

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, January 15, 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 Dorothy Budd
Church of the Incarnation
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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7. RESOLUTIONS:

- A. Fire Chief Doug Kendrick, City of Sachse - Retirement
Presented by Commissioner Mike Cantrell
- B. Marlene James – Retirement
Presented by Commissioner John Wiley Price
- C. Vivian Lawrence
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 JANUARY 8-15, 2013.
- B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- C. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated January 15, 2013.
- D. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)
 - Minister's Letter of Appreciation
- E. TRANSFER OF FUNDS.
- F. APPROVAL/FILING OF ELECTED/APPOINTED OFFICIALS' BONDS/OATHS OF OFFICE:
 - Dr. Theresa M. Daniel, County Commissioner, District #1
 - John Wiley Price, County Commissioner, District #3
 - Lupe Valdez, County Sheriff
 - John R. Ames, County Tax Assessor/Collector
 - Robert De Los Santos, County Fire Marshal

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8. CONSENT AGENDA: (Cont'd.)

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

H. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. COURT ORDER:

Filing the outlined Certificates awarded to Dallas County Treasurer, Joe Wells, by the Office of Continuing Education of Texas A&M University and the V.G. Young Institute of County Government, as Certification of his compliance with Section 83.003., Texas Local Government Code, for the period January 1, 2012 to January 1, 2013, and with House Bill 2459, 74th Texas Legislature.

10. COURT ORDER:

Approving the official bonds for the outlined elected and appointed officials.

11. COURT ORDER:

Authorizing the Dallas County Treasurer to accept a check in the amount of \$11,100.00 from Allstate Insurance Company in settlement of Cause No. DC-12-03866, styled *Teresa Jones vs. Osborn Nelson*, and authorizing the Dallas County Judge to sign any documents required to settle such case on behalf of Dallas County.

12. COURT ORDER:

Appointing Jim Jackson to serve on the Valwood Improvement Authority of Dallas County, Texas, Board of Directors for a two (2) year term, effective January 15, 2013.

13. COURT ORDER:

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

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14. COURT ORDER:

Authorizing the addition of three (3) new Drug Chemist II (Grade FM) positions to the Drug Analysis Laboratory budget and that Human Resources/Civil Service review the positions for proper classification.

15. COURT ORDER:

Approving Change Order No. 5 (for various items requested by the County and to correct a previous billing error) to the contract with GSRA + HWH for the construction of the Grand Prairie Subcourthouse, and authorizing the County Judge to sign said change order.

16. COURT ORDER:

Approving the extension of the Personal Services Contract with Insight Global, Inc. for the services of Edward Patterson, and authorizing the Dallas County Judge to sign Amendment No. 2 on behalf of Dallas County.

17. COURT ORDER:

Approving the outlined Open Pricing (E2) Salary Schedule approved by the Civil Service Commission on January 15, 2013.

18. COURT ORDER:

Approving the IT Services Director's request to hire the brother (Duy Dinh) of a current employee (Dang Dinh) as a Senior Programmer in the IT Services Department.

19. COURT ORDER:

Approving the Cafeteria Plan (Flexible Benefits Plan Document) as approved by the Public Employees Benefits Cooperative and amended in 2012 to include the revisions, as outlined, effective for Plan Year 2013, and authorizing the County Judge to sign the Agreement on behalf of Dallas County.

20. COURT ORDER:

Approving the purchase and installation of the Enterprise Licenses, annual maintenance fees and the equipment for the OnBase Mobile Client for the County Criminal Courts operations.

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21. COURT ORDER:

Approving the purchase and installation of Lead Tools for Odyssey Case Management System and Session Works Judges Edition for the clerks and judiciary in the Civil, Family and Probate Courts.

22. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending January 15, 2013, in amounts over \$5,000 for erroneous or excessive tax payments.

23. COURT ORDER:

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 deployable assets and resources in climate controlled mobile storage units and any newly acquired units as part of Dallas County Public Health Preparedness and Cities Readiness Initiative.

24. COURT ORDER:

Approving the request for one (1) Service Maintenance Support/Mosquito Technician, Grade 00, for the Environmental Health Division of Dallas County Health and Human Services (DCHHS), and authorizing the Office of Budget and Evaluation to appropriate additional funding into the Environmental Health Budget (Dept. 5211, Account 01060) to fund this position.

25. COURT ORDER:

Approving the award of FY 2012 Part A – Minority AIDS Initiative (MAI) grant funds in the amount of \$21,873.00 to service providers outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

26. COURT ORDER:

Approving the award of Part A Formula funds in the amount of \$25,074 to service providers outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

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27. COURT ORDER:

Approving the award of FY 2012 Part A Supplemental grant funds in the amount of \$41,151.00 to service providers outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

28. COURT ORDER:

Approving the Contract for Services between Dallas County Health and Human Services (DCHHS) and the Texas Association of Community Action Agencies, Inc. (TACCA) (Contract No. 3443-13-007), for the Targeted Low Income Weatherization Program, effective January 1, 2013 through October 30, 2013, for an amount not to exceed \$1,795,000.00, for the provision of cost effective weatherization measures to eligible Oncor Electric Delivery Company customers.

29. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to award a non-residential services contract to Youth Advocate Programs, Inc. for the provision of detention alternative services during FY2013, at the not to exceed outlined rates.

30. COURT ORDER:

Authorizing the final twelve (12) month extension of Bid No. 2011-032-5406, Annual Contract for Janitorial Services for the Health and Human Services Building, as awarded to Oriental Building Services for the period of February 11, 2013 through February 10, 2014, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2012-014-5803, Annual Contract for Patches and Emblems, with Emblems Enterprises, Inc. for the period January 31, 2013 through January 30, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

32. COURT ORDER:

Authorizing staff to enter into negotiations with Data Management for RFP No. 2013-009-6198, Request for Proposal for Mainframe Hosting Solution for Dallas County, and further authorizing the Evaluation Committee to negotiate the final terms and conditions of the contract on behalf of Dallas County for approval by Commissioners Court.

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33. COURT ORDER:

Authorizing the acquisition of the real property owned by Beauty Elite Properties, Inc. located at 2121 Panoramic Circle for the purchase price of \$4,400,000.00, approving the outlined commercial property contract of sale; authorizing the closing on said property as well as the funds necessary for closing as prescribed by the outlined commercial property contract of sale, and authorizing the County Judge to execute all necessary documents to close the transaction on behalf of Dallas County.

34. COURT ORDER:

Authorizing the outlined list to be representative of the equipment to be sold in the online auction scheduled and authorizing all County departments/inventories to reflect accordingly.

35. COURT ORDER:

Authorizing the County Judge to execute the two (2) original Encroachment Agreements related to the construction/reconstruction of Merritt Road, MCIP Project 22805.

36. COURT ORDER:

Authorizing the County Judge to execute Modification No. 1 of the Contract between Arredondo, Zepeda & Brunz, LLC and Dallas County for Denton Drive/Harry Hines Sidewalks MCIP Project 10217 A, thereby increasing the total amount of the Contract to an amount not to exceed \$488,252.00, to be paid from MCIP Fund 196.

37. COURT ORDER:

Authorizing the County Judge to execute a construction contract with Ed Bell Construction Company for the construction of the Pleasant Valley Road Project 22009, in an amount not to exceed \$5,364,563.40, to be paid \$2,503,737.55 from MCIP Fund 196, Project 8201, with \$2,860,825.85 to be reimbursed by the City of Garland.

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 Rowlett funding in the amount of \$621,843.00.

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39. 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.

40. COURT ORDER:

Authorizing and directing the County Judge to execute the purchase of GPS Based Survey Instrument.

41. COURT ORDER:

Authorizing and directing the County Judge to execute the purchase of computer hardware and software for the Public Works Department.

42. CALLED BRIEFING SESSION:

See Briefing Agenda.

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 Appointments
 - Valwood Improvement Authority of Dallas County, Texas
 - IT Executive Governance Committee
 - Personnel
 - Policy Exception – Leave of Absence – Operations Department
Position #1217 – Employee John Langley (Fleet Manager)

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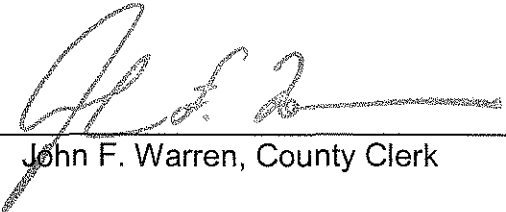
43. CALL EXECUTIVE SESSION: (Cont'd.)

- Subjects:
- Deliberations About Real Estate:
 - Property Acquisition; Climate Control Facility
 - 2311 Joe Field Road, formerly Road and Bridge Office ROW Acquisition/bisection of Property by the City of Dallas' Goodnight Lane Project, Phase I, PB06U788 Limits: Joe Field Road to Royal Lane Recommendation to the City's Offer to Acquire 33,288 Square Feet of Lane
 - Deliberation – Monetary lease value of real property in and adjacent to 411 Elm Street, Dallas, Texas
 - Texas Health & Safety Code:
 - CMS Survey and Update
 - Pending or Contemplated Litigation and Attorney-Client Information:
 - Arthur Morrison vs. Cloris Lark; Appeal No. 05-12-01064-CV
 - Hillvale Medical Association Educational Division vs. Dallas County; Cause No. DC-10-07672 (Set for Trial January 28, 2013)
 - Texas Democratic Party, et al. v. Dallas County, In the United States Appellate Court for the Fifth Circuit; on Appeal from the United States District Court of the Northern District of Texas, Dallas Division; Civil Action No. 3:08-CV-02117-P; Cause No. 12-10571
 - Inabinet Saddler vs. Guadalupe Frias; Cause No. DC-12-01907
 - MERS' Litigation and the Contingency Agreement
 - Claims:
 - Notice of Claim – David Womble
 - Legal Matters/Legal Advice, Consultation with Legal Counsel:
 - Discussion with legal counsel regarding the posting, notice and formulation of the meeting agenda

44. RECESS:

45. RECONVENE IF REQUIRED:

46. ADJOURN:



John F. Warren, County Clerk

ADDENDUM TO AGENDA
COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

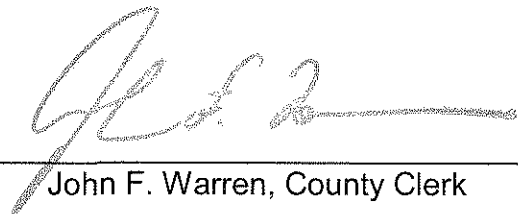
TUESDAY, JANUARY 15, 2013

9:00 A.M.

Received: 1/11/2013 @ 4:07 P.M.

A1. COURT ORDER:

Appointing County Judge Clay Lewis Jenkins and Commissioner Theresa M. Daniel to serve as Dallas County's representatives for the Civil Service Commission, effective January 15, 2013, to serve without limitation of a term.



John F. Warren, County Clerk