

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, April 23, 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 Open Court:**
- 5. Bailiff To Open Court:**
- 6. Invocation:**

**Mr. Thomas Mills, Jr.
Highland Park United Methodist Church
Dallas, Texas**

- 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.

- 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, silbato, 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 haya 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.

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7. RESOLUTIONS:

- A. Donna Garner – Retirement
Presented by Commissioner John Wiley Price
- B. Karin Petties
Presented by Commissioner John Wiley Price
- C. Paul Williams – Retirement from TxDOT
Presented by Commissioner John Wiley Price
- D. Serve-A-Thon 2013
Presented by Judge Clay Lewis Jenkins
- E. Employee Recognition
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 APRIL 16-23, 2013.
- B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- C. COURT AGENDA: (FOR FILING ONLY)
To approve filing of Commissioners Court Agenda, dated April 23, 2013.
- 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:

Approving Amendment #10 to the Contract for Non-Residential Truancy Intervention Services between Dallas County and Dallas Challenge, Inc. for Truancy and Class C Enforcement Center, and authorizing the County Judge to sign the contract on behalf of Dallas County.

10. COURT ORDER:

Approving submission of the grant application to the Indigent Defense Discretionary Grant Program for the Public Defender's Immigration/Crime Law Program, designating the County Judge as the grantee's authorized official given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency, and the County Auditor as the Financial Officer.

11. COURT ORDER:

Authorizing the Fire Marshal's Office to accept the donation of \$4,203 from the Texas Forestry Service for work performed by Dallas County volunteer firemen.

12. COURT ORDER:

(ITEM 8B ON BRIEFING AGENDA)

Authorizing the Terms of Engagement between Dallas County and Bracewell & Giuliani LLP (G&P) for bond counsel services, as outlined, and authorizing the County Judge to sign the contract on behalf of Dallas County.

13. COURT ORDER:

Approving the request from the Honorable Dennise Garcia to correct a salary error of employee #14950 (going forward) by increasing the maximum in hire salary to \$3,388.32 per month, and allowing the employee to retain the previously awarded merit increase of \$124.98 per month for a total salary of \$3,513.30 per month and is to be effective on the next pay period.

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14. COURT ORDER:

Approving the request by the Director of Criminal Justice Services to allow the Divert Court Manager to work from home in accordance with the guidelines outlined in Section 82-33 of the Dallas County Code-Telecommuting Program, including delineating the job duties, the hours are not to exceed 20 hours per week, and the length of time is not to exceed six (6) weeks or the occurrence of the medical event, whichever comes first.

15. COURT ORDER:

Approving payment of eight (8) days back pay plus benefits for a total of \$1,693.55, to Officer James Westbrook in accordance with the decision rendered by the Sheriff's Department Civil Service Commission on February 21, 2013 to reduce his suspension without pay from thirty-eight (38) days to thirty (30) days and pay applicable back pay.

16. COURT ORDER:

Approving the appointments for Jeffrey Simon, Dwayne Bishop and Stephen Hanna to serve on the Special Civil Service Commission upon scheduling with the Secretary to the Civil Service Commission (the Director of Human Resources), not to exceed seven (7) working days at an estimated cost of approximately \$2,500.00.

17. COURT ORDER:

Approving the appointment of Ms. Angelina M. LaPenotiere, a Dallas County resident, as the District Attorney's appointee to the Sheriff's Department Civil Service Commission for the term period of April 18, 2013 through January 31, 2015.

18. COURT ORDER:

Approving submission of the North Texas Auto Theft Task Force's grant application to Texas Automobile Burglary and Theft Prevention Authority (ABTPA) for \$1,415,583, and authorizing the County Judge to sign all related documents.

19. COURT ORDER:

Approving Amendment No. 009A: HIV-Ryan White, to the FY 2012-2013 Ryan White Part B Contract No. 2013-041066, and authorizing the County Judge to sign the Amendment documents on behalf of Dallas County.

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20. COURT ORDER:

Approving the additional funds from Atmos Energy Corporation in the amount of \$25,820.46, under the Share the Warmth Program, for assistance with energy costs for financially distressed Atmos Energy account holders.

21. COURT ORDER:

(ITEM 1B ON BRIEFING AGENDA)

Approving the award of FY 2013 Ryan White Part A-Minority AIDS Initiative (MAI) contract funds in the amount of \$374,967 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.

22. COURT ORDER:

(ITEM 1C ON BRIEFING AGENDA)

Approving the award of FY 2013 Ryan White Part A Formula contract funds in the amount of \$2,545,699, 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.

23. COURT ORDER:

(ITEM 9 ON BRIEFING AGENDA)

Authorizing the first extension option of Bid No. 2012-053-5982 Annual Contract with Ford, Lincoln and Mercury Dealership(s) to Provide Equipment Manufacturer Parts and Repair Services, as awarded to North Central Ford for the period May 1, 2013 through April 30, 2014, and authorizing all County documents/payments to reflect accordingly.

24. COURT ORDER:

Authorizing the name change from Bankston Chevrolet Parts Center to AN Motors of Dallas Inc., DBA AutoNation Chevrolet Galleria, for Bid No. 2012-053-5985 Annual Contract with Chevrolet and General Motors Dealership(s) to Provide Original Equipment Manufacturer Parts and Repair Services, and authorizing all County documents/payments to reflect accordingly.

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25. COURT ORDER:

Authorizing the outlined professional services agreement with Webb Watch Corporation in the amount of \$37,000 for the creation of analytic dashboards for the Sheriff's Office to assist with the management of overtime expenses, and authorizing the County Judge to execute the agreement on behalf of Dallas County.

26. COURT ORDER:

Accepting the outlined Lancaster City Council Resolution No. 2013-03-22, authorizing Dallas County to act on behalf of the City of Lancaster, as trustee, in the sale, use and disposition of the properties listed, acquired by tax foreclosure, which have been jointly vested in the name of City of Lancaster, Dallas County and the Lancaster Independent School District or the Dallas Independent School District, by public sealed bid or private sale as authorized by Section 34.05 of the Property Tax Code.

27. COURT ORDER:

Accepting the offer from NEXTLOTS 4, LLC of \$5,100 to purchase the vacant tax foreclosure property at 11430 Spence Road, Balch Springs, Texas, DCAD Account No. 65052529720020400, even if amount tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgments against the Property, upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, including the pro rata property taxes for the remaining part of the then current year, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

28. COURT ORDER:

Approving the Master Interlocal Agreement between Dallas County and the Town of Sunnyvale, Texas, Pertaining to Transportation Related Maintenance On or About Certain Designated Roadways Situated Within the Territorial Limits of the Town of Sunnyvale, effective immediately upon date of execution by both parties, and ending December 31, 2017.

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29. COURT ORDER:

Authorizing the City of Dallas as Trustee to sell the parcels of land as 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, 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 values of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property.

30. COURT ORDER:

Authorizing the final payment for the Cottonwood Creek Trail MCIP Project 10214 (Segment G) construction contract with DCI Contracting, Inc., in the amount of \$19,331.00 to be paid from MCIP Fund 196, Project 8201, and accepting the project as complete with no further payment due.

31. CALLED BRIEFING SESSION:

See Briefing Agenda.

32. 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
 - Legal Matters/Legal Advice, Consultation with Legal Counsel:
 - M/WBE Disparity Study
 - Contract: Sixth Floor Museum
 - Advice from attorney on legal implications of county policy regarding employees seeking elective office or campaigning during working hours
 - Security:
 - Deliberation Regarding Security

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33. RECESS:

34. RECONVENE IF REQUIRED:

35. ADJOURN:



John F. Warren, County Clerk