

A G E N D A



Commissioners Court

Dallas County, Texas

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

**Pastor Wayne McDonald
Metrocrest Community Church
Coppell, 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. Beverly Levy – Dallas CASA
Presented by Commissioner Mike Cantrell
- B. Kelvin L. Fowler, Sr. – Retirement
Presented by Commissioner John Wiley Price
- C. Dr. Teresa May-Williams, Former Dallas County CSCD Assistant Director
Presented by Commissioner John Wiley Price
- D. World Kidney Day
Presented by Commissioner John Wiley Price

9. PRESENTATION:

- A. Safer Dallas Better Dallas: Check to Dallas County for Animal Cruelty Unit
Presented by Commissioner Dr. Elba Garcia

10. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF FEBRUARY 26 – MARCH 5, 2013.

- B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

- C. COURT AGENDA: (FOR FILING ONLY)

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

- D. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

- E. TRANSFER OF FUNDS.

- F. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS.

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10. CONSENT AGENDA: (Cont'd.)

G. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

11. COURT ORDER:

Appointing/re-appointing Audrey Moorehead to serve on the Dallas County Child Welfare Board for a two (2) year term, effective March 5, 2013 and expiring January 31, 2015.

12. COURT ORDER:

Appointing/re-appointing Harold Johnson and Robert Ackerman to serve on the Citizen Election Advisory Committee for a two (2) year term, effective March 5, 2013 and expiring January 31, 2015.

13. COURT ORDER:

Appointing/re-appointing Fred Durham and Mildred Pope to serve on the Dallas County Historical Commission for a two (2) year term, effective March 5, 2013 and expiring January 31, 2015.

14. COURT ORDER:

Appointing Jesse Vallejo to serve on the Dallas County Public Health Advisory Committee for a two (2) year term, effective March 5, 2013 and expiring January 31, 2015.

15. COURT ORDER:

Appointing/re-appointing Michael Lowenberg and Arlene Beasley to serve on the Dallas County Trail and Preserve Program Board for a two (2) year term, effective March 5, 2013 and expiring January 31, 2015.

16. COURT ORDER:

Approving the outlined Memorandum of Understanding between Dallas County, Dallas County Community Supervision and Corrections Department and The Volunteer Center of North Texas, and authorizing the County Judge to sign the Agreement on behalf of Dallas County.

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17. COURT ORDER:

Approving the Dallas County Local Workforce Development Board's FY 2013-2018 Workforce Investment Act.

18. COURT ORDER:

Approving the addition of one (1) Sheriff Deputy to serve as Bail Bond Investigator in the Sheriff Fiscal Division, with the Human Resources/Civil Service Department reviewing the classification of the position.

19. COURT ORDER:

Approving the outlined Interlocal Agreement with Tarrant County for forensic laboratory services, and authorizing the County Judge to sign the contract on behalf of Dallas County.

20. COURT ORDER:

(ITEM 9C ON BRIEFING AGENDA)

Approving the outlined Personal Services Contract between Dallas County and Cheyanne Klein for support at the Southwestern Institute of Forensic Sciences during the upgrade of the LIMS software, and authorizing the County Judge to sign the contract on behalf of Dallas County.

21. COURT ORDER:

Approving the acceptance of \$199,703.49 from Safer Dallas Better Dallas for the purpose of an Animal Cruelty Unit in the District Attorney's Office.

22. COURT ORDER:

Approving to start the programming for the finish out of the South side of the 8th floor of the Frank Crowley Courts Building, which requires the District Attorney's Office to sell the 8 line gaming machines stored on the floor by the legal means prescribed by law by the end of FY2013.

23. COURT ORDER:

Approving the cost of \$31,422.00 for Modulant's proposed Statement of Work for the Discovery and Analysis-AIS Data Streams and Interfaces.

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24. COURT ORDER:

Approving Amendment No. 1 with Delta Dallas Incorporated to pay the remaining balance on the Personal Services Contract of Brian Stair, and authorizing the Dallas County Judge to sign Amendment No. 1 on behalf of Dallas County.

25. COURT ORDER:

(ITEM 6A ON BRIEFING AGENDA)

Approving the expenditure of \$2,877,391.04 to purchase the hardware, software, engineering and installation services to upgrade the Sheriff's In-Car Video, Mobile Computer and E-Ticketing systems, and authorizing the County Judge to execute all necessary documents.

26. COURT ORDER:

Authorizing the Dallas County Office of Information Technology to approve Justice Information Sharing (JIS) Grant funding of Phase 2 NIEM Agency/Vendor Integration Implementation through Sypherlink's Professional Services Contract Amendment No. 1 in the amount of \$321,500.00, and authorizing the County Judge to sign Amendment No. 1 on behalf of Dallas County.

27. COURT ORDER:

Approving the Human Resources/Civil Service Department's request to purchase the HAY Paynet® tool and, adding the HAY Group to our current list of firms, under Court Order 2007-2053, identified as a nationally recognized sole source for books, survey materials, reports, and diagnostic tools for competitive comparison of compensation and benefits across many job markets; authorizing a discretionary exemption from the competitive procurement process as permitted by Texas Local Government Code 262.024 (a)(7)(B).

28. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending March 5, 2013, in amounts over \$5,000.00 for erroneous or excessive tax payments.

29. COURT ORDER:

Accepting the Dallas County Tax Assessor/Collector's notification of the annual write-off of uncollectible delinquent taxes to occur during March 2013.

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30. COURT ORDER:

Approving the Lease Agreement with Marcer Investments, LLC, and authorizing the County Judge to sign the agreement and all related documents on behalf of Dallas County.

31. COURT ORDER:

(ITEM 2B ON BRIEFING AGENDA)

Approving the revised Section X. I. Housing Assistance Payment Disbursements section of the Dallas County Health and Human Services Housing Choice Voucher Program Administrative Plan, as outlined.

32. COURT ORDER:

(ITEM 2L ON BRIEFING AGENDA)

Approving the Texas Department of State Health Services Contract No. 2013-041066-013A, RLSS/Local Public Health System, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

33. COURT ORDER:

(ITEM 10 ON BRIEFING AGENDA)

Authorizing a temporary extension of RFP No. 2008-092-3640, Request for Proposals for Third Party Claims Administration Services for Dallas County Self Insurance Workers Compensation Program, as awarded to CCS Consulting, LP for the period March 1, 2013 through April 30, 2013, and authorizing all County documents/payments to reflect accordingly.

34. COURT ORDER:

(ITEM 10 ON BRIEFING AGENDA)

Authorizing the sixty (60) day extension of Bid No. 2009-097-4461, Annual Contract for Various Types of Environmental Abatement for the Facilities Department, as awarded to Empire Environmental Group for the period February 1, 2013 through April 2, 2013, and authorizing all County documents/payments to reflect accordingly.

35. COURT ORDER:

(ITEM 10 ON BRIEFING AGENDA)

Authorizing a temporary extension of Bid No. 2009-119-4634, Annual Contract for Bond/Blue Printing and Reprographic Services, as awarded to Southwestern Blueprint Company and Ricoh USA, Inc., for the period March 1, 2013 through April 30, 2013, and authorizing all County documents/payments to reflect accordingly.

36. COURT ORDER:

(ITEM 10 ON BRIEFING AGENDA)

Authorizing the third extension of Bid No. 2011-029-5388, Annual Contract for Hair Cutting Services for Juveniles, as awarded to Reo Bowman for the period March 9, 2013 through March 8, 2014, and authorizing all County documents/payments to reflect accordingly.

37. 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 Garland for funding in the amount of \$621,843.00.

38. COURT ORDER:

Authorizing the City of Dallas as Trustee to sell the parcels of land as outlined in Exhibit "A", 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, consents to the sale of said parcels of land to qualified non-profit organizations who engage in the building, repair, rental and sale of housing for low income individuals and families, in accordance with the City of Dallas Ordinance No. 23713, and the Local Government Code, Section 253.010, even if the amount tendered is less than the market values of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property.

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:

(ITEM 7G ON BRIEFING AGENDA)

Authorizing the second extension of SOQ 2011-008-5282, Indefinite Delivery Indefinite Quantity Subsurface Utility Engineering Services, as awarded to Gorrondona & Associates, Inc. and Lina T. Ramey & Associates for the period March 8, 2013 through March 7, 2014, and authorizing all County documents/payments to reflect accordingly.

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41. COURT ORDER:

Consenting to the sale of the Property at 1113 Mill River Drive, Garland, Texas, to Crackpot Realty, LLC for \$20,000, 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 Texas Property Tax Code, and authorizing the City of Garland, as trustee, to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use, and disposition of the listed property, acquired by tax foreclosure, which has been jointly vested in the name of the City of Garland, Garland I.S.D., and Dallas County.

42. COURT ORDER:

Consenting to the sale of Property at 5706 Marina Drive, Garland, Texas, to Dr. Robert Milstein for \$13,500, 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 Texas Property Tax Code, and authorizing the City of Garland, as trustee, to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use, and disposition of the listed property, acquired by tax foreclosure, which has been jointly vested in the name of the City of Garland, Garland I.S.D., and Dallas County.

43. COURT ORDER:

Consenting to the sale of the Property at 212 Southwood Drive, Garland, Texas, to Habitat for Humanity for \$15,000, 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 Texas Property Tax Code, and authorizing the City of Garland, as trustee, to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use, and disposition of the listed property, acquired by tax foreclosure, which has been jointly vested in the name of the City of Garland, Garland I.S.D., and Dallas County.

44. CALLED BRIEFING SESSION:

See Briefing Agenda.

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45. 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
 - Pending or Contemplated Litigation and Attorney-Client Information:
 - 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)
 - MERS' Litigation Update
 - Cash Construction Co., Inc., Claim
 - Claims:
 - Timothy Stone – Claim of Farmers on behalf of its insured
(TW #13-000071)
 - Legal Matters/Legal Advice, Consultation with Legal Counsel:
 - Consultation with Counsel about 2013 bond offering and related
engagement of the Law Firm of Bracewell & Giuliani
 - Security:
 - Deliberation Regarding Security

46. RECESS:

47. RECONVENE IF REQUIRED:

48. ADJOURN:



John F. Warren, County Clerk