

An order of the Commissioners Court approving the filing of the March 1, 2021 minutes.

On Monday, March 1, 2021, 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

Absent: Commissioner Duncan Webb, Precinct 4

Commissioner Hale the Invocation.
Commissioner Fletcher led the Pledge of Allegiance.
Judge Hill led the Pledge of Allegiance to the Texas Flag.

Judge Hill called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and adjourned the meeting at 3:59 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 3:59 p.m. and adjourned the meeting at 3:59 p.m.

FYI NOTIFICATION

1. AI-49870 Addendum No. 1, No. 2, No. 3, and No. 4 to Construction, Collin County Sheriff's Office Fire Sprinkler Modification (IFB No. 2021-099) to make various changes to the Invitation for Bid, Purchasing.
2. **Notification of budget adjustment(s)/amendment(s), Auditor:**
 - a. AI-49867 \$4,212,845.51 for CARES Act Funding, Auditor.

2. Public Comments.

Joshua Murray, Lavon, came forward to speak about establishing a MUD (Municipal Utility District) in Precinct 2. Mr. Murray asked the Court to explore the expense of the existing MUDs in Collin County and specifically Collin County MUD No. 1. This district has spent thousands of dollars on lobbying politicians including a single payment of \$75,000 to a single lobbyist. This lobbyist received this payment while a County dispatcher receives less than \$42,000 a year. The benefits of MUDs are always highlighted, but the costs associated with increasing the demand on basic services are not mentioned. The Court needs to ensure MUDs do not become a slush fund for attorneys, consultants, lobbyist and expensive middlemen.

Judge Hill said the MUD is on the agenda because an application was submitted to legislation by a group who wants to create a MUD. Collin County is not actively involved in the application submission. It was submitted by a private entity. The Court has adopted a policy that doesn't support MUD applications unless the developers include provisions that cover the cost of utilities, roads, police and fire protection, medical and animal services. Generally, the legislation will not approve applications without the County's support. However, developers are able to create MUDs through TCEQ (Texas Commission on Environmental Quality) without County support. Once a MUD is approved, the Court has no administrative authority over the districts. Collin County has no oversight or control on the amount the entities spend on lobbyists.

Abhijit Basu, Lucas, came forward to inform the Court of illegal burning which is occurring across the County. Mr. Basu said he works on air quality across the nation and world and is a board member for NCTCOG's (North Central Texas Council of Governments) air quality impact on health. TCEQ regulations state they don't give burning permits unless there is an exception. TCEQ does allow an exception for land clearing burning if there is no technologically viable solution. Plano doesn't allow burning at all and actually has a free tree recycling facility. The particular case Mr. Basu is speaking of is in Collin County off Lucas Road near Lake Lavon. The area doesn't belong to any city, and the developer and builder claim to have a burning permit from Collin County. TECQ has confirmed they didn't issue a permit, and the Collin County Fire Marshall has also confirmed they haven't issued a permit. The developer has been burning trees and will continue to burn approximately 120 acres more over the next six months. Mr. Basu requested the Court to issue a cease and desist order to the developer while this issue is being investigated. (Time: 1:43 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Judge Hill pulled item 4d1 and asked for comments on the consent agenda. Commissioner Fletcher also pulled item 4d1. Hearing no other comments, a motion was made to approve the remained of the agenda. (Time: 1:43 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Cheryl Williams

Vote: 4 – 0 Passed

a. AI-49873 Disbursements for the period ending February 23, 2021, Auditor.

COURT ORDER NO. 2021-200-03-01

b. AI-49874 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2021-201-03-01

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

1. AI-49871 February 8, 2021.

COURT ORDER NO. 2021-202-03-01

d. **Amendment(s):**

1. AI-49890 No. 2 to Services: Cafeteria Management (RFP No. 2019-3627) with The Vitasek Leasing Co., Inc., dba Collin County Courthouse Cafe, to provide various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Development Services.

Commissioner Fletcher said she would like to ensure the responsibility for maintenance of County equipment will revert back to the lessee as soon as the gross revenues for the County Courthouse Café are back to 2019 levels. Judge Hill said the request is for the County to cover equipment maintenance costs. Bill Bilyeu, County Administrator, said the Court could require the quarterly reports and financial Statements from the Café to monitor when the revenues are back to 2019 levels.

Mr. Bilyeu said, if the County doesn't take on the maintenance costs, the vendor will not be able to continue the café services. There is a request for an additional PPE (Personal Protection Equipment) loan to help bridge the gap. However, the revenues don't generate enough to cover the costs of repairing County equipment. Judge Hill said he is sympathetic to the situation due to decreased traffic in the Courthouse. The equipment will need to be maintained regardless of whether or not the County has a vendor. Perhaps the relationship can be delayed until we are ready to resume.

Mr. Bilyeu said the intent of the café was to be able to turn a jury over for lunch quickly onsite. This vendor has been successful, stable and has taken very good care of the facility. Judge Hill asked when jury trials are expected to resume at the courthouse. Judge Emily Miskell, 470th District Judge, said the Courts have received approval from the Public Health Department, the regional presiding Judge, and OCA (Office of Court Administration) to resume jury trials. Only one panel per day will be called and no more than four panels per week.

Mr. Bilyeu said the cost for equipment maintenance has been approximately \$6,000 over the past three years. The current outstanding costs are unknown but it wouldn't be an excessive cost. The County Facilities Department would diagnose the problem so the County would be saving money. Commissioner Fletcher made a motion to approve the item with the caveat that, when the gross revenues of Mr. Vitasek return to the 2019 revenues, the responsibility for maintenance of County equipment shall revert back to him. (Time: 1:56 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 4 – 0 Passed

COURT ORDER NO. 2021-203-03-01

e. Miscellaneous

1. **AI-49875** Personnel Appointments, Human Resources.

COURT ORDER NO. 2021-204-03-01

2. **AI-49876** Personnel Changes, Human Resources.

COURT ORDER NO. 2021-205-03-01

GENERAL DISCUSSION

5. **AI-49892** Resolution of intent to establish a county property assessed clean energy (PACE) program, Administrative Services.

Bill Bilyeu, County Administrator, said the Court had a discussion in October 2020 about participating in a PACE (Property Assessed Clean Energy) program. Julie Partain, County Attorney, put together a document to bring Collin County into the PACE program. The direction from the Court was to allow multiple administrators and create the program with no cost to the County. Ms. Partain's fees were incorporated into the document and will be paid by PACE administrators. This discussion is to determine if Collin County will be participating in the program.

Ms. Partain said each administrator had their own set of documents, and she combined them into one common form. The documents will not be adopted today. The Court would hold a public hearing and, after that hearing, the Court would adopt the four documents and identify the two program administrators.

Lee McCormick, Lone Star PACE, approached the Court and gave a brief narrative of Lone Star's PACE program. The program utilizes private dollars but have some form of government involvement or oversight. In Texas, administered programs have financed over \$1.5 billion of environmental and economic development projects. Lone Star is here to speak in support of the County implementing a PACE program for commercial, industrial and large multifamily property owners. The program provides access to long-term low-cost financing to upgrade facilities with energy and water conservation measures. The program would also help the County meet sustainability goals and improve property valuables at no cost to tax payers. Mr. McCormick said they support the County utilizing both Lone Star PACE and Texas PACE Authority to serve as program administrators.

Charlene Heydinger, Texas PACE Authority, explained how the PACE program was created and gave a description of its intent. This is not a bond program or a financial assistance source. The program is to ensure local churches, small businesses, and manufactures are updated to become more water and energy efficient. Ms. Heydinger explained the services provided by Texas PACE Authority. Today the Court is being asked to pass a resolution to establish the program.

Judge Hill asked how many entities only use a single administrator. Ms. Heydinger said, of the sixty local entities served, only four have multiple administrators. Mr. McCormick said Lone Star PACE serves four local entities exclusively. Ms. Heydinger said the County's report needs to follow the technical standards, the underwriting criteria and clearly State the administrators can't change policy to their own advantage. It is recommended the Court also make clear the definition of a developed lot.

A lengthy discussion followed regarding the interpretation of undeveloped lots.

Commissioner Fletcher said competitive market-driven solutions are what the County is about. Commissioner Hale said, if new recommendations will be coming out in April for the PACE program, the County could wait for those. There haven't been many businesses interested in this funding source.

Commissioner Hale said he has only heard about the PACE program from the administrators. Commissioner Williams said she would like the program to be available in Collin County. Commissioner Fletcher made a motion to approve the resolution amending the time to 1:30 p.m. on March 15, 2021. Judge Hill said he was open minded and willing to explore PACE, but he now has more questions than before. (Time: 3:05 p.m.)

Motion by: Commissioner Susan Fletcher
Second by: Commissioner Cheryl Williams
Vote: 2 – 2 Failed

NO ACTION

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

Bill Bilyeu, County Administrator, gave an overview of the new ERAP (Emergency Rental Assistance Program) website. Telecommunication costs are now eligible for reimbursement through ERAP. With no further comments, a motion was made to approve the change. (Time: 3:07 p.m.)

Motion by: Commissioner Cheryl Williams
Second by: Commissioner Susan Fletcher
Vote: 4 – 0 Passed

COURT ORDER NO. 2021-206-03-01

Mr. Bilyeu said the State's housing program and ERAP intentionally overlap each other in order for citizens to easily find help. Judge Hill asked if the State would assist in identifying applicants who apply for both programs. Mr. Bilyeu said the State has access to the County's CARES (Coronavirus Aid, Relief, and Economic Security) Act database to identify people who apply for both programs. The County also has access to the State's database to verify applicants.

The City of Frisco's vaccination center at Stone Briar Mall is a very efficient operation and well staffed. Frisco has started to work 100% off of the County's waitlist. They plan on administering 1,200 vaccinations a week. CARES Act funding is being used to operate the center. This week 2,750 doses have been designated to Frisco. If they have vacancies within 24 hours of a vaccination date, they will go to the next in line on the waitlist to fill them.

Curative can handle approximately 7,500 vaccines a week. This week 2/3 of Curative's capacity is handling second doses. Calls continue to come through from citizens inquiring about their second dose. Mr. Bilyeu recommended vaccine distribution be based on appointments only. The County vaccine waitlist is currently under 124,000. As time passes, more people on the waitlist are unresponsive and presumed to have received their vaccine from another entity. When the mass calls are made on Saturdays,

approximately 5,000 people respond by opting to be removed from the waitlist. Managing the waitlist continues to be an incredible burden. However, many private entities have started to create their own waitlist and more vaccines are expected to be administered.

The County has not heard directly from the State, but it is expected the State will be sending Johnson & Johnson doses. The State will conduct a training call to address the plans for the Johnson & Johnson vaccine distribution. This vaccine is a great option because it only requires one dose. Mr. Bilyeu proposed using the Johnson & Johnson vaccine doses for homebound citizens. Judge Hill asked if there is any way of assuring the State will not send only Johnson & Johnson doses. In the past, the County has placed requests for certain doses, and the State has sent different doses than what was requested. Mr. Bilyeu believes Johnson & Johnson doses will be in addition to the amounts received as opposed to a reduction of the other two vaccine types.

Judge Hill said Curative is not willing to administer a third type of vaccine. Mr. Bilyeu said Frisco will be able to administer the single dose vaccine. Judge Hill said perhaps Frisco can request the doses directly so that the County's supply of Pfizer and Moderna isn't jeopardized. Commissioner Williams said she would have the same concern and is worried the County would end up with only Johnson & Johnson vaccines. The Court discussed the vaccine distribution.

Judge Hill asked what the County's position is for individuals on the waitlist who miss their phone call or email to schedule their vaccine appointment. Mr. Bilyeu said, if they can determine the missed call or email was in good faith, staff will work with them to reschedule. Judge Hill said Well Path is the health care provider at the Sheriff's Office Jail, and they received 100 vaccine doses this week. The Judge asked if the doses were for their own staff or intended for inmates. Mr. Bilyeu said he did not know because that was a request done independent from the County.

Judge Hill said the recommendation to the Court is for the County to shift to direct appointments only once the waitlist is satisfied. The Judge said the County can work with the current seven providers to ensure they are ready to take direct appointments. (Time: 3:54 p.m.)

7. **AI-49828** 87th Legislative Agenda for 2021, Commissioners Court.

Bill Bilyeu, County Administrator, said the County received five new proposed MUDs (Municipal Utility District). One of the MUDs is totally contained within the City of Celina, and the County will have no involvement. There is an MMD (Municipal Management District) in the Court's packet with a letter from the City of Celina endorsing the MUD. The MUD representatives have been informed that the County doesn't take a proactive vote to endorse a MUD. The County does take votes to oppose a MUD. Coates & Rose is the law firm for most MUDs, and they are amending their bill to match the one from the last legislative session. This will require them to have a contract in place for animal, emergency, medical, fire

services and law enforcement. The contracts will then need to be approved by the Court. MUDs that submit applications through TCEQ (Texas Commission on Environmental Quality) do not require service contracts. (Time: 3:58 p.m.)

NO ACTION

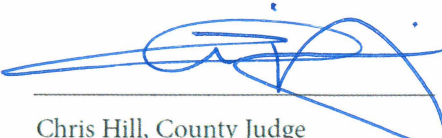
8. **AI-38983** North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.

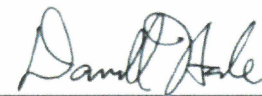
Judge Hill said the NCTCOG (North Central Texas Council of Governments) Executive Board adopted the CAFR (Consolidated Annual Financial Report) with an unmodified opinion from an outside auditor. The Criminal Justice Policy Development Committee approved Julie Monge for another term as chairman and also approved Collin County member, David Goldman. (Time: 3:59 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 3:59 p.m.


Chris Hill, County Judge

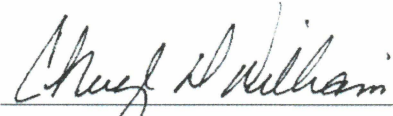

Darrell Hale, Commissioner, Pct 3


Susan Fletcher, Commissioner, Pct 1



Not Present

Duncan Webb, Commissioner, Pct 4


Cheryl Williams, Commissioner, Pct 2


ATTEST: Stacey Kemp, County Clerk