

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, September 18, 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:**

**Reverend Randy Haedge
Bethel Lutheran Church
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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7. RESOLUTIONS:

- A. Pam Mitchell – Coppell ISD Mockingbird Elementary
Presented by Commissioner Mike Cantrell
- B. Association of Persons Affected by Addiction (APAA) – National Recovery Month
Presented by Commissioner John Wiley Price
- C. Mi Escuelita Preschool/My Little School – 34th Anniversary
Presented by Commissioner Dr. Elba Garcia
- D. Dr. C. O. Searcy – 100th Birthday
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 SEPTEMBER 11-18, 2012.
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED SEPTEMBER 24, 2012:

- Bid No. 2012-091-6149 Annual Contract for the Purchase of Polyester Tray Sealing Film. (Contract data provided September 18, 2012)
- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- D. RIGHTS OF WAY:
Summary Agreements.

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8. CONSENT AGENDA: (Cont'd.)

E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated September 18, 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. PUBLIC HEARING: (9:00 A.M.)

A. MOTION TO OPEN PUBLIC HEARING:

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

C. MOTION TO CLOSE PUBLIC HEARING:

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

A. MOTION TO OPEN PUBLIC HEARING.

B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE 2012 TAX RATE FOR DALLAS COUNTY HOSPITAL DISTRICT:

C. MOTION TO CLOSE PUBLIC HEARING:

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

- A. MOTION TO OPEN PUBLIC HEARING:
- B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE FY 2013 DALLAS COUNTY BUDGET:
- C. MOTION TO CLOSE PUBLIC HEARING:

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

- A. MOTION TO OPEN PUBLIC HEARING:
- B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE 2012 TAX RATE FOR DALLAS COUNTY:
- C. MOTION TO CLOSE PUBLIC HEARING:

13. AWARD BIDS/RFP'S:

Bid No. 2012-083-6106 Annual Contract for the Purchase of SCBA Cylinders / MSA Equipment awarded to: Casco Industries. (Contract data provided August 7, 2012)

14. COURT ORDER:

Accepting payment of \$3,045.65 from Hawkeye Insurance Services, Inc., for their insured, Francisco Compean, as settlement of property damages sustained by Dallas County, Texas, authorizing the County Judge to execute any and all documents approved by the District Attorney's Civil Division to effectuate this settlement; the Dallas County District Attorney's auditor has requested that the settlement payment of \$3,045.65 be deposited into the Dallas County District Attorney's account fund #541.

15. COURT ORDER:

Accepting payment of \$4,021.72 from Statewide Claim Service for their insured, Albuhlal Muhamad, as settlement of property 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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16. COURT ORDER:

Authorizing Jose's Car Company and Mike's Collision Paint & Body #2 be reimbursed \$5,155.24 for property damage, and Wilberto Coreas be reimbursed \$245.00 for car rental reimbursement 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.

17. COURT ORDER:

Approving the annual budget for the Dallas County Hospital District for the fiscal year beginning October 1, 2012 and ending September 30, 2013, as submitted by the Board of Managers of the Dallas County Hospital District.

18. COURT ORDER:

Levying taxes at a rate of 27.1 cents on each \$100 assessed valuation of all taxable property in the County for general operating purposes of the Dallas County Hospital District.

19. COURT ORDER:

Approving and adopting the proposed FY 2013 Dallas County Budget for the fiscal year beginning October 1, 2012 and ending September 30, 2012, as submitted by the Dallas County Budget Officer.

20. COURT ORDER:

Levying taxes at a rate of 24.31 cents on each \$100 assessed valuation of all taxable property in the County, and to levy an occupational tax as required by State Law.

21. COURT ORDER:

Approving Amendment No. 2 to the tax abatement agreement for the Interurban Building, and authorizing the County Judge to sign said amendment.

22. COURT ORDER:

Approving the Information Technology (IT) Change Management Policy and the incorporation of such policy into the Dallas County Code.

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23. COURT ORDER:

Approving the lease agreement extension with Frank Prasifka and Sons for FY2013, September 1, 2012 to August 31, 2013, 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.

24. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending September 18, 2012, in amounts over \$2,500.00 for erroneous or excessive tax payments.

25. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending September 18, 2012, in amounts over \$5,000.00 for erroneous or excessive tax payments.

26. COURT ORDER:

Approving the Dallas County Health and Human Services (DCHHS) revised FY 2013 Fee Schedule, as outlined in Exhibit A.

27. COURT ORDER:

Approving the FY 2012 Ryan White Part B contract amendments with subcontractors as outlined in Attachment A, and authorizing the County Judge to sign the amendments with the service providers on behalf of Dallas County.

28. COURT ORDER:

Approving the Renewal Agreement for Subcontracting Child Immunization Services between the City of Richardson and Dallas County Health and Human Services (DCHHS), and authorizing the County Judge to sign the agreement and all related documents on behalf of Dallas County.

29. COURT ORDER:

Authorizing the amendment of Bid No. 2011-078-5613, Annual Contract for Purchase of Dairy Products, as awarded to Oak Farms to include 1% White Milk and Tru Moo Cho Skim Milk, and authorizing all County documents/payments to reflect accordingly.

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30. COURT ORDER:

Authorizing the first extension of Bid No. 2011-097-5705, Annual Contract for Purchase and Installation of Pre-Owned Modular Furniture, as awarded to Bekins Moving Solution, for the period October 14, 2012 through October 13, 2013, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Approving the proposed private sale and conveyance of the improved property at 1502 Pennsylvania, Dallas, Texas, to In The City For Good, Inc., a Texas non-profit corporation, or a designated non-profit entity affiliated with either ITCFG or the St. Philip's School and Community Center pursuant to Sec. 34.05(i) of the Tax Code for \$1.00, subject to post judgment taxes and with the deed restrictions and a reversionary right for the Taxing Authorities to receive reversion of title to the Property if such use restrictions are violated; and authorizing the City of Dallas, as Trustee, to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use, and disposition of the Property, acquired by tax foreclosure, which has been jointly vested in the name of the City, Dallas ISD and Dallas County.

32. COURT ORDER:

Authorizing the City of Dallas as Trustee to sell the parcels of land outlined in Exhibit "A", 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, hereby consents to the sale of said parcels of land to qualified non-profit organizations who engage in the building, repair, rental and sale of housing for low income individuals and families, in accordance with the City of Dallas Ordinance No. 23713, and the Local Government Code, Section 253.010, even if the amount tendered is less than the market value of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property.

33. 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.

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34. CALLED BRIEFING SESSION:

See Briefing Agenda.

35. 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
 - Project - Merritt Road, MCIP 22805
 - Limits - Garland/Rowlett City Limits to Pleasant Valley Road Parcel - 8 (1&2) & 8-UE
 - Proposed Settlement/Encumbrance of Funds in Excess of Approved Value to Purchase
 - Project - Merritt Road, MCIP 22805
 - Limits - Garland/Rowlett City Limits to Pleasant Valley Road Parcel - 11 & 11-UE
 - Proposed Settlement/Encumbrance of Funds in Excess of Approved Value to Purchase
 - Texas Health & Safety Code: Tex. Gov. Code §551.071 and §§161.0315, 161.032
 - CMS Survey and Update
 - Claims: Tex. Gov. Code §§551.071(1)(A) and (B)
 - Shiny Abraham Claim Against Dallas County; TW #12-000534
 - Daniel & Michelle Espinosa Claim Against Dallas County; TW #12-000132
 - Brett Miller Claim Against Dallas County
 - Pending or Contemplated Litigation and Attorney-Client Information: Tex. Gov. Code §§551.071(1)(A) and (B)
 - Mary Koomson, et al. vs. Dallas County, et al.; 3:12-CV-1355-M
 - Glynda Ray vs. Dallas County Southwestern Institute of Forensic & Medical Examiner Department; DC-11-07904

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36. RECESS:

37. RECONVENE IF REQUIRED:

38. ADJOURN:



John F. Warren, County Clerk