

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, September 24, 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:**

**Father Christopher Constantinides  
Holy Trinity Greek Orthodox Church  
Dallas, Texas**

- 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.

- 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 haya 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.

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7. RESOLUTIONS:

- A. 57th Annual Greek Food Festival  
Presented by Commissioner Mike Cantrell

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF SEPTEMBER 17-24, 2013.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED SEPTEMBER 26, 2013:

Bid No. 2013-064-6382 Contract for the Removal, Replacement and Installation of New Concrete Parking Lot, Stem Walls, Sidewalks, Walkways, Curbs, Gutters and Related Repair Services.

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

- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated September 24, 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.

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8. CONSENT AGENDA: (Cont'd.)

H. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. COURT ORDER:

Authorizing the County Treasurer to transfer funds and/or issue described Dallas County checks and authorized Payroll Direct Deposits for the period of October 1, 2013 through October 31, 2013.

10. COURT ORDER:

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

11. COURT ORDER:

Approving the outlined legal services contract between Dallas County and the law firm of Brazil & Dunn, LLP, in Cause No. 2:13-cv-0019, styled *Veasey, et al. v. Perry, et al.*, pending in the United States District Court for the Southern District of Texas, Corpus Christi Division, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

12. COURT ORDER:

Authorizing the County Judge to sign, accept, and execute the written partial agreement negotiated and recommended by legal counsel for Dallas County in Cause No. 3:11-CV-02733-O, styled *Dallas County, Texas, et al. v. MERSCORP, INC., et al.*

13. COURT ORDER:

Authorizing payment in the sum of \$1,650 to Marc Richman, Attorney at Law, for legal services rendered in connection with *Dallas County v. Cedar Springs Investments, LLC, et al.*, Cause No. 09-16415-F and Appellate Cause No. 05-10-0043-CV.

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14. COURT ORDER:

Approving the outlined contract between Dallas County and Dallas CASA, Inc. for volunteer advocate and guardian ad litem services in the Dallas County Juvenile District Courts, and authorizing the County Judge to sign the contract on behalf of Dallas County.

15. COURT ORDER:

Approving the outlined contract between Dallas County and Dallas Challenge, Inc. for truancy intervention services, and authorizing the County Judge to sign the contract on behalf of Dallas County.

16. COURT ORDER:

Approving acceptance of the grant award for the Public Defender's Immigration/Crime Law Program; designating the County Judge as the grantee's authorized official and the County Auditor as the Financial Officer; the authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

17. COURT ORDER:

Approving the sanitary sewer easement for the installation of a sewer line across Dallas County's 125-acre Tenmile Creek Preserve and the compensation for the easement, the associated appraisal, and the small-caliber trees that have had to be removed, and authorizing the County Judge to sign the outlined easement documents.

18. COURT ORDER:

Setting fees to be charged for certain services performed by the Offices of Sheriff and Constables, effective January 1, 2014; directing the District and County Clerks, Justice Courts, Sheriff and Constables to ensure their fee schedules and deposit requirements incorporate said fees prescribed by Commissioners Court, and the County Clerk to submit written notice of the fees to the State Comptroller no later than October 15, 2013.

19. COURT ORDER:

**(ITEM 6 ON BRIEFING AGENDA)**

Approving and adopting the outlined voting precinct changes within Dallas County, and that the changes to Dallas County's voting precincts become effective on September 24, 2013 in accordance with Document 886 and Plan H358.

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20. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending September 24, 2013, in amounts over \$5,000.00 for erroneous or excessive tax payments.

21. COURT ORDER:

Approving Amendment Number 1 to the 2013 Comprehensive Energy Assistance Program (CEAP) Supplemental Contract No. 58120001691, as outlined, and authorizing the County Judge to electronically sign the Contract on behalf of Dallas County.

22. COURT ORDER:

**(ITEM 2A ON BRIEFING AGENDA)**

Approving the FY 2014 Department of State Health Services (DSHS) – HIV Services (State Services) Contract No. 2014-001459, in the amount of \$5,018,439, and authorizing the County Judge to sign the contract with DSHS and any related documents on behalf of Dallas County.

23. COURT ORDER:

Approving payment of all operating expenses of the Senior Center Operations, Congregate Meals and Transportation programs beginning October 1, 2013 until final contracts are received from the Dallas Area Agency on Aging.

24. COURT ORDER:

**(ITEM 2B ON BRIEFING AGENDA)**

Approving the Department of State Health Services Contract Numbers: 2014-001458-00 (TB/State-African American Project), 2014-001035-00 (Refugee), 2014-001393-00 (HIV/Surveillance-Federal Core with Incidence Specimen Processing), 2014-001161-00 (HIV Prevention Plan), 2014-000028-00 (Hansen's), 2014-001333-00 (STD/HIV), 2014-001403-00 (TB/PC-Federal), 2014-001068-00 (Immunization Branch Locals), 2014-000029-00 (RLSS/Local Public Health System-PnP), 2014-001065-00 (CPS/Laboratory Response Network-PHEP), 2014-001110-00 (CPS/Hazards Public Health Emergency Preparedness), 2014-001112-00 (CPS-Cities Readiness Initiative), 2014-001331-00 (HIV/Surveillance-Perinatal), 2014-001064-00 (CPS/LRN-HPP), 2014-001095-00 (Infectious Disease Control Unit/FLU-LAB) and 2014-001352-00 (HIV/Substance Abuse and Mental Health Prevention Services), and authorizing the County Judge to sign the contracts and all related documents on behalf of Dallas County.

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25. COURT ORDER:

Approving the Agreement with Dallas Metrocare Services and Dallas County Health and Human Services for the provision of TB screening for the employees of Dallas Metrocare Services, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

26. COURT ORDER:

Approving the outlined interlocal agreement between Dallas County and the University of Texas Southwestern Medical Center for transport of decedent services, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

27. COURT ORDER:

Approving the renewal of the interlocal agreement between Dallas County and the University of Texas Southwestern Medical Center at Dallas for disposition of indigent and unclaimed decedents, and authorizing the County Judge to execute necessary contract documents on behalf of Dallas County.

28. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to renew non-residential services contracts for the provision of community based services during FY2014 at rates not to exceed those as outlined.

29. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to renew the residential services contract with the listed service providers for FY2014.

30. COURT ORDER:

Authorizing the second twelve (12) month extension of SOQ No. 2012-064-6021 Statement of Qualifications for Architectural/Engineering Services, as awarded to Moody-Nolan/VAI for the period of October 2, 2013 through October 1, 2014 in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

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31. COURT ORDER:

Amending Court Order No. 2013-1496 (9/10/13) to reflect the correct funding designation for Phase IV Mobilization and Implementation as part of the master contract for energy performance services, and Schneider Electric Building Americas, Inc. to implement Phase IV projects as identified in an amount not to exceed \$2,584,164.00.

32. COURT ORDER:

Accepting the offer from Eric Bullard of \$6,001 to purchase the tax foreclosure property at 312 Combine Road, Seagoville, Texas, DCAD Account No. 65085014510170000, upon receipt of the balance of the purchase price, authorizing the County Judge to execute the quitclaim deed, subject to the prior owners' remaining right of redemption, if any, post judgment taxes and the pro rata property taxes for the remaining part of the current calendar year, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

33. COURT ORDER:

Approving the Road and Bridge Project Specific Agreement between Dallas County and the City of Carrollton for the purpose of transportation-related maintenance, repairs and improvements to be undertaken on Old Denton Road, northbound, between the Furneaux Creek bridge and Nottingham Drive, City of Carrollton, Texas, and authorizing the County Judge to sign and execute said document.

34. COURT ORDER:

Approving the Master Interlocal Agreement between Dallas County and the City of Hutchins, Texas, Pertaining to Transportation Related Maintenance On or About Certain Designated Roadways Situated Within the Territorial Limits of the City of Hutchins, 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.

35. 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 (outlined as 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.



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36. 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 (outlined as 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.

37. COURT ORDER:

Authorizing the County Judge to execute the outlined Personal Service Agreement with James Walsh, retroactive to September 17, 2013.

38. COURT ORDER:

Authorizing the County Judge to execute the outlined Local Project Advance Funding Agreement for the construction of grade separation of Belt Line Road and frontage roads on IH 35E at Belt Line Road/Jackson Road, MCIP Project 10403.

39. COURT ORDER:

**(ITEM 8 ON BRIEFING AGENDA)**

Authorizing a mandatory pre-bid conference for the Walnut Hill Lane MCIP 10209A project (Bid No. 2014-003-6384), and authorizing the Purchasing Department to reject any bids received from vendors who fail to attend the mandatory pre-bid conference.

40. CALLED BRIEFING SESSION:

See Briefing Agenda.

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41. CALL EXECUTIVE SESSION:

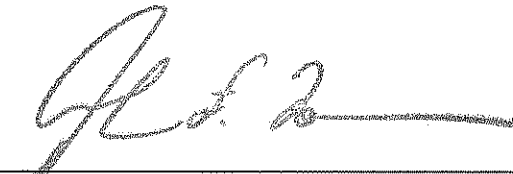
For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government 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 Parkland Hospital Safety
  - Pending or Contemplated Litigation and Attorney-Client Information:
    - Cathy Bailey vs. Dallas County, et al.; 3:09-CV-0865-K
  - Legal Matters/Legal Advice, Consultation with Legal Counsel:
    - Net Data/JCMS Contract
    - Consultation regarding redistricting of county election precincts required by document 886 filed in Case No. 5:11-CV-00360-OLG-JES-XR in the U.S. District Court, Western District of Texas, San Antonio Division
  - Security:
    - Deliberation Regarding Security

42. RECESS:

43. RECONVENE IF REQUIRED:

44. ADJOURN:



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John F. Warren, County Clerk