

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, May 14, 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 Joshua Price  
Celebration Worship Center  
Irving, 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 prohibe 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:

8. CONSENT AGENDA:

A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF MAY 7-14, 2013.

B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED MAY 20, 2013:

Bid No. 2013-038-6316      Annual Contract for Automobile Liability and Physical Damage Insurance Coverage for the Health and Human Services Department. (Contract data provided May 14, 2013)

C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated May 14, 2013.

E. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

F. TRANSFER OF FUNDS.

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

H. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

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9. COURT ORDER:

Approving a Legal Services Agreement between Dallas County and the law firm of Carrington Coleman (“The Firm”), effective May 14, 2013, for specified additional legal services in an amount not to exceed \$9,500; authorizing the County Judge to sign an agreement giving effect to this Order.

10. COURT ORDER:

Appointing/re-appointing Connie S. Wilson, Ph.D. to serve on the Dallas County Child Welfare Board for a two (2) year term, effective May 14, 2013 and expiring January 31, 2015.

11. COURT ORDER:

Approving acceptance of the OnTrac Permanent Housing Project between Dallas County and the U.S. Department of Housing and Urban Development (HUD); 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.

12. COURT ORDER:

Approving the interlocal agreement with the City of Dallas for the Honey Springs-Cedar Crest Trail, and authorizing the County Judge to sign the agreement.

13. COURT ORDER:

Correcting the effective date for the Ace Hardware tax abatement authorized under Court Order 2012-2058 to January 1, 2015 and that all other terms and conditions of this Court Order shall remain in effect.

14. COURT ORDER:

Supporting the creation of the proposed foreign trade zone for BMW of North America within the City of Lancaster.

15. COURT ORDER:

Approving the Personal Services Contract with Lilax, Inc. for the services of Anitha Atluri, and authorizing the County Judge to sign the Contract on behalf of Dallas County.

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16. COURT ORDER:

Approving the leave of absence requested by Ms. Angela Igrisan for Mr. Zolton Scales, Interviewer-Collector (grade 10) for the Domestic Relations Office, for up to 90 days from April 22, 2013 through July 21, 2013.

17. COURT ORDER:

Authorizing approval to use funds from FY2011 and FY2012 Grant funds for a new facility to procure much needed systems for Office of Homeland Security & Emergency Management, and authorizing the County Judge to sign all related documents.

18. COURT ORDER:

Approving the Texas Commission on Environmental Quality – Texas Pollutant Discharge Elimination System Pesticides General Permit, and authorizing the County Judge to sign the Permit on behalf of Dallas County.

19. COURT ORDER:

**(ITEM 2 ON MISCELLANEOUS AGENDA)**

Authorizing the ninth modification of Bid No. 2011-023-5334 Annual Contract for Janitorial Services for the North, West, and East Sections of Dallas County, as awarded to Global Building Maintenance, Inc., to include janitorial services (31,671 square feet) at the Grand Prairie Government Center, at the current bid rate of \$0.0365 sq. ft. (monthly rate of \$1,156.00) and a day porter at the current rate of \$10.75 per hour, effective May 1, 2013 and to reflect the termination of janitorial services at the Irving Tax Office, effective May 31, 2013 in accordance with Texas Local Government Code 262.031(a) "Changes in Plans and Specifications", and authorizing all County documents/payments to reflect accordingly.

20. COURT ORDER:

**(ITEM 2 ON MISCELLANEOUS AGENDA)**

Authorizing the first modification of Bid No. 2011-052-5496 Annual Contract for Pest Control Services, as awarded to Protex Service Inc. to reflect pest control services at the Grand Prairie Government Center, effective May 1, 2013 and termination of pest control services at the Irving Tax Office, Grand Prairie Sub-Courthouse and the Grand Prairie Tax Office, effective May 31, 2013, and authorizing all County documents/payments to reflect accordingly.

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21. COURT ORDER:

**(ITEM 6 ON BRIEFING AGENDA)**

Authorizing the temporary extension (May 12, 2013 through May 28, 2013) of Bid No. 2011-058-5514 Annual Contract for a Workers Compensation Insurance Policy for the Dallas County Sheriff's Courtesy Patrol, as awarded to Roach, Howard, Smith and Barton, and authorizing all County documents/payments to reflect accordingly.

22. COURT ORDER:

**(ITEM 6 ON BRIEFING AGENDA)**

Authorizing the third twelve (12) month extension of Bid No. 2011-070-5552 Annual Contract for EVA Sandals, with International Federated Sourcing, Inc., for the period June 24, 2013 through June 23, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

23. COURT ORDER:

**(ITEM 6 ON BRIEFING AGENDA)**

Authorizing the first extension option of Bid No. 2012-059-5994 Annual Contract for Dishwashing Chemicals and Services, as awarded to Ecolab, Inc. for the period May 29, 2013 through May 28, 2014, and authorizing all County documents/payments to reflect accordingly.

24. COURT ORDER:

**(ITEM 6 ON BRIEFING AGENDA)**

Authorizing the first twelve (12) month extension of Bid No. 2012-060-6009 Annual Contract for the Purchase of Automobile and General Liability Insurance for the Dallas County Sheriff's Courtesy Patrol, as awarded to Texas Association of Counties Risk Management Pool for the period May 12, 2013 through May 12, 2014, and authorizing all County documents/payments to reflect accordingly.

25. COURT ORDER:

**(ITEM 2 ON MISCELLANEOUS AGENDA)**

Authorizing the first modification of Bid No. 2012-080-6096 Annual Contract for Janitorial Services for the Southern and Southwest Quadrants of Dallas County, as awarded to Global Building Maintenance, Inc. to reflect the termination of janitorial services at the Grand Prairie Tax Office and the Grand Prairie Sub-Courthouse, effective May 31, 2013 and the addition of a day porter at the Investment Building at the current rate of \$10.75 per hour, effective May 1, 2013, and authorizing all County documents/payments to reflect accordingly.

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26. COURT ORDER:

Authorizing in accordance with Local Government Code Chapter 271 and/or Government Code Chapter 791, the execution of an agreement with The National Cooperative Purchasing Alliance (NCPA) for the purpose of utilizing and procuring goods and services from various competitively solicited contracts when deemed in the best interest of Dallas County, and authorizing the County Judge to execute the outlined agreement on behalf of Dallas County; purchases through the program shall be deemed to meet competitive procurement requirements.

27. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 10 to Moody-Nolan/VAI for an amount not to exceed \$6,800.00 to provide an electrical service easement review, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

28. COURT ORDER:

Accepting the offer from Kent Carter of \$12,000 to purchase the tax foreclosure property at 11018 Grady Lane, Balch Springs, Texas, DCAD Account No. 12027500070050000; upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed to Kent Carter, Inc., subject to post judgment tax years, the pro rata property taxes for the remaining part of the current year and to the previous owner's remaining right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

29. COURT ORDER:

Authorizing the County Judge to execute the outlined Novation Agreement with CDM Smith, Inc., taking over the responsibility previously awarded to Wilbur Smith & Associates, Inc.

30. COURT ORDER:

Authorizing the County Judge to execute the outlined Amendment No. 2 to the Consultant Engineering Services Contract with APM & Associates, Inc. for the F.P. Lucas Boulevard MCIP Project 21904 from McKenzie Drive to Cartwright Road in the amount of \$152,340.00 to be paid from MCIP Fund 196, Project 8201.

31. CALL BRIEFING SESSION:

See Briefing Agenda.

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32. CALL EXECUTIVE SESSION:

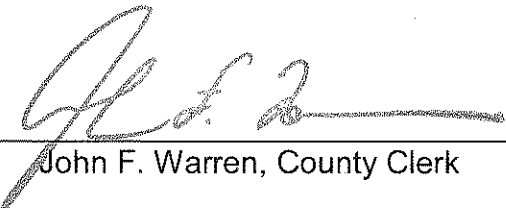
For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government 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
  - Personnel:
    - Policy Exception – Hiring of New Employee in Road & Bridge District 3
  - Texas Health & Safety Code:
    - CMS Survey, Update and Parkland Hospital Safety
  - Pending or Contemplated Litigation and Attorney-Client Information:
    - MERS' Litigation Update
    - Cash Construction Co., Inc., Claim
    - Christopher Moore vs. James Westbrook; 3:13-CV-1466-D
  - Legal Matters/Legal Advice, Consultation with Legal Counsel:
    - M/WBE Disparity Study
    - Contract: Sixth Floor Museum
    - Legal Advice Related to AG Opinion GA-1003
  - Security:
    - Deliberation Regarding Security

33. RECESS:

34. RECONVENE IF REQUIRED:

35. ADJOURN:



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John F. Warren, County Clerk