

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, August 28, 2012

9:00 A.M.

- 1. Call Court To Order:**
- 2. Declare A Quorum Present:**
- 3. Declare Legal Notices Posted And Court Duly Called:**
- 4. Motion To Open Court:**
- 5. Bailiff To Open Court:**
- 6. Invocation:**

**Cantor Don Alan Croll
Temple Shalom
Dallas, Texas**

- Citizens and other visitors attending commissioners court meetings shall preserve order and decorum and shall neither, by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or rules of the commissioners court. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing and/or attending the commissioners court meeting shall be removed from the commissioners' courtroom if security is so directed by the presiding officer. If the presiding officer fails to act, any member of the commissioners court may move to require enforcement of the rules, and the affirmative vote of a majority of the commissioners court shall require the presiding officer to act.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted. The presiding officer may direct security to remove offenders from the courtroom. If the presiding officer fails to act, any member of the commissioners court may move to require enforcement of the rules, and the affirmative vote of a majority of the commissioners court shall require the presiding officer to act.
- No placards, banners, or signs will be permitted in the commissioners' courtroom or in any other room in which the commissioners court is meeting. This does not prohibit displays and visual aids used in connection with a presentation to the commissioners court.
- Any person ordered to be removed from a commissioners court meeting under the provisions of this section shall be barred from further attendance of that session of the commissioners court meeting. Any person ordered to be removed from any commissioners court meeting may be barred from addressing and/or attending any commissioners court meeting for up to a six-month period. Any second violation within a year of the first shall result in a one-year suspension from attendance.
- A person that is found to be in violation of these rules by order of the presiding officer or an affirmative vote of the commissioners court may be held in contempt as allowed by V.T.C.A., Local Government Code, § 81.023. The punishment for contempt is a \$25.00 fine or 24 hours in jail. For an individual's first time to be held in contempt they shall be fined and for all additional times they will be subject to confinement in jail.
- Persons removed from a commissioners court meeting for failure to adhere to these rules shall be subject to arrest and prosecution for violation of the V.T.C.A., Penal Code §§ 38.13, 42.01 or 42.05.

- Ciudadanos y otros visitantes asistiendo la Corte de Comisionados preservarán el orden y decoro y ni por conversación o de otra manera, demorarán o interrumpirán los actos, ni se negarán a obedecer las órdenes del oficial dirigiendo la corte o reglas de la Corte de Comisionados. Cualquier persona que haga comentarios personales, impertinentes, profanos, difamatorios, o se agite mientras se dirige o asiste a la Corte de Comisionados sera retirada de la corte con la asistencia de seguridad por orden del oficial dirigiendo la corte. Si el oficial dirigiendo la corte falla en actuar, cualquier miembro de la Corte de Comisionados puede requerir un voto para ejecutar las reglas. El voto afirmativo de la mayoría de la Corte de Comisionados requerira al oficial dirigiendo la corte a actuar.
- Declaraciones hecha sin autorización por el publico, pisoteos fuertes, silbatos, gritos o cualquier otra demostración similar no seran permitidos. El oficial dirigiendo la corte le dara la orden al oficial de seguridad de retirar de la corte a cualquier ofensor. Si el oficial dirigiendo la corte falla en actuar cualquier miembro de la Corte de Comisionados puede requerir un voto para ejecutar las reglas. El voto afirmativo de la mayoría de la Corte de Comisionados requerira al oficial dirigiendo la corte a actuar.
- Nigun letrero, bandera, o pancarta sera permitido dentro de la Corte de Comisionados o cualquier otro cuarto donde los comisionados se juntan. Esto no prohíbe demostraciones o ayuda visual en presentaciones a la Corte de Comisionados.
- Cualquier persona que sea retirada de cualquier Corte de Comisionados segun las provisiones de esta sección sera prohibida en continuar asistiendo esa session. Cualquier persona que sea retirada de cualquier Corte de Comisionados se le prohibira dirigirse o asistir cualquier corte por un periodo de hasta seis meses. Cualquier violación, dentro de un año de la primera violacion resultara en un año de suspension en poder dirigirse o asistir a la corte.
- Cualquier persona que se encuentra en violacion de las reglas por orden del oficial que dirige la corte o por voto afirmativo de los comisionados puede ser detenido por desacato, como lo permite el V.T.C.A codigo de gobierno local §81.023. El castigo por desacato es una multa de \$25.00 o 24 horas de carcel. Cualquier individuo que se haya culpable sera sometido a una multa a la primera ofensa, para todas violaciones adicionales el individuo sera sometido y procesado a la carcel.
- Personas retiradas de la Corte de Comisionados por falta de obedecer las reglas seran detenidas por violacion de el V.T.C.A. codigo penal §§38.13, 42.01 or 42.05.

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7. RESOLUTIONS:

8. CONSENT AGENDA:

A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF AUGUST 21-28, 2012.

B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

C. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated August 28, 2012.

D. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

E. TRANSFER OF FUNDS.

F. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS.

G. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. PUBLIC HEARING: (9:00 A.M.)

A. MOTION TO OPEN PUBLIC HEARING:

B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE FY 2013 TAX RATE FOR DALLAS COUNTY HOSPITAL DISTRICT:

C. MOTION TO CLOSE PUBLIC HEARING:

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10. PUBLIC HEARING: (9:00 A.M.)

A. MOTION TO OPEN PUBLIC HEARING:

B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE FY 2013 TAX RATE FOR DALLAS COUNTY:

C. MOTION TO CLOSE PUBLIC HEARING:

11. AWARD BIDS/RFP'S:

Bid No. 2012-080-6096 Annual Contract for Passenger, Medium and Heavy Duty Vehicles Body Damage and Collision Repair Services awarded to: First Class Auto Inc. and Rios Collision and Fleet Services Inc. (Contract data provided July 3, 2012)

12. COURT ORDER:

Authorizing the Dallas County Treasurer to transfer funds and /or issue described Dallas County checks or authorized Payroll Direct Deposits for the period of September 1, 2012 through September 30, 2012.

13. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of July, 2012.

14. COURT ORDER:

Authorizing Allstate Insurance Company be reimbursed \$2,111.18 for property damages sustained by insured, Felipe Castaneda, and authorizing the County Treasurer to release said check to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

15. COURT ORDER:

Directing the Criminal District Attorney's Bail Bond Prosecution Unit to file suit against the eighteen (18) individuals listed in the outlined chart to collect the remaining balance of the respective cash bail bond refund overpayments.

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16. COURT ORDER:

Rescinding Court Order 2012-1270 (8/14/2012) and setting the outlined Dallas County holiday schedule for calendar year 2013.

17. COURT ORDER:

Appointing Lawrence Billy Jones, III to the Dallas County Child Welfare Board for an initial term, effective August 28, 2012 and expiring January 31, 2013.

18. COURT ORDER:

Approving the outlined contract amendment for the guaranteed maximum price (GMP) proposal as submitted by Azteca + Russell + Turner (ART) in the amount of \$39,710,000 for the Jail Medical Modification project, and authorizing the County Judge to execute all related documents on behalf of Dallas County.

19. COURT ORDER:

Approving the outlined Contract for Computer Services in the amount of \$105,600 and the personal services agreement in the Addendum between the Court of Appeals, Fifth District of Texas and Charles Matz doing business as CAM Systems in the amount of \$44,000, for the period of September 1, 2012 to August 31, 2013.

20. COURT ORDER:

Approving the payment of \$450,631 in questioned cost to the U.S. Department of Justice, Office of Justice Programs (OJP), to close the audit report; funding is available in the FY2012 County Match.

21. COURT ORDER:

Approving the required documents (Code of Ethics, Training Workshops, Juvenile Case Manager job description, and JPO/JSO Academy schedule) for Dallas County to be in compliance with Senate Bill 61, and establishes in all Truancy Courts a \$5 court cost fee for all misdemeanor offenses; funding for the fee can be used for the cost associated with employing Juvenile Case Managers for Dallas County (salary, benefits, travel, training, and supplies).

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22. COURT ORDER:

Approving Change Order No. 1 to the contract with GSRA + HWH for the construction of the Grand Prairie Subcourthouse, and authorizing the County Judge to sign said change order.

23. COURT ORDER:

Authorizing the deletion of the builders risk insurance requirement for the replacement housing contract for 707 W. Hickman, Hutchins (Bid No. 2012-044-5920).

24. COURT ORDER:

Approving the Personal Services Contract with Red Zone Resources for the services of Scott Tapp, and authorizing the County Judge to sign said contract on behalf of Dallas County.

25. COURT ORDER:

Approving the Honorable Lupe Valdez's request for an exception to the Leave of Absence Policy for the employee (Assignment#: 7862-2), which complies with Sections 82-472/82-473 of the Dallas County Code.

26. COURT ORDER:

Approving the Honorable Craig Watkins' request for an exception to the Leave of Absence Policy for the employee (Assignment#: 42749), which complies with Sections 82-472/82-473 of the Dallas County Code.

27. COURT ORDER:

Granting approval for the outlined Customer Agreement Amendment with the Department of Information Resources (DIR) and Texas NICUSA, LLC (NIC) for eFiling Services, and authorizing the County Judge to execute the Customer Agreement Amendment on behalf of Dallas County.

28. COURT ORDER:

Approving the lease agreement extension with Frank Prasifka and Sons for FY2012, September 1, 2011 to August 31, 2012 for a total cost of \$6,000 from the North Texas Auto Theft Task Force's grant; therefore there is no financial impact to Dallas County, and authorizing the County Judge to sign all related documents.

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29. COURT ORDER:

Authorizing the renewal of the Courtesy Patrol Interlocal Agreement with the Texas Department of Transportation (TxDOT), and authorizing the County Judge to sign all related documents.

30. COURT ORDER:

Approving the Lease Agreement with Towne Square Market, LP, and authorizing the County Judge to sign the Agreement and all related documents on behalf of Dallas County.

31. COURT ORDER:

Approving the FY 2012 Department of State Health Services (DSHS) Housing Opportunities for Persons with AIDS (HOPWA) contract amendments with subcontractors as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments with the specific service providers on behalf of Dallas County.

32. COURT ORDER:

Approving the FY 2012 Department of State Health Services (DSHS) – HIV Services (State Services) contract amendments with subcontractors as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments with the specific service providers on behalf of Dallas County.

33. COURT ORDER:

Approving the FY 2012 Department of State Health Services (DSHS) Ryan White Part B contract amendments with subcontractors as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments with the specific service providers on behalf of Dallas County.

34. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to enter into a contract with Functional Family Therapy (FFT) LLC for Phase III consultation and supervisory training to maintain the Juvenile Department's designation as a licensed Functional Family Therapy (FFT) site, and to ensure integrity to the model for replication of the outcomes-based measures associated with FFT for FY2013.

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35. COURT ORDER:

Approving the Dallas County Juvenile Department's request to renew the inter-local agreement with Victoria County to provide gender specific services for females in the Victoria Regional Juvenile Justice Center, Female Post-Adjudication Program in Victoria, Texas for FY2013.

36. COURT ORDER:

Authorizing a sixty (60) day extension of RFP No. 2009-071-4358, Request for Proposal Residential Mechanical Services, as awarded to Alaniz Complete Service, LLC., and Integrity Texas Construction for the period of September 1, 2012 through October 31, 2012, and authorizing all County documents/payments to reflect accordingly.

37. COURT ORDER:

Authorizing a sixty (60) day extension of Bid No. 2009-096-4459, Annual Contract for Hazardous Material Consultant Services, as awarded to EDI Environmental Technology Inc., for the period of September 1, 2012 through October 31, 2012, and authorizing all County documents/payments to reflect accordingly.

38. COURT ORDER:

Authorizing Amendment Number 1 to the contract with JP Morgan Chase Bank, NA and its wholly owned subsidiary Paymentech, LLC for RFP No. 2010-067-5121, Request for Proposals for Electronic Payments Processing Services and Solution Provider for the Dallas County Tax Office E-Commerce Initiative to exercise the first one (1) year extension option and lower the fee for payment by e-check, and authorizing all County documents/payments to reflect accordingly.

39. COURT ORDER:

Authorizing the second twelve (12) month extension of 2010-086-5203, Annual Contract for Maintenance of Microfilm Equipment and Consumables with HOV Services, Inc., for the period of October 1, 2012 through September 30, 2013 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

40. COURT ORDER:

Authorizing the second twelve (12) month extension of 2011-092-5689, Annual Contract for Law Enforcement Uniforms, with Uniforms Inc. for the period of September 23, 2012 through September 22, 2013 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

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41. COURT ORDER:

Authorizing the award of Bid No. 2012-065-6030, 2012 Elevator and Escalator Modernization to United Elevator, Inc. as outlined in Attachment A (31 elevator units) and to Kone, as outlined in Attachment B (8 escalator units) as in the best interest of Dallas County.

42. COURT ORDER:

Accepting the offer from Jose Filiberto Mendez of \$2,000 to purchase the tax foreclosure property at 343 E. Malloy Bridge Road, Seagoville, Texas, DCAD Account No. 65085008110010000, upon the receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

43. COURT ORDER:

Accepting the offer from Nextlots 3, LLC of \$3,500 to purchase the tax foreclosure property at 4295 Elkins (formerly known as 4219 Elkins), Lancaster, Texas, DCAD Account No. 360455000C01A0000, upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

44. COURT ORDER:

Accepting the offer from Nextlots 3, LLC of \$5,000 to purchase the tax foreclosure property at 2624 Hulette, Lancaster, Texas, DCAD Account No. 60019500040120000, upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

45. COURT ORDER:

Accepting the offer from Jose Gamez of \$49,000 to purchase the tax foreclosure property at 4606 Pioneer Road, Balch Springs, Texas, DCAD Account No. 65126556010030000, upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

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46. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Project Specific Agreement between the City of DeSoto and Dallas County for the Wintergreen Road MCIP 47302 project.

47. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Supplemental Agreement to Master Agreement for East Dallas Veloway Phase 3, Phase 4, and YMCA Extension, in an estimated amount not to exceed \$500,000.00, reduced by all County in-house delivery costs to be paid from MCIP Fund 196, Project 8201.

48. CALLED BRIEFING SESSION:

See Briefing Agenda.

49. CALL EXECUTIVE SESSION:

For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government Code §§ 551.071, *et seq.* on any of the items listed on its Formal or Briefing agendas.

- Subjects:
- Appointments
 - 2011-2012 County Board and Committee Appointments
 - Deliberations About Real Estate: Tex. Gov. Code §551.072
 - Property Acquisition – Climate Control Facility
 - Personnel
 - Options for Long Term Retention of Services for Craig Morrissey
 - Request for Exception to Pay Policy
 - Texas Health & Safety Code: Tex. Gov. Code §551.071 and §§161.0315, 161.032
 - CMS Survey and Update
 - Claims
 - Jason Chaney against Dallas County, TW #12-000613
 - Progressive Insurance Company & Michael Lassier against Dallas County, TW #12-000398
 - Dallas County against Lawrence Daniels, TW #12-000130
 - Reimbursement of Health Plan Subrogation Lien – Tameria Casstevens
 - Update on Health Care Subrogation Lien – Christina Hamb

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49. CALL EXECUTIVE SESSION: (Cont'd.)

- Subjects: • Pending or Contemplated Litigation and Attorney-Client Information:
Tex. Gov. Code §§551.071(1)(A) and (B)
- Lester Smith vs. Dallas County, Cause No. DC-12-08300
 - Jeffery Hopkins vs. Dallas County Special Civil Service Commission, Dallas County, Texas and the Dallas County Civil Service Commission, Cause No. DC-12-08953

50. RECESS:

51. RECONVENE IF REQUIRED:

52. ADJOURN:



John F. Warren, County Clerk