

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, October 2, 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 Adjourn Court for the September Term:**
- 5. Motion To Open Court for the October Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Mr. Stanley Victrum
Dallas County Chief Information Officer
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 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)

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8. RESOLUTIONS:

- A. Rosalinda Saenz – Retirement
Presented by Commissioner John Wiley Price

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF SEPTEMBER 25 – OCTOBER 2, 2012.

B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S OPENED OCTOBER 1, 2012:

Bid No. 2013-001-6150 Annual Contract for the Purchase of Paper for Office Use. (Contract data provided October 2, 2012)

THE FOLLOWING BIDS/RFP'S TO BE OPENED OCTOBER 4, 2012:

Bid No. 2013-003-6169 Annual Contract for Asbestos, Lead, and Mold Assessment and Consultant Services. (Contract data provided September 18, 2012)

C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

D. RIGHTS OF WAY:

Summary Agreements.

E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated October 2, 2012.

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9. CONSENT AGENDA: (Cont'd.)

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.

10. COURT ORDER:

Accepting payment of \$632.13 from State Farm Insurance Company for their insured, David Acker, as settlement of property damage 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.

11. COURT ORDER:

Authorizing Steven Gatson and Best, Watson & Gilbert, P.C. to be paid \$14,485.00 for bodily injuries as full and final payment 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.

12. COURT ORDER:

Appointing Shari Scott to the Dallas County Child Welfare Board for an unexpired term, effective October 2, 2012 and expiring January 31, 2013.

13. COURT ORDER:

Approving the FY2013 contract between Dallas County and Trauma Support Services of North Texas, Inc., for the purpose of providing post-trial juror counseling services to eligible jurors, and authorizing the County Judge to sign the contract on behalf of Dallas County.

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14. COURT ORDER:

Approving the FY2013 contract with The Family Place to provide supervised visitation and exchange services for Dallas County, and authorizing the County Judge to sign the contract on behalf of Dallas County.

15. COURT ORDER:

Approving the FY2013 contract with Dallas CASA, Inc. for volunteer advocate and guardian ad litem services in the Dallas County Juvenile District Courts, and authorizing the County Judge to sign the contract on behalf of Dallas County.

16. COURT ORDER:

Approving the outlined FY2013 contract with Dallas Challenge, Inc. for truancy intervention services, and authorizing the County Judge to sign the contract on behalf of Dallas County.

17. COURT ORDER:

Approving the FY2013 contract with the Association for Retarded Citizens of Dallas (ARC) to provide guardianship services to the Dallas County Probate Courts, and authorizing the County Judge to sign the contract on behalf of Dallas County.

18. COURT ORDER:

Approving the FY2013 contract with the Senior Citizens of Greater Dallas to provide guardianship services to the Dallas County Probate Courts, and authorizing the County Judge to sign the contract on behalf of Dallas County.

19. COURT ORDER:

Approving the FY2013 contract with the Town of Sunnyvale for police services, and authorizing the County Judge to sign the contract on behalf of Dallas County.

20. COURT ORDER:

Approving the outlined FY2013 Funding Agreement between Dallas County, the City of Dallas, and the Regional Transportation Council/North Central Texas Council of Governments (NCTCOG) for the Dallas County Highway Traffic Program, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

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21. COURT ORDER:

Approving the outlined FY2013 agreement with the Dallas County Hospital District Board of Managers for Dallas County to perform specific Community Health Services for the District, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

22. COURT ORDER:

Approving the outlined FY2013 contract with the Texas Department of Family and Protective Services for various supplemental programs, and authorizing the County Judge to sign the contract on behalf of Dallas County.

23. COURT ORDER:

Approving the outlined FY2013 contracts with Dallas MetroCare Services for Personal Family Assistance (PFA), Behavior and Psychiatric Services (BPS), and for the Safe Haven grant match, and authorizing the County Judge to sign the contract on behalf of Dallas County.

24. COURT ORDER:

Approving the outlined FY2013 contract to provide funding for monthly operating utilities for New Beginning Center in an amount not to exceed \$10,000, and authorizing the County Judge to sign the contract on behalf of Dallas County.

25. COURT ORDER:

Approving the outlined FY2013 amendment to the Interlocal Cooperation Agreement with the North Texas Tollway Authority (NTTA), whereby the NTTA will reimburse Dallas County in an amount not to exceed \$55,471 for one-half the cost of an attorney prosecuting in the Justice of the Peace Courts, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

26. COURT ORDER:

Approving the outlined FY2013 Amendment to the Interlocal Agreement between Dallas County and Dallas County Community Supervision and Corrections Department (CSCD), to change the 24 hour per week assignment of an Assistant District Attorney to the 4C Re-entry Court to a full time 40 hour per week assignment, whereby CSCD will reimburse Dallas County an amount not to exceed \$94,424 for the cost of one (1) full time Assistant District Attorney, and authorizing the County Judge to sign the contract on behalf Dallas County.

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27. COURT ORDER:

Approving and authorizing the County Judge to sign the inter local agreement on behalf of Dallas County to provide supplemental funding to support operating costs for the City of Dallas Homeless Assistance Center; the County's monthly installments of \$83,333.33 will not exceed \$1,000,000 for FY2013.

28. COURT ORDER:

Authorizing Parkland Health and Hospital System to extend the lease for property located at 7920 Elmbrook for an additional five (5) year term, to begin March 1, 2013 and end February 28, 2018.

29. COURT ORDER:

Certifying that Dallas County has made a grant to the Jewish Family Service of Dallas in the amount of \$9,207, to be used between the 1st of October 2012 and the 30th of September 2013; certifying that the Jewish Family Service of Greater Dallas, Inc., provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability; and certifying the approval of the Jewish Family Service of Greater Dallas, Inc. fiscal agent.

30. COURT ORDER:

Certifying that Dallas County has made a grant to the Visiting Nurse Association in the amount of \$67,565, to be used between the 1st of October 2012 and the 30th of September 2013; certifying that the Visiting Nurse Association provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability; and certifying the approval of the Visiting Nurse Association's fiscal agent.

31. COURT ORDER:

Authorizing the provision of a 50%, ten-year tax abatement on real property and business personal property to Amazon.com and Tradepoint Bldg 2, LP for the development of a distribution/fulfillment center in Coppell, effective no later than January 1, 2015, subject to the project having increased the County's property tax base by at least \$100 million by the effective date; and authorizing the County Judge to sign the related tax abatement agreement for this project.

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32. COURT ORDER:

Approving the extended leave of absence period for Employee #27852 – Building Mechanic, Grade 09 in the Facilities Department (QA) in compliance with Sections 82-474 and 82-480(2) of the Dallas County Code for up to 90-days (9/15/2012-12/15/2012).

33. COURT ORDER:

Approving Human Resources/Civil Service Department utilization of various media sources (including the Dallas Morning News) to create a viable pool of qualified candidates for position vacancies throughout Dallas County for the period of October 1, 2012 through September 30, 2013.

34. COURT ORDER:

Approving a 4% merit, lump sum and/or structure and the outlined Salary Schedules, effective October 6, 2012, for FY 2013.

35. COURT ORDER:

Approving the outlined TALX Universal Service Agreement and Schedule A – The Work Number, Service Provider Term and Fees for service schedule, for the period beginning October 1, 2012 with an initial term of five (5) years.

36. COURT ORDER:

Filing the District Judges' appointment of Virginia Porter as County Auditor for the term beginning September 1, 2012 and ending August 31, 2014, and setting her salary. (PUBLIC OFFICIAL'S BOND AND OATH OF OFFICE ATTACHED)

37. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending October 2, 2012, in amounts over \$5,000.00 for erroneous or excessive tax payments.

38. COURT ORDER:

Approving the Professional Services Contract between Dallas County Health and Human Services and Howard Aldridge, Jr., licensed pharmacist, for pharmacy services not to exceed \$10,000.00, and authorizing the County Judge to sign the contract on behalf of Dallas County.

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39. COURT ORDER:

Approving the award of FY 2013 Department of State Health Services (DSHS) Housing Opportunities for Persons with AIDS (HOPWA) funds in the amount of \$51,554, to Your Health Clinic and \$1,000 to Dallas County Health and Human Services – HOPWA Unit, as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the specific service providers on behalf of Dallas County.

40. COURT ORDER:

Approving the award of FY 2013 Department of State Health Services (DSHS) HIV Services (State Services) funds in the amount of \$1,462,092, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the specific service providers on behalf of Dallas County.

41. COURT ORDER:

Approving the award of FY 2013 Department of State Health Services (DSHS) Ryan White Part B Formula funds in the amount of \$1,622,066, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the specific service providers on behalf of Dallas County.

42. COURT ORDER:

Supporting the request of Dallas County Health and Human Services (DCHHS) Housing Choice Voucher Program to receive a portion of the vouchers currently administered by the Lancaster Housing Assistance Program, and offers full cooperation to the City of Lancaster to ensure a seamless transition of the program and its participants, as pursuant to Notice PIH 2012-11.

43. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-102-5731, Annual Contract for Road and Highway Building Materials, as awarded to Austin Asphalt, APAC-Texas, Heartland Asphalt Materials, Professional Coating Technologies, TXI Operations, Cleveland Asphalt Products, Ergon Asphalt & Emulsions and Vance Brothers for the period of October 7, 2012 through October 6, 2013; approving the third modification and price increase by Professional Coating Technologies as outlined in Table I, effective October 1, 2012; and further authorizing all County documents/payments to reflect accordingly.

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44. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-104-5734, Annual Contract for Paper Towels, Toilet Paper, Seat Covers, Trash Bags and Related Items, as awarded to Complete Supply, Empire Paper, Interboro Packaging and M.A.N.S. Distributors for the period from October 18, 2012 through October 17, 2013, and authorizing all County documents/payments to reflect accordingly.

45. COURT ORDER:

Authorizing the cancellation of RFP No. 2012-039-5913 Tax Statement Preparation, Printing and Mailing Services for the Dallas County Tax Office and rejecting all responses received from award consideration.

46. COURT ORDER:

Authorizing staff to enter into contract negotiations with the highest ranked firm, Weaver and Tidwell LLP, as the susceptible firm for award consideration and final contract negotiations with respect to RFP 2012-062-6016 SOC 1 Type II Report Audit Services for the Dallas County Tax Office.

47. COURT ORDER:

Authorizing approval of the outlined contract agreement between Dallas County and Moody-Nolan/VAI for the period October 2, 2012 through October 1, 2013, and authorizing the County Judge to execute said document on behalf of Dallas County.

48. COURT ORDER:

Authorizing a Allied-Gary safe, Property #062476 to be representative of the equipment to be sold in the online auction scheduled, and authorizing all County departments/inventories to reflect accordingly.

49. COURT ORDER:

Approving a three (3) year lease extension with Bank of America, acting through its agent and landlord Telecommunication Properties, Inc., at a monthly rate of \$750 for the term October 1, 2012 through September 30, 2015, and authorizing the County Judge to execute the lease extension.

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50. COURT ORDER:

Approving the Project Specific Agreement between Dallas County and the City of Lancaster for the purpose of transportation-related maintenance, repairs and improvements to be undertaken in certain designated blocks of enumerated public roadway as more fully set forth and described in Attachments "A" and "B", and authorizing the County Judge to sign and execute said document.

51. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Project Specific Agreement to the Master Agreement Governing Transportation Major Capital Improvement Projects for the Pleasant Run Road MCIP Project 30901 from Joe Wilson Road to Duncanville Road with the City of Cedar Hill, with County funding in the amount of \$3,000,000.00 to be paid from MCIP Fund 196, Project 8201.

52. COURT ORDER:

Authorizing the City of Grand Prairie, as Trustee, to advertise the outlined parcels of land for sale by public sealed bid; and Dallas County in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund does hereby consent to the sale of said parcels of land to the highest qualified bidder, even if the amount tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment against the property in compliance with Section 34.05(i) of the Property Tax Code, or for an amount equal to or greater than its current market value as shown by the most recent certified appraisal role, if the sum of the amount of the judgment plus post-judgment taxes, penalties, and interest owing against the property exceeds the market value in compliance with Section 34.05(j) of the Property Tax Code.

53. COURT ORDER:

Authorizing and directing the County Judge to execute a Construction Contract with PAEE Corporation for Bid No. 2012-074-6059 for construction of the CDBG FY 2010 Seagoville Briar Creek MHP Paving Improvements, Phase IV, project in the Total Bid Amount not-to-exceed \$206,923.50 to be paid from Oracle No. 09520 for 2011 and 2012 in the amounts of \$54,772.47 and \$110,327.00, respectively, and the 2013 funding amount of \$93,392.00 (Oracle Number To Be Determined) totaling \$258,491.47.

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54. COURT ORDER:

Authorizing and directing the County Judge to execute a Construction Contract with Saber Development Corporation for Bid No. 2012-073-6055 for the installation of the CDBG FY 2011 Glenn Heights Morgan Heights Water Main Improvements, Phase II, project in the Total Bid Amount not-to-exceed \$150,097.20 to be paid from Oracle No. 09505 for 2012 in the amount of \$85,625.10 and the 2013 funding amount of \$81,923.00 (Oracle Number To Be Determined) totaling \$167,548.10.

55. CALLED BRIEFING SESSION:

See Briefing Agenda.

56. 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.

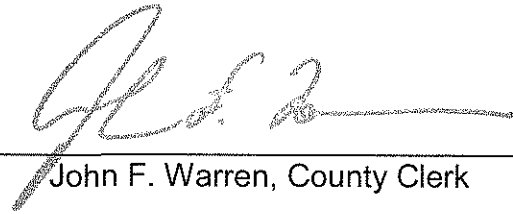
- Subjects:
- Appointments
 - 2011-2012 County Board and Committee Appointments
 - Deliberations about Real Estate: Tex. Gov. Code §551.072
 - Property Acquisition – Climate Control Facility
 - Texas Health & Safety Code: Tex. Gov. Code §551.071 and §§161.0315, 161.032
 - CMS Survey and Update
 - Pending or Contemplated Litigation and Attorney-Client Information: Tex. Gov. Code §§ 551.071(1)(A) and (B)
 - Glynda Ray vs. Dallas County Southwestern Institute of Forensic & Medical Examiner Department; Cause No. DC-11-07904
 - Inabinet Saddler vs. Guadalupe Frias; Cause No. DC-12-01907
 - Review of STEP Grant Audit
 - Legal Matters/Legal Advice, Consultation With Legal Counsel: Tex. Gov. Code §551.071
 - Review Status of PEBC and United Healthcare Contract

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57. RECESS:

58. RECONVENE IF REQUIRED:

59. ADJOURN:



John F. Warren, County Clerk