

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, October 30, 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 JoNell Lindh
Chapel Hill United Methodist Church
Farmers Branch, 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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7. RESOLUTIONS:

- A. Brenda Barron – 25 Years of Service
Presented by Commissioner Mike Cantrell
- B. Pam Mitchell – Coppell ISD Mockingbird Elementary
Presented by Commissioner Mike Cantrell
- C. Turner House – 100th Anniversary
Presented by Commissioner Dr. Elba Garcia
- D. Honorable Judge Charles Stokes – Retirement
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 OCTOBER 23-30, 2012.
- B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- C. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated October 30, 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.

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8. CONSENT AGENDA: (Cont'd.)

G. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. COURT ORDER:

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

10. COURT ORDER:

Approving and accepting the County Treasurer's Annual Report of Dallas County funds for Fiscal Year 2012 and the Monthly Report of the County Treasurer for the month of September, 2012.

11. COURT ORDER:

Approving the outlined Supplemental Agreement No. 1 to the Interlocal Agreement between City of Dallas and Dallas County amending Traffic Patrol schedules.

12. COURT ORDER:

Approving the Human Resources/Civil Service Department's reorganization and further recommending that the Human Resources/Civil Service Department review the positions for proper classification with the understanding that the proposed reorganization results in no cost to Dallas County.

13. COURT ORDER:

Approving the DDA Initiative by Judge Ellis to delete her Chief Clerk position, employee #19812, which results in a saving of \$59,917 and recommends allocating half of the savings (\$12,000) into Judge Ellis' DDA account (4833.2230), approving the Auditor's Office to pay two (2) weeks of pay from the last day worked (October 22, 2012 through November 2, 2012) with an estimated total cost of \$1,777.52 (\$1,651.20 salary + \$126.32 retirement/FICA) for Justice of the Peace 3-3 employee #19812 Chief Clerk position.

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14. COURT ORDER:

Approving the reimbursement of \$214,031 to the Texas Department of Transportation (TxDOT) for ineligible costs incurred by the STEP grant.

15. COURT ORDER:

Approving Change Order #2 to the contract with GSRA + HWH for the construction of the Grand Prairie Subcourthouse, and authorizing the County Judge to sign said change order.

16. COURT ORDER:

Authorizing Dallas County, effective January 1, 2013, to participate in the City of Dallas Maple/Mockingbird tax increment finance district (TIF), that it provide 55% of its increment to this district until either December 31, 2032 or the County's total net present value contribution (using a discount rate of 5%) reaches \$4.2 million, whichever occurs first, and authorizing the County Judge to sign any related TIF participation agreement.

17. COURT ORDER:

Approving the Dallas County Employee Benefits Committee's recommendation as outlined in Attachment B (Domestic Partnerships Program) to offer a subsidy to Dallas County employees for the purchase of a private medical insurance policy or continuance of a private medical insurance policy for the domestic partner and/or the domestic partner's child(ren) and Attachment A (Affidavit of Domestic Partnership).

18. COURT ORDER:

Approving the continuation of the DART Annual Pass Program for calendar year 2013 (pending later submission of actual contract) which will require Dallas County to pay a projected upfront cost of approximately \$250,000 (based on current utilization), and authorizing County Judge Clay Lewis Jenkins to sign the forthcoming contract with DART on behalf of Dallas County.

19. COURT ORDER:

Accepting and certifying the audit report completed by the County Auditor, as required by V.T.C.A., Code of Criminal Procedure, Paragraph 59.06(g), as amended, on proceeds and property seized under this chapter by the Dallas County Criminal District Attorney as final with notice delivered to the Office of the Attorney General.

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20. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending October 30, 2012, in amounts over \$5,000.00 for erroneous or excessive tax payments.

21. COURT ORDER:

Approving the Dallas County Health and Human Services/Older Adult Services Program Agreement with the listed Independent Nutrition Sites: City of DeSoto, City of Garland (2 sites) and Deaf Action Center, authorizing the County Judge to sign the Agreement on behalf of Dallas County.

22. COURT ORDER:

Approving the service agreement between Dallas County Health and Human Services (DCHHS) and TrustComm Trusted Networks for the provision of network (satellite) connectivity services, for a cost of \$5,544.00, and authorizes payment of these costs from the CRI grant (466:0:05499:2013:0:0:08725:0).

23. COURT ORDER:

Approving the Texas Department of State Health Services (DSHS) Contract No. 2013-041066-012A, Public Health Emergency Preparedness (PHEP), and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

24. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to renew the six (6) non-residential services contracts as listed for FY2013, at the not to exceed outlined rates, retroactive to October 1, 2012.

25. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to renew the contracts with the service providers listed for residential services for FY2013, at the not to exceed outlined rates, retroactive to October 1, 2012.

26. COURT ORDER:

Approving the professional services contract with Jewish Family Services of Greater Dallas, Inc., and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

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27. COURT ORDER:

Authorizing the extension of Bid No. 2010-007-4703, Annual Contract for the Purchase of Paper for Office Use for the period December 1, 2012 through February 28, 2013, as awarded to Western-BRW Paper Company, Inc. in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

28. COURT ORDER:

Authorizing the payment of merchant service fees and purchase and installation of equipment for the implementation of Phase II of the merchant services agreement with JPMorgan Chase Bank, NA under RFP No. 2011-057-5513, Request for Proposals for Merchant Services for Electronic Payments and Bank Card Processing Services, at the estimated cost of \$115,000 in accordance with the executed merchant services agreement.

29. COURT ORDER:

Authorizing the following firms to proceed to Step Two of the evaluation process, to include, but not be limited to interviews/system demonstrations, best and final offers (BAFOs) and contract compliance review under RFP No. 2012-045-5921, Request for Proposals for Fleet Tracking Global Position System: TransCore, Radio Satellite Integrators, Sprint, GPS Tracking Network, GPS North America, Network Fleet, AT&T, Compasscom Software, Teletrac, and Fleet Trax.

30. COURT ORDER:

Authorizing the acceptance of Voluntary Alternate #4 pricing submitted for Bid No. 2012-065-6030 2012, Elevator and Escalator Modernization by KONE for 8 (eight) escalator units at Frank Crowley Courts Building effective December 1, 2012, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing the award of RFP No. 2012-076-6068, Request for Proposals for the Lease of Cafeteria and Snack Bar to Ed Campbell Company (Records Building Snack Bar, Frank Crowley Snack Bar, Frank Crowley Cafeteria), Nick's Cafeteria (George Allen Cafeteria) and Ray's Bar-B-Q (Henry Wade Snack Bar), and authorizing staff to complete the lease negotiations with an anticipated start date of December 1, 2012.

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32. COURT ORDER:

Authorizing staff to enter into contract negotiations with the two (2) highest rated firms Alaniz Complete Service and Integrity Texas Construction, as the susceptible firms for award consideration and final contract negotiations with respect to RFP No. 2012-084-6111, Request for Proposals for Residential Mechanical and Weatherization Services; extent the existing of RFP No. 2009-071-4358, Request for Proposal Residential Mechanical Services on a month to month basis with all awarded Contractors until the new contract is executed; and authorizing all County documents/payments to reflect accordingly.

33. COURT ORDER:

Authorizing the amendment of Court Order No. 2012-1426 (9/4/12) to reflect the correct Bid No. of 2012-085-6112, Annual Contract for Anionic Asphalt Emulsion, as awarded to APAC-Texas, Inc., with the terms, conditions and pricing set forth in the original bid award, and authorizing all County documents/payments to reflect accordingly.

34. COURT ORDER:

Authorizing the cancellation of RFP No. 2012-086-6113, Request for Proposal for Mainframe Migration Solution for Dallas County, rejecting all responses received from award consideration, and authorizing the Purchasing Department to solicit Request for Proposal for Mainframe Hosting Solution for Dallas County in accordance with Local Government Code 262.030 and County Policy.

35. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 1 to Moody-Nolan/VAI for an amount not to exceed \$13,750.00 to provide professional services concerning Founders Plaza, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

36. COURT ORDER:

Approving the specific projects and total funding commitment as identified in the outlined "Transportation Funding Commitments – Revision #17" dated October 23, 2012 for funding in the Major Capital Development fund as authorized by the annual CIP plan and annual funding approvals; and that said "Revision #17" supersedes and replaces in its entirety the previously approved "Revision #16."

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37. COURT ORDER:

Authorizing and directing the County Judge to approve and accept Consultant's descriptions and maps for Commissioners District Boundary Description, MCIP Project 501DM.

38. COURT ORDER:

Authorizing and directing the County Judge to execute the attached Advanced Funding Agreement Amendment #1 and the new Local Project Advance Funding Agreement with TxDOT which provides federal funds in the amount of \$8,409,676.00 for Pleasant Run Overpass MCIP Project 31401 with County funding in the amount of \$1,496,501.00 available to be paid from MCIP Fund 196, Project 8201.

39. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Consultant Engineering Indefinite Delivery Indefinite Quantity (IDIQ) contracts to be ratified and extended for one year commencing on October 25, 2012 and terminating on October 26, 2013.

40. CALLED BRIEFING SESSION:

See Briefing Agenda.

41. 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
 - Personnel
 - Salary Payout for RIF Employee
 - 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)
 - Civil Service Commission Hearing of Brett Miller

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

- Subjects:
- Claims: Tex. Gov. Code §§551.071(1)(A) and (B)
 - Dallas County Against Paneless Window Cleaning Inc.; TW #12-000629
 - Bonita Pete - Request for Reduction in Health Care Subrogation Lien
 - Legal Matters/Legal Advice, Consultation with Legal Counsel:
 - Tex. Gov. Code §§551.071
 - M/WBE Disparity Study

42. RECESS:

43. RECONVENE IF REQUIRED:

44. ADJOURN:



John F. Warren, County Clerk