.



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


John D. Thomas, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4