

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, January 22, 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:**

Name:

Address:

City, State

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 violación 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:

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 15-22, 2013.

B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED JANUARY 24, 2013:

Bid No. 2013-018-6232 Bonnie View Road – MCIP Project 30227 – from Wintergreen Road to Langdon Road.

THE FOLLOWING BIDS/RFP'S TO BE OPENED JANUARY 28, 2013:

Bid No. 2013-019-6243 Request for Proposal for Real Estate Broker Services.

Bid No. 2013-020-6244 Request for Quotation for the Preparation and Availability and Disparity Study for Dallas County, Texas.

Bid No. 2013-021-6249 Annual Contract for Plumbing Material and Related Products. (Contract data provided January 22, 2013)

C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

D. RIGHTS OF WAY:

Summary Agreements.

E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated January 22, 2013.

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8. CONSENT AGENDA: (Cont'd.)

F. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation
- Letter to The Honorable Richard Cortese, Chairman
Continuing Education Committee
County Judges and Commissioners Association of Texas

G. TRANSFER OF FUNDS.

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

I. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. COURT ORDER:

(ITEM ON CLOSED SESSION AGENDA)

Directing the Dallas County Treasurer to issue a check in the amount of \$120,000.00 made payable to Brazil & Dunn, LLP Attorneys at Law as full and final settlement by Dallas County, authorizing the Dallas County Judge to execute any documentation required for this settlement on behalf of Dallas County, and the County Treasurer to release said check to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

10. COURT ORDER:

Authorizing approval to create a part-time coordinator position to fill in for current court coordinators out due to ACMS Courts and Prosecutor system development, FMLA and vacation/sick days, for a total cost of \$15,000.

11. COURT ORDER:

Approving the administrative fees and rates for the various services and requirements as outlined, approving reimbursement to United Healthcare for payment of the Patient Centered Outcomes Research Fee, as well as allowing the County Auditor to pay said fees and rates.

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12. COURT ORDER:

Approving the second leave of absence (without pay) requested by the Operations Department for Mr. John Langley – Fleet Manager, for the period December 27, 2012 to March 27, 2013.

13. COURT ORDER:

(ITEM 5 ON BRIEFING AGENDA)

Approving the acceptance of all equipment purchased by the North Texas High Intensity Drug Trafficking Area (NTHIDTA) through Navarro County for use by the Dallas County Sheriff's Office, and accepting the maintenance and liabilities of said equipment from this day forward.

14. COURT ORDER:

Authorizing the Dallas County District Attorney's Office (Civil Division) to prepare and advance to Denley Investment & Management Company, Inc., as landlord and management agent for Hollywood Plaza Association, LLC, Dallas County's notice of lease termination with an effective date of July 31, 2013.

15. COURT ORDER:

Approving the contribution payment of \$1,850.00, under the 2012 Reliant Retail Services, LLC CARE Program ("CARE") Agreement with Dallas County Health and Human Services (DCHHS), for energy assistance payments to eligible Reliant Energy customers.

16. COURT ORDER:

Approving the implementation of the Dallas County Health and Human Services Regional Healthcare Partnership Project, authorizing the requested staff as outlined, authorizing Dallas County Human Resources to classify requested positions, and approving associated costs for implementing this project.

17. COURT ORDER:

Authorizing the first extension option of Bid No. 2012-029-5857 Annual Contract for Traffic Paint as awarded to Akzo Nobel Paints LLC dba Glidden Professional Paint Center for the period February 7, 2013 through February 6, 2014, and authorizing all County documents/payments to reflect accordingly.

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18. COURT ORDER:

Authorizing Indefinite Quantity Architectural/Engineering Contract Work Order No. 29 – Modification No. 1 to VAI Architects, Inc., for an amount not to exceed \$12,800, to provide engineering reassessment of the temporary shoring and interim repairs at the Frank Crowley Parking Garage D.

19. COURT ORDER:

(ITEM 11B ON BRIEFING AGENDA)

Authorizing the County Judge to execute the outlined Advance Funding Agreement Amendment #1 with TxDOT which provides federal funds in the amount of \$10,241,355 for Pleasant Run Overpass MCIP Project 31401 with County funding in the amount of \$2,397,311 of which \$2,080,000 is being funded by NCTCOG through the County and \$317,311 is to be paid from MCIP Fund 196, Project 8201.

20. COURT ORDER:

Authorizing the County Judge to execute Amendment No. 1 to the Indefinite Delivery Indefinite Quantity Contract with Stateside Right of Way Services, LLC, awarding the one-year extension option, effective February 7, 2013 through February 6, 2014 or until the completion of all active, fully authorized work orders, whichever occurs last.

21. COURT ORDER:

Authorizing the final payment for the Lake Ridge Parkway MCIP Project 40902 construction contract with Tiseo Paving Company, Inc., in the amount of \$461,959.66 be paid from MCIP Fund 196, Project 8201, and accepting the project as complete with no further payment due.

22. COURT ORDER:

Authorizing the County Judge to execute the outlined Local Project Advance Funding Agreement in order to secure funding for the pedestrian structures and sidewalks along Loop 354 (Harry Hines Boulevard) from Manana Drive to north of Royal Lane, MCIP Project 10217-A; the total project cost is estimated to be \$6,471,917; Eighty percent (80%) of the total Project cost, \$4,131,400, will be federally funded; State participation is estimated to be \$1,355,724 and County participation is estimated to be \$984,793.

23. CALLED BRIEFING SESSION:

See Briefing Agenda.

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24. CALL EXECUTIVE SESSION:

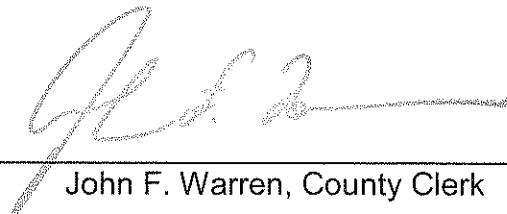
For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government 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
 - Transfer from Contract to Regular Employee – Position #2009
 - Deliberations About Real Estate
 - Property Acquisition; Climate Control Facility
 - Texas Health & Safety Code
 - CMS Survey and Update
 - Pending or Contemplated Litigation and Attorney-Client Information
 - Hillvale Medical Association Educational Division vs. Dallas County; Cause No. DC-10-07672
 - 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

25. RECESS:

26. RECONVENE IF REQUIRED:

27. ADJOURN:



John F. Warren, County Clerk