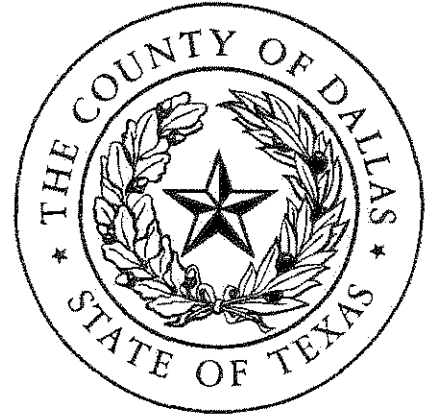


# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, November 13, 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:**

**Pastor Dr. Marcus D. King  
Johnson Chapel Community Church  
DeSoto, 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 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 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)

Commissioners Court Agenda – Tuesday, November 13, 2012

7. RESOLUTIONS:

- A. Amy Trotter Esparza – 25 Years of Service  
Presented by Commissioner John Wiley Price
- B. Dallas Symphony Orchestra's Young Strings Program – 20th Anniversary  
Presented by Commissioner Dr. Elba Garcia
- C. Carmen Kennedy – United States Marine Corps  
Presented by Judge Clay Lewis Jenkins
- D. Veterans Day  
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 NOVEMBER 6-13, 2012.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED NOVEMBER 15, 2012:

Bid No. 2013-008-6189 Pleasant Valley Road – MCIP 22009 – from FireWheel Parkway to Richfield Drive.

THE FOLLOWING BIDS/RFP'S TO BE OPENED NOVEMBER 19, 2012:

Bid No. 2013-009-6198 Request for Proposal for Mainframe Hosting Solution for Dallas County.

Bid No. 2013-010-6201 Annual Contract for Food Service Products. (Contract data provided November 13, 2012)

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

- D. RIGHTS OF WAY:

Summary Agreements and Contracts.

Commissioners Court Agenda – Tuesday, November 13, 2012

8. CONSENT AGENDA: (Cont'd.)

E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated November 13, 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.

I. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. COURT ORDER:

Adopting the outlined Dallas County Investment Policy, as developed by the County Treasurer and approved by the Dallas County Financial Review Committee, as the Official Dallas County Investment Policy, effective November 13, 2012; adopting the County Treasurer's review of Brokerage Firms, as also adopted by the Dallas County Financial Review Committee, and authorizing the 2013 Brokerage Firms, Banks and Local Government Investment Pools (LGIP), as outlined.

10. COURT ORDER:

Authorizing the County Auditor to expand payroll deduction for other lost County issued items including County IDs, pagers, cell phone equipment and other items as needed.

11. COURT ORDER:

Accepting the payment of \$1,141.00 from State Farm Mutual Automobile Insurance Company for their insured, Mary Wilcots, as settlement of damages sustained by Dallas County, Texas, and authorizing the County Judge to execute any and all documents approved by the District Attorney's Civil Division to effectuate this settlement.

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12. COURT ORDER:

Authorizing Kathryn Welton be reimbursed \$1,297.46 as full and final settlement by the County of Dallas, Texas, 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.

13. COURT ORDER:

Directing the Dallas County Treasurer to issue two (2) checks as full and final settlement by Dallas County: one (1) in the amount of \$6,023.91 made payable to Tomas Ramirez and David S. Kohm & Associates, and one (1) in the amount of \$10,000.00 made payable to Ernestina Garcia and David S. Kohm & Associates; and authorizing the County Judge to execute any documentation required for this settlement on behalf of Dallas County, and the County Treasurer to release said checks to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

14. COURT ORDER:

Approving the outlined contract with the City of Duncanville for Traffic Patrol services, and authorizing the County Judge to sign the contract on behalf of Dallas County.

15. COURT ORDER:

Authorizing Parkland Health & Hospital to amend and extend the lease for office space leased by Michael Carroll, M.D. at Parkland's Southeast Dallas Health Center Professional Building, Suite 1.

16. COURT ORDER:

Authorizing Parkland Health & Hospital to amend and extend the lease for office space leased by Robert K. Stahlman II, D.O. at Parkland's Southeast Dallas Health Center Professional Building, Suite 100.

17. COURT ORDER:

Authorizing the County Judge to sign the Statement of Grant Award to accept the Texas Indigent Defense Commission FY2013 Formula Grant.

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18. COURT ORDER:

Authorizing the addition of a Program Coordinator, Grade H for the District Attorney's Office to work on the Prostitute Diversion Initiative and other activities assigned by the District Attorney's Office, and further authorizing the Human Resources/Civil Service Department to review the position for proper classification.

19. COURT ORDER:

Declaring official intent to reimburse the expenditures for the payment of phase 2 Energy Management upgrades (the "Project") with a portion of the proceeds of the Tax-Exempt Obligations.

20. COURT ORDER:

Approving the extension of the Personal Services Contract with Red Zone Resources, Inc. for the services of Candace Pierce, and authorizing the County Judge to sign the Second Amendment to the Personal Services Contract on behalf of Dallas County.

21. COURT ORDER:

Approving Amendment Number 1 to the 2012-2013 LIHEAP Weatherization Assistance Program Contract, No. 81120001402, with the Texas Department of Housing and Community Affairs, and authorizing the County Judge to electronically sign the Contract Amendment on behalf of Dallas County.

22. COURT ORDER:

Authorizing the second extension option of Bid No. 2011-023-5334, Annual Contract for Janitorial Services for the North, West and East Sections of Dallas County, as awarded to Andrews Building Services, Inc., James Enterprise and Global Building Maintenance, Inc., for the period of January 1, 2013 through December 31, 2013, and authorizing all County documents/payments to reflect accordingly.

23. COURT ORDER:

Authorizing the termination of Bid No. 2011-062-5532, Request for Proposals for Design & Installation of an Automated Food Tray Sealer and Packaging Machine and the cancellation of Purchase Order No. 251430 as awarded/issued to Landsberg-Dallas, and authorizing all County documents to reflect the same.

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24. COURT ORDER:

Authorizing the second twelve (12) month extension of Bid No. 2012-008-5786, Annual Contract for Ambulance Services, as awarded to Careflite for the period of January 11, 2013 through January 10, 2014, and authorizing all County documents/payments to reflect accordingly.

25. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 2 to Moody-Nolan/VAI, for an amount not to exceed \$55,000.00, to provide engineering services concerning repairs to Parking Garage D at the Frank Crowley Courts Building, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

26. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 3 to Moody-Nolan/VAI, for an amount not to exceed \$8,500.00, to provide an independent engineering review of Phase II energy improvements for the Frank Crowley Courts – Lew Sterrett Jail complex, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

27. COURT ORDER:

Authorizing final payment in the amount of \$224,529.33 be paid to Austin Filter Systems, Inc., from Bridge Fund Account No. 105.2550.08312.0000, for the Belt Line Road At Trinity River Bridge Protection Improvements Project (Erosion Repairs), and accepting the Project as complete.

28. COURT ORDER:

Authorizing final payment for the construction contract with Tiseo Paving Company for the construction of the Lawson Road MCIP Project 22604 from Scyene Road to US 80 East Bound Service Road in an amount not to exceed \$166,367.11 be paid from project funds located in Fund 196, Project 8201, and accepting the project as complete.

29. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined License Agreement for Right-of-Entry, Possession and Use with Union Pacific Railroad Company (UPRR) for the Pleasant Run Road Overpass MCIP Project 31401 from Sunrise Road to IH-45 in the City of Wilmer.

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30. COURT ORDER:

Authorizing and directing the Dallas County Judge to execute the outlined Master Agreement governing the Major Capital Improvement Program with the Town of Addison.

31. COURT ORDER:

Authorizing the City of Dallas as Trustee for Dallas County, in its own behalf, and on behalf of Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund to solicit from the public sealed bids on any or all of the said parcels of land outlined in Exhibit "A", and does hereby consent to the sale of said parcels of land to the highest bidder even if the bid tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment of foreclosure or the total amount of the judgments against the property.

32. COURT ORDER:

Committing to the project nomination of two (2) Northaven Multimodal Connection bridges and the SoPac Trail; and if selected Transportation Enhancement funding for these projects will be secured by future agreement with Texas Department of Transportation (TxDOT) and the City of Dallas.

33. CALLED BRIEFING SESSION:

See Briefing Agenda.

34. 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
  - Texas Health & Safety Code
    - CMS Survey and Update



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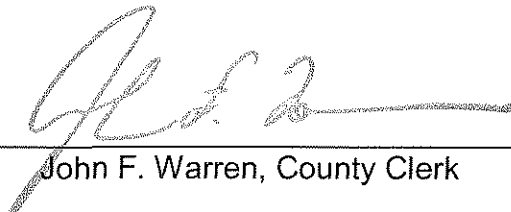
34. CALL EXECUTIVE SESSION: (Cont'd.)

- Subjects:
- Pending or Contemplated Litigation and Attorney-Client Information
    - Terry James vs. Lupe Valdez; Appeal Cause No. 05-11-01506-CV
    - Donna Allen vs. Ocwen Loan Services, LLC, et al.;  
Cause No. DC-12-08775
    - Angel Dehner vs. Bank of New York Mellon, et al.;  
Cause No. CC-12-04244
  - Claims
    - Kokila Patel Claim against Dallas County; TW #12-000778
  - Consultation with Attorney/Legal Advice
    - M/WBE Disparity Study

35. RECESS:

36. RECONVENE IF REQUIRED:

37. ADJOURN:



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John F. Warren, County Clerk