

An order of the Commissioners Court approving the filing of the September 28, 2020 minutes.

On Monday, September 28, 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 Fletcher led the Pledge of Allegiance
 Commissioner Williams 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 the meeting at 3:09 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 3:09 p.m. and adjourned the meeting at 3:09 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-49155 Amendment No. 1 to Services: Psychological Evaluation, Juvenile (Contract No. 2017-287) with Spartan Psychological Consulting to extend the contract for one (1) year through and including September 30, 2021, Juvenile Probation.
2. AI-49176 Personnel Changes, Human Resources.

FYI NOTIFICATION

1. AI-49150 Intra-County account transfers transmitted on September 10, 2020, Auditor.

2. AI-49160 Amendment No. 1 to Surveillance Camera Systems (RFP No. 2019-131) with Knight Security Systems, LLC to substitute equipment that is no longer available, Construction & Projects..

3. AI-49188 County overtime for the pay period ended September 6, 2020, Human Resources.

4. AI-49173 Addendum No. 1, No. 2, No. 3, and No. 4 to Host Neutral Distributed Antenna System (IFB No. 2020-321) to make various changes to the Information for Bid, Purchasing.

2. Public Comments

James Westerheid, McKinney, addressed the Court to express his opinion about the mask mandate. Mr. Westerheid said the mask mandate had little to no bearing on the course of the COVID-19 virus. The rate of growth of the virus was constant. In 2010, a student, along with his three supervising professors, tested the surgical mask for its ability to prevent penetration by a certain size particles. The student discovered 80% of the particles made it through the mask. (Time: 1:35 p.m.)

3. Presentation/Recognition.

4. **Consent agenda to approve:** Judge Hill asked for comments on the consent agenda. Hearing none, a motion was made to approve the consent agenda. (Time 1:35 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

a. AI-49161 Disbursements for the period ending September 22, 2020, Auditor.

COURT ORDER NO. 2020-927-09-28

b. AI-49162 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2020-928-09-28

c. **Tax Refund(s):**

1. AI-49127 Tax refunds totaling \$958,579.55, Tax Assessor-Collector.

COURT ORDER NO. 2020-929-09-28

d. **Award(s):**

1. **AI-48910** Elevators, Escalators, and Lift Maintenance (Coop. Quote No. 2020-372) to Thyssenkrupp Elevator Corporation, utilizing Sourcewell Contract No. 100516-TKE, and further authorize the Purchasing Agent to finalize and execute the maintenance agreement for same, Facilities.

COURT ORDER NO. 2020-930-09-28

2. **AI-49157** Host Neutral Distribution Antenna System (IFB No. 2020-321) to Newbridge Wireless, LLC, Information Technology.

COURT ORDER NO. 2020-931-09-28

3. **AI-49145** Road Materials, Aggregate for Surface Treatment & Stone Rip Rap (IFB No. 2020-242) to various vendors, Public Works.

COURT ORDER NO. 2020-932-09-28

e. **Agreement(s):**

1. **AI-49149** Interlocal Agreement with the City of McKinney concerning the construction of Wilmeth Road from Lake Forest Drive to Hardin Boulevard (2018 Bond Project No. RI18010), Engineering.

COURT ORDER NO. 2020-933-09-28

2. **AI-49151** Interlocal Agreement with the City of Princeton concerning the construction of Myrick Lane from FM 982 (2nd Street) to Corporate Boundary of the City of Princeton/Lowry Crossing ETJ Line (2018 Bond Project No. RI18011), Engineering.

COURT ORDER NO. 2020-934-09-28

3. **AI-49152** Interlocal Agreement with the City of Frisco concerning the construction of Dallas Parkway from Eldorado Parkway to Panther Creek Parkway (2018 Bond Project No. RI18008), Engineering.

COURT ORDER NO. 2020-935-09-28

4. **AI-49164** Memorandum of Understanding - Close Point of Dispensing Site Agreement between Collin County, acting through the Collin County Health Care Services/Collin County Emergency Management, and a Local Government Agency to serve as a closed point of dispensing operations site, Health Care.

COURT ORDER NO. 2020-936-09-28

5. **AI-49165** Memorandum of Understanding - Close Point of Dispensing Site Agreement between Collin County, acting through the Collin County Health Care Services/Collin County Emergency Management, and a Local Government Agency to serve as a close point of dispensing operations site, Health Care.

COURT ORDER NO. 2020-937-09-28

6. **AI-49131** Interlocal Jail Services Agreement (Agreement No. 2020-420) with the Town of Fairview effective October 1, 2020 through and including September 30, 2021, Sheriff.

COURT ORDER NO. 2020-938-09-28

f. **Amendment(s):**

1. **AI-49064** No. 1 to Services, Professional Audit (Contract No. 2016-161) with Pattillo, Brown & Hill, L.L.P. to extend the contract for one (1) year through and including September 30, 2021, and further authorize the Purchasing Agent to finalize and execute same, Auditor.

COURT ORDER NO. 2020-939-09-28

2. **AI-49146** No. 1 to Services, Morgue Transport (Contract No. 2018-304) with Avery Weatherall, Weatherall Family Funeral Service, LLC, to extend the contract for one (1) year through and including September 30, 2021, and further authorize the Purchasing Agent to finalize and execute same, Medical Examiner.

COURT ORDER NO. 2020-940-09-28

3. **AI-49168** No. 1 to Interlocal Purchasing Agreement (Agreement No. 2015-248) with Travis County to extend the contract for five (5) years through and including September 30, 2025, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2020-941-09-28

4. **AI-49166** No. 2 to Services: Prisoner Transport (Contract No. 2017-223) with US Corrections, LLC to extend the contract for one (1) year through and including September 30, 2021, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2020-942-09-28

5. **AI-49169** No. 4 to Professional Services, Psychological Assessment (Contract No. 2015-227) with Kristi Compton Ph.D., PC to extend the contract for one (1) year through and including September 30, 2021, and further authorize the Purchasing Agent to finalize and execute same, Purchasing.

COURT ORDER NO. 2020-943-09-28

6. **AI-49139** No. 10 to Physician Services (Contract No. 07335-10) with Dr. James Shupe 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, Probate Court.

COURT ORDER NO. 2020-944-09-28

g. Change Order(s):

1. AI-49006 No. 1 to OEM Toner Cartridges for Laser and Inkjet Printers (Coop Quote No. 2020-136) with Office Depot, LLC to extend the contract for one (1) year through and including September 30, 2021, add various items to the contract, and further authorize the Purchasing Agent to finalize and execute same, Budget.

COURT ORDER NO. 2020-945-09-28

2. AI-49159 No. 1 to Grounds Maintenance Equipment (IFB No. 2020-020) with Richardson Saw & Lawn Mower Co., Inc. to add line 25 (STTII-52V-31BV Turf Tiger II Mower) to the contract and further authorize the Purchasing Agent to finalize and execute same, Public Works.

COURT ORDER NO. 2020-946-09-28

h. Receive and File, Auditor:

1. AI-49167 Investment Report (2nd Quarter FY2020).

COURT ORDER NO. 2020-947-09-28

i. Miscellaneous

1. AI-49154 Sale of property located on the 200 Block of Bailey Street, Anna, Texas. Lots 54A-F and 49D-F of the Westminster Original Donation to Evaristo Godinez in the amount of \$1,800, Administrative Services.

COURT ORDER NO. 2020-948-09-28

2. AI-49144 FY 2021 Broker/Dealer List, Auditor.

COURT ORDER NO. 2020-949-09-28

3. AI-49171 Final plats for Bridgewater Phase 4A and 4C, Engineering.

COURT ORDER NO. 2020-950-09-28

4. AI-49172 Redesignation of Park Lane to Park Meadows Drive, GIS/Rural Addressing.

COURT ORDER NO. 2020-951-09-28

5. AI-49138 Designate the 417th District Court as the Juvenile Mental Health Intervention Program (JMHIP), Juvenile Probation.

COURT ORDER NO. 2020-952-09-28

6. AI-49112 Trade in one (1) L SCAN 500P Live Scanner and one (1) L SCAN 1000PX Live Scanner for the purchase of one (1) L SCAN 500P Live Scanner and one (1) L SCAN 1000PX Live Scanner for the Sheriff's Office, Purchasing.

COURT ORDER NO. 2020-953-09-28

7. AI-49147 Exemption from the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and further authorize Human Resources Director to submit proper notice to authorities, Human Resources.

COURT ORDER NO. 2020-954-09-28

8. AI-49177 Personnel Appointments, Human Resources.

COURT ORDER NO. 2020-955-09-28

9. AI-49178 Personnel Changes, Human Resources.

COURT ORDER NO. 2020-956-09-28

GENERAL DISCUSSION

5. AI-49158 Public Hearing - Revised Collin County Subdivision Regulations and Flood Plain Management Regulations, Engineering.

Clarence Daugherty, County Engineer, asked if the Court could come back to this item in a few minutes. Judge Hill said the Court would return to this item. (Time: 1:36 p.m.)

Judge Hill returned to this item at 2:00 p.m.

Tracy Homfeld, Engineering, came forward to update the Court on the revisions to the existing Collin County Subdivision Regulations and Floodplain Management Regulations. In addition, Engineering developed two new technical manuals - Drainage Design Standards and Roadway Standards Documents. The first public hearing on the revisions and new documents was held in February 2020. The requests and responses were documented and the appropriate changes were made. The County Attorney made a thorough review of the Subdivision Regulations which resulted in more changes to the document. The document was also vetted for compliance with LGC (Local Government Code) which includes new legislative requirements.

After another 30-day public notification process, the regulations and technical documents were sent to a group of stakeholders and the Planning Board. The Planning Board has been a part of this process the entire time which has taken approximately two years. After the 30-day review, the Board met on September 24, 2020, and voted unanimously to recommend approval by Commissioners Court.

Ms. Homfeld asked the Court to open the hearing to hear public comments for the two sets of regulations and the two technical documents.

Judge Hill opened the Public Hearing at 2:03 p.m. and asked for comments. Hearing none, the Judge closed the Public Hearing at 2:03 p.m.

Ms. Homfeld asked the Court to approve five motions. The first was a motion to approve the Subdivision Regulations as written with three changes noted and authority given to staff to make grammatical changes, clarifications and complete sentences and the authority to amend the application and any checklist. A motion was made to approve this item with the changes and authority. Ms. Homfeld clarified each of the changes and authority. The authority was given a time limit of six months. The motion was amended to allow six months for any non-substantive changes to be made, and the Court will receive notice of any changes. (Time: 2:15 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 5 – 0 Passed

A motion was made to approve the regulation setting the minimum lot frontage of 100 feet along existing county roads contained in the subdivision regulations. (Time: 2:15 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

A motion was made to approve the regulation adopting minimum front yard setback lines of 50 feet from the edge of the right-of-way on all major highways and thoroughfares and 25 feet from all other public roadways. Commissioner Hale asked for the definition of a major highway. Ms. Homfeld said it is typically a major thoroughfare on the Thoroughfare Plan or on the State system. She will add “major highway” to the definitions so it is clear. The 50-foot setback would apply to any road identified on the Thoroughfare Plan, and the 25-foot setback would apply to any other county road not on the Thoroughfare Plan.

Commissioner Williams rescinded her motion, and a brief discussion followed. Mike Dixon, County Attorney, suggested limiting it to the County’s Thoroughfare Plan and it could be brought back as an amendment.

A motion was made to set minimum front yard setback lines within the Subdivision Regulations and as authorized by LGC 233 Subchapter B at 50 feet from the edge of the right-of-way on all roads on the County's Thoroughfare Plan and 25 feet from all other public roadways. (Time: 2:30 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-957-09-28

The Court issued one court order for the three motions approved above.

A motion was made to approve the Collin County Drainage Design Standards, Collin County Roadway Standards, and the Collin County Floodplain Management Regulations separately and as attachments to the Subdivision Regulations. (Time: 2:30 p.m.)

Motion by: Commissioner Duncan Webb

Second by: Commissioner Cheryl Williams

Vote: 5 – 0 Passed

A motion was made to amend the regulations to include that if sidewalks are included in the right-of-way, the roads will not be accepted by the County for maintenance including in the ETJ (Extraterritorial Jurisdiction) of any city. Judge Hill asked if there are any roadways that fit this. Ms. Homfeld said there are two subdivisions in McKinney's ETJ where the roads were accepted. Those subdivisions are Bloomridge Phase 1 and Timberridge which are both in the northwest quadrant. The right-of-way is defined, and the sidewalks are inside of that right-of-way so, technically, the sidewalks were accepted as part of the right-of-way. Maintaining this is a liability issue. Mr. Dixon suggested going back to the city on these and have the city pick up those rights-of-way. There was a lengthy discussion regarding sidewalks and rights-of-way. Currently, there are two subdivisions complete, two under warranty, and two under construction which all have sidewalks. There could be an issue because these were permitted before the new Subdivision Regulations go into effect. Ms. Homfeld said the issue with sidewalks just came up because they didn't know it was an issue with Public Works. Now that we know it's an issue, we have let the cities know the County will not be maintaining any sidewalks in the right-of-way.

Commissioner Williams said one way to help resolve the issue would be to send out a blanket letter to the cities and ask them to look at their subdivision ordinances. If they are requiring sidewalks in the ETJ, they need to require them to be built outside of the right-of-way. Mr. Dixon said the Court needs to make the same change in the County Roadway Standards because, to the extent they are not covered by the Subdivision Regulations, they are covered by the County Roadway Standards. The County Roadway Standards does not require a public hearing to make changes. Judge Hill said the Roadway Standards have

been approved, but the Court will direct staff to bring them back to Court when they have agreed on the amendments.

Judge Hill asked if the Court has the authority to amend or redefine the right-of-way in a community including the two that have already been built. Clarence Daugherty, Engineering, said the city defined where the right-of-way was. Commissioner Williams said the only way it could be changed is for the applicant to agree to do a re-plat. If there is an HOA (Homeowners Association) that the builder can put that demand on and the city would waive fees for a re-plat, the builder may be willing to do it. Judge Hill said a large community could have their own Special District that takes on all of their roads and sidewalks. Trinity Falls is an example of this type of community. With no further discussion, the Court voted on the motion. (Time: 3:06 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Susan Fletcher

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-958-09-28

The Court issued one court order for two the motions approved above.

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

Bill Bilyeu, County Administrator, said Judge Miskel sent an email to the Court Members informing them the effective start date of jury trials is October 1, 2020. The County continues to operate the dashboard. Collin County's normal operations continue, and the offices are 100% open to the public. Judge Hill said the dashboard and the detail data file download still do not work out to the numbers the state is reporting. We continue to have the issue with bad numbers, and there is still no resolution for it. (Time: 1:39 p.m.)

NO ACTION

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

Erin Jones, City of Allen, said she will discuss information regarding increasing the cap for the Housing and Living Assistance Program. Non-profits have continued to express they have applicants who are pushing up against the set cap and are still requesting assistance. Ms. Jones said they are aware all cities are working together to return to the County \$10 million. If the Court chooses to extend the cap, the funds are available to cover the increased cap. With the potential additional \$15,000 cap, the total estimated additional cost is \$1.5 million countywide. The methodology is to find all applicants that have utilized or will utilize the \$10,000 before the six-month period ends. Those applicants will be the ones who would benefit from increasing the cap. Overall, there are about 538 applicants that would benefit from raising the cap from \$10,000 to \$15,000. This will keep the monthly cap stable at \$2,500 and will only be extended for

the additional two months the Court has already approved. Commissioner Hale said, if the funding is available in the amount already allocated to the program, increasing the cap would be a good use of funds.

Mr. Bilyeu said he spoke with the four city managers administering the Housing and Living Assistance Program about returning funds to use for the Small Business Program. Friday, September 25, 2020, was the deadline for submission of the Small Business Grant Program. There is a concern there might not be enough funding for the program. The city managers were asked if they were willing to give back unexpended money, and they agreed. There were 2,025 total small business applications submitted. They are all in different steps of the process. Once an applicant's pre-application is approved, they have three business days to submit their full application.

The County has made a lot of good purchases for PPE (Personal Protection Equipment), and it is all moving along well. This has been under the direction of Michalyn Rains, Purchasing. Ms. Rains is actually retiring September 30, 2020. Mr. Bilyeu wanted to thank her for all the work she has done for the County.

The City of Josephine has requested reimbursement for the purchase of a laptop, sneeze guard, COVID-19 deployment computer and a message trailer for warning or message display. The City has already made the expenditures totaling \$23,403.98. Judge Hill asked what COVID-19 warnings will be displayed on the message trailer. Mr. Bilyeu said he assumes it would be for shelter-in place announcements, testing, mask ordinances or promoting the Small Business Grant Program. (Time: 1:48 p.m.)

Motion by: Commissioner Cheryl Williams

Second by: Commissioner Darrell Hale

Vote: 5 – 0 Passed

COURT ORDER NO. 2020-959-09-28

Mr. Bilyeu said the shelter agencies reached out to Denton County regarding the process for non-profit shelter grants. The agencies were informed that Commissioners Court would not be able to cover expenses beyond January 1, 2021. Commissioners Court will consider reimbursing expenses if the agencies are able to show what the actual costs were. Last week, a notice was sent to the agencies asking them to send their PPE and COVID-19 expenses for reimbursement. There were other costs the agencies had incurred due to COVID-19, however, there is no set formula that could be used for all agencies. Therefore, the agencies were asked to individually submit a memorandum with supporting documentation reflecting their actual expenditures and how they specifically related to COVID-19. An email will be sent to the agencies with a format showing what they need to provide, and those will be brought back for the Court to consider next week. Judge Hill asked if the Court will vote on those by agency and line by line. Mr. Bilyeu said it will be voted on by agency and by each line item requested. There are nine shelter agencies identified and requesting aide.

Judge Hill said the Small Business Grant Program is oversubscribed based on the number of applicants. It has been established the cities are willing to return funds to cover additional funding that may be needed for the Small Business Grant Program. The Judge asked, if they were to do this, would the Court be able to place funds back into the Family Assistance Program if it is needed. Mr. Bilyeu said the Court could do that at their discretion. Judge Hill said there is no need for a vote on this, but he would be willing to put funds back into the Family Assistance Program if needed.

Judge Hill said there are 960 full applications for the Small Business Grant Program submitted and under review. Mr. Bilyeu said their focus now is to get all the pre-approval applications processed. Judge Hill said there have been zero full applications approved or denied. The Judge asked why none of the 960 applications have progressed to the payment or the denial portion of the grant. Mr. Bilyeu said this is following the plan which was to get everyone submitted. Judge Hill said he doesn't believe this is according to the Court's plan. Early on, the Court determined they did not want to hold up payments to applicants in order to wait for other applicants to get their applications submitted. The Judge said it seems the administrative agency has held up the applicants until the last application gets through the pre application process. The Court wanted these applications to get processed and paid as soon as possible. It appears the administrative agency is not doing what they were asked to do.

Mr. Bilyeu said they are currently working through the applications, and there are approximately 100 applications pending answers to questions from staff. The Court will probably see some applications for approval on the Court agenda for next week. Judge Hill said the agency was told how the Court wanted the process to be done, and it is not being done that way. The Judge asked Mr. Bilyeu to pass along the message from the Court. Mr. Bilyeu said, based on the numbers, they should be through with all the pre-submissions within a day or two, and he will pass along the message to the staff. (Time: 2:00 p.m.)

Judge Hill returned to item number 5 for the Public Hearing. (Time: 2:00 p.m.)

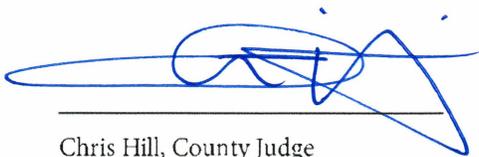
8. **AI-38983** North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.

Judge Hill said he had two items of interest for the Court from the NCTCOG (North Central Texas Council of Governments) meeting. The Board of Directors approved the FY2021 proposed budget for NCTCOG. The budget includes ten full-time employees, an allowance for merit-based compensation raises equivalent to 2%, and an increase of 8% for healthcare costs. There was a change to the area agency on the aging funding formula. The current formula used to determine how the money will be appropriated among the 14 counties is the county's current poverty rate divided by the region's poverty rate. The formula has been changed to the county's elderly poverty rate divided by the region's poverty rate. This change will lead to a reduction of approximately \$53,000 in funding for Collin County. (Time: 3:09 p.m.)

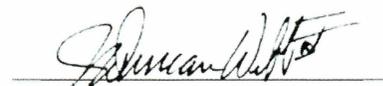
NO ACTION

EXECUTIVE SESSION

The Court did not recess into Executive Session. There being no further business of the Court, Judge Hill adjourned the meeting at 3:09 p.m.



Chris Hill, County Judge


Susan Fletcher, Commissioner, Pct 1
Cheryl Williams, Commissioner, Pct 2
Darrell Hale, Commissioner, Pct 3
Duncan Webb, Commissioner, Pct 4
ATTEST: Stacey Kemp, County Clerk