

2004 1297  
AUG - 3 2004

# **A** G E N D A

**Commissioners Court**

**Dallas County, Texas**

**Tuesday, August 3, 2004**

**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 Adjourn Court For The July Term:**
- 5. Motion To Open Court For The August Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Rev. Michael E. Bell, Sr.  
Saint Paul AME Church  
Dallas, Texas**

**GOVERNMENT  
EXHIBIT NO.  
217**

**3:14-CR-293-M**

SBP-1A-162-0099-01-22648

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8. RESOLUTIONS:

9. CONSENT AGENDA:

A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JULY 27 - AUGUST 3, 2004:

B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED AUGUST 9, 2004:

- RFI No. 2004-120-1546 Request for Information for Countywide Receiving System.
- Bid No. 2004-121-1547 Annual Contract for Purchase of Uniform Patches and Emblems [Sheriff's Department]. (CONTRACT DATA PROVIDED AUGUST 3, 2004)
- Bid No. 2004-122-1548 Annual Contract for Termite Treatments (Various Dallas County Locations) [Facilities]. (CONTRACT DATA PROVIDED AUGUST 3, 2004)
- Bid No. 2004-123-1549 Annual Contract for Purchase of Court File Folders [County Clerk]. (CONTRACT DATA PROVIDED AUGUST 3, 2004)

C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS:

D. RIGHTS OF WAY:

Summary Agreements and Contracts.

E. COURT AGENDA:

To approve filing of Commissioners Court Agenda, dated August 3, 2004.

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9. CONSENT AGENDA: (Cont'd.)

F. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

\*Minister's Letter of Appreciation

G. TRANSFER OF FUNDS:

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

I. TRAVEL REQUESTS:

J. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

10. COURT ORDER:

To approve order authorizing Burdin Mediations to be paid \$350.00 by the County of Dallas for mediation fee in the lawsuit styled *Graciela Puentez v. Joe A. Williams and Dallas County*, Cause No. 03-01402-E.

11. COURT ORDER:

To approve order authorizing the firm of Locke Liddell & Sapp, LLP to provide additional professional services rendered pursuant to the attorney fee contract between the Firm and the County in connection with the case styled *Christopher Shawn Sempe and Carl Raymond Sempe, by and through their next of friend Cindy Lambert v. The County of Dallas*, Cause No. DV00-01494-A; Appeal Cause No. 05-03-01603-CV.

12. COURT ORDER:

To approve order denying the claim of Mark Elliott and his insurer against Dallas County, and authorizing the Dallas County Criminal District Attorney's Office to make demand on, and if the demand is not met, file suit for damages caused by Mark Elliott and/or any business entity operating on his behalf.

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13. COURT ORDER:

To approve order directing the Civil Division of the Dallas County Criminal District Attorney's Office to take any and all necessary action to remove the lawsuit styled *Brett Martin v. Dallas County, et al.*, Cause No. 02-10387-F, to the United States District Court for the Northern District of Texas.

14. COURT ORDER:

To approve order directing the Civil Division of the Dallas County Criminal District Attorney's Office to take any and all necessary action to remove the lawsuit styled *Kim Posey, individually and on behalf of the estate of Bryan Posey, deceased and Michael Posey, individually, v. SBC Communications and Dallas County, Texas*, Cause No. 03-66662-C, to the United States District Court for the Northern District of Texas.

15. COURT ORDER:

To approve order authorizing the County Judge to execute Amendment No. 1 to extend the completion date of the FY 2001 CHDO Agreement with the Central Dallas Community Development Corporation (CDCDC) to acquire a ten-unit rental property in East Dallas, rehabilitate it, and begin using four units as transitional housing from September 30, 2004 to May 1, 2005.

16. COURT ORDER:

To approve order filing a personal services contract, in an amount not to exceed \$50,000, with Jennifer Lewis Williams to perform contract attorney services for the Court of Appeals, Fifth District of Texas at Dallas, for the period from August 1, 2004 through July 31, 2005.

17. COURT ORDER:

To approve order authorizing the payment of \$106,256 from the Emergency Reserves to the Department of Justice (DOJ) to fully settle the FY 2001 and FY 2002 State Criminal Alien Assistance Program (SCAAP) awards overpayment to the County.

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18. COURT ORDER:

To approve order authorizing the Office of Budget and Evaluation and the Commissioners Court staff to supervise the clean-up of Justice of the Peace cases for the OmniBase Failure to Appear Program at an estimated cost for staffing and supplies of approximately \$8,200.

19. COURT ORDER:

To approve order approving the request of Justice of the Peace Cercone to double-fill a grade five (5) clerk position in JP Precinct 3-1 at an estimated cost of \$2,770 for 238 hours of benefit run-off.

20. COURT ORDER:

To approve order approving the addition of eleven (11) Detention Service Officers in the North Tower Jail to bring the jail into compliance with the Texas Commission on Jail Standards staffing ratio, and requesting the Human Resources/Civil Service Department to review and classify the positions.

21. COURT ORDER:

To approve order approving the continuance of four (4) positions (Attorney IV, Attorney II, Investigator I, and Bailiff) for the misdemeanor family violence courts and the deletion of two (2) positions (Bailiff and Court Assistant) with funding of \$13,614 available from FY 2004 Emergency Reserves; and approving the deletion of an Attorney IV position managing welfare fraud cases to fund the continuance of the supervisory position in the misdemeanor family violence courts.

22. COURT ORDER:

To approve order approving certain staffing changes in the County Clerk's Office by deleting the Information Systems Coordinator position (#8016) and revising the job duties of the Recording Manager position, to be reviewed by Human Resources/Civil Service for appropriate classification, at an annual projected savings of \$55,500.

23. COURT ORDER:

To approve order approving the temporary exception to the Residence Policy for the Juvenile Department Deputy Director of Probation Services for a period not to exceed nine (9) months from the date of hire.

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24. COURT ORDER:

To approve order approving acceptance of the North Texas Auto Theft Task Force grant award in the amount of \$728,078 from the Automobile Theft Prevention Authority (ATPA), and authorizing the County Judge to sign all related documents.

25. COURT ORDER:

To approve order approving the expenditure of \$61,504.06 from the Major Technology Fund to purchase computer network hardware to be used to support the expansion of the George Allen Courts Building.

26. COURT ORDER:

To approve order authorizing the County Judge to sign the Novation Agreement between Dallas County and SchlumbergerSema, Inc., Atos Origin IT Services, Inc., and Atos Origin, Inc.

27. COURT ORDER:

To approve order approving the addition of Professional Service Agreement No. 18 for Web Services Operational Support and Professional Service Agreement No. 19 for Dedicated Desktop Support of the Charter School IT environment to the Master Information Technology Service Agreement between Atos Origin IT Services, Inc. and Dallas County.

28. COURT ORDER:

To approve order authorizing early voting election judges to be paid an hourly rate of \$9.91 for the City of Carrollton Special Local Option Liquor Election to be held on September 11, 2004.

29. COURT ORDER:

To approve order authorizing early voting election judges to be paid an hourly rate of \$9.91 for the City of Grand Prairie Special Local Option Liquor Election to be held on September 11, 2004.

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30. COURT ORDER:

To approve order authorizing early voting election judges to be paid an hourly rate of \$9.91 for the City of Irving Special Local Option Liquor Election to be held on September 11, 2004.

31. COURT ORDER:

To approve order authorizing early voting election judges to be paid an hourly rate of \$9.91 for the City of Mesquite Special Local Option Liquor Election to be held on September 11, 2004.

32. COURT ORDER:

To approve order authorizing early voting election judges to be paid an hourly rate of \$9.91 for the City of Richardson Special Local Option Liquor Election to be held on September 11, 2004.

33. COURT ORDER:

To approve order authorizing early voting election judges to be paid an hourly rate of \$9.91 for the Wilmer-Hutchins Independent School District (WHISD) Maintenance Tax Election and Special Schoolhouse Bond Election to be held on September 18, 2004.

34. COURT ORDER:

To approve order approving reduced-cost parking at the juror rate of \$3.00 per day at the George L. Allen, Sr. Courts Building Underground Parking Garage for Mary Elizabeth Powers, a graduate student who will be volunteering as an intern Family Court Counselor for Family Court Services for the period from July 6, 2004 through December 16, 2004.

35. COURT ORDER:

To approve order approving refunds to taxpayers, as listed, in amounts over \$2,500.00 for erroneous or excessive tax payments.

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36. COURT ORDER:

To approve order approving Attachment #13 (STD-HIV) to the contract with the Texas Department of Health (TDH Document No. 7560009056 2005) for the period from September 1, 2004 through August 31, 2005, and authorizing the County Judge to sign all related documents on behalf of Dallas County.

37. COURT ORDER:

To approve order approving Interlocal Health Services Agreements for FY 2005 with listed cities/towns, approving the fee schedule as outlined, and authorizing the County Judge to sign said agreements on behalf of Dallas County.

38. COURT ORDER:

To approve order approving budget revisions to the FY 2003-2004 Texas Department of Health (TDH) State of Texas HIV Health and Social Services (State Services) Grant-funded contract with AIDS Resource Center of Texoma, Inc., and authorizing the County Judge to sign the contract amendment with the service provider on behalf of Dallas County.

39. COURT ORDER:

To approve order approving the award of allocated FY 2004-2005 Ryan White C.A.R.E. Act Title I Minority AIDS Initiative (MAI) grant funds totaling \$250,966 to listed service providers, and authorizing the County Judge to sign the contracts and contract amendments with the service providers on behalf of Dallas County.

40. COURT ORDER:

To approve order approving the award of allocated FY 2004-2005 Ryan White C.A.R.E. Act Title II grant funds totaling \$180,764 to listed service providers, and authorizing the County Judge to sign the contracts and contract amendments on behalf of Dallas County.

41. COURT ORDER:

To approve order approving budget revisions to the Texas Department of Health (TDH) Housing Opportunities for Persons with AIDS (HOPWA)-funded contracts with AIDS Resource Center of Texoma, Inc. and AIDS Resources of Rural Texas, Inc., and authorizing the County Judge to sign the contract amendments with the service providers on behalf of Dallas County.

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42. COURT ORDER:

To approve order approving the acceptance of a donation in the amount of \$100,000 from TXU Electric and Gas to the Dallas County Department of Health and Human Services to assist those in need with their electric or gas utilities.

43. COURT ORDER:

To approve order authorizing the Dallas County Auditor's Office to reimburse Ms. Sheryl May, a Juvenile Department employee, for back pay and thereafter compute the salary as detailed in the Order.

44. COURT ORDER:

To approve order authorizing the rate of \$1.70 per minute for Real-Time over the phone interpretation services with Browne Global Solutions, to be performed on an "as needed" basis.

45. COURT ORDER:

To approve order authorizing the award of RFP No. 2003-090-1329 (Request for Proposals for Library Management Software) to the highest rated and lowest overall cost firm, Dynix, at an estimated cost of \$49,724.00.

46. COURT ORDER:

— ORDER PULLED —

To approve order rendering AmCad and LanData susceptible firms for award consideration with respect to RFP No. 2004-064-1485 (Recording, Indexing & Imaging System for the County Clerk), authorizing staff to proceed to Stage 3 of the RFP process, and authorizing the evaluation committee members to conduct site visits to one designated operational site for each of the two identified firms.

47. COURT ORDER:

To approve order cancelling the award of Items 3A and 3B under Bid No. 2004-093-1516 (Annual Contract for Dallas County Printing Requirements) to Integrated Document Solutions, Inc. and re-awarding said items to Visual Communications.

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48. COURT ORDER:

To approve order authorizing Bid No. 2004-118-1544 (Annual Contract for Fulfillment of County Clerk Real Estate Records) to be opened on August 2, 2004 at 2:00 p.m., due to changes requested in the specifications.

49. COURT ORDER:

To approve order authorizing Lanier Healthcare, LLC to provide maintenance service on Lanier transcribers and recorders in accordance with the rate agreement, effective October 1, 2004 through September 30, 2005, at an estimated annual value of \$30,000.00.

50. COURT ORDER:

To approve order authorizing the Purchasing Agent to issue a Request for Proposal (RFP) to purchase a Computer Case Management System for the Public Defender's Office.

51. COURT ORDER:

To approve order authorizing the City of Cedar Hill to utilize and/or be incorporated into one or more Dallas County Supplier Contracts for goods and services as previously solicited by Dallas County and awarded to suppliers in accordance with State purchasing laws and the Dallas County Code, and authorizing the County Judge to execute the Interlocal Agreement with the City of Cedar Hill.

52. COURT ORDER:

To approve order amending Court Order No. 2004-1204 (7/13/04) to correct the funding designation to Fund 196.0.08130.2002.0.70128 (Major Capital Improvements, Buildings, Year 2002, Civil Courts) for Change Order No. 5 to the contract with Haws & Tingle, Ltd. for the Dallas County Civil Courts - George L. Allen, Sr. Courts Building Addition and Renovation.

53. COURT ORDER:

To approve order approving Change Order No. 6, in the amount of \$113,031.00, to the contract with Haws & Tingle, Ltd. for the Dallas County Civil Courts - George L. Allen, Sr. Courts Building Addition and Renovation, and authorizing the County Judge to execute all related documents on behalf of Dallas County.

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54. COURT ORDER:

To approve order approving Amendment No. 7 to the contract with Rees and Associates for architectural services for the George Allen Civil Courts expansion project in an amount not to exceed \$7,200 for the redesign of the 9<sup>th</sup> Floor Observation Deck, and authorizing the County Judge to execute said document on behalf of Dallas County.

55. COURT ORDER:

To approve order authorizing County staff to advertise for bids for the underground parking project on Founders Plaza.

56. COURT ORDER:

To approve order authorizing the County Judge to execute a Backflow Release Agreement on behalf of Dallas County for wastewater service at the proposed underground parking garage on Founders Plaza.

57. COURT ORDER:

To approve order authorizing the current contract with TBE Group, Inc. for Subsurface Utility Engineering to be extended for a one year period, ending on July 31, 2005.

58. COURT ORDER:

To approve order authorizing the County Judge to execute a Consultant Engineering Services Contract, in an amount not to exceed \$47,250.00, with Pacheco Koch Consulting Engineers for the design of improvements on Spring Valley at Weatherred/Goldmark Street, MCIP Project 12103 in the City of Richardson.

59. COURT ORDER:

To approve order approving a project in District No. 2 for designated improvements on Campbell Road, from Murphy Road to Brand Road, located within the City of Garland and authorizing the County Judge to sign the Approval of Interlocal Cooperation Project; and approving an Interlocal Agreement with the City of Garland for said project for a total estimated project cost of \$63,539.50 and authorizing the County Judge to sign said agreement for this Type "B" road work.

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60. COURT ORDER:

To approve order approving a project in District No. 2 for designated improvements on Pleasant Valley Road, from Northeast Parkway to Miles Road, located within the City of Garland and authorizing the County Judge to sign the Approval of Interlocal Cooperation Project; and approving an Interlocal Agreement with the City of Garland for said project for a total estimated project cost of \$123,774.56 and authorizing the County Judge to sign said agreement for this Type "B" road work.

61. COURT ORDER:

To approve order approving and adopting the Federal Emergency Management Agency's (FEMA) new Flood Insurance Study, Maps, and Manuals with the August 4, 2004 Effective Date, to be contained within Chapter 42 of the Dallas County Code, in order to continue participation in the National Flood Insurance Program (NFIP).

62. COURT ORDER:

To approve order authorizing Contract No. 3 to be awarded to John G. Hirschy & Associates of Dallas in the amount not to exceed \$19,500.00 for appraisal services on CMAQ #15 project, and authorizing the County Judge to sign the contract.

63. CALL BRIEFING SESSION:

See Briefing Agenda.

64. 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
  - Board/Committee Vacancies
- \*Claims
  - Dallas County against Jeff Kunkle
  - Lorenzo Mendive

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64. CALL EXECUTIVE SESSION: (Cont'd.)

- Subjects:
- \*Pending or Contemplated Litigation and Attorney-Client Information
    - In Re: Federal - Mogul Global, Inc., T & N Limited, et al.; 01-10578 (RTL)
  - \*Consultation with Attorney/Legal Advice
    - Discussion of Interim General Counsel & General Counsel Positions for Dallas County Hospital District
    - Discussion of ES&S Contract
    - Sports Venue Development Project
  - \*Economic Development
    - Sports Venue Development Project

65. RECESS:

66. RECONVENE IF REQUIRED:

67. ADJOURN:

*Cynthia Figueroa Calhoun*  
 Cynthia Figueroa Calhoun, County Clerk

**APPROVED**  
 for filing AUG - 3 2004 Date

*Margaret K. Kuhn*  
 County Judge

*[Signature]*  
 Commissioner Dist. No. 1

*[Signature]*  
 Commissioner Dist. No. 2

*[Signature]*  
 Commissioner Dist. No. 3

*Absent*  
 Commissioner Dist. No. 4