

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, April 2, 2013

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 March Term:**
- 5. Motion To Open Court for the April Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Pastor Bryan Carter
Concord Missionary Baptist 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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8. RESOLUTIONS:

- A. Records and Information Management Month
Presented by Commissioner Mike Cantrell
- B. Duncanville High School Girls Basketball UIL 5A State Champions
Presented by Commissioner John Wiley Price
- C. Sexual Assault Awareness and Prevention Month
Presented by Commissioner Dr. Elba Garcia
- D. Child Abuse Prevention Month
Presented by Judge Clay Lewis Jenkins

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF MARCH 26 – APRIL 2, 2013.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED APRIL 8, 2013:

Bid No. 2013-032-6285 Annual Contract for the Purchase and Printing of Envelopes. (Contract data provided April 2, 2013)

- 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 April 2, 2013.

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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. AWARD BIDS/RFP'S:

Bid No. 2013-023-6254 Annual Contract for Food Service Utensils and Related Supplies awarded to: PASCO Brokerage, Inc., Culinary Depot, Basham Foods, Calico Industries, Inc., A-Tex Restaurant Supply and Cook's Direct. Note: Items 3, 7 and 13 resulted in tie bids which will be decided in Commissioners Court by envelope pull. (Contract data provided February 12, 2013)

Bid No. 2013-025-6257 Annual Contract for the Installation of Carpet, Tile and Various Floor Covering Services awarded to: J.W. Sales Co. (Contract data provided February 19, 2013)

11. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of February, 2013.

12. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$2,500.00 made payable to James DeCoux and Law Office of Lance F. Wyatt, PLLC, as full and final settlement by Dallas County, and authorizing the County Judge to execute any documentation required for this settlement on behalf of Dallas County, and the County Treasurer is to release said check to an employee of the Civil Division of the Dallas County District Attorney's Office.

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13. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$12,500.00 made payable to Lester Smith and Law Office of Lance F. Wyatt, PLLC, as full and final settlement by Dallas County, and authorizing the County Judge to execute any documentation required for this settlement on behalf of Dallas County, and the County Treasurer is to release said check to an employee of the Civil Division of the Dallas County District Attorney's Office.

14. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$12,500.00 made payable to The Estate of Leslie Willie and Law Office of Lance F. Wyatt, PLLC, as full and final settlement by Dallas County, and authorizing the County Judge to execute any documentation required for this settlement on behalf of Dallas County, and the County Treasurer is to release said check to an employee of the Civil Division of the Dallas County District Attorney's Office.

15. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$20,000.00 made payable to Law Office of Lance F. Wyatt, PLLC, Alejandro Garcia, Joseph Watts, James DeCoux, The Estate of Leslie Willie, Keith Hamilton, Dedrick Miller, Tracy Robinson, Lester Smith, Marquette Hall, James Hembree, and Andrew Harris, as full and final settlement by Dallas County, and authorizing the County Judge to execute any documentation required for this settlement on behalf of Dallas County, and the County Treasurer is to release said check to an employee of the Civil Division of the Dallas County District Attorney's Office.

16. COURT ORDER:

Appointing/re-appointing Winfred Parnell, M.D. to the Dallas County Hospital District Board of Managers for a two (2) year term, effective April 2, 2013 and expiring January 31, 2015.

17. COURT ORDER:

Approving the County Auditor transferring funds from Fund 532.94088 to Fund 128 Adult Probation to cover the transitional services provided by the Community Supervision and Correctional Department (CSCD) in the amount of \$30,604; the total amount of \$30,604 covers a period from September 2012 – December 2012.

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18. COURT ORDER:

Authorizing the addition of a Mental Health Public Defender, Mental Health District Attorney and two (2) caseworkers for the Public Defender's Office to perform the outlined tasks, and further authorizing the Human Resources/Civil Service Department to review the positions for proper classification.

19. COURT ORDER:

Authorizing the deletion of one (1) Senior Secretary position (Grade 8), the addition of one (1) Administration Assistant position (Grade 10), the addition of two (2) temporary full-time System Auditor positions (Grade GM), and one (1) contracted individual (not-to-exceed \$72,000), and directing Human Resources/Civil Service to review and classify the three (3) requested positions.

20. COURT ORDER:

Authorizing Parkland Hospital District to approve the modification of the lease for property being rented at 8435 Stemmons Freeway to include the relocation of leased space and an extension of the current lease term.

21. COURT ORDER:

Appointing Don Baynham to serve as Chairman and Mildred Pope to serve as Vice Chairman of the Dallas County Historical Commission; Ann Lamb to serve as Chairman and Nathan Johnson to serve as Vice Chairman of the Dallas County Trail and Preserve Program Board, all for the term of February 1, 2013 – January 31, 2015.

22. COURT ORDER:

Authorizing the waiver of the cash bond requirement associated with Bid No. 2012-071-6051 Demolition and Reconstruction of a New Single-Family Home located at 4122 Kernack, Cockrell Hill, Texas 75211, as awarded to Altura Homes.

23. COURT ORDER:

Extending the demolition/housing reconstruction contract (Bid No. 2013-006-6185) at 11231 Eastham, Balch Springs, Texas, for 30 days due to delays with Atmos Energy getting the gas line capped at the street at the beginning of the project, and the revised complete date for this contract is now March 30, 2013.

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24. COURT ORDER:

Approving the IT Security Criminal Justice Information System (CJIS) Access Policy, as outlined, and the incorporation of such policy into the Dallas County Code.

25. COURT ORDER:

Approving the Professional Services Contract with Austin Ribbon & Computer for the services of DJ Washington and the purchase of three (3) 52-inch display units, and authorizing the County Judge to sign the contract on behalf of Dallas County.

26. COURT ORDER:

(ITEM 3 ON BRIEFING AGENDA)

Approving the contract with the Social Security Administration for the Cooperative Disability Investigation (CDI) program targeting Social Security Disability fraud, and authorizing the County Judge to sign all related documents.

27. COURT ORDER:

(ITEM 1 ON MISCELLANEOUS AGENDA)

Approving acceptance of the donation in the amount of \$186,463.25 from TXU Energy, for the provision of utility payment assistance to financially distressed TXU Energy customers in Dallas County.

28. COURT ORDER:

Approving the Memorandum of Understanding between Dallas County Department of Health and Human Services Public Health Preparedness Division and the Federal Reserve Bank of Dallas to serve as a Closed Point of Dispensing (POD) and provide prophylactic medicines to Specific and Pre-Approved Facility Staff, who are in turn dispensing that medication to their respective staff and other facility recipients affected by a disaster or public health emergency, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

29. COURT ORDER:

Approving the Memorandum of Understanding between Dallas County Department of Health and Human Services Public Health Preparedness Division and the Martin Luther King, Jr., Family Clinic to serve as a Closed Point of Dispensing (POD) and provide prophylactic medicines to Specific and Pre-Approved Facility Staff, who are in turn dispensing that medication to their respective staff and other facility recipients affected by a disaster or public health emergency, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

30. COURT ORDER:

(ITEM 1B ON BRIEFING AGENDA)

Approving the FY2013 Older Americans Act Program contract with the Dallas Area Agency on Aging (DAAA) for Senior Center Operations, Congregate Meals and Transportation Services, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

31. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to award a non-residential services contract to Centro de Mi Salud, LLC, for the provision of detention alternative services during FY2013, at the not to exceed outlined rates.

32. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to contract with Athletes for Change at the outlined rates for residential services for FY2013, and authorizing the County Judge to sign the contract documents on behalf of Dallas County.

33. COURT ORDER:

(ITEM 7 ON BRIEFING AGENDA)

Authorizing the fourth twelve (12) month extension of Bid No. 2010-026-4913 Annual Contract for Security Services with Ruiz Protective Services, Inc., for the period May 25, 2013 through May 24, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

34. COURT ORDER:

(ITEM 7 ON BRIEFING AGENDA)

Authorizing the 120 day extension of Bid No. 2010-037-4979 Annual Contract for Janitorial Services for the Downtown Campus of Buildings as awarded to Oriental Building Services, Inc. for the period May 1, 2013 through August 31, 2013, and authorizing all County documents/payments to reflect accordingly.

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35. COURT ORDER:

(ITEM 7 ON BRIEFING AGENDA)

Authorizing the third twelve (12) month extension of Bid No. 2011-041-5451 Annual Contract for Sprinkler and Water Extinguishment System with Mutual Sprinkler, Inc., for the period April 8, 2013 through April 7, 2014, in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

36. COURT ORDER:

(ITEM 7 ON BRIEFING AGENDA)

Authorizing the first extension of Bid No. 2012-058-5987 Annual Contract for Rechargeable Batteries as awarded to Batteries Plus and Power Products for the period May 14, 2013 through May 13, 2014, and authorizing all County documents/payments to reflect accordingly.

37. COURT ORDER:

(ITEM 2 ON MISCELLANEOUS AGENDA)

Authorizing the approval of the outlined contract amendment between Dallas County and Weaver and Tidwell LLP under RFP 2012-062-6016 SOC 1 Type II Report Audit Services for the Dallas County Tax Office for the period January 1, 2013 through August 31, 2013, for the not to exceed amount of \$1,400.00, and authorizing the County Judge to execute said contract on behalf of Dallas County.

38. COURT ORDER:

Authorizing the outlined list to be representative of the surplus items to be sold in the online auction scheduled, and authorizing all County departments/inventories to reflect accordingly.

39. COURT ORDER:

(ITEM 4A ON MISCELLANEOUS AGENDA)

Reimbursing \$15.00 for additional parking fees to the employees reflected on the outlined list for the period August 1 – 3, 2012.

40. COURT ORDER:

(ITEM 5A ON BRIEFING AGENDA)

Authorizing the County Judge to provide funding in the estimated amount of \$3,550.00 for South Central Arc Users Group (SCAUG) training and conference.

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41. CALLED BRIEFING SESSION:

See Briefing Agenda.

42. 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:
 - 2013-2014 County Board and Committee & Joint Appointments
 - Texas Health & Safety Code:
 - CMS Survey and Update
 - Pending or Contemplated Litigation and Attorney-Client Information:
 - MERS' Litigation Update
 - Claims:
 - Kelly Pelletier against Dallas County
 - Legal Matters/Legal Advice, Consultation With Legal Counsel:
 - MWBE Disparity Study
 - Contract: Sixth Floor Museum
 - Security:
 - Deliberation Regarding Security

43. RECESS:

44. RECONVENE IF REQUIRED:

45. ADJOURN:



John F. Warren, County Clerk