

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, December 11, 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:**

**Dr. Josue Elorreaga
Joshua E. Ministries International
Dallas, Texas**

Dallas County Code Sec. 74-71. Meetings.

- 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.

(Admin. Policy Manual, § E(1.00--1.08); Ord. No. 98-2334, 12-8-1998; Ord. No. 2003-552, 4-1-2003; Ord. No. 2008-1336, 7-22-2008)

Código del Condado de Dallas Sec. 74-71. Reuniones.

- 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 los 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 haye 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.

(Admin. Policy Manual, § E(1.00--1.08); Ord. No. 98-2334, 12-8-1998; Ord. No. 2003-552, 4-1-2003; Ord. No. 2008-1336, 7-22-2008)

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7. RESOLUTIONS:

- A. Representative Jack Bascom Brooks
Presented by Judge Clay Lewis Jenkins

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF DECEMBER 4-11, 2012.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED DECEMBER 13, 2012:

Bid No. 2013-012-6206 Merritt Road – MCIP Project 22805 – from Garland / Rowlett City Limits.

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

- D. RIGHTS OF WAY:

Summary Agreements and Contracts.

- E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated December 11, 2012.

- F. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

- G. TRANSFER OF FUNDS.

- H. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS.

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8. CONSENT AGENDA: (Cont'd.)

I. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. COURT ORDER:

Approving the outlined Memorandum of Understanding (MOU) with Safer Dallas Better Dallas for the purpose of raising funds to cover the annual cost of an Animal Cruelty Unit in the District Attorney's Office.

10. COURT ORDER:

Authorizing the purchase of the replacement vehicles identified on the outlined FY2013 Vehicle Replacement List at a total cost of \$1,323,982.

11. COURT ORDER:

Authorizing the addition of the following staff: two (2) Public Defender Attorney VII positions, one (1) Public Defender Attorney VI position, one (1) Public Defender Investigator, Grade 68, and one (1) Legal Assistant, Grade 10, and authorizing the Human Resources/Civil Service Department to review the positions for proper classification.

12. COURT ORDER:

Approving Change Orders #3 and #4 to the contract with GSRA + HWH for the construction of the Grand Prairie Subcourthouse, and authorizing the County Judge to sign said change orders.

13. COURT ORDER:

Authorizing the provision of a ten-year tax abatement on real property and business personal property to Ace Hardware and Centerpoint Properties Trust for the development of a distribution/fulfillment center in Wilmer, effective January 1, 2014, subject to the project employing 100 new full-time positions by that effective date and complying with the Minimum Aggregate Value Schedule in either Exhibit B or C of the outlined tax abatement agreement; and the percentage that will be abated under this order will either be 67% or 75% depending upon whether the requirements of Exhibit B or Exhibit C of the outlined tax abatement agreement are met, and authorizing the County Judge to sign said abatement agreement.

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14. COURT ORDER:

Reallocating, as outlined in Attachment A, a total of \$222,461.28 in Community Development Block Grant (CDBG) funds from the County's replacement housing program and from prior-year CDBG carry-over administrative funds to the County's Upfront Cost Assistance Program (oracle #9733).

15. COURT ORDER:

Approving the Telework Pilot Program for the Office of Information Technology Department.

16. COURT ORDER:

(ITEM 7A ON BRIEFING AGENDA)

Approving the outlined Inter-local Contract between Dallas County, Texas, and the North Central Texas Council of Governments, and authorizing the County Judge to sign the contract on behalf of Dallas County.

17. COURT ORDER:

Approving a \$500.00 settlement payment to Shuronda Swan, Employee #19384, to resolve the Notice of Charge of Discrimination filed with EEOC on August 28, 2012, under the Americans with Disabilities Act (ADA).

18. COURT ORDER:

Authorizing the contract between Dallas County Sheriff's Department and Dallas County Community College District on behalf of El Centro College, and the County Judge to sign all related documents on behalf of Dallas County Sheriff's Department.

19. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending December 11, 2012, in amounts over \$5,000 for erroneous or excessive tax payments.

20. COURT ORDER:

Approving the revised Dallas County Health and Human Services (DCHHS) Housing Choice Voucher Program Administrative Plan, inclusive of the revisions listed in Attachment A and highlighted in the outlined Plan document.

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21. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract #2013-041066-001A, Tuberculosis Prevention and Control-Federal, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

22. COURT ORDER:

Approving the Memorandum of Agreement (MOA) with Dallas Metrocare Services to provide mental health services, and authorizing the County Judge to sign the contract on behalf of Dallas County.

23. COURT ORDER:

Approving the Renewal Agreement between Dallas County Health and Human Services (DCHHS) and Concorde Career Institute to provide vocational nursing students clinical experience in the field of public health, and authorizing the County Judge to sign the Agreement on behalf of Dallas County.

24. COURT ORDER:

Approving the Renewal Agreement for the provision of health services delivery to persons with STD/HIV by the Resource Center of Dallas, and authorizing the County Judge to sign the Agreement on behalf of Dallas County.

25. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract #2013-041066, Attachment #014, which changes the Disease Intervention Specialist (DIS), Grade DD position to an LVN III, Grade 10.

26. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to contract with Gulf Coast Trades Center for residential vocational training, intensive job placement, and retention services for participating Dallas County youth.

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27. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to contract with the twenty-one (21) residential treatment service providers, at the not to exceed listed rates, for FY2013, and authorizing the County Judge to sign the contracts on behalf of Dallas County.

28. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to award FY2013 non-residential services contracts to the nine (9) non-residential service providers, at the not to exceed listed rates, and authorizing the County Judge to sign the contract documents on behalf of Dallas County.

29. COURT ORDER:

Authorizing the approval of the outlined contract agreement between Dallas County and NorthEast Texas Data Corporation, for the period December 12, 2012 through March 30, 2014, and authorizing the County Judge to execute said contract agreement on behalf of Dallas County.

30. COURT ORDER:

Authorizing staff to enter into contract negotiations with the highest ranked firm, Sprint, as the susceptible firm for award consideration and final contract negotiations with respect to RFP No. 2012-045-5921, Request for Proposals for Fleet Tracking Global Position System.

31. COURT ORDER:

Authorizing the approval of the outlined contract agreement between Dallas County and Weaver and Tidwell LLP, for the period of January 1, 2013 through August 31, 2013, and authorizing the County Judge to execute said contract agreement on behalf of Dallas County.

32. COURT ORDER:

Authorizing the Purchasing Department to solicit the Request for Proposal for Substance Abuse Treatment Services for the Dallas County DWI Courts in accordance with Local Government Code 262.030 and County policy.

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33. COURT ORDER:

Authorizing and directing the County Judge to execute the purchase of a GPS Based Survey Instrument.

34. COURT ORDER:

Authorizing and directing the County Judge to execute the purchase of computer hardware and software for the Public Works Department.

35. COURT ORDER:

Authorizing the outlined Five Signature Letter of Support for the IH 35E Managed Lanes Project be executed and sent to the Federal Highway Administration.

36. COURT ORDER:

Authorizing and directing the County Judge to execute the FY2013 Memorandum of Agreement (MOA) with Dalworth Soil and Water Conservation District (DSWCD) #519 for four (4) soil and erosion control earthen dams for a one (1) year maintenance term in a not-to-exceed amount of \$29,475, to be paid from General Fund Account 105.2550.08312.0000 (County Road & Bridge District No. 5).

37. COURT ORDER:

(ITEM 5D ON BRIEFING AGENDA)

Authorizing and directing the County Judge to execute the outlined First Amendment to Utility Relocation Contract with Oncor Electric Delivery Company (Transmission) on behalf of Dallas County for the Pleasant Run Road Overpass MCIP Project 31041, in an amount not to exceed \$1,000,000.00, available to be paid from MCIP Fund 196, Project 8201.

38. CALLED BRIEFING SESSION:

See Briefing Agenda.

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39. 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
 - Property Acquisition; Climate Control Facility
 - Personnel
 - Request for IT Salary Exceptions
 - Texas Health and Safety Code
 - CMS Survey and Update
 - Claims
 - Dallas County Claim Against James Lutrell (TW #12-000612)
 - Jesse Johnson Claim Against Dallas County (TW #12-000199)
 - Thomas Lewis – Health Care Subrogation Lien
 - Pending or Contemplated Litigation and Attorney-Client Information
 - Alejandro Garcia, et al vs. Dallas County, Texas;
Cause No. 3:10-CV-02521-N
 - Texas Democratic Party, et al vs. Dallas County, Texas, et al

40. RECESS:

41. RECONVENE IF REQUIRED:

42. ADJOURN:



John F. Warren, County Clerk