

State of Texas	§	Court Order
Collin County	§	2022-342-04-11
Commissioners Court	§	

**An order of the Commissioners Court approving the filing of the March 14, 2022 minutes.**

On Monday, March 14, 2022, 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 Duncan Webb, Precinct 4

Absent: Commissioner Darrell Hale, Precinct 3

Judge Hill led the Invocation.

Commissioner Fletcher led the Pledge of Allegiance.

Commissioner Hale 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 recessed the meeting at 1:32 p.m. The meeting reconvened at 1:47 p.m., recessed again at 2:07 p.m., reconvened at 2:07 p.m., and adjourned at 2:19 p.m.

President Hill called to order the meeting of the Collin County Health Care Foundation at 2:07 p.m. and adjourned the meeting at 2:07 p.m.

**FYI NOTIFICATION:**

1. **AI-51765** Change Order No. 3 to Construction, Modifications to Precinct 3 Constable & Justice of the Peace, 920 E. Park Blvd. (IFB No. 2021-129) with Criterion Contractors, Inc. to make various changes to the contract, Construction & Projects.

**COMMISSIONERS COURT BUSINESS:**

## Public Comments.

Petra Anzualda, McKinney, said she lives in Pecan Creek Farms and would like to address her concerns about the neighbor's stone wall causing flooding issues. When heavy rains came in December 2021, her property was directly impacted by the neighbor's negligence in redirecting water flow away from the retention pond and into neighboring properties. Due to this, Ms. Anzualda had four to six inches of water in her yard along the fence line, front yard, and side yard. She also understands the County has spoken to Ms. Bermudez to find a solution for the flooding and has retained an engineer. Ms. Anzualda takes issue with the neighbor's plan to divert water through her land when it originally ran through their land into the retention pond. She expects a solution to be found that is satisfactory to all the surrounding properties and not just Ms. Bermudez's property. Ms. Anzualda said she is bringing this to the Court's attention because Ms. Bermudez's son-in-law told her husband, Mr. Anzualda, he would dig under the stone wall and run water under the fence. This plan has not come to fruition, and there is little communication from them to remedy the situation.

Robert Anzualda, McKinney, said since there has been little movement with the plan to remedy the flooding in Pecan Creek Farms, he has been in contact with Commissioner Hale. On January 3rd, Commissioner Hale informed Mr. Anzualda that the wall would come down because it was built on County property without a permit. On January 29th, an email from Commissioner Hale said the wall will come down, but the when and how depends. On February 22nd, another email from Commissioner Hale said the Bermudezes had two weeks to put a plan in place. According to another email from March 5th, their engineer worked out a plan for a one-hundred-year flood, but Mr. Anzualda has yet to see the plan. Mr. Anzualda asked the Court the following: what are the plans; how will the rock wall be corrected so the flooding will cease; how can the Court fast-track this issue with the spring season on the horizon; what is the plan for the wall to come down; and how will the Court enforce these rules in the future. Mr. Anzualda said he will watch for communications from the Court in the coming weeks.

Scott Morrissey, McKinney, said he sent videos of flooding in Pecan Creek Farms to Commissioner Hale. Mr. Morrissey also said the County approved construction of the neighbor's home after they had started building. The neighbors only stopped momentarily because the County stopped them for having no site plan, no grading plan, and no engineering work. The County still approved their plans even though the house was built over the path of water drainage that flows to the creek. Mr. Morrissey said the neighbors built a rock wall which then dammed the water further. The rock wall sits on County property, and the County is not doing their job in removing the wall. If the County leaves the wall, it will set a precedence for others to build whatever they want on County property. Texas state law requires people to not divert water onto their neighbor's property, which they have also not followed. The County has also approved a 10-foot fence that his neighbors have built which has increased the flooding issue. When more rains come in the spring, more flooding issues will occur. Mr. Morrissey and other neighbors affected by the flooding have installed cameras to document everything that happens in the cul-de-sac. He would be happy to share

the footage with the Court. Mr. Morrissey would like to know if there could be another meeting or what the Court will do to resolve this issue.

Joshua Murray, Lavon, thanked Commissioner Webb for the monthly RTC (Regional Transportation Council) updates and insights into the plans for growth. Mr. Murray said he wanted to speak about the turnover rate because it should be a pressing issue and require a monthly briefing. In January 2019, the County was projected to have 1697 employees by the end of that fiscal year. This year, the County is projected to have 1700 employees by the end of the fiscal year. Given the population growth, it would seem like more employees are needed unless there were fewer departments. Mr. Murray said there are 62 departments now verses 61 in 2019. Also, in 2019, there were 464 employees with a tenure between eleven and twenty years. Currently, there are 387 employees with that tenure. Mr. Murray said he is concerned and thinks there should be a plan in place due to additional infrastructure and expansion. Mr. Murray asked the Court to add a briefing to the agenda similar to the RTC update. (Time: 2:19 p.m.)

1. **Consent Agenda Items:** Commissioner Williams stepped out of the courtroom at 1:31 p.m. and returned after Executive Session. Judge Hill asked for comments on the consent agenda. Hearing none, a motion was made to approve the consent agenda. (Time: 1:32 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 3 – 0 Passed

a. **AI-51769** Disbursements for the period ending March 8, 2022, Auditor.

**COURT ORDER NO. 2022-245-03-14**

b. **AI-51770** Indigent Defense Disbursements, Auditor.

**COURT ORDER NO. 2022-246-03-14**

c. **AI-51772** Tax refunds totaling \$1,981,470.08, Tax Assessor-Collector.

**COURT ORDER NO. 2022-247-03-14**

d. **Advertisement(s):**

1. **AI-51776** Equipment, Rental: Inclined Screener with Rinser (IFB No. 2022-192), Public Works

**COURT ORDER NO. 2022-248-03-14**

**e. Receive and File, Auditor:**

1. AI-51775 Investment Report (4th Quarter FY2021).

COURT ORDER NO. 2022-249-03-14

**f. Miscellaneous:**

1. AI-51777 Acknowledgement of the Newark Cultural Education Facilities Finance Corporation proposed loan to Legacy Christian Academy, Administrative Services.

COURT ORDER NO. 2022-250-03-14

2. AI-51766 Redesignation of Private Road 5801 as Le Chateau Dr., GIS/Rural Addressing.

COURT ORDER NO. 2022-251-03-14

3. AI-51783 Personnel Appointments, Human Resources.

COURT ORDER NO. 2022-252-03-14

4. AI-51784 Personnel Changes, Human Resources.

COURT ORDER NO. 2022-253-03-14

**GENERAL DISCUSSION**

- a. AI-33858 Regional Transportation Council monthly update, Commissioner, Precinct 4.

Commissioner Webb said the amendment to the Mobility 2045 plan was approved last Thursday. This plan includes SH-380 as a highway for the first time. The plan will be open for public comments during April and May with a tentative adoption date by the RTC (Regional Transportation Council) in June 2022. On page 8 of the presentation, a heat map shows the projected areas of traffic congestion in the region for 2023. In Collin County, US-75, SH-121, and the Legacy West area are huge congestion spots with an annual cost of congestion projected to be \$12.3 billion. In 2045 with all proposed projects completed, the entire south-west corner of Collin County will still have congestion with an annual cost of \$32.1 billion. If no plan is implemented, the cost would be \$60.8 billion. Page 11 of the presentation shows major roadway recommendations including SH-380, the Outer Loop, the extension of DNT (Dallas North Tollway), the conversion to a managed lane on US-75, and the addition of SH-78 from I-30 to SH-380. Page 14 shows the major transit corridor recommendations with new DART (Dallas Area Rapid Transit) rail line additions. Spring Creek Parkway between the DNT and US-75 is highlighted for a potential dedicated bus lane addition. Page 15 shows the Regional Veloweb which highlights all planned and existing bike lanes, paths, and walkways. The preliminary plan cost is \$145 billion, but Commissioner Webb said the updated

cost is \$150 billion. The RTC will not have this kind of revenue, so the plan will be financially constrained. Currently, the RTC is hoping to raise approximately \$136 billion through current funding projections.

Commissioner Webb said another item the RTC approved was automated vehicles. Dallas and McKinney will split a \$5 million grant to install an automated system using driverless vehicles for delivery services. Also, \$1.5 million was approved for the DFWIA (Dallas Fort Worth International Airport) Self-Parking Vehicle Curb Management program. This program will allow people who own vehicles with self-parking technology to get out of their car at the terminal, and their car will park itself in a designated area.

Judge Hill asked if there has been any discussion about the DART Red Line extending north through Allen, Fairview, and McKinney. Commissioner Webb said, although it is on the map for the Mobility 2045 plan, it is not on their radar. DART owns the right-of-way and could move forward with the plan, but Commissioner Webb believes DART would like support from the cities. It may also not be economical to put in a light rail for that line. DART can either make it a standard rail line or pave over it for a dedicated two-lane bus route. There is a need for the Red Line extension because of the amount of traffic congestion. Judge Hill asked if DART is running out of capacity north of Parker Road station. Commissioner Webb said yes, but until there is more capacity, no new trains can be added because they will pile up in downtown Dallas where all rails intersect.

Commissioner Fletcher asked what percentage of future monies are proposed to go towards walking and bike trails. Commissioner Webb said this is more of a planning map and not a funding map. Most of the paths are already funded by the cities or by joint grants. Commissioner Williams said the RTC is often the funnel for federal dollars. Some dollars have strings attached and certain projects it must be used for. (Time: 2:07 p.m.)

**NO ACTION**

**Executive Session**

The Court recessed into Executive Session at 1:32 p.m. under Chapter 551.071, Legal. The Court reconvened at 1:47 p.m. for a motion and Public Comments.

**Legal (551.071)**

a. **AI-51789** Indigent Defense payment claims by Mark Fratter, Administrative Services.

Commissioner Webb moved to approve a payment of \$15,000 to Mark Fratter for any and all claims against the County on or before this date, conditioned upon the execution of a suitable and agreeable release of the County for that payment. (Time: 1:48 p.m.)

Motion by: Commissioner Duncan Webb


Second by: Commissioner Susan Fletcher

Vote: 3 – 1 Passed

Nay: Judge Chris Hill

**COURT ORDER NO. 2022-254-03-14**

There being no further business of the Court, Judge Hill adjourned the meeting at 2:19 p.m.



Chris Hill, County Judge



Susan Fletcher, Commissioner, Pct 1



Cheryl Williams, Commissioner, Pct 2



Darrell Hale, Commissioner, Pct 3

Not Present

Duncan Webb, Commissioner, Pct 4



ATTEST: Stacey Kemp, County Clerk