

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, March 19, 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:**

**Pastor Howard Fadner
Park Central Baptist 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 código 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. código 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. Women's History Month: Honoring Adelfa Callejo, Vivian Castleberry and Myrtis Evans
Presented by Dr. Theresa M. Daniel
- B. DeSoto Mayor for a Day – Xavier Newman
Presented by Commissioner John Wiley Price
- C. Poison Prevention Week
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 MARCH 5-19, 2013.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED MARCH 25, 2013:

Bid No. 2013-029-6268 Annual Contract for Asbestos, Lead and Mold Abatement and Remediation Services. (Contract data provided March 19, 2013)

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

- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated March 19, 2013.

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

- Minister's Letter of Appreciation
- Letter Supporting the Town of Addison and the Aircraft Owners and Pilots Association

- F. TRANSFER OF FUNDS.

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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. AWARD BIDS/RFP'S:

Bid No. 2013-024-6255 Annual Contract for Syringes awarded to: W E Supply.
(Contract data provided February 12, 2013)

10. COURT ORDER:

Authorizing the County Treasurer to make such transfers as necessary for stale dated checks for the period January 1, 2011 through June 30, 2011, as well as any and all other eligible unclaimed funds prior to June 30, 2011, and that future legitimate claims against such outstanding checks from firms, corporations or individuals named in the fund printouts, as outlined, may be processed as claims for payments by Dallas County, in accordance with Dallas County Policy and Procedure.

11. COURT ORDER:

Appointing/re-appointing Omar F. Narvaez to serve on the Dallas County Historical Foundation for a two (2) year term, effective March 19, 2013 and expiring January 31, 2015.

12. COURT ORDER:

Appointing/re-appointing Jack D. Caffey and Eladio Martinez to serve on the Dallas County Historical Commission for a two (2) year term, effective March 19, 2013 and expiring January 31, 2015.

13. COURT ORDER:

Rescinding Court Order 2012-1387 (8/28/2012) and setting the outlined Dallas County holiday schedule for calendar year 2013.

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14. COURT ORDER:

Approving submission of the grant application for the Dallas County DIVERT 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.

15. COURT ORDER:

Approving submission of the grant application for the District Attorney's Family Violence Comprehensive Service Grant #2669001 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.

16. COURT ORDER:

Approving submission of the grant application for the District Attorney's Bilingual Child Victim's Assistant 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.

17. COURT ORDER:

Approving submission of the grant application for the District Attorney's Bilingual Spanish Translator-Interpreter 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.

18. COURT ORDER:

Approving submission of the grant application for the Dallas County Misdemeanor DWI 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.

19. COURT ORDER:

Approving submission of the grant application for the Dallas County Felony DWI 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.

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20. COURT ORDER:

Approving submission of the grant application for the Dallas County Felony Female Offender 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.

21. COURT ORDER:

Approving submission of the grant application for the Dallas County Successful Treatment of Addiction through Collaboration (STAC) 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.

22. COURT ORDER:

Approving submission of the grant application for the Dallas County Veterans Divert 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:

(ITEM 11C ON BRIEFING AGENDA)

Approving submission of the grant application for the Dallas County Legacy Family Court project to the Office of the Governor, Criminal Justice Division, 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.

24. COURT ORDER:

(ITEM 11D ON BRIEFING AGENDA)

Approving submission of the online Dallas County Safe Havens: Supervised Visitation and Safe Exchange Program continuation grant application to the U.S. Department of Justice, Office on Violence Against Women with no County match required, and designating the County Judge as the authorized official given the power to apply for, accept, reject, alter or terminate the grant.

25. COURT ORDER:

Approving the FY2013 Fund 530 Budget for DIVERT Intensive and Transitional Services and DART bus passes for a total budget amount of \$554,690.

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26. COURT ORDER:

Authorizing the Sheriff's Office to apply for the Edward Byrne Memorial Justice Grant for the purpose of funding a video surveillance system.

27. COURT ORDER:

Filing the certificate of completion for Commissioner Dr. Elba Garcia for three (3) hours of continuing education at the 2012 Urban Counties Education and Policy Conference.

28. COURT ORDER:

Approving the exchange of \$101,785 in HOME funding that was previously allocated for replacement housing (Oracle #9738) with \$101,785 in CDBG funding that was previously allocated for upfront cost assistance (Oracle #9494).

29. COURT ORDER:

Approving Change Order #7 for the installation of security system wiring to the contract with GSRA + HWH for the construction of the Grand Prairie Subcourthouse, and authorizing the County Judge to sign said change order.

30. COURT ORDER:

Approving Phase II of the Telework Pilot Program.

31. COURT ORDER:

Approving the Personal Services Contract with Delta Dallas for the services of Janice Nelson, and authorizing the County Judge to sign the contract on behalf of Dallas County.

32. COURT ORDER:

Approving the Professional Services Contract with Red Zone Resources for the services of Javid Khan, and authorizing the County Judge to sign the contract on behalf of Dallas County.

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33. COURT ORDER:

(ITEM 10H ON BRIEFING AGENDA)

Authorizing the County Judge to sign the Amendment to the Microsoft Enterprise Agreement and approving the purchase of 700 Office 365 licenses at a cost of \$1,148 from Dell available from DIR contract DIR-SDD-1014, with funding provided from the Office of Information Technology budget for Maintenance Contracts, 195.1090.6520.

34. COURT ORDER:

Approving the Interlocal Agreement with the North Central Texas Council of Governments and PEBC, and authorizing the County Judge to sign the Interlocal Agreement on behalf of Dallas County.

35. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending March 19, 2013, in amounts over \$5,000.00 for erroneous or excessive tax payments.

36. COURT ORDER:

Approving the Department of State Health Services (DSHS) FY 2013 HIV Services (State Services) contract amendment with P.W.A. Coalition of Dallas, Inc., to change the method of reimbursement, and authorizing the County Judge to sign the contract amendment on behalf of Dallas County.

37. COURT ORDER:

Approving the revised schedule for the Housing Choice Voucher Program (HCVP) Housing Assistance Payment (HAP) Disbursements, and approving the revised Dallas County Health and Human Services HCVP Administrative Plan, inclusive of the revised HAP Disbursements section, as outlined.

38. COURT ORDER:

Approving the request of Dallas County Health and Human Services (DCHHS) for the purchase of a MapVision system from Leading Edge Associates, LLC., authorizing the exemption from competitive procurement, authorizing funds in the amount of \$120,182.00 from the Cities Readiness Initiative grant for the system, and authorizing DCHHS to sign the service agreement, as outlined.

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39. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-006A, Laboratory Response Network-PHEP, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

40. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-002A, Hansen's Health & Human Services Department, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

41. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-005B, HIV Prevention Plan, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

42. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-017A, HIV Surveillance-Federal Core with Incidence Specimen Processing, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

43. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-010A, HIV Surveillance-Perinatal, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

44. COURT ORDER:

Approving the Department of State Health Services Contract #2012-040264-001B, PPCS-Risk Based, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

45. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-015A, STD-HIV, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

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46. COURT ORDER:

Approving the Department of State Health Services Contract #2013-041066-016A, Refugee, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

47. COURT ORDER:

Authorizing the disposal of property and the deletion of such equipment from the property records of Dallas County Health and Human Services, as outlined.

48. COURT ORDER:

(ITEM 1 ON MISCELLANEOUS AGENDA)

Authorizing the County Judge to sign the Texas Certificate of Title and the Application for Texas Certificate of Title to transfer the vehicle from the transportation provider to Dallas County.

49. COURT ORDER:

Approving the Interlocal Agreement between Dallas County and the City of Irving for Forensic Laboratory Services, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

50. COURT ORDER:

(ITEM 12 ON BRIEFING AGENDA)

Authorizing the final extension of Bid No. 2010-032-4935 Annual Contract for the Purchase of Commercially Prepared Media and Reagents, as awarded to Fisher Scientific, Inc., for the period April 1, 2013 through March 31, 2014, and authorizing all County documents/payments to reflect accordingly.

51. COURT ORDER:

Authorizing the County Judge to execute the outlined Novation Agreement with TBEY & Associates HR Consulting & Staffing, Inc. and Chartwell Staffing Services, Inc., dba Chartwell Staffing Solutions, for the liability of RFP No. 2010-071-5139 Request for Proposals for Temporary Personnel Services, effective March 11, 2013, and authorizing all County documents/payments to reflect accordingly.

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52. COURT ORDER:

(ITEM 12 ON BRIEFING AGENDA)

Authorizing the final extension of Bid No. 2012-007-5781 Annual Contract for Printing Voter Registration Cards, as awarded to National Data Services, Inc., for the period January 1, 2013 through December 31, 2013, and authorizing all County documents/payments to reflect accordingly.

53. COURT ORDER:

(ITEM 12 ON BRIEFING AGENDA)

Authorizing the first twelve (12) month extension of Bid No. 2012-037-5813 Annual Contract for Compact Fluorescent and Linear Fluorescent Lamps with Mustang Lighting, TKC Enterprises, Trinity Electric, and Voss Lighting, for the period March 6, 2013 through March 5, 2014, in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

54. COURT ORDER:

(ITEM 6B ON BRIEFING AGENDA)

Authorizing the award of Bid No. 2013-022-6251 Contract for the Purchase of a New and/or Used Mobile Command Center Vehicle to LDV, Inc., in the amount of \$198,000, and Commissioners Court waives the technicalities associated with the submitted proposal for non-compliant specifications.

55. COURT ORDER:

Approving Dallas County's participation in the procurement process of a new shared digital radio infrastructure with the City of Dallas; funding the County's portion of RFP development cost in the amount of \$205,833 with funds budgeted in the Major Technology Fund; approving an interlocal agreement between Dallas County and the City of Dallas, and authorizing the County Judge to sign the agreement document.

56. COURT ORDER:

Approving Dallas County's participation in the grant program administered by the Railroad Commission of Texas, and authorizing the County Judge to sign the interlocal agreement.

57. COURT ORDER:

Ratifying the execution of the lease extension for the period March 1, 2013 through May 31, 2013 with River, Ltd., a Texas Limited partnership.

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58. COURT ORDER:

Accepting the offer from Jose F. Mendez of \$1,500 to purchase the tax foreclosure property at 1415 La Fonda Circle, Seagoville, Texas, DCAD Account No. 50009500040120000, authorizing the County Judge to execute the outlined Quitclaim Deed, subject to post judgment tax years, the pro rata property taxes for the remaining part of the current year and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

59. COURT ORDER:

Accepting the offer from Humberto Gamino of \$2,500 to purchase the tax foreclosure property at 430 Ayres, Hutchins, Texas, DCAD Account No. 30001500000020000, authorizing the County Judge to execute the outlined Quitclaim Deed, subject to the previous owners remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, including the pro rata property taxes for the remaining part of the then current calendar year, assessed from the date of execution of the Quitclaim Deed, and authorizing the Tax Assessor Collector to disburse the proceeds from the sale in accordance with the Property Tax Code.

60. COURT ORDER:

Approving the Master Interlocal Agreement between Dallas County and the City of Richardson, effective upon date of execution by both parties through December 31, 2017, for the maintenance and improvement of various "Type E" and "Type B" Roadways, and other roadway projects that do not fall squarely in the purview of "Type E" or "Type B" Roadway projects, and authorizing the County Judge to sign and execute said document.

61. COURT ORDER:

Approving the Project Specific Agreement between Dallas County and the City of Richardson for the purpose of transportation-related maintenance, repairs and improvements to be undertaken in certain designated blocks of enumerated public roadway as more fully set forth and outlined in Attachments "A" and "B", and authorizing the County Judge to sign and execute said document.

62. COURT ORDER:

Authorizing the County Judge to execute the outlined utility relocation contract with the City of Garland, for costs to relocate the transmission facilities to facilitate construction of the Miller Road MCIP 27501 improvements in the amount of \$148,543.00, to be paid from Fund 196-0-132-27501-0-0, Regional Toll Revenue (RTR) funding.

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63. COURT ORDER:

Authorizing the County Judge to approve the continued participation with the North Central Texas Council of Governments (NCTCOG) in the Trinity River Corridor and Upper Trinity River Feasibility Study Programs, and that funding in the amount of \$5,000.00 be made available from the Dues and Subscriptions Fund 196.2010.280.

64. COURT ORDER:

Authorizing the County Judge to execute the outlined Project Specific Agreement to the Master Agreement for the IH 30 Bicycle and Pedestrian Bridge Connections between Riverfront Boulevard and Beckley Avenue MCIP Project 40215 with the City of Dallas, with County funding in the amount not to exceed Two Million Dollars (\$2,000,000.00), reduced by an estimated \$20,000.00 in IHPD costs, to be paid from MCIP Fund 196, Project 8201.

65. COURT ORDER:

Authorizing the County Judge to execute the outlined Work Order Number One to the existing contract between Dallas County and Alpha Testing, Inc., for laboratory testing services, in an amount not to exceed \$50,000.00, to be paid from Fund 196, Project 8201.

66. COURT ORDER:

Authorizing final payment in the amount of \$27,657.58 be paid to Saber Development Corporation for installation of the CDBG FY 2011 Glenn Heights Morgan Heights Water Main Improvements, Phase II, Project from Oracle No. 09505, Years 2006, 2010, 2011, 2012 and 2013, in the amounts of \$270.00, \$7,663.70, \$9,422.00, \$132.39 and \$10,169.49, respectively, totaling \$27,657.58, and the project be accepted as complete.

67. CALLED BRIEFING SESSION:

See Briefing Agenda.

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68. 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, Update and CEO Search
 - Pending or Contemplated Litigation and Attorney-Client Information:
 - Dallas County, Texas vs. Isidro Maldonado;
Cause No. CC-12-06854-B
 - 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
 - Security:
 - Deliberation Regarding Security

69. RECESS:

70. RECONVENE IF REQUIRED:

71. ADJOURN:



John F. Warren, County Clerk