

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, February 26, 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:**

**Reverend Ella Luna  
Casa Emanu-El United Methodist 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 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.

(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, February 26, 2013

7. RESOLUTIONS:

- A. Deborah Robison – Retirement  
Presented by Commissioner Dr. Theresa M. Daniel
- B. Mary Lynn Morris, Dallas City Marshal – Retirement  
Presented by Commissioner John Wiley Price
- C. Severe Weather Awareness Week  
Presented by Judge Clay Lewis Jenkins
- D. March – American Red Cross Month  
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 FEBRUARY 19-26, 2013.
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S OPENED FEBRUARY 19, 2013:

- |                       |  |
|-----------------------|--|
| Bid No. 2013-022-6251 | Contract for the Purchase of a New and/or Used Mobile Command Center Vehicle. (Opening extended due to addendum) |
| Bid No. 2013-023-6254 | Annual Contract for Food Service Utensils and Related Supplies. (Opening extended due to addendum)               |
| Bid No. 2013-024-6255 | Annual Contract for Vanishpoint Syringes. (Opening extended due to addendum)                                     |

Commissioners Court Agenda – Tuesday, February 26, 2013

8. CONSENT AGENDA: (Cont'd.)

B. OPEN BIDS/RFP'S: (Cont'd.)

THE FOLLOWING BIDS/RFP'S TO BE OPENED MARCH 4, 2013:

Bid No. 2013-026-6262 Request for Proposal for the FY2012 Emergency Solutions Grant (ESG).

Bid No. 2013-027-6263 Demolition and Reconstruction of a New Single Family Home located at 315 Anderson, Wilmer, TX 75172.

Bid No. 2013-028-6264 Demolition and Reconstruction of a New Single Family Home located at 305 Adams, Wilmer, TX 75172.

C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated February 26, 2013.

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.

Commissioners Court Agenda – Tuesday, February 26, 2013

9. COURT ORDER:

Authorizing the County Treasurer to transfer funds and/or issue described Dallas County checks or authorized Payroll Direct Deposits for the period of March 1, 2013 through March 31, 2013.

10. COURT ORDER:

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

11. COURT ORDER:

Approving the settlement reached by the Civil Section of the Criminal District Attorney's Office with Dallas Area Rapid Transit (DART) in the amount of \$136.44.

12. COURT ORDER:

Approving the settlement reached by the Civil Section of the Criminal District Attorney's Office with Stephen Bennett in the amount of \$1,005.01.

13. COURT ORDER:

Approving an Attorney Fee Agreement between Dallas County and the Law Firm of Carrington Coleman ("The Firm"), effective February 26, 2013 on a total flat fee basis of \$7,500.

14. COURT ORDER:

Approving the Attorney Fee Contract between Dallas County and the Law Firm of Blanscet Hooper & Hale, L.L.P. ("The Firm"), effective February 26, 2013.

15. COURT ORDER:

Appointing/re-appointing Sharon Barbosa Crain, Yolanda Lara and JoAnn Hill to serve on the Dallas County Child Welfare Board for a two (2) year term, effective February 26, 2013 and expiring January 31, 2015.

Commissioners Court Agenda – Tuesday, February 26, 2013

16. COURT ORDER:

Appointing/re-appointing Hector M. Flores to serve on the Citizen Election Advisory Committee for a two (2) year term, effective February 26, 2013 and expiring January 31, 2015.

17. COURT ORDER:

Appointing/re-appointing Jesse Tafalla, Jr., to serve on the Dallas County Historical Commission for a two (2) year term, effective February 26, 2013 and expiring January 31, 2015.

18. COURT ORDER:

**(ITEM 9B ON BRIEFING AGENDA)**

Approving the Enhanced Intergovernmental Relations Services Agreement with the Texas Conference of Urban Counties and recommending execution of the outlined Agreement by the Dallas County Judge.

19. COURT ORDER:

Approving the appointment of Commissioner Dr. Theresa M. Daniel to the IT Executive Governance Committee as Chairperson, the County's Chief Information Officer, Stanley Victrum, as a staff member, and the County's Budget Officer, Ryan Brown, as a voting member for this Committee.

20. COURT ORDER:

Authorizing the Dallas County Purchasing Department to issue all related purchase orders for the full procurement to implement various building security improvements for several County buildings.

21. COURT ORDER:

**(ITEM 9A ON BRIEFING AGENDA)**

Authorizing the execution of the Agreement and License Agreement with Letot and the Designated Fund Agreement with The Dallas Foundation for the construction of a residential treatment facility for at-risk females to receive treatment services with Dallas County, and authorizing the County Judge to execute the Agreements on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, February 26, 2013

22. COURT ORDER:

Approving submission of the grant application for the Dallas County Mental Health Diversion Court project to the Office of the Governor, Criminal Justice Division and 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.

23. COURT ORDER:

Authorizing the addition of a Security Systems Officer position for the Building Security Department, and further authorizing the Human Resources/Civil Service Department to review the position for proper classification.

24. COURT ORDER:

Authorizing the addition of two (2) full time Detention Service Officers and one (1) Human Resources Technician (Grade 8) to the Sheriff Personnel Division, with the Human Resources/Civil Service Department reviewing the classification of the positions, and the deletion of one (1) Clerk I position from the Sheriff Intake Release Division.

25. COURT ORDER:

Declaring official intent to reimburse the expenditures with a portion of the proceeds of the Tax-Exempt Obligations for Phase 3 of the Energy Management upgrades for Henry Wade Juvenile Justice Center, Central Kitchen Facility, Health and Human Services, North Dallas Government Center, Letot Center, Investment Building, South Dallas Government Center, Youth Village/Medlock Center, Garland Government Center and East Dallas Government Center.

26. COURT ORDER:

Approving the purchase of the 2FA Strong Authentication solution.

27. COURT ORDER:

Authorizing the execution of the outlined Statement of Work and associated documents for development of the Juvenile Case Management System/Techshare Juvenile and Crossmatch application interface, and authorizing the County Judge to sign the related documents on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, February 26, 2013

28. COURT ORDER:

**(ITEM 4 ON BRIEFING AGENDA)**

Approving the lease of Fujitsu and Canon scanners and the purchase of Zebra printers and ribbons to be used in the County and District Clerk's offices as part of the District Clerk and County Clerk's paperless courts project; funding for this project is outlined in Attachment A.

29. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending February 26, 2013, in amounts over \$5,000 for erroneous or excessive tax payments.

30. COURT ORDER:

Approving the award of FY 2012 Ryan White Part A Formula funds in the amount of \$356,500, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the Amendments with the specific service providers on behalf of Dallas County.

31. COURT ORDER:

Approving the FY 2013 Department of State Health Services (DSHS) Housing Opportunities for Persons with AIDS (HOPWA) Contract Amendment, No. 2013-041066-004A, as outlined in Program Attachment #004A, and authorizing the County Judge to sign the Amendment on behalf of Dallas County.

32. COURT ORDER:

**(ITEM 3A ON BRIEFING AGENDA)**

Approving submission by Dallas County Health and Human Services of the FY 2013-2014 Department of State Health Services (DSHS) Housing Opportunities for Persons with AIDS (HOPWA) renewal application in the amount of \$58,720, as outlined.

33. COURT ORDER:

Approving the FY 2013 Department of State Health Services (DSHS) Housing Opportunities for Persons with AIDS (HOPWA) Contract, No. 2013-043224, as outlined, and authorizing the County Judge to sign the contract on behalf of Dallas County.



Commissioners Court Agenda – Tuesday, February 26, 2013

34. COURT ORDER:

Approving the award of FY 2012 Ryan White Part A-Minority AIDS Initiative (MAI) funds in the amount of \$49,750, 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.

35. COURT ORDER:

Approving the Interlocal Agreement for Bioterrorism or Health Emergency Assistance between Dallas County and Dallas County Community College District (DCCCD), and authorizing the County Judge to sign the Agreement on behalf of Dallas County.

36. COURT ORDER:

**(ITEM 3B ON BRIEFING AGENDA)**

Approving the Department of State Health Services (DSHS) Contract #2013-041066-012B, Public Health Emergency Preparedness (PHEP), and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

37. COURT ORDER:

**(ITEM 11 ON BRIEFING AGENDA)**

Authorizing the ninety (90) day extension of Bid No. 2008-131-3926, Annual Contract for the Design/Printing/Processing/Mailing of Jury Summons for the Jury Services Department, as awarded to Accurate Forms & Supplies for the period February 29, 2013 through May 30, 2013, and authorizing all County documents/payments to reflect accordingly.

38. COURT ORDER:

**(ITEM 2 ON MISCELLANEOUS AGENDA)**

Authorizing in accordance with Texas Local Government Code 262.31(a) "Changes in Plans and Specifications," a modification to Bid No. 2012-013-5795, Annual Contract for Janitorial Services for the Frank Crowley Building, Lew Sterrett Justice Center and Adjacent Towers, as awarded to UBM Enterprise Inc., to reflect an increase in the number of day porters from three to five at the Frank Crowley Courts Building, at the current rate of \$10.25 per hour, and authorizing all County documents/payments to reflect accordingly.

Commissioners Court Agenda – Tuesday, February 26, 2013

39. COURT ORDER:

**(ITEM 11 ON BRIEFING AGENDA)**

Authorizing the first extension option of Bid No. 2012-041-5917, Annual Contract for Short Term Lease of Vehicles, as awarded to EAN Holdings LLC and Capps Van & Truck Rental for the period March 1, 2013 through February 28, 2014, and authorizing all County documents/payments to reflect accordingly.

40. COURT ORDER:

Authorizing the following livestock to be sold in the online auction scheduled (Quarter Horses, Service #13-009141), and authorizing all County departments/inventories to reflect accordingly.

41. COURT ORDER:

Approving the Agreement for Technical Trial for AT&T Unified Communications as a service.

42. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 6 to Moody-Nolan/VAI, for an amount not to exceed \$8,500.00, to provide an independent engineering review of Phase III energy improvements for various Dallas County facilities, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

43. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 7 to Moody-Nolan/VAI, for an amount not to exceed \$21,500.00, to provide preliminary design services for office-warehouse space at 2121 Panoramic Circle, Dallas, Texas, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

44. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 8 to Moody-Nolan/VAI, for an amount not to exceed \$57,450.00, to provide professional services for an Automotive Services Center to be located at 715 Rowlett Road, Garland, Texas, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, February 26, 2013

45. COURT ORDER:

Authorizing the Dallas County Purchasing Department to issue all related purchase orders for the full procurement to implement various building security improvements for the George Allen Criminal Courts building.

46. COURT ORDER:

Authorizing, upon completion of the third party engineering review, Phase III Mobilization and Implementation as part of the master contract for energy performance services and Schneider Electric Buildings Americas, Inc. to implement Phase III projects in an amount not to exceed \$7,263,350.00, and to proceed with the Phase IV Investment Grade Audit.

47. COURT ORDER:

Authorizing the County Judge to execute a construction contract with Ed Bell Construction Company for the construction of the Merritt Road Project 22805, in an amount not to exceed \$2,828,411.91, to be paid \$932,518.00 from MCIP Fund 196, Project 8201, with \$1,895,893.91 to be reimbursed by the City of Sachse.

48. COURT ORDER:

Authorizing the County Judge to execute the outlined Work Order 3 to the existing contract between Dallas County and Rone Engineering Services, in an amount not to exceed \$50,000.00 to be paid from Fund 196, Project 8201.

49. CALLED BRIEFING SESSION:

See Briefing Agenda.

50. 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

Commissioners Court Agenda – Tuesday, February 26, 2013

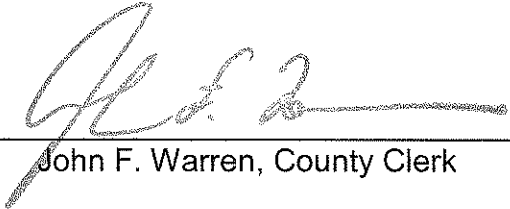
50. CALL EXECUTIVE SESSION: (Cont'd.)

- Subjects:
- Deliberations About Real Estate:
    - Monetary Lease Value of Real Property in the Vicinity of 133 N. Riverfront Blvd., Dallas, Texas
  - Pending or Contemplated Litigation and Attorney-Client Information:
    - Nominal Property Damage Claims of Dallas Area Rapid Transit (DART) against Dallas County (Accident Date: August 27, 2012); and the Nominal Property Claim of Stephen Bennett against Dallas County (Accident Date: May 2, 2012)
    - Garcia, et al. vs. Dallas County (3:10-CV-02521-N); Harmon, et al. vs. Dallas County (DC-11-11576); Lester Smith vs. Dallas County (DC-12-08300); DeCoux vs. Dallas County, et al. (DC-09-07321-G); and Leslie Willie vs. Dallas County (DC-11-08427)
    - Legal issues related to staff CJIS Access, update
    - Legal issues raised in connection with Letot
    - MERS' Litigation Update
    - Cash Construction Co., Inc., Claim
    - Lease of Real Property in the Vicinity of 133 N. Riverfront Blvd., Dallas, Texas
  - Personnel:
    - Positions 7226, 6651, 6859, 6673
  - Claims:
    - Christina Hamb – Request for Reduction in Health Care Subrogation Lien
    - Notice of EEOC – Claim of David Womble
  - Security:
    - Deliberation Regarding Security

51. RECESS:

52. RECONVENE IF REQUIRED:

53. ADJOURN:

  
\_\_\_\_\_  
John F. Warren, County Clerk