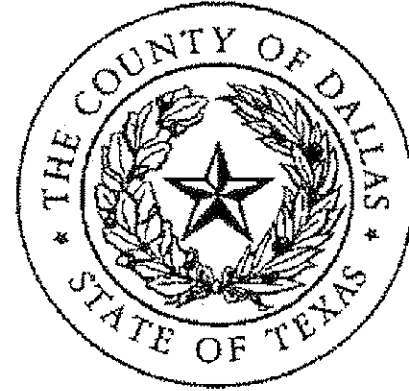


# **A** G E N D A



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, August 9, 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:**

**Rev. Rodney Durr  
Grand Prairie Family Church  
Grand Prairie, 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 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.

(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. RESOLUTION:

- A. Harlan A. Harrison  
(Presented by Commissioner John Wiley Price)
- B. Richard Sambrano  
(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 AUGUST 2-9, 2011:

B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS:

C. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated August 9, 2011.

D. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- \*Minister's Letter of Appreciation
- \*Letter to Aubrey Brewer
- \*Letter to Patricia Prah
- \*Letter to Anna Arding
- \*Letter to Kim LaPlante

E. TRANSFER OF FUNDS:

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

Commissioners Court Agenda – Tuesday, August 9, 2011

8. CONSENT AGENDA: (Cont'd.)

G. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. AWARD BIDS/RFP'S:

Bid No. 2011-090-5680 Annual Contract for the Purchase of Engine Motor Oil, Lubricants, Grease, Anti-Freeze and Other Related Automotive Chemicals awarded to: Douglass Distributing and Felts Heavy Duty Oil. Item #40 resulted in a (TIE BID) between Douglass Distributing and Felts Heavy Duty Oil. (THE TIE WILL BE DECIDED THROUGH RANDOM PULL OF ENVELOPE BY THE COUNTY JUDGE) (CONTRACT DATA PROVIDED JULY 5, 2011)

10. COURT ORDER:

Denying Alicia D. Ray's request for a reduction of Dallas County's healthcare subrogation lien.

11. COURT ORDER:

Denying Kevin Feinglas' request for a reduction of Dallas County's workers' compensation subrogation lien, but acknowledging and approving the statutory request for attorney fees for Attorney Bob Gorsky, in the amount of \$6,797.42, to be taken from the recovery for Dallas County.

12. COURT ORDER:

Appointing Julia R. Malveaux and Jo Ann Hill to the Dallas County Child Welfare Board for an initial term effective August 9, 2011 through January 31, 2013.

13. COURT ORDER:

Approving the salary for Mr. Stanley Victrum, in the amount of \$170,000, a bi-weekly auto allowance of \$351.42 and relocation expenses up to \$10,000, with an effective date of August 22, 2011.

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14. COURT ORDER:

Approving the Integrated Child Support System Cooperative Agreement with the Office of Attorney General of the State of Texas to operate a child support enforcement program, and authorizing the County Judge to sign the Cooperative Agreement on behalf of Dallas County.

15. COURT ORDER:

Amending Court Order 2008-1246 (7/1/08), effective January 1, 2012, by increasing and extending Dallas County's participation in the City of Dallas Davis Garden tax increment finance (TIF) district from 55% to 75%; that it continue this participation until either December 31, 2033, the County's total net present value contribution (using a discount rate of 5%) reaches \$16.9 million, or the City of Dallas terminates the district (whichever occurs first); and authorizing the County Judge to sign any related TIF participation agreement or TIF participation agreement amendment.

16. COURT ORDER:

Approving the revision of the sewer easement for the City of Cedar Hill at the County's Cedar Mountain Preserve, and authorizing the County Judge to sign the new sewer easement document related to this project.

17. COURT ORDER:

Approving the use of the County's FY 2011 CDBG funds (\$1,969,610), its FY 2011 HOME funds (\$683,052), and its carryover CDBG funding remaining from prior years (\$426,266.13) for the activities and projects outlined in Attachments A, B, and C.

18. COURT ORDER:

Changing the effective date to January 1, 2012 for the justice of the peace/constable redistricting plan that was adopted through the approval of Court Order 2011-1143 (6/28/11), and that all other terms and provisions of Court Order 2011-1143 shall remain unchanged.

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19. COURT ORDER:

Approving acceptance of the fourth and final payment reimbursement of \$1,791,969 from Allianz Insurance, and allowing the County Judge or his designated representative to sign the Sworn Statement in Proof of Loss on behalf of Dallas County.

20. COURT ORDER:

Approving donation and transportation of modular furniture and authorizing the County Judge to sign all related documents.

21. COURT ORDER:

Approving the contract with the Social Security Administration for the Cooperative Disability Investigation (CDI) program targeting Social Security Disability fraud, and authorizing the County Judge to sign all related documents.

22. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 9, 2011, in amounts over \$2,500.00, for erroneous or excessive tax payments.

23. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 9, 2011, in amounts over \$5,000.00, for erroneous or excessive tax payments.

24. COURT ORDER:

Approving acceptance of a donation from the Emergency Heat Relief Fund of The Dallas Foundation in the amount of \$40,000.00, for the purchase and installation of air conditioning units for victims of heat crisis in Dallas County, and authorizing a discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2).

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25. COURT ORDER:

Approving acceptance of a donation from Patricia Prahel of \$1,000.00, for deposit into the Heat Relief fund for the purchase and installation of air conditioning units to qualified households, and authorizing the discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2).

26. COURT ORDER:

Approving acceptance of a donation from Beverly Moore of \$200.00, for deposit into the Heat Relief fund for the purchase and installation of air conditioning units to qualified households, and authorizing the discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2).

27. COURT ORDER:

Approving the award of FY 2011 Department of State Health Services (DSHS) Ryan White Part B Formula funds in the amount of \$804,117, as outlined in Attachment "A", and authorizing the County Judge to sign the contract(s) with the specific service provider(s) on behalf of Dallas County.

28. COURT ORDER:

Approving the Administrative Agency and Quality Management budgets for the FY 2011 Ryan White Treatment Extension Act of 2009 (TEA) Part A Formula and Part A Supplemental grants in the amount of \$13,484,074, as outlined in Attachment "A".

29. COURT ORDER:

Authorizing a month-to-month extension (not to exceed December 31, 2011) of (Bid No. 2008-053-3399 – Annual Contract for Licensed/Certified Court Interpreters) as awarded to Access Language Center, LLC., and authorizing all County documents/payments to reflect accordingly.

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30. COURT ORDER:

Authorizing a ninety (90) day extension (August 18, 2011 through November 16, 2011) of (Bid No. 2009-061-4311 – Annual Contract for the Purchase of Paint and Related Products) as awarded to Pinnacle Coatings Group, Akzo Nobel Paints LLC – DBA Glidden Professional Paint Center and Sherwin-Williams, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing the first twelve (12) month extension of (Bid No. 2010-068-5132 – Annual Contract for the Purchase of Laundry Detergent, Chemical, Related Products and Services) as awarded to Ecolab, Inc., for the period of August 31, 2011 through August 30, 2012, and authorizing all County documents/payments to reflect accordingly.

32. COURT ORDER:

Authorizing the Purchasing Department to solicit Request for Proposal to Provide Non-Residential Sex Offender Treatment Services for Dallas County Community Supervision and Corrections Department in accordance with State and Local Government Codes.

33. COURT ORDER:

Authorizing the listed livestock (twelve (12) donkeys, one (1) mule and two (2) horses) as representative of the items to be sold in the upcoming online auction, and authorizing all County departments/inventories to reflect accordingly.

34. COURT ORDER:

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

35. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Project Specific Agreement with the City of Mesquite for the Lawson Road MCIP Project 22604.



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36. COURT ORDER:

Authorizing the City of Grand Prairie, as Trustee, to solicit sealed bids, and consent to sale of listed tax foreclosure properties in accordance with the minimum bid and alternate minimum bid amounts, as outlined in Exhibit "A", to the highest bidder even if the bid tendered is less than the market value of the land specified in the judgment or the total amount of the judgment.

37. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects for the Main Street/Belt Line Road MCIP Project 12105 from Interurban Road to US 75 with the City of Richardson, with the County funding in the amount of \$212,000.00 to be paid from MCIP Fund 196, Project 8201.

38. COURT ORDER:

Rescinding Court Order 2000-1970 (9/26/00) and adopting the two-tiered fee schedule of \$1,500 per transaction or 3% of the purchase/sale price, whichever is greater, for the recovery of personnel and overhead costs incurred by Dallas County, as trustee in connection with maintaining, preserving, safekeeping, managing, and reselling of struck off properties, to be effective immediately on passage of this Court Order, and authorizing the Public Works Department to adjust the fee structure to account for increases in staff hourly rates due to County approved annual adjustments in employee salaries, without further action of the Commissioners Court.

39. COURT ORDER:

Approving the payment of travel for Stanley Victrum, CIO Finalist, in the amount of \$900, funded from the Major Technology Fund (195.1090.4210), and authorizing the County Judge to sign required documents to expedite payment of the travel.

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

-2011-2013 County Board and Committee Appointments

\*Pending or Contemplated Litigation and Attorney-Client Information

-Glynda Ray vs. Dallas County Southwestern Institute of Forensic & Medical Examiner Department; DC-11-07904

-Tujuannah Walker vs. Dallas County; CC-09-07481-C

-Attorney-Client Privilege Matter Concerning Audit of Service of Civil Process and Constable Duties

\*Personnel

-Request for Exception to County's Nepotism Policy

\*Claims

-Allstate Insurance & Progressive Insurance vs. Dallas County; TW #11-000208

-Fredis Benitez-Villatole vs. Dallas County; TW #11-000247

-Dallas County vs. James Book & Design Transportation Services, Inc.; TW #11-000378

-Dallas County vs. Keiyanna & Paula Williams; TW #11-000337


\*Consultation with Attorney/Legal Advice

-Redistricting

42. RECESS:

43. RECONVENE IF REQUIRED:

44. ADJOURN:



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John F. Warren, County Clerk