

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

TUESDAY, JUNE 28, 2011

9:00 A.M.

Received: 6/24/2011 @ 1:20 P.M.

A1. COURT ORDER:

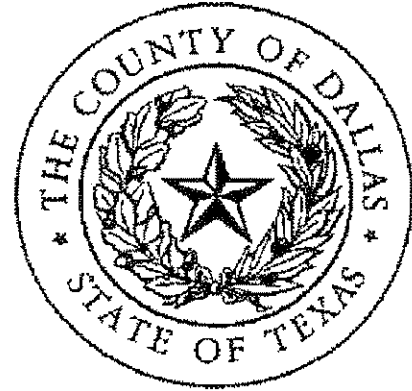
Approving and adopting new boundaries for justice of the peace and constable precincts; abolishing the current office of Justice of the Peace Precinct 3, Place 2; and renaming the existing office of Justice of the Peace Precinct 3, Place 3; all effective upon per-clearance approval from the U. S. Department of Justice.



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John F. Warren, County Clerk

# **A** G E N D A



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, June 28, 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:**

**Pastor John Bragdon  
Destiny Christian Center  
Garland, 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)

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7. RESOLUTIONS:

- A. Terri Moore  
(Presented by Commissioner Dr. Elba Garcia)
- B. Siempre Ir Mas Alto (SIMA)  
(Presented by Commissioner Dr. Elba Garcia)
- C. Michael Ware  
(Presented by Commissioner Dr. Elba Garcia)
- D. Dallas Baptist University Baseball Team  
(Presented by Judge Clay Lewis Jenkins)
- E. NBA Champions Dallas Mavericks  
(Presented by Judge Clay Lewis Jenkins)
- F. Leslie Allen Davis  
(Presented by Judge Clay Lewis Jenkins)

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JUNE 21-28, 2011:
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED JULY 5, 2011:

Bid No. 2011-086-5654 Annual Contract for Document Destruction Services. (CONTRACT DATA PROVIDED JUNE 28, 2011)

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS:
- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated June 28, 2011.

Commissioners Court Agenda – Tuesday, June 28, 2011

8. CONSENT AGENDA: (Cont'd.)

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.

9. COURT ORDER:

Authorizing the County Treasurer to transfer funds and/or issue described Dallas County checks or authorized Payroll Direct Deposits for the period of July 1, 2011 through July 31, 2011.

10. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of May, 2011.

11. COURT ORDER:

Approving the Negotiated Settlement Agreement in Charge Number 450-2010-00955 from the Equal Employment Opportunity Commission ("EEOC"), and authorizing the County Judge to sign the settlement agreement.

12. COURT ORDER:

Approving acceptance of the grant award for the Dallas County Human Trafficking Victims Intervention grant from the Office of the Governor Criminal Justice Division (CJD), and designating the County Judge as the authorized official given the power to accept the award on behalf of Dallas County.

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13. COURT ORDER:

Approving acceptance of the unclaimed funds available to Dallas County under the Texas Property Code, Section 74.602, in the amount of \$11,849 from the State of Texas Comptroller's Office, and authorizing the County Judge to sign all related documents.

14. COURT ORDER:

Authorizing Parkland Health and Hospital System to amend the Office Lease Agreement at 8435 Stemmons building Dallas, Texas.

15. COURT ORDER:

Authorizing submission of the FY 2011 State Criminal Alien Assistance Program (SCAAP) reimbursement application to the Department of Justice (DOJ) through the Bureau of Justice Assistance (BJA), and authorizing the electronic signature of the County Judge to the Department of Justice's online application form on the Internet.

16. COURT ORDER:

Approving and authorizing the Office of Information Technology to use \$53,452.00 in funds from the Sheriff Federal Forfeiture account.

17. COURT ORDER:

Approving the establishment of a change fund for the County Clerk's records supervisor in the amount of \$150.

18. COURT ORDER:

Establishing an outdoor burn ban for all unincorporated areas of Dallas County, Texas, with the Order being in effect for a period not to exceed ninety (90) days from the date of this court order, unless dangerous conditions exist which would allow for the extension of such ban or the lifting of the ban due to improved conditions.

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19. COURT ORDER:

Authorizing the acceptance of the FY 10 Urban Area Security Initiative (UASI) Project Change to the Office of Homeland Security & Emergency Management (HSEM).

20. COURT ORDER:

Approving the 2011 Byrne Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement, and authorizing the Dallas County Judge to sign the agreement and any other documents related to the application for and acceptance of FY 2011 JAG funds.

21. COURT ORDER:

Approving the Digital Print and Publications Program for the inmates and authorizing the County Judge to sign all related documents.

22. COURT ORDER:

Approving the nine (9) proposed areas for voting system enhancements, to be reimbursed/funded by the Help America Vote Act (HAVA) Grant Award, Chapter 19, Election Escrow Account and Program Income Account, as described.

23. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending June 28, 2011, in amounts over \$2,500.00 for erroneous or excessive tax payments.

24. COURT ORDER:

Approving acceptance of donations from individuals totaling \$1,035.00, for deposit into the Heat Relief fund for the purchase and installation of air conditioning units to qualified households, 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 The Meadows Foundation in an amount not to exceed \$80,000.00 for the purchase and installation of air conditioning units for victims of heat crisis in Dallas County, authorizing a discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2), and authorizing the County Judge to sign the grant contract on behalf of Dallas County.

26. COURT ORDER:

Approving the second installment payment of \$20,000, under the 2011 Reliant Retail Services, LLC CARE Program ("CARE") Agreement with Dallas County Health and Human Services (DCHHS), for energy assistance payments to eligible Reliant Energy customers.

27. COURT ORDER:

Approving the amendment to the Texas Department of State Health Services (DSHS) Contract No. 2010-033408-001F, CPS-Public Health Emergency Response (PHER), and authorizing the County Judge to sign the Amendment and all related documents on behalf of Dallas County.

28. COURT ORDER:

Approving the Department of State Health Services (DSHS) Document #2011-037542-001A (STD-HIV), and authorizing the County Judge to sign the contract and related documents on behalf of Dallas County.

29. COURT ORDER:

Approving the Juvenile Department's request to host the 11<sup>th</sup> Annual Conference on the Treatment of Juveniles with Sexual Behavior Problems re-scheduled for June 16-17, 2011; authorizing the Dallas County Auditor to utilize project account No. 94022 for accepting registration fees and paying all expenses associated with the conference; and any funds remaining after payment of all expenses shall be utilized by the Juvenile Department to pay costs associated with staff development, training or the purchase of supplies, materials or equipment for the department's training or Psychological Services Units.



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30. COURT ORDER:

Authorizing the extension of (Bid No. 2008-116-3854 – Annual Contract for the Purchase and Delivery of Unleaded Gasoline and Diesel Fuel) as awarded to Martin Eagle Oil Company, Inc., for the period of August 1, 2011 through August 31, 2011, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing the County Judge to execute the outlined Novation Agreement with Marsur Inc., d/b/a AAMCO Transmissions and Las Colinas Transmissions Inc., d/b/a AAMCO Transmissions for the liability of (Bid No. 2008-138-3947 – Annual Contract for Vehicle Transmission Repair and Replacement Services) effective February 23, 2011, and authorizing all County documents/payments to reflect accordingly.

32. COURT ORDER:

Authorizing the extension of (Bid No. 2010-054-5064 – Annual Contract for Plumbing Material and Related Products) as awarded to National Wholesale Supply, Mark's Plumbing Parts, Best Plumbing Specialists and Plumbmaster, Inc., for the period of July 6, 2011 through September 5, 2011, and authorizing all County documents/payments to reflect accordingly.

33. COURT ORDER:

Authorizing, in accordance with Texas Local Government Code 262.031(a) "Changes in Plans and Specifications", the modification of (Bid No. 2011-023-5334 – Annual Contract for Janitorial Services for the North, West, and East Sections of Dallas County) as awarded to Andrews Building Services, Inc., to include janitorial services (3,207 square feet) at Road and Bridge District No. 3 located at 1506 E. Langdon Road, Hutchins, Texas, at a rate of \$0.0378/square feet effective April 18, 2011, and authorizing all County documents/payments to reflect accordingly.

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34. COURT ORDER:

Authorizing, in accordance with LGC 262.024 (a) (7) (A) and 263.152 (a) (2), a discretionary exemption to the competitive procurement process for the trade-in of a computer component (property number #93265) and purchase of a new computer, software upgrade and annual maintenance related to the department's SEM/EDS from FEI, Inc., and authorizing all County documents/payments to reflect accordingly.

35. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Master Agreement governing the Major Capital Improvement Program (MCIP) with the City of Hutchins-District 3.

36. CALLED BRIEFING SESSION:

See Briefing Agenda.

37. 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

-Cecilia Castillo vs. Federal National Mortgage Association;  
CC-10-09015-D

-Oralia Zuniga, Individually and as next friend of Julian Zuniga,  
a minor child vs. Dallas County; DC-10-05508

-Kenneth McClain vs. USA Today Newspaper, et al.;  
Appeal Cause No. 05-08-01123-CV;  
Trial Court Cause No. CC-08-01140-D

-Attorney-Client Privilege Matter Concerning Audit of Service of  
Civil Process

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

- Subjects: \*Personnel  
-Request for Exception to County's Nepotism Policy  
\*Claims  
-Tina Robinson – vs. Dallas County; TW #11-000013  
\*Consultation with Attorney/Legal Advice  
-Redistricting  
\*Security  
-Deliberations Regarding Security

38. RECESS:

39. RECONVENE IF REQUIRED:

40. ADJOURN:



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John F. Warren, County Clerk