

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

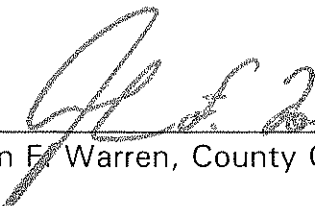
TUESDAY, APRIL 19, 2011

9:00 A. M.

Received: 4/15/2011 @ 11:16 A.M.

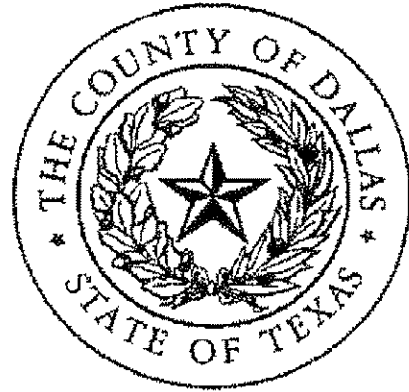
A1. COURT ORDER:

Appointing Dallas County Judge Clay Lewis Jenkins as the Dallas County representative to the North Texas Tollway Authority (NTTA) Performance Review Oversight Committee effective April 19, 2011.



John F. Warren, County Clerk

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, April 19, 2011

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:**

**Reverend John P. Price
New Phase Worship Center
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, April 19, 2011

7. RESOLUTIONS:

- A. Girl Scouts of America's 99th Anniversary
(Presented by Commissioner Dr. Elba Garcia)

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF APRIL 12-19, 2011:

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED APRIL 25, 2011:

Bid No. 2011-060-5525 Contract for the Purchase and Installation of a High Performance High Speed / High Cycle Insulated Roll-Up Security Door and Related Equipment.

- 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 April 19, 2011.

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

*Minister's Letter of Appreciation

- 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. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$320,000.00 made payable to Lippe & Associates Trust Account, and a second check in the amount of \$370,000.00 made payable to Allstate International Assignments, Ltd., in Cause No. DC-01-08074, styled *Armando Gonzales vs. Dallas County*.

10. COURT ORDER:

Authorizing Indefinite Quantity Architectural/Engineering Contract Work Order No. 29 to VAI Architects, Inc., for an amount not to exceed \$39,750.00 to provide design services for temporary shoring and engineering services related to the investigation and remediation of the structural condition of the Frank Crowley Parking Garage D, authorizing the County Judge to execute the contract documents on behalf of Dallas County; and authorizing an exemption to the competitive procurement process as allowed by Local Government Code §262.024(1) to preserve the property of the County for the shoring and remediation work to be performed on the structure.

11. COURT ORDER:

Approving submission of a grant application for the District Attorney's Bilingual Child Victim's Assistant grant for the Criminal Justice Division – General Victims Assistance Direct Service Program to be operated during the FY 2011 – FY 2012.

12. COURT ORDER:

Approving submission of a grant application for the District Attorney's Child Abuse Prosecutor and Investigator grant for the Criminal Justice Division – Criminal Justice Program to be operated during the FY 2011 - FY 2012.

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13. COURT ORDER:

Filing the certificate of completion issued to Commissioner Dr. Elba Garcia for continuing education requirement in Article 552.012 of the Government Code for the calendar year of 2011.

14. COURT ORDER:

Amending Court Order No. 2010-1384 (8/24/10) to clarify that the County nominates Raytheon Company as a qualified business for Enterprise Project status under the Texas Enterprise Zone Program, and authorizing the County's Director of Planning & Development to sign any related Texas Enterprise Zone Program documents.

15. COURT ORDER:

Amending Court Order No. 2010-1385 (8/24/10) to clarify that the County nominates The Neiman-Marcus Group, Inc., as a qualified business for Double Jumbo Enterprise Project status under the Texas Enterprise Zone Program and nominates Dean Foods Company as a qualified business for Enterprise Project status under the Texas Enterprise Zone Program, and authorizing the County's Director of Planning & Development to sign any related Texas Enterprise Zone Program documents.

16. COURT ORDER:

Approving the outlined changes in the cost per parcel for ad valorem property tax and assessment fee collections.

17. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending April 19, 2011, in amounts over \$5,000.00 for erroneous or excessive tax payments.

18. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract No. 2011-037667-001A, HIV Prevention Plan, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

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19. COURT ORDER:

Approving the award of FY 2011 Ryan White HIV/AIDS Treatment Extension Act (TEA) Part A Formula funds in the amount of \$1,595,249, to service providers outlined in Attachment A, and authorizing the County Judge to sign the contract with the specific service providers on behalf of Dallas County.

20. COURT ORDER:

Approving the Department of State Health Services (DSHS) 2011 Ryan White Part B Contract No. 2011-037895, in the amount of \$3,305,261, and authorizing the County Judge to sign the contract and any related documents on behalf of Dallas County.

21. COURT ORDER:

Ratifying the submission of the application to the Criminal Justice Division (CJD) for the Residential Substance Abuse Treatment (RSAT) continuation grant in the amount of \$172,314, which will require a cash match contribution in the amount of \$57,440 from the County; designating the County Judge as the authorized official to certify, sign, accept, reject, alter, or terminate the grant on behalf of Dallas County and the Dallas County Juvenile Department, designating the County Auditor as the fiduciary agent for said grant, and granting authorization to accept, if granted, the RSAT funding.

22. COURT ORDER:

Ratifying the submission of the application to the Criminal Justice Division (CJD) for the Juvenile Drug Court Program (DCP) grant funding with a total project cost of \$232,963 of which \$23,300 is requested as a cash match; designating the County Judge as the authorized official to certify, sign, accept, reject, alter, or terminate the grant on behalf of Dallas County and the Dallas County Juvenile Department, designating the County Auditor as the fiduciary agent for said grant, and granting authorization to accept, if awarded, the Juvenile Drug Court Program funding.

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23. COURT ORDER:

Authorizing the first twelve (12) month extension of (Bid No. 2010-026-4913 – Annual Contract for Security Service) as awarded to Ruiz Protective Services for the period of May 25, 2011 through May 24, 2012, in accordance with the amended contract terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly.

24. COURT ORDER:

Authorizing the waiver of the General Liability insurance requirement during the fifteen (15) day lapse period for Annual Quote 2008-101, Annual Quote for Legal Copying Service/Attorney Service, as awarded to Copying Solutions, LLP, and authorizing the Auditor to release all pending payments as a result of the lapse period.

25. COURT ORDER:

Authorizing the listed livestock (2 donkeys, 1 horse) as representative of the items to be sold in the upcoming online auction, and authorizing all County departments/inventories to reflect accordingly.

26. COURT ORDER:

Authorizing the Purchasing Department to solicit Request for Proposals for Commissary Services for the Dallas County Sheriff's Department in accordance with Texas Local Government Code 262.030.

27. COURT ORDER:

Authorizing the County Purchasing Agent to advertise for bids for the construction of the Gaston Avenue and Washington Avenue Improvements in the City of Dallas, with said bids to be returned to the Purchasing Department on or before 2:00 p.m., Thursday, May 12, 2011.

28. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Work Order Number One to the existing contract between Dallas County and Alliance Geotechnical Group, in an amount not to exceed \$52,797.00, to be paid from Fund 196, Project 8201.

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29. COURT ORDER:

Consenting to the sale of the Property at 13701 Lake June Road, Balch Springs, Texas, to M. Y. Bedran for \$45,000, with the understanding that Mr. Bedran is acquiring the Property subject to post judgment tax years 2006 and 2007, and is responsible for the payment of said post judgment taxes, penalties and interest, even if the offer tendered is less than the market value of the land specified in the judgment or the total amount of the judgments against the Property, and authorizing the City of Balch Springs, as Trustee, to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use and disposition of the Property, acquired by tax foreclosure, which has been jointly vested in the name of the Taxing Authorities.

30. COURT ORDER:

Adopting the outlined tax abatement policy, that it shall replace the policy that was previously authorized under Court Order No. 2009-514 (3/17/09) and that it shall be used to evaluate all tax abatement requests received by Dallas County for a period of two (2) years, unless otherwise repealed, amended, or extended.

31. COURT ORDER:

Authorizing the County Administrator and/or the Director of Planning & Development to enter into confidentiality/non-disclosure agreements on economic development projects provided: the agreement allows for the dissemination of received information to the Commissioners Court; the agreement has been reviewed and approved as to form by the Civil Section; the Commissioners Court is notified within twenty-four (24) hours that such an agreement has been entered into.

32. CALLED BRIEFING SESSION:

See Briefing Agenda.

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33. 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

-2011-2013 County Board and Committee Appointments.

*Pending or Contemplated Litigation and Attorney-Client Information

-Milad Nasrallah, Sr., et al. vs. Jim Foster; 191st Judicial District Court of Dallas County, Texas; 09-16681

-James Polk vs. Dallas County, Texas; DC-10-03558

-Connell Spain vs. Surgeon Charles Thomas Black, MD, et al; Appeal No. 08-09-00036-DV; Texas Supreme Court No. 10-0756

*Claims

-Dallas County vs. Maria Arvizo & Maria Guillen; TW #10-000464

-Reynaldo Morante vs. Dallas County; TW #11-000187

-Lamont Bell – Claim for Subrogation Lien Reduction; TW #10-000623


*Security

-Deliberations Regarding Security Devices or Security Audits

34. RECESS:

35. RECONVENE IF REQUIRED:

36. ADJOURN:



John F. Warren, County Clerk