

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, August 13, 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:**

**Minister Greg Steele  
Heritage Church of Christ  
Rowlett, 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)

Commissioners Court Agenda – Tuesday, August 13, 2013

7. RESOLUTIONS:

- A. Anne Acuna – Appreciation  
Presented by Commissioner Mike Cantrell
- B. Judge Mary Murphy – Retirement  
Presented by Commissioner Mike Cantrell
- C. Leonard E. Willis – Retirement  
Presented by Commissioner John Wiley Price

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF AUGUST 6-13, 2013.
- B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- C. COURT AGENDA: (FOR FILING ONLY)  
  
To approve filing of Commissioners Court Agenda, dated August 13, 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.
- G. PERSONNEL ACTIONS:  
  
Employee Replacements and Salary Adjustments.

Commissioners Court Agenda – Tuesday, August 13, 2013

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

- A. MOTION TO OPEN PUBLIC HEARING.
- B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING PROPOSED PROJECTS FOR DALLAS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME OBJECTIVES, PROPOSED USE OF FUNDS FOR CDBG & HOME FOR FY13-14 AND 2013 ANNUAL ACTION PLAN.
- C. MOTION TO CLOSE PUBLIC HEARING.

10. AWARD BIDS/RFP'S:

Bid No. 2013-046-6339 Contract for the Purchase and Installation of a Tray Sealing Machine awarded to: Associated Packaging.

11. COURT ORDER:

Authorizing the County Treasurer to make such transfers as necessary to carry out the instructions of this Court Order for stale dated checks for the period July 1, 2011 through December 31, 2011, as well as any and all other eligible unclaimed funds prior to January 1, 2012; and that future legitimate claims against such outstanding checks from firms, corporations or individuals named in the fund printouts outlined in this Court Order, may be processed as claims for payments by Dallas County, in accordance with Dallas County Policy and Procedure.

12. COURT ORDER:

Accepting a payment of \$20,000 from AAA Texas County Mutual Insurance Company and a payment of \$20,000 from Farmers Texas County Mutual Insurance Company, as settlement of Dallas County's subrogation lien in connection with cause number DC-13-05538, styled *Dallas County, Texas vs. Thomas Fortner, et al*, and authorizing the County Judge to execute any and all documents approved by the Civil Division of the District Attorney's Office to effectuate this settlement.

13. COURT ORDER:

Appointing/re-appointing Maria Romero to serve on the Dallas County Historical Commission for an unexpired term, effective August 13, 2013 and expiring January 31, 2015.

Commissioners Court Agenda – Tuesday, August 13, 2013

14. COURT ORDER:

Approving the outlined Contract for Computer Services in the amount of \$105,600 and the personal services agreement in the Addendum between the Court of Appeals, Fifth District of Texas and Charles Matz, doing business as CAM Systems, in the amount of \$44,000, for the period of September 1, 2013 to August 31, 2014.

15. COURT ORDER:

Authorizing the acceptance of a 2001 Porsche Boxter for use by Investigators in the District Attorney's Office.

16. COURT ORDER:

Authorizing the proposed Agreement between Dallas County and the Regional Transportation Council to redirect \$555,009 in funding for the West Spring Valley Road from Weatherred to Coit Road Project to the Emission Task Force Program.

17. COURT ORDER:

Authorizing the proposed Amendment 1 between Dallas County and Texas Commission on Environmental Quality (TECQ) to extend the expiration date to August 31, 2015, and to bring the maximum TCEQ obligation to \$4,507,450.

18. COURT ORDER:

Authorizing the proposed Amendment 6 between Dallas County and Texas Commission on Environmental Quality (TECQ) to reflect an expiration date of August 31, 2014, and at that all funds added by a previous amendment be expended by August 31, 2014.

19. COURT ORDER:

Proposing the FY2014 tax rate for Dallas County be established at 24.31¢ per \$100 assessed valuation, and directing the Office of Budget and Evaluation to post the required notification of the public hearings.

20. COURT ORDER:

Proposing the FY2014 tax rate for Dallas County Hospital District be established at 27.6¢ per \$100 assessed valuation, and directing the Office of Budget and Evaluation to post the required notification of the public hearings.

Commissioners Court Agenda – Tuesday, August 13, 2013

21. COURT ORDER:

**(ITEM 6A ON BRIEFING AGENDA)**

Approving the use of the County's FY2013 CDBG funds (\$2,127,902), its FY2013 HOME funds (\$560,911), and its carryover CDBG funding remaining from prior years (\$398,865.25) for the activities and projects outlined in Attachments A, B, and C, and authorizing the County Judge to sign any related documents.

22. COURT ORDER:

**(ITEM 4A ON BRIEFING AGENDA)**

Approving Amendment No. 1 with Lilax, Inc. for the services of Anitha Atluri, and authorizing the County Judge to sign Amendment No. 1 on behalf of Dallas County.

23. COURT ORDER:

Approving and adopting the County and District Clerks' recommendation to increase the records management and archive fee from \$5.00 to \$10.00, effective October 1, 2013.

24. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 13, 2013, in amounts over \$5,000.00 for erroneous or excessive tax payments.

25. COURT ORDER:

Approving the additional funds from Atmos Energy Corporation in the amount of \$5,000.00 under the Share the Warmth Program, for assistance with energy costs for financially distressed Atmos Energy account holders.

26. COURT ORDER:

**(ITEM 1A ON MISCELLANEOUS AGENDA)**

Approving acceptance of the donation in the amount of \$175,580.72 from TXU Energy for the provision of utility payment assistance to financially distressed TXU Energy customers in Dallas County.

27. COURT ORDER:

**(ITEM 1E ON BRIEFING AGENDA)**

Approving the Interlocal Agreement with the City of Dallas for FY 2013–2014 Housing Opportunities for Persons with AIDS (HOPWA) funds in the amount of \$1,385,650, approving the related administrative budget as outlined in Attachment A, and authorizing the County Judge to sign the Interlocal Cooperation Agreement with the City of Dallas on behalf of Dallas County.

28. COURT ORDER:

Approving the award of FY 2013 Ryan White Part B contract funds in the amount of \$13,296.04 to service providers, as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments on behalf of Dallas County.

29. COURT ORDER:

**(ITEM 1B ON BRIEFING AGENDA)**

Approving the award of FY 2013 Ryan White Part A Minority AIDS Initiative (MAI) grant funds in the amount of \$460,398.00 to service providers, as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments with the service providers on behalf of Dallas County.

30. COURT ORDER:

**(ITEM 1C ON BRIEFING AGENDA)**

Approving the award of FY 2013 Ryan White Part A Formula funds in the amount of \$2,364,387.00 to service providers, as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments with the service providers on behalf of Dallas County.

31. COURT ORDER:

**(ITEM 1D ON BRIEFING AGENDA)**

Approving the award of FY 2013 Ryan White Part A Supplemental funds in the amount of \$2,433,710.00 to service providers, as outlined in Attachment A, and authorizing the County Judge to sign the contract amendments with the service providers on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, August 13, 2013

32. COURT ORDER:

Approving the Juvenile Department's request to host the Fall Conference on Self-Injury: "Understanding and Working With Teens Who Self-Injure" scheduled for November 8, 2013, and authorizing the Dallas County Auditor to utilize project account No. 94022 for accepting registration fees and paying all expenses associated with the conference; and that any funds remaining after payment of all expenses shall be utilized by the Juvenile Department to pay costs associated with staff development, training, or the purchase of supplies, materials or equipment for the department's training or Psychological Services Units.

33. COURT ORDER:

**(ITEM 9 ON BRIEFING AGENDA)**

Authorizing the one hundred and twenty (120) day extension of Bid No. 2010-068-5132 Annual Contract for the Purchase of Laundry Detergent, Chemicals, and Related Products, as awarded to Ecolab for the period of August 30, 2013 through December 30, 2013, and authorizing all County documents/payments to reflect accordingly.

34. COURT ORDER:

**(ITEM 9 ON BRIEFING AGENDA)**

Authorizing the first extension of Bid No. 2012-087-6114 Annual Contract for Passengers, Medium and Heavy Duty Vehicles Body Damage and Collision Repair Services, as awarded to First Class Auto, Inc. and Rios Collision and Fleet Services, Inc. for the period of October 1, 2013 through September 30, 2014, and authorizing all County documents/payments to reflect accordingly.

35. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 13 to Moody-Nolan/VAI for an amount not to exceed \$10,200.00, to provide an independent engineering review of Phase IV energy improvements for various Dallas County facilities, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

36. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 14 to Moody-Nolan/VAI for an amount not to exceed \$28,400.00, to provide design services for Sheriff's Department restroom and locker room space, 1st Floor, Lew Sterrett B Building, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.



Commissioners Court Agenda – Tuesday, August 13, 2013

37. COURT ORDER:

Authorizing the County Judge to execute the outlined Project Specific Agreement between the City of Balch Springs and Dallas County for the Hickory Tree Road MCIP 31803 project.

38. COURT ORDER:

Authorizing the County Judge to execute the outlined Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects for the Miller Road MCIP Project 27501 from Garland East City Limits to Rowlett West City Limits with the City of Dallas.

39. COURT ORDER:

Authorizing the County Judge to execute Work Order No. 1 to the engineering indefinite delivery and quantity contract between Dallas County and Hayden Consultants, Inc., for Riverfront Boulevard, MCIP Project 30221\_4, from UPRR to Cadiz Street in an amount not to exceed \$1,601,128.00 to be paid from Fund 196, Project 8201.

40. COURT ORDER:

Authorizing the County Judge to execute the outlined Project Specific Agreement between the City of Dallas and Dallas County for Denton Drive/Harry Hines MCIP Projects 10217 and 10217 B.

41. COURT ORDER:

Authorizing the City of Dallas as Trustee for 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 to solicit from the public sealed bids on any or all of the said parcels of land, as outlined in Exhibit "A", and consenting 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 judgment of foreclosure or the total amount of the judgments against the property.

42. CALLED BRIEFING SESSION:

See Briefing Agenda.

Commissioners Court Agenda – Tuesday, August 13, 2013

43. 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
  - Deliberations About Real Estate:
    - Request to Acquire Additional Acreage along Trinity River
    - 2121 Panoramic Circle
    - Elections Warehouse
  - Personnel:
    - Deliberations Regarding Employee ID #25139 & Position #8866 and Employee ID #1525 and Position #0912
    - Request for Administrative Leave with Pay for Employee #29924, Employee #19181 and Employee #37556
    - Request for Policy Exception, Leave of Absence (LOA), Employee #34843
  - Texas Health & Safety Code:
    - CMS Survey, Update and Parkland Hospital Safety
  - Claims:
    - Marvis Jones vs. Dallas County
  - Pending or Contemplated Litigation and Attorney-Client Information:
    - Cause No. DC-10-03558; James Polk vs. Dallas County and Constable Villarreal
    - Cash Construction Co., Inc., Claim Update
    - MERS' Litigation Update
    - Retention of Legal Services – GTSI Lawsuit
  - Consultation with Attorney/Legal Advice:
    - M/WBE Disparity Study
    - George Allen Courthouse Incident
    - Claim of Kametra Sampson vs. Dallas County
    - Cause No. 3:09-CV-0865-K; Cathy Bailey, et al. vs. Dallas County
  - Security:
    - Deliberation Regarding Security

Commissioners Court Agenda – Tuesday, August 13, 2013

44. RECESS:

45. RECONVENE IF REQUIRED:

46. ADJOURN:



---

John F. Warren, County Clerk