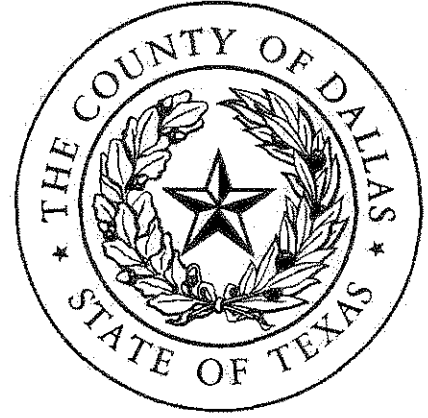


# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, May 28, 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:**

**Dr. Marco Rico  
Familia Bethel Internacional  
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 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)

Commissioners Court Agenda – Tuesday, May 28, 2013

7. RESOLUTIONS:

- A. Diana Grafton – 30 Years of Service  
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 MAY 21-28, 2013.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED MAY 30, 2013:

Bid No. 2013-039-6320      Annual Contract for All Risk Buildings and Contents  
Property Insurance Coverage for Dallas County.  
(Contract data provided April 30, 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 28, 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.

Commissioners Court Agenda – Tuesday, May 28, 2013

9. AWARD BIDS/RFP'S:

Bid No. 2013-038-6316 Annual Contract for Automobile Liability and Physical Damage Insurance Coverage for the Health and Human Services Department awarded to: Texas Political Subdivisions JSIF

10. COURT ORDER:

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

11. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of April, 2013.

12. COURT ORDER:

Appointing/re-appointing Debbie Branson to serve on the Dallas County Hospital District Board of Managers for a two (2) year term, effective May 28, 2013 and expiring January 31, 2015.

13. COURT ORDER:

Appointing/re-appointing Lourdes R. Spinola to serve on the Dallas County Public Health Advisory Committee for a two (2) year term, effective May 28, 2013 and expiring January 31, 2015.

14. COURT ORDER:

Appointing/re-appointing Joe L. Tave and Michael Del Toro to serve on the Citizen Election Advisory Committee for a two (2) year term, effective May 28, 2013 and expiring January 31, 2015.

15. COURT ORDER:

Authorizing the District Attorney's Office to amend the personal services contract with James Tate, increasing the maximum hours worked to 160 hours and the maximum not-to-exceed amount to \$48,000.

Commissioners Court Agenda – Tuesday, May 28, 2013

16. COURT ORDER:

Authorizing the proposed re-organization of the Sheriff's Data Management Unit that includes the deletion of two (2) Clerical Assistant, Grade 4 positions and one (1) Clerk I, Grade 5 position; the addition of one (1) Assistant Manager, Grade G position; the changes in title for each Assistant Manager position to Assistant Director – Intake and Document Imaging and Assistant Director – Release and Warrant Section; and the reclassification of the Data Manager, Grade I position to Director, Grade J, with the Human Resources/Civil Service Department reviewing the positions for proper classification.

17. COURT ORDER:

Authorizing the addition of the following five (5) positions to the Dallas County Health and Human Services (DCHHS) Tuberculosis Prevention/Elimination Division (Dept. 5211): three (3) full-time Disease Intervention Specialist I (Grade CC), one (1) Case Manager (Grade DD), and one (1) Outreach Worker (Grade 5), with the Human Resources/Civil Service Department reviewing the positions for proper classification.

18. COURT ORDER:

Approving Change Order #8 to the contract with GSRA + HWH for the construction of the Grand Prairie Subcourthouse, and authorizing the County Judge to sign said Change Order.

19. COURT ORDER:

Approving the adoption of two (2) employee medical plans – the Enhanced PPO and the Account Based Health Plan (ABHP) with a Health Savings Account (HSA) to replace the current EPO Medical Plan; designating United Healthcare (UHC) as the qualified trustee of the HSA funds with the applicable designated fees, and adding a Limited Purpose Flexible Spending Account (LP-FSA) for ABHP enrollees for medical and dental expenses, with specified limits; maintaining the current General Purpose Flexible Spending Account (FSA) for Enhanced PPO enrollees and Medical Plan Opt-outs, with specified limits; and implementation of an extensive educational program over the next six (6) months to educate County employees on the newly adopted employee medical plans and programs which are to be effective January 1, 2014.

20. COURT ORDER:

Approving the exceptions to the leave of absence policy requested by the Honorable Gary Fitzsimmons, District Clerk, for both Ms. Karen Coston and Ms. Shontoni Turner, for up to 90 days (April 29, 2013 through July 28, 2013) or return to work, whichever comes first.

Commissioners Court Agenda – Tuesday, May 28, 2013

21. COURT ORDER:

Approving an increase to the County Clerk Central Recording change fund from \$150 to \$300.

22. COURT ORDER:

Amending Court Order No. 2012-1741 (10/16/12) to reflect a change in funding source from the District Clerk's Court Technology Fund to the District Clerk's Court Records Technology Fund.

23. COURT ORDER:

Approving the award of FY 2013 Ryan White Part A Formula contract funds in the amount of \$1,522,050 to service providers, as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the specific service providers on behalf of Dallas County.

24. COURT ORDER:

Approving the Renewal Agreement for Mosquito Testing with the City of Cedar Hill, and authorizing the County Judge to sign the Agreement and all related documents on behalf of Dallas County.

25. COURT ORDER:

Approving the Memorandum of Understanding between Dallas County Health and Human Services Public Health Preparedness Division and the University of North Texas System, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

26. COURT ORDER:

Approving the Memorandum of Understanding between Dallas County Health and Human Services Public Health Preparedness Division and the Performing Arts Foundation – AT&T Performing Arts Center, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, May 28, 2013

27. COURT ORDER:

Authorizing a month to month extension of RFP No. 2008-092-3640 Request for Proposals for Third Party Claims Administration Services for Dallas County Self Insurance Workers Compensation Program, with CCS Consulting, LP, and authorizing all County documents/payments to reflect accordingly.

28. COURT ORDER:

**(ITEM 8 ON BRIEFING AGENDA)**

Authorizing the first twelve (12) month extension of 2012-052-5972 Annual Contract for Personal Hygiene Products, with ACME Supply Co., Amercare Products, American Amenities and ICS Jail Supplies, Inc. for the period June 18, 2013 through June 17, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

29. COURT ORDER:

**(ITEM 8 ON BRIEFING AGENDA)**

Authorizing the first twelve (12) month extension of Bid No. 2012-075-6060 Annual Contract for Keys and Locks, with KJR Security dba Complete Security Service for the period July 21, 2013 through July 20, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

30. COURT ORDER:

Authorizing the approval of the outlined contract with The Dallas Morning News for print subscription services, recruitment and legal advertising in accordance with Local Government Code 262.024(a)(7)(A) for the period February 15, 2013 through February 28, 2014, and authorizing the County Judge to sign all related documents.

31. COURT ORDER:

Authorizing the outlined list to be representative of the livestock to be sold in the online auction scheduled, and authorizing all County departments/inventories to reflect accordingly.

32. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 11 to Moody-Nolan/VAI for an amount not to exceed \$56,400.00, to provide architectural/engineering professional services for the renovation and finish out of District Clerk office space, 2nd Floor, Frank Crowley Courts Building, and authorizing the County Judge to execute the Work Order documents on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, May 28, 2013

33. COURT ORDER:

Authorizing Architectural/Engineering Consultant Services Indefinite Quantity Contract Work Order No. 12 to Moody-Nolan/VAI for an amount not to exceed \$8,800.00, to provide an assessment report on accessibility program requirements for continued compliance, and authorizing the County Judge to execute the Work Order documents on behalf of Dallas County.

34. COURT ORDER:

Accepting the outlined DeSoto City Council Resolution No. 13-06 dated May 7, 2013, authorizing the County of Dallas, to act as Trustee to offer for sale by public or private sale the properties outlined, acquired by tax foreclosure, jointly vested in the name of the City of DeSoto, Dallas County, and the DeSoto and/or Dallas Independent School Districts, as authorized by Section 34.05 of the Property Tax Code, and the subsequent Court Order approving the City's resolution supersedes Court Order 2011-1768 dated October 11, 2011.

35. COURT ORDER:

Approving the Master Interlocal Agreement between Dallas County and the City of Seagoville, Texas, Pertaining to Transportation Related Maintenance On or About Certain Designated Roadways Situated Within the Territorial Limits of the City of Seagoville, effective immediately upon date of execution by both parties, and ending December 31, 2017, and authorizing the County Judge to sign and execute said document.

36. COURT ORDER:

Authorizing the County Judge to execute the outlined Work Order No. 2 to the contract for engineering services between Dallas County and Kimley-Horn and Associates, Inc., for the Rock Island Road Bridge Interim Erosion Control and Bridge Bent Reinforcement Improvements in an amount not to exceed \$114,300.00 to be paid from Road & Bridge Fund 105, Dept. 2550, Acct. 8312.

37. COURT ORDER:

Authorizing and directing the Dallas County Purchasing Agent to advertise for bids for the construction of the 4,900 linear feet of a 10-12 foot wide trail and a pedestrian bridge over Farmers Branch Creek tributary in the City of Farmers Branch and in Road and Bridge District No. 2, with said bids to be returned to the Purchasing Department on or before 2:00 P.M., Thursday, June 20, 2013.



38. COURT ORDER:

**(ITEM 6A ON BRIEFING AGENDA)**

Authorizing the preparation and submittal of the Transportation Investment Generating Economic Recovery (TIGER) funding applications by providing necessary signatures to facilitate TIGER grant funding applications for improvements to IH 35E Frontage Roads and Bachman Station/NW Dallas Multimodal Connectivity improvements.

39. CALLED BRIEFING SESSION:

See Briefing Agenda.

40. 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 – Leave of Absence (LOA) – Operations  
Megan Nance – Assistant Chief of Security, Job Grade A
  - Texas Health & Safety Code:
    - CMS Survey, Update and Parkland Hospital Safety
  - Pending or Contemplated Litigation and Attorney-Client Information:
    - MERS' Litigation Update
    - Christopher Moore vs. James Westbrook; 3:13-CV-1466-D  
(Suit Discussion)
    - Cash Construction Co., Inc., Claim
    - WWM Partnership Trust, et al. vs. Ed Lopez, et al.; DC-13-04293  
(Suit Discussion)
  - Legal Matters/Legal Advice, Consultation with Legal Counsel:
    - M/WBE Disparity Study
    - Contract: Sixth Floor Museum
    - Legal Advice Related to Medical Examiner's Ethical Complaint  
Against Former Employee
    - Contract: Jail Medical Modification Project
  - Security:
    - Deliberation Regarding Security

Commissioners Court Agenda – Tuesday, May 28, 2013

41. RECESS:

42. RECONVENE IF REQUIRED:

43. ADJOURN:



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John F. Warren, County Clerk