

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, March 26, 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 Robert Taylor
Waterview Church of Christ
Richardson, 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. James Madison High School Boys Basketball State Champions
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 MARCH 19-26, 2013.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED APRIL 1, 2013:

Bid No. 2013-030-6282 Contract for the Purchase of 2013 Passenger Vehicles and Trucks.

- 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 March 26, 2013.

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

- Minister's Letter of Appreciation
- Letter in Support of HB 3238

- G. TRANSFER OF FUNDS.

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8. CONSENT AGENDA: (Cont'd.)

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

I. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. AWARD BIDS/RFP'S:

Bid No. 2013-023-6254 Annual Contract for Food Service Utensils and Related Supplies awarded to: PASCO Brokerage, Inc., Culinary Depot, Basham Foods, Calico Industries, Inc., A-Tex Restaurant Supply and Cook's Direct. Note: Items 3, 7 and 13 resulted in tie bids which will be decided in Commissioners Court by envelope pull. (Contract data provided February 12, 2013)

10. COURT ORDER:

Authorizing the County Treasurer to transfer funds and/or issue described Dallas County checks or authorized Payroll Direct Deposits for the period of April 1, 2013 through April 30, 2013.

11. COURT ORDER:

Approving an Attorney Fee Agreement between Dallas County and the Law Firm of Carrington Coleman ("The Firm"), effective March 26, 2013, on a total flat fee basis of \$7,500.

12. COURT ORDER:

Authorizing the Civil Division of the Dallas County Criminal District Attorney's Office to retain Larry Click of Click Appraisal Services as an expert witness in Cause No. cc-12-06824-B, styled *Dallas County, Texas vs. Isidro Maldonado*, at the rate of \$75.00 per hour.

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13. COURT ORDER:

Granting Christina Hamb's request for a reduction in the County's health care subrogation lien, and Dallas County will accept the total of \$106,667.00 in satisfaction of the health care subrogation lien arising from an auto accident on July 23, 2011.

14. COURT ORDER:

Appointing Darryl Martin to serve as Dallas County's representative on the Urban Counties Juvenile Case Management System (JCMS) Oversight Board.

15. COURT ORDER:

Approving the outlined Amendment and Extension #1 to the Agreement between Dallas County and Lammert Inc. dba Historical Publishing Network for the production of a Dallas County Cityscape book, and authorizing the County Judge to execute the agreement on behalf of Dallas County.

16. COURT ORDER:

Authorizing the addition of one (1) Lead Plumber Grade AM to the Facilities Management staff, and further directing Human Resources/Civil Service to review the position for proper classification.

17. COURT ORDER:

Approving the recommended allocation of the County's FY2012 Emergency Solutions Grant (ESG) funds, authorizing the submission of the associated documents to HUD, and authorizing the County Judge to sign any related documents.

18. COURT ORDER:

Approving the Personal Services Contract with Lilax Technologies for the services of Aaron S. Holland, and authorizing the County Judge to sign the contract on behalf of Dallas County.

19. COURT ORDER:

Approving the Personal Services Contract with Austin Ribbon & Computer (ARC) for the services of Jason Davis, and authorizing the County Judge to sign the contract on behalf of Dallas County.

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20. COURT ORDER:

(ITEM 5B ON BRIEFING AGENDA)

Approving the Personal Services Contract with Austin Ribbon & Computer (ARC) for the services of Sujana Kokkanti, and authorizing the County Judge to sign the contract on behalf of Dallas County.

21. COURT ORDER:

Approving the Personal Services Contract with Austin Ribbon & Computer (ARC) for the services of James Westfall, and authorizing the County Judge to sign the contract on behalf of Dallas County.

22. COURT ORDER:

Approving Amendment No. 2 with Austin Ribbon & Computer (ARC) for the services of Rebecca Nicole Clark, and authorizing the County Judge to sign Amendment No. 2 on behalf of Dallas County.

23. COURT ORDER:

Approving the extension of the Personal Services Contract with Austin Ribbon & Computer (ARC) for the services of John Desanges, and authorizing the County Judge to sign Amendment No. 2 on behalf of Dallas County.

24. COURT ORDER:

Authorizing the County Judge to sign the Professional Services Agreement between Dallas County and Austin Ribbon and Computer (ARC), and approving the expenditure of \$48,600.00 to provide hardware installation services to replace aging hardware and support the Oracle 12 upgrade; funding is available from the Major Technology Budget for Professional Services (195.1090.5590).

25. COURT ORDER:

Authorizing the County Judge to sign the request letter to the General Services Administration, and approving the expenditure of \$125 to obtain a “.gov” domain name for Dallas County.

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26. COURT ORDER:

Approving Amendment No. 10 and Amendment No. 7 agreements between PacifiCare Texas Inc. and Dallas County, and authorizing the County Judge to sign the documents on behalf of Dallas County.

27. COURT ORDER:

Approving the Human Resources/Civil Service Department's request to enter into Agreements with Monster Worldwide and JobServe to advertise professional positions in Dallas County (primarily IT), and authorizing the County Judge to sign the outlined Agreements.

28. COURT ORDER:

Approving United Healthcare Administrative Services Agreement, and authorizing the County Judge and District Attorney (Representative) to sign the contract on behalf of Dallas County.

29. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending March 26, 2013, in amounts over \$5,000 for erroneous or excessive tax payments.

30. COURT ORDER:

Approving the Amendment to the Department of State Health Services (DSHS) Contract #2013-041066-008B, CPS-Cities Readiness Initiative, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

31. COURT ORDER:

Approving the Media Ad Campaign under which Dallas County Health and Human Services (DCHHS) will enter into agreement negotiations with specific radio stations for the production and airing of radio announcements for volunteer recruitment into the Medical Reserve Corps (MRC), authorizing the discretionary exemption for this service from competitive bidding in accordance with Texas Local Government Code Chapter 262.024(a)(2), and authorizing funding of \$230,732 from the Cities Readiness Initiative (CRI) grant (08725) and \$150,000 from the Public Health Preparedness (PHEP) grant (08723).

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32. COURT ORDER:

Approving the request of the Youth Services Advisory Board and the Dallas County Juvenile Department to expend juror funds for the FY2013 initiatives, as outlined.

33. COURT ORDER:

Approving ratification of the E.S.T.E.E.M. Court grant application submitted to the Office of the Governor, Criminal Justice Division (CJD) prior to the February 28, 2013 due date; ratifying the authorization of the Dallas County Judge as Authorized Official to sign the E.S.T.E.E.M. Court Grant Application Certification Form on behalf of Dallas County; approving the Dallas County Judge as Authorized Official, Dallas County Auditor as Financial Officer, and Director of Juvenile Services as Project Director to sign the Grantee Acceptance Notices if funding is awarded.

34. 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.

35. COURT ORDER:

(ITEM 6 ON BRIEFING AGENDA)

Authorizing the second extension of Bid No. 2011-054-5502, Annual Contract for Delivery and Courier Services, as awarded to Guaranteed Express, Inc. for the period of June 1, 2013 through May 30, 2014, and authorizing all County documents/payments to reflect accordingly.

36. COURT ORDER:

(ITEM 5 ON MISCELLANEOUS AGENDA)

Authorizing waiver of the requirement for Owner's Protective Liability coverage associated with SOQ No. 2012-034-5882, SOQ for a Construction Manager at Risk for Dallas County Jail Medical Modification Project, as awarded to Azteca Russell Turner for the period November 12, 2012 through February 11, 2013, and authorizing all County documents/payments to reflect accordingly.

37. COURT ORDER:

(ITEM 6 ON BRIEFING AGENDA)

Authorizing the first extension option of Bid No. 2012-042-5918, Annual Contract for the Purchase of Automotive and Heavy Duty Equipment Batteries, as awarded to Continental Battery Company for the period of March 27, 2013 through March 26, 2014, and authorizing all County documents/payments to reflect accordingly.

38. COURT ORDER:

(ITEM 6 ON BRIEFING AGENDA)

Authorizing the sixty (60) day extension of Bid No. 2012-043-5919, Annual Contract for the Purchase of Tires, as awarded to Southern Tire Mart, Blagg Tire & Service, A to Z Tire & Battery and Complete Tire Inc. for the period of March 27, 2013 through May 26, 2013, and authorizing all County documents/payments to reflect accordingly.

39. COURT ORDER:

Authorizing the Purchasing Department to solicit Request for Proposals for Third Party Administration and Related Services for Dallas County Self-Insured Workers' Compensation Program, and authorizing the Purchasing Department to advertise solicitations in accordance with local procurement law Subchapter 262.030.

40. COURT ORDER:

Accepting the offer from James R. Pierce, Sr. of \$14,300 to purchase the tax foreclosure property at 147 Cochran St., Dallas County, Texas, DCAD Account No. 600085000B0130000; 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.

41. COURT ORDER:

Accepting the offer from TAXACTIONAL FUNDING LLC of \$47,710 to purchase the tax foreclosure property at 4812 Chickadee, Balch Springs, Dallas County, Texas, DCAD Account No. 12066500010300000; upon receipt of the balance of the purchase amount, authorizing the County Judge to execute the 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.

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42. COURT ORDER:

Accepting the dedication of the outlined Property from Jackson Myers Stewart, LLC for the Walnut Hill Lane MCIP Project 10209A_4 (Elm Fork Athletic Complex to Malibu Drive).

43. COURT ORDER:

Authorizing the second extension of SOQ 2010-064-5108 Indefinite Delivery Indefinite Quantity Laboratory Services, as awarded to Alpha Testing, Inc., Alliance Geotechnical Group, Rone Engineering, TEAM Consultants, Mas-Tek Engineering, PSI, Inc., and Globe Engineers for the period March 15, 2013 through March 14, 2014, and authorizing all County documents/payments to reflect accordingly.

44. COURT ORDER:

Authorizing the County Judge to execute Change Order No. 10 with Tiseo Paving, Inc., for the Pioneer Road MCIP Project 21902 for a total amount increase of \$350,443.60 to be paid from MCIP Fund 196, Project 8201 with \$175,221.80 to be reimbursed by the City of Balch Springs.

45. COURT ORDER:

Authorizing the County Judge to execute Work Order No. 4 with Lina T. Ramey & Associates, Inc., for Subsurface Utility Engineering in an amount not to exceed \$77,790.00 to be paid from Fund 196, Project 8201 for work in connection with Denton Drive MCIP 10217B.

46. 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 \$6,471,917.00, eighty percent (80%) of the total Project cost, \$4,131,400.00, will be federally funded; State participation is estimated to be \$1,355,724.00, and County participation is estimated to be \$984,793.00.

47. COURT ORDER:

Authorizing and approving the outlined Domingo and Maria Rojo Addition and Final Plat.

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48. CALLED BRIEFING SESSION:

See Briefing Agenda.

49. CALL EXECUTIVE SESSION:

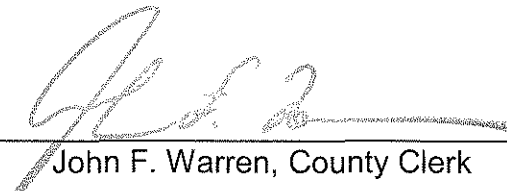
For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government 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
 - Designating Chairman and Vice Chairman of the County Historical Commission and Trail/Open Space Board
 - Texas Health & Safety Code:
 - CMS Survey and Update
 - Pending or Contemplated Litigation and Attorney-Client Information:
 - MERS' Litigation Update
 - Security:
 - Deliberation Regarding Security

50. RECESS:

51. RECONVENE IF REQUIRED:

52. ADJOURN:



John F. Warren, County Clerk