

State of Texas	§	Court Order
Collin County	§	2020-xxx-08-10
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the July 20, 2020 minutes.

On Monday, July 20, 2020 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 Chris Hill
 Commissioner Susan Fletcher, Precinct 1
 Commissioner Cheryl Williams, Precinct 2
 Commissioner Darrell Hale, Precinct 3
 Commissioner Duncan Webb, Precinct 4

Commissioner Webb led the invocation
 Commissioner Hale led the Pledge of Allegiance
 Commissioner Fletcher led the Pledge of Allegiance to the Texas Flag

1. Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and adjourned at 3:07 p.m.

President Hill called to order the meeting of the Collin County Toll Road Authority at 3:08 p.m. and adjourned the meeting at 3:08 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 3:08 p.m. and adjourned the meeting at 3:08 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-48728 CSCD proposed FY 2021 budget, CSCD.
2. AI-48747 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. AI-48740 P-Card disbursements, Auditor.

2. AI-48742 Change Order No. 1 to Construction, North Employee Door Repairs, Steindam Courts Building (IFB No. 2020-208) with Nouveau Technology Services L.P. dba Nouveau Construction and Technology Services L.P. to extend the contract completion date, Construction & Projects.

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

a. AI-48587 \$888,468 to establish the budget for the HAVA Cares Act grant, Auditor.

b. AI-48743 \$177,694 to establish the budget for the Chapter 19 Cares grant, Auditor.

2. Public Comments.

Dani Bishop, Precinct 157 Chairman, expressed her concerns with navigating the online tool for accessing Commissioners Court meeting videos. Ms. Bishop said the meeting minutes are extremely helpful in deciphering the important points of each meeting. Without the minutes the meeting video is ineffective. Ms. Bishop would like the Court to consider ways to bridge the wide gap between the posting of the meeting video, (which takes three to four days to be posted) and the subsequent addition of the meeting minutes (which takes between five to six weeks to be posted). Information moves quickly these days, and the Court needs to stay ahead of misinformation by posting the meeting videos along with the minutes online promptly. Ms. Bishop suggested providing an unofficial version of the minutes in order to have access sooner. (Time 1:35 p.m.)

4. **Consent agenda to approve:** Judge Hill pulled item 4d1 for discussion. The Judge asked for any other comments or concerns on the agenda. Hearing none, a motion was made to approve the remainder of the consent agenda. (Time 1:36 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

a. AI-48737 Disbursements for the period ending July 14, 2020, Auditor.

COURT ORDER NO. 2020-643-07-20

b. AI-48738 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2020-644-07-20

c. Tax Refund(s):

1. AI-48726 Tax refunds totaling \$1,162,093.94, Tax Assessor-Collector.

COURT ORDER NO. 2020-645-07-20

d. Award(s):

1. AI-48729 Elastic Expansion (Coop Quote 2020-333) utilizing the GSA Contract No. GS-35F-0511T, Information Technology.

Judge Hill asked if this item would need to be held. Bill Bilyeu, County Administrator, said it would be held and the ongoing costs would be provided to the Court. (Time 1:36 p.m.)

HELD

e. Agreement(s):

1. Interlocal Jail Services Agreement effective October 1, 2020 through and including September 30, 2021, Sheriff:

- a. AI-48753 City of Josephine (Agreement No. 2020-338).

COURT ORDER NO. 2020-646-07-20

- b. AI-48734 City of Melissa (Agreement No. 2020-330).

COURT ORDER NO. 2020-647-07-20

- c. AI-48744 City of Murphy (Agreement No. 2020-336).

COURT ORDER NO. 2020-648-07-20

- d. AI-48745 City of Wylie (Agreement No. 2020-337).

COURT ORDER NO. 2020-649-07-20

- e. AI-48735 Anna ISD (Agreement No. 2020-334).

COURT ORDER NO. 2020-650-07-20

- f. AI-48752 Prosper ISD (Agreement No. 2020-339).

COURT ORDER NO. 2020-651-07-20

f. Change Order(s):

1. **AI-48730** No. 1 to Supplies: Specialized Printing for Elections (IFB No. 2019-270) with Jayden Graphics, Inc. to extend the contract for one (1) year through and including September 30, 2021, make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Elections.

COURT ORDER NO. 2020-652-07-20

g. Contract Renewal(s):

1. **AI-48731** Supplies: Specialized Printing for Elections (IFB No. 2019-270) with Runbeck Election Services, Inc. to extend the contract for one (1) year through and including September 30, 2021, Elections.

COURT ORDER NO. 2020-653-07-20

2. **AI-48650** Printing: General Office Forms (IFB No. 2016-125) with Summer River LLC - Jim Ballew dba AlphaGraphics Addison US 391 to extend the contract for one (1) year through and including September 30, 2021, Purchasing.

COURT ORDER NO. 2020-654-07-20

h. Miscellaneous

1. **AI-48750** Accept the roads within Southgate Phase 3 for County maintenance, Engineering.

COURT ORDER NO. 2020-655-07-20

2. **AI-48754** Redesignation of Private Roads in Sugar Hill RV Ranch with associated address updates, GIS/Rural Addressing.

COURT ORDER NO. 2020-656-07-20

3. **AI-48741** Acceptance of the Dining Alliance, MAP Volume Allowance, rebate check in the amount of \$599.93 to be deposited in the Going the Extra Mile Employee Incentive Program line item and budget amendment for same, Purchasing.

COURT ORDER NO. 2020-657-07-20

4. **AI-48748** Personnel Appointments, Human Resources.

COURT ORDER NO. 2020-658-07-20

5. **AI-48749** Personnel Changes, Human Resources.

COURT ORDER NO. 2020-659-07-20

GENERAL DISCUSSION

5. AI-48653 2020 TCDRS, Human Resources.

Cynthia Jacobson, Human Resources Director, gave the annual presentation on the TCDRS (Texas County & District Retirement System) retirement plan. Collin County requires a deposit rate of 7% and the matching rate is 200% with an eight year vesting period. It is a statutory requirement to provide an interest rate of 7%. This information was compared to the following entities- Bexar County, Dallas County, Denton County, El Paso County, Fort Bend County, Harris County, Hidalgo County, Montgomery County, Tarrant County, Travis County, Williamson County and the Cities of Allen, Frisco, McKinney, Plano, Richardson, and Wylie. There are six other counties that have the 200% matching rate. The cities all have the 200% matching rate and a 7% contribution rate. The last time Collin County had a COLA (Cost of Living Adjustment) was in 2018.

The rate of return impacts dramatically because employees are guaranteed 7% statutorily. There were five years when the return was above the 8% needed in order to pay the interest rate of 7%. There were five years that were below the needed rate and they required the County to pay in order to meet the 7% rate. The rate of return is volatile and changes each year. Ms. Jacobson discussed an illustration of the five and ten-year rate of return outcomes. The County competes with the cities, therefore, their retirement plan is of interest to the County. The cities have TMRS (Texas Municipal Retirement System) and when compared to TCDRS their rates of return are slightly lower. The guaranteed rate of return for TMRS accounts is 5%. Commissioner Fletcher said it would be great to have an example of a city employee with the 200% match, the 7% required deposit and the 5% guaranteed rate of return to show difference between the County and city.

The costs associated are calculated with the normal rate, the unfunded liability rate, the COLA rate and lump sum payments. COLAs are now fully funded by the County and no longer affect the county contribution percentage. For the FY2021 budget the rate is 6.86%. The required rate in comparison with other entities is lower for Collin County. El Paso County takes full payroll including overtime, and their required rate is 18.01% in order to meet their rate for the retirement plan. Judge Hill asked if El Paso makes lump sum payments. Ms. Jacobson said they are probably not making lump sum payments. TCDRS is not able to provide a calculation of the rate without the lump sum payment amounts. Judge Hill said if the total lump sum payments were not a factor the percentage would not be 6.86%, and could possibly be closer to 13% or 16%. Commissioner Webb said another factor is that these are smooth rates at 18% with a liability and an interest charge on the deficit. Judge Hill said the County is at an advantage because the payments are done in lump sum rather than over time in payments, and in doing so, forgoing the interest rate charged. Judge Hill said he didn't want it to be overlooked that the County is paying a lot more than the 6.86%.

Employer contributions were calculated over ten years and the average amount is \$8,379 per employee. If an immediate asset recognition method were used instead of a delayed asset recognition the unfunded liability would be \$3,800,554. Ms. Jacobson reviewed the unfunded liability totals. The actual unfunded liability as of December 31, 2019 is \$267,000.

GASB (Governmental Accounting Standards Board) Statement 68 requires Collin County to report TCDRS pension liability and assets on the CAFR (Comprehensive Annual Financial Reports). Reporting requirements do not change how TCDRS plan funding is calculated. Any significant volatility experienced in pension liability will be reflected on the CAFR. The County no longer has to post employment benefits other than pension, because the County does not have retiree life insurance through TCDRS.

The TCDRS retirement benefit is a fixed benefit payment and the only way it gets an adjustment is if the Court approves a COLA. Recurring COLAs have a significant impact on the financials, and they are not recommended. Flat rate COLAs have a flat percentage and increase is applied to all retiree benefits. CPI (Consumer Price Index) based COLAs are based on how much inflation has occurred since each employee retired. Adjustments for one retiree could differ from that of another retiree if they retired at different times. Employees are eligible for a COLA this year. If the COLA is not funded, and CPI is used, the cost of living would continue to increase each year and the CPI would be higher. Judge Hill asked if the chart with comparable counties had data on the last COLA they elected. Ms. Jacobson said the chart lists the last COLA the counties had approved. Travis County did a CPI and Tarrant County did a flat rate in 2019. The flat rates are generally the least expensive. Ms. Jacobson said the choice is up to the Court. The decisions for the budget are the contribution rate, the payment of any lump sum contribution for unfunded liability and determination of any retiree COLA. Commissioner Fletcher said she would like to see what the budget impact would be if employer contribution were at 9%. (Time 2:15 p.m.)

NO ACTION

6. **AI-48654** 2020 Ancillary Benefits, Human Resources.

Cynthia Jacobson, Human Resources Director, said ancillary benefits are optional benefits that employees may select. The PTO (Paid Time Off) benefit is based on employee years of service. Currently, 44% of employees are at the lowest annual accrual level. The percentage of employees at the max PTO accrued increased in all the categories except for the 20 years of service category. Ms. Jacobson reviewed PTO in comparison with Dallas County, Denton County, Tarrant County, and the cities of Allen, Richardson, Frisco, McKinney and Garland. Collin County is actually in the lower quartile when compared to those entities. When sick time off was terminated a study was done and it was determined there were no changes in amounts of PTO used. CTO (Catastrophic Time Off) was terminated on August 22, 2011. As of the end of 2019, 361 employees still carried a CTO balance, down 14% from last year. Judge Hill said the County pays out PTO with a minimum of one year of service. The Judge asked if this tool could be used as an opportunity to encourage more longevity, particularly in departments experiencing high turnover rates.

Ms. Jacobson said employees will take time off before they give their resignation notice. The County's ability to use this as a tool is more limited than what it appears.

There are two types of compensatory time off, straight and premium. Straight is awarded at rate of one hour for each hour worked in excess of 40 hours. Premium is awarded at a rate of one and half hours for each hour worked in excess of 40 hours. Liability for straight compensatory time is \$104,571, a 4% decrease from last year. Liability for premium compensatory time is \$1,508,211, an 8% increase from last year.

The County does allow some compensatory time off for exempt employees of up to 80 hours. This is an option for department heads or elected officials to put in hours and utilize them. Non-exempt employees may earn both premium and straight compensatory time. Premium compensatory time is earned in lieu of paying overtime. Non-exempt employees should not accrue more than 200 hours of premium compensatory time. Straight compensatory time is earned by non-exempt employees who work when there is an office closure. Unused premium compensatory time is paid to non-exempt employees upon termination. There was an issue with employees not using their compensatory time and letting it accumulate because the County used to do payments for these. Employees with a combined compensatory time balance over 100 hours as of January 1 each year must reduce compensatory time to 100 hours, or use 30% of their total compensatory time balance, before PTO may be used for the year. Ms. Jacobson reviewed all the positions that have large compensatory time off balances and paid leave liability comparisons. PTO has the highest dollar amount of \$8,431,568.

There are a limited number of departments that pay overtime. The largest group is the SO (Sheriff's Office) and last year they were 6.7% of the County's total payroll. There are some district court, constable and juvenile services employees on the overtime list. These are not groups who would typically pay overtime, but these are from employees who earned the overtime while at the SO and moved into these departments. A comparison with other entities was conducted to determine the average overtime pay per employee. Collin County paid an average of \$2,272 per employee of overtime pay.

Collin County pays regular full-time eligible employees ten paid holidays a year. County longevity is paid to full-time employees who were approved for hire by Commissioners Court on or prior to the December 18, 2007, agenda. The County still has 37% of employees who are eligible for longevity pay. Many entities do pay longevity and for the most part it is a flat amount. Shift differential paid \$389,288 for last year, an overall 4% increase. Auto allowances are done as pay supplement and they are paid for jobs that require driving. When comparing to other entities they include department heads, elected officials, assistance and many more. Call-in pay provides a guaranteed minimum of two hours pay for non-exempt employees under either of the following conditions: called back to work after leaving their work location or called in to work on a scheduled day off. The County paid \$6,293 of straight call-in pay to 40 employees last year.

Court reporters in a district court or county court at law receive 240 court reporter compensatory time hours per calendar year. Hours are to be used when the court reporter is unable to perform their duties due to other official work. The County paid \$153,978 in court reporter compensatory time last year, a 4% increase from the previous year. Three employees in juvenile probation and one employee in juvenile detention receive a stipend as ordered by the Collin County Juvenile Board. The money for these stipends comes from the Juvenile Probation's out-of-county sex offender revenues. CSCD (Community Supervision and Corrections Department) stipend pay is paid by state funds. There are two different categories of stipends provided to qualified CSCD employees: Specialized Caseload and Language. SO employees receive supplemental pay for equipment allowance, special unit pay, certification pay and training officer pay. Collin County paid \$15,086 in jury duty and grand jury pay to 75 eligible employees last year, an increase of 9% in jury pay from the previous year.

Collin County pays the entire cost of short-term and long-term disability benefits. Short-term disability is self-funded and the claims paid last year totaled \$236,900. Long-term disability is fully insured and the premium paid last year totaled \$242,868. Short-term disability does not apply to state and CSCD employees by statute. The salary replacement for short-term disability is 67%. Life insurance is paid by the County and, effective 2019, group term life insurance is provided exclusively through Mutual of Omaha. The County offers 457 (b) deferred compensation plans and employees are able to contribute up to \$19,000 annually. Long-term care provides nursing and custodial care benefits for assistance with daily life activities. Basic long-term care insurance coverage is provided at no cost for regular full-time employees who have at least eight years of eligible service. The County paid \$244,383 in long-term care premiums last year. Tuition assistance is offered to encourage the enhancement of job-related skills. The County pays 100% of tuition costs. An employee must remain employed with Collin County for a defined number of years based on the amount of assistance received each calendar year. The County paid \$15,319 in tuition assistance to five employees last year.

Workers' compensation insurance provides coverage for medical, surgical, and hospital treatment as well as compensation for lost wages in the event an employee is injured on the job. Elected official motivation and safety pay is for specific situations to motivate staff or provide safety compensation. Commissioner Fletcher said she would like to see this slide updated so that it is not misinterpreted as trying to motivate or pay the elected official and clarify this pay is for employees under elected officials.

There are some additional ancillary benefits provided by other cities and counties that Collin County does not provide. Education pay is awarded to an employee for having a higher education degree. Language pay is awarded to an employee for fluency in secondary language. Collin County did decide that if an education or language fluency is part of the job additional pay is not necessary. Collin County is comparable with the private sector in terms of benefits. None of the supplemental benefits should have a budget impact. (Time 2:57 p.m.)

NO ACTION

7. **AI-48410** COVID-19 Update, Administrative Services.

Bill Bilyeu, County Administrator, said Michalyn Rains, Purchasing Agent, provided the Court with an update on purchasing. The housing director is scheduled to address the Court on August 10, 2020 to give an update on their status and expected spending for the remainder of the year. Hand sanitizers are coming in along with other equipment. The Fire Marshal continues to distribute supplies and today he responded to a request for masks from the City of Wylie. Internal operations continue as before. (Time 2:59 p.m.)

NO ACTION

8. **AI-48414** Utilization of CARES funding, Commissioners Court.

Bill Bilyeu, County Administrator, said there were two requests; one from the City of Josephine, and one from the City of New Hope. The Fire Marshal entered requisitions for their payment. New Hope is asking for funds to cover licenses for them to utilize Zoom in order to broadcast their meetings. Josephine has requested several items including computers and Zoom, all adding up to approximately \$7,000. A motion was made to approve both of the requests. (Time 3:00 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-660-07-20

9. **AI-48678** Utilization of CARES Act funds for wellness and leadership training in the amount of \$146,650, Sheriff.

Judge Hill said this item is for the SO (Sheriff's Office) and asked if the Sheriff would like to address this. Jim Skinner, Sheriff, said a letter has been provided from Dr. Falcon with the updated synopsis of the course descriptions. The Sheriff said he is asking the Court to approve half of the original amount requested. This would reduce the training in half because there are concerns with overtime hours. A special code would also be needed to code any overtime resulting from this training. Commissioner Webb asked Linda Riggs, Auditor, if she was satisfied with this. Ms. Riggs said she was satisfied. Judge Hill asked Ms. Riggs if the letter has satisfied her concerns. Ms. Riggs said the letter is attached in the agenda and it was satisfactory. Commissioner Williams made a motion for the training at half of the amount of the original amount requested. (Time 3:03 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioners Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-661-07-20

10. AI-48764 Utilization of CARES Act funds to purchase MDCs and equipment in the amount of \$355,268.90, Sheriff.

Commissioner Webb asked Linda Riggs, Auditor, what her stance is on this item. Ms. Riggs said as long as the positions have been re-designated with additional functions and additional requirements to their job she would be able to approve this item. It does need to be clarified that their job positions have different job duties due to COVID-19. Ms. Riggs said this clarification is needed for all 19 positions. Commissioner Fletcher said this would be something the Sheriff could provide. Commissioner Williams moved for approval. The Sheriff has indicated he could provide this clarification. Judge Hill asked if the motion is contingent. Commissioner Williams made a motion contingent upon the Sheriff providing clarification in writing that all of the 19 position's job duties have changed as a result of COVID-19. Judge Hill asked if a purchase order comes through and the Auditor is not yet satisfied what would happen. Ms. Riggs said the purchase would be rejected. The Sheriff said this makes perfect sense and would provide a written certification to satisfy the Auditor. (Time 3:07 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-662-07-20

The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 3:07 p.m.