

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, January 8, 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 December Term:**
- 5. Motion To Open Court for the January Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Dr. Don R. Benton  
C. C. Young  
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)

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8. RESOLUTIONS:

- A. Dr. Ron Anderson  
Presented by Commissioner Mike Cantrell

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF DECEMBER 18, 2012 – JANUARY 8, 2013.

B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S OPENED JANUARY 7, 2013:

Bid No. 2013-016-6224 Request for Proposal for Substance Abuse Treatment Services for the Dallas County DWI Courts.

THE FOLLOWING BIDS/RFP'S TO BE OPENED JANUARY 10, 2013:

Bid No. 2013-017-6225 Annual Contract for the Purchase of Indigent Hygiene Packets and Related Items. (Contract data provided December 18, 2012)

- 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 January 8, 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. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of November 2012.

11. COURT ORDER:

Authorizing that Keandrea Brown and her attorney's office Best, Watson & Gilbert, P.C. be paid \$31,000.00 for medical expenses as full and final payment by the County of Dallas, Texas, and that the County Treasurer is authorized to release said check to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

12. COURT ORDER:

Approving ratifying the execution of the lease extension for the period of January 1, 2013 through January 31, 2013 with River, Ltd., a Texas Limited Partnership.

13. COURT ORDER:

Approving the agreement with the Internal Revenue Service (IRS) Criminal Investigation for the purpose of receiving reimbursable costs incurred for work conducted on behalf of forfeiture cases worked in conjunction with the IRS.

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14. COURT ORDER:

Authorizing the following changes in the County Clerk's Office: approving the creation of one (1) new position; reclassifying eight (8) positions; deleting two (2) positions, downgrading one (1) position; directing Human Resources/Civil Service Department to review the new and reclassified positions for proper classification; and transferring fifty percent (50%) of the savings into the County Clerk's DDA account.

15. COURT ORDER:

Approving the HIPAA Exemption Election Renewal Document and authorizing the County Judge to sign the document on behalf of Dallas County.

16. COURT ORDER:

Approving the additional cost of \$12,000 to provide eRecovery service for the electronic images of the District and County Courts in the event of a disaster in Dallas County.

17. COURT ORDER:

Approving the continuation of services of eight (8) temporary employees through All Temps beginning January 1, 2013 through June 30, 2013 for the County Clerk's Digital Courts/Imaging Project in the Probate Section with funding from the County Clerk's Escrow Account 532.4031.05590.94081.

18. COURT ORDER:

Approving the merchant payment card processing agreement between Dallas County and Tyler Technologies for credit card acceptance through the Odyssey Case Management System for the District and County Clerks' Offices.

19. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending January 8, 2013, in amounts over \$2,500 for erroneous or excessive tax payments.

20. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending January 8, 2013, in amounts over \$5,000 for erroneous or excessive tax payments.

21. COURT ORDER:

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

Approving the acceptance of the donation in the amount of \$153,058.48 from TXU Energy, for the provision of utility payment assistance to financially distressed TXU Energy customers in Dallas County.

22. COURT ORDER:

Approving the addition of Scott Sawliss, Entomologist/Vector Control Supervisor, to the list of Health and Human Services staff authorized for vehicle home storage, and authorizing Vehicle No. HD002 to be stored at the home address of Scott Sawliss as outlined.

23. COURT ORDER:

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

Approving the Atmos Energy “Share the Warmth” Program Agreement between Dallas County Health and Human Services (DCHHS) and Atmos Energy Corporation, for the provision of assistance with payment of energy costs for financially distressed Atmos Energy customers, for a term effective January 8, 2013 through January 8, 2014, and authorizing the County Judge to sign the Agreement and any related documents on behalf of Dallas County.

24. COURT ORDER:

Approving the consulting Services Contract between Dallas County Health and Human Services (DCHHS) and Bio-Defense Network, for the provision of services to expand the Closed POD network for Dallas County, authorizing funding not to exceed \$60,000 from the CRI grant (466:0:05590:2013:0:0:08725:0) for the project, and authorizing the County Judge to sign the Contract on behalf of Dallas County.

25. COURT ORDER:

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

Approving the request of Dallas County Health and Human Services (DCHHS) to utilize Dallas County Road and Bridge 3, or any other Dallas County owned property, to store a large cache of mobile storage units or any newly acquired units as part of Dallas County Public Health Preparedness and Cities Readiness Initiative.

26. COURT ORDER:

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

Approving the request of Dallas County Health and Human Services (DCHHS) to utilize Uncle Bob's Self-Storage facility for the storage of deployable assets and resources, authorizing payment of \$1,800.00/month, from the CRI grant budget for rental of the facility, and authorizing DCHHS to sign the outlined Rental Agreement for this purpose.

27. COURT ORDER:

Approving the transfer of 556 housing vouchers (TXVO0156, TXVO0157, TXAF0083) from the Lancaster Housing Assistance Program to Dallas County Health and Human Services (DCHHS) Housing Choice Voucher Program, authorizing the requested positions, and approving the budget of \$5,512,404, as outlined.

28. COURT ORDER:

Approving the outlined Interlocal Agreement between Dallas County and the City of Dallas for forensic laboratory services provided by the Criminal Investigation Laboratory utilized by the Dallas Police and Fire Departments, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

29. COURT ORDER:

Authorizing the second extension of RFP No. 2011-024-5342 Request for Proposal for Substance Abuse Treatment Services as awarded to First Step Counseling, Homeward Bound, Nexus Recovery Center and Recovery Healthcare for the period March 1, 2013 through February 28, 2014, and authorizing all County documents/payments to reflect accordingly.

30. COURT ORDER:

Authorizing the first extension of RFP No. 2011-099-5714 Request for Proposal for Laboratory Analysis and Drug Testing Services of Urine and Blood Specimens as awarded to Phamatech Inc. for the period February 20, 2013 through February 19, 2014, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing the first extension of Bid No. 2012-017-5807 Annual Contract for Histology Services as awarded to Tissue Techniques for the period February 6, 2013 through February 5, 2014, and authorizing all County documents/payments to reflect accordingly.

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32. COURT ORDER:

Authorizing the first extension option of Bid No. 2012-028-5856 Annual Contract for Trash Bags as awarded to Interboro Packaging, Inc. for the period January 24, 2013 through January 23, 2014, and authorizing all County documents/payments to reflect accordingly.

33. COURT ORDER:

Authorizing the approval of the outlined Master Interlocal/Cooperative Purchasing Agreement between Dallas County and the City of Duncanville, and authorizing the County Judge to execute the agreement on behalf of Dallas County.

34. COURT ORDER:

Authorizing the approval of the outlined Master Interlocal/Cooperative Purchasing Agreement between Dallas County and the City of Fate, and authorizing the County Judge to execute the agreement on behalf of Dallas County.

35. COURT ORDER:

Authorizing that all future documents, correspondence and payments for the purchase of QuantiFERON-TB Gold serological tests and test products from Cellestis, Inc., now reflect the name of Qiagen, Inc., and authorizing all County documents/payments to reflect accordingly.

36. CALLED BRIEFING SESSION:

See Briefing Agenda.

37. 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
  - Personnel
    - Request for Exception to County's Nepotism Policy
  - Deliberations About Real Estate
    - Property Acquisition; Climate Control Facility



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

- Subjects:
- Texas Health & Safety Code
    - CMS Survey and Update
  - Pending or Contemplated Litigation and Attorney-Client Information
    - Dallas County, Texas vs. Kendra Coit; Cause No. CC-12-04274-D
  - Legal Matters/Legal Advice, Consultation With Legal Counsel
    - Discussion with legal counsel regarding the posting, notice and formulation of the meeting agenda

38. RECESS:

39. RECONVENE IF REQUIRED:

40. ADJOURN:



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John F. Warren, County Clerk