

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, February 5, 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 January Term:**
- 5. Motion To Open Court for the February Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Very Reverend Timothy Gollob
Holy Cross Catholic 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. Fred D. Burrell, Jr. – Retirement
Presented by Commissioner John Wiley Price
- B. Dallas County Health and Human Services Nurses and Support Staff
Presented by Commissioner John Wiley Price
- C. National Black HIV/AIDS Awareness Day
Presented by Commissioner John Wiley Price
- D. Carlean Saffold – 25 Years of Service
Presented by Commissioner John Wiley Price
- E. Sam Benson – Special Recognition
Presented by Commissioner Dr. Elba Garcia

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JANUARY 29 – FEBRUARY 5, 2013.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S OPENED FEBRUARY 4, 2013:

Bid No. 2013-018-6232 Bonnie View Road – MCIP Project 30227 – from Wintergreen Road to Langdon Road. (Opening extended due to addendum)

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated February 5, 2013.

Commissioners Court Agenda – Tuesday, February 5, 2013

9. CONSENT AGENDA: (Cont'd.)

E. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

F. TRANSFER OF FUNDS.

G. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS.

H. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

10. AWARD BIDS/RFP'S:

Bid No. 2013-004-6182 Annual Contract for Purchase of Indigent Hygiene Packets and Related Items awarded to: American Amenities, Inc. (Contract data provided December 18, 2012)

11. COURT ORDER:

Appointing/re-appointing Edwin Keith Pomykal to serve on the Dallas County Historical Foundation for a two (2) year term, effective February 5, 2013 and expiring January 31, 2015.

12. COURT ORDER:

Appointing/re-appointing Ann Haughton Lamb, James N. White and Michael Amonett to serve on the Dallas County Trail and Preserve Program Board for a two (2) year term, effective February 5, 2013 and expiring January 31, 2015.

13. COURT ORDER:

Appointing/re-appointing Bertha Beauman to serve on the Dallas County Welfare Advisory Board for a two (2) year term, effective February 5, 2013 and expiring January 31, 2015.

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14. COURT ORDER:

Appointing/re-appointing Juan David Gutierrez to serve on the Metrocare Services Board of Trustees for a two (2) year term, effective February 5, 2013 and expiring January 31, 2015.

15. COURT ORDER:

Authorizing the Public Defender's Office to hire a full-time temporary case manager to fill the Lead Case Manager's position currently on FMLA leave.

16. COURT ORDER:

Prohibiting mining and drilling at the County's River Bend and Goat Island Preserves.

17. COURT ORDER:

Approving the leave of absence requested by the Honorable John Wiley Price for Employee #28132-2, Equipment Operator I, Job Grade 6, Road and Bridge #3, for up to 90 days from the date of injury he incurred (November 29, 2012) through February 28, 2013.

18. COURT ORDER:

Authorizing the County Auditor to process the necessary payments and transactions to clear unresolved losses totaling \$100 without further action, \$1,619.99 from County Wide Self Insurance (120.9910.07560), \$747 from District Clerk Errors and Omissions (532.0000.21437), and \$100 from County Clerk Errors and Omissions (532.0000.21438).

19. COURT ORDER:

Approving the use of Records Management Funds from the District Clerk and County Clerk to fund the "Workflow."

20. COURT ORDER:

Approving the use of District Clerk Records Management Fund (94083) in the amount of \$4,785.89 to fund the one (1) year premium subscription for Hyland OnBase Training for use by all current Dallas County employees.

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21. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending February 5, 2013, in amounts over \$5,000 for erroneous or excessive tax payments.

22. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-014A, Immunization Branch – Locals, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

23. COURT ORDER:

Approving the request for a discretionary County match increase in the amount of \$160,000, for the Dallas County Health and Human Services (DCHHS) FY 2012 Comprehensive Energy Assistance Program (Grant 08301), to accommodate deficits in the outlined expenditure items.

24. COURT ORDER:

Approving the 2013 Comprehensive Energy Assistance Program (CEAP) Contract No. 58130001632, in the amount of \$7,099,866, effective January 1, 2013 through December 31, 2013, and authorizing the County Judge to electronically sign the Contract on behalf of Dallas County.

25. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-100-5716 Annual Contract for the Printing and Production of Election Ballots and the Conversion of Audio Ballot Voice Files with Election Systems & Software, Inc. for the period January 1, 2013 through December 31, 2013 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

26. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2012-024-5845 Annual Contract for Road and Highway Building Materials with TXI Operations for the period February 7, 2013 through February 6, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

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27. COURT ORDER:

Approving the agreement between Parkland Health and Hospital System and Ace Parking at the Frank Crowley D and George Allen/Founders Plaza parking garages, which authorizes Ace Parking to collect fees from Parkland on behalf of Dallas County.

28. COURT ORDER:

(ITEM 1G ON MISCELLANEOUS AGENDA)

Approving the lease extension for the period February 1, 2013 through February 28, 2013 with River, Ltd., a Texas Limited Partnership, and authorizing the County Judge to sign the extension.

29. COURT ORDER:

Accepting the offer from Darren Melton of \$1,500 to purchase the tax foreclosure property at 1113 Cedarview Drive, Cedar Hill, Texas, DCAD Account No. 1601550010270000; authorizing the County Judge to execute the outlined quitclaim deed, subject to post judgment tax years, the pro rata property taxes for the remaining part of the current year and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

30. COURT ORDER:

Accepting the offer from Natasha Giddens of \$17,267 to purchase the tax foreclosure property at 12902 Timothy Lane, Balch Springs, Texas, DCAD Account No. 12062500000210000; upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years, the pro rata property taxes for the remaining part of the current year and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

31. 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 the judgment of foreclosure or the total amount of the judgments against the property.

32. COURT ORDER:

Authorizing the City of Grand Prairie, as Trustee, to advertise the outlined parcels of land for sale by public sealed bid; 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 does hereby consent to the sale of said parcels of land to the highest qualified bidder, even if the amount tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment against the property in compliance with Section 34.05(i) of the Property Tax Code, or for an amount equal to or greater than its current market value as shown by the most recent certified appraisal role, if the sum of the amount of the judgment plus post-judgment taxes, penalties, and interest owing against the property exceeds the market value in compliance with Section 34.05(j) of the Property Tax Code.

33. CALLED BRIEFING SESSION:

See Briefing Agenda.

34. 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 Appointments
 - Deliberations About Real Estate:
 - Property Acquisition; Climate Control Facility
 - Monetary Lease Value of Real Property in the Vicinity of 133 N. Riverfront Blvd, Dallas, Texas
 - Texas Health & Safety Code:
 - CMS Survey and Update
 - Legal Matters/Legal Advice, Consultation with Legal Counsel:
 - Legal issues raised in connection with contracting for employee insurance programs
 - Staff CJIS Access Update
 - Legal issues raised in connection with employing outside counsel for the issuance of County bonds for refunding and construction projects
 - Pending or Contemplated Litigation and Attorney-Client Information:
 - Acceptance of Settlement Offer; DC-12-01907
Inabinet Saddler vs. Guadalupe Frias
 - Dallas County vs. Crestview Corners Car Wash;
Appeal No. 12-0731
 - Dallas County, Texas vs. Kendra Coit; Cause No. CC-12-04274-D

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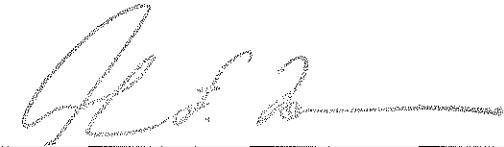
34. CALL EXECUTIVE SESSION: (Cont'd.)

Subjects: • Security:
- Deliberation Regarding Security

35. RECESS:

36. RECONVENE IF REQUIRED:

37. ADJOURN:



John F. Warren, County Clerk

INFORMATION ITEMS

ADDENDUM

February 5, 2013

PAGE NOS.

- 1) **Purchasing**-Annual Contract Extensions Insert

DALLAS COUNTY COMMISSIONERS COURT
CLOSED SESSION AGENDA

ADDENDUM

February 5, 2013

PENDING OR CONTEMPLATED LITIGATION AND ATTORNEY CLIENT
INFORMATION - Tex. Gov. Code. §§551.071(1)(A) and (B)

Garcia, et al. vs. Dallas County; Harmon, et al. (3:10-CV-02521-N) vs. Dallas County (DC-11-11576); Lester Smith vs. Dallas County (DC-12-08300); DeCoux vs. Dallas County, et al. (DC-11-08427) Leslie Willie vs. Dallas County (DC-11-08427).....N/A