

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

TUESDAY, NOVEMBER 1, 2011

9:00 A.M.

Received: 10/28/2011 @ 8:00 A.M.

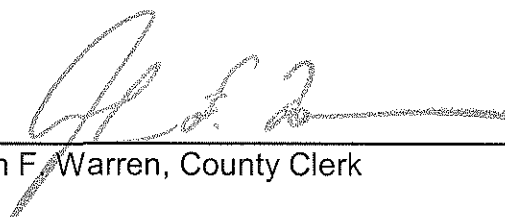
Received: 10/28/2011 @ 11:15 A.M.

A1. COURT ORDER:

Approving lateral transfers for affected employees whose positions were deleted (as part of the FY2012 budget balancing strategies) to another Office if an offer of employment is made by November 4, 2011 and the employee is hired within 30 days of termination by November 18, 2011.

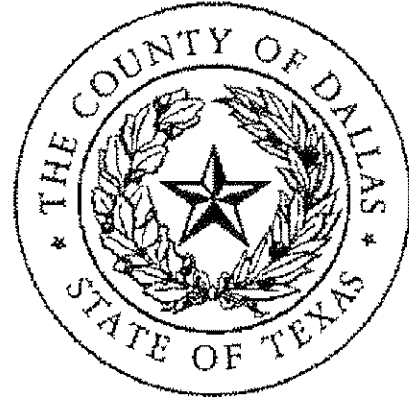
A2. COURT ORDER:

Approving the Attorney Fee Contract between Dallas County and Schulte & Apgar, PLLC, effective November 1, 2011.



John F. Warren, County Clerk

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, November 1, 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 Adjourn Court for the October Term:**
- 5. Motion To Open Court for the November Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Rabbi David Glickman
Congregation Shearith Israel
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, November 1, 2011

8. RESOLUTIONS:

- A. November 2011 Pancreatic Cancer Awareness Month
(Presented by Commissioner Maurine Dickey)
- B. John L. Garrett
(Presented by Commissioner John Wiley Price)
- C. Rhonda R. Carter
(Presented by Commissioner Dr. Elba Garcia)
- D. Red Ribbon Celebration
(Presented by Commissioner Dr. Elba Garcia)
- E. North Texas Tollway Authority (NTTA) Review
(Presented by Judge Clay Lewis Jenkins)

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF OCTOBER 25 – NOVEMBER 1, 2011:
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED NOVEMBER 7, 2011:

- Bid No. 2012-008-5786 Annual Contract for Ambulance Service.
(CONTRACT DATA PROVIDED NOVEMBER 1, 2011)
- Bid No. 2012-009-5787 Annual Contract for Vaccines. (CONTRACT DATA PROVIDED NOVEMBER 1, 2011)
- Bid No. 2012-010-5790 Annual Contract for Shrinkwrap & Woolite Packs.
(CONTRACT DATA PROVIDED OCTOBER 25, 2011)

Commissioners Court Agenda – Tuesday, November 1, 2011

9. CONSENT AGENDA: (Cont'd.)

THE FOLLOWING BIDS/RFP'S TO BE OPENED NOVEMBER 7, 2011: (Cont'd.)

Bid No. 2012-011-5793 Annual Contract for HVAC Systems Chemical Water Treatment and Consulting Services.
(CONTRACT DATA PROVIDED OCTOBER 25, 2011)

C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS:

D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated November 1, 2011.

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.

10. 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 November 1, 2011 through November 30, 2011.

Commissioners Court Agenda – Tuesday, November 1, 2011

11. COURT ORDER:

Approving and accepting the Monthly Report of the County Treasurer for the month of September, 2011 and the Annual Report for Fiscal Year 2011.

12. COURT ORDER:

Receiving and approving the Quarterly Investment Report of Dallas County Funds for the period from July 1, 2011 through September 30, 2011, as provided by the County Treasurer.

13. COURT ORDER:

Approving the Attorney Fee Contract between Dallas County and White & Wiggins LLP, effective November 1, 2011.

14. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$675.00, made payable to Courtney Bass, Mediator, in Cause No. 09-16445-B, styled *Nancy Woertendyke v. Dallas County*.

15. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$1,496.25, made payable to Terrie Jenevein, guardian ad litem for the minor plaintiffs in Cause No. 10-09263, styled *Jose Serratos, Individually and As Next Friend of Miguel Serratos and Evelyn Serratos, minors, and Antonio Serratos v. Dallas County*.

16. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$16,500.00, made payable to "The McFarlin Firm, PLLC, Antonio Serratos, and Jose Serratos, Individually and As Next Friend of Miguel Serratos and Evelyn Serratos.

Commissioners Court Agenda – Tuesday, November 1, 2011

17. COURT ORDER:

Approving the outlined Memorandum of Understanding (MOU) with Great City Attractions (GCA) Site Development Limited for the development of a project to place an observation wheel in Founders Plaza in Spring 2012; 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 to allow Jacobs Facilities, Inc., to perform a structural review of the proposed site.

18. COURT ORDER:

Approving the lease payments to 1330 Riverbend Investment Corporation for the Juvenile Department's satellite office located at 1330 Riverbend Drive, Suite 820 on a month to month basis, under the same terms and conditions, at a rental rate of \$12.50 per square foot, or \$4,925 per month, until such time as a relocation occurs to more suitable space.

19. COURT ORDER:

Approving submission of a grant application for the Dallas County Sheriff's Mental Health Transportation Unit to the Office of Governor, Criminal Justice Division (CJD), and designating Judge Clay Lewis Jenkins as the grantee's authorized official given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

20. COURT ORDER:

Approving the outlined Truancy Court Funding Agreement between Dallas County and Harmony Science Waco School, and authorizing the County Judge to sign said Agreement on behalf of Dallas County.

21. COURT ORDER:

Authorizing the creation of a "judge's bailiff" to perform the duties of a bailiff for the 301st Family District Court, with the Human Resources/Civil Service Department reviewing the position for the appropriate classification.

Commissioners Court Agenda – Tuesday, November 1, 2011

22. COURT ORDER:

Authorizing the postage of the Public Information Act Signage in accordance with Texas Government Code, Chapter 552.205; the Public Information Act sign will be posted on the First Floor of the Administration Building, Tax Office Various Locations, George Allen Building – First Floor, and on the Internet – Dallas County Web Page.

23. COURT ORDER:

Amending Court Order 99-2389 (12/14/99), effective January 1, 2013, by increasing Dallas County's participation in the City of Dallas Cedars tax increment finance (TIF) district from 65% to 75% and by extending its participation in this TIF district until either December 31, 2022, the County's total net present value contribution (using an interest rate of 5%) reaches \$4.1 million, or the City of Dallas terminates the district, whichever occurs first, and authorizing the County Judge to sign the related participation agreement/amendment with the City of Dallas.

24. COURT ORDER:

Approving County Judge Clay Lewis Jenkins to sign Attachment A, which acknowledges that Mandy Price's participation and service on the Dallas County Special Civil Service Commission is in her individual capacity only and not as a representative of, or on behalf of Weil, Gotshal & Manges LLP.

25. COURT ORDER:

Approving, in accordance with Chapter 142 of the Texas Agriculture Code, Section 142.013 of the Livestock Laws of the State of Texas, (as an alternative solution to selling/auctioning) the donation of unclaimed, stray donkeys to the Peaceful Valley Donkey Rescue Organization once the Sheriff's Department has complied with all legal requirements of public notification of impoundment and satisfied the eighteen (18) day holding period as required by law.

26. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending November 1, 2011, in amounts over \$5,000.00 for erroneous or excessive tax payments.

Commissioners Court Agenda – Tuesday, November 1, 2011

27. COURT ORDER:

Authorizing the Dallas County Tax Assessor/Collector to enter into a contract with Cardwell Chevrolet, LLC – Q Chevrolet to lease a remote sticker printing system (RSPS), and authorizing the County Judge to sign related documents required for the execution of the contract.

28. COURT ORDER:

Authorizing the Dallas County Tax Assessor/Collector to enter into a contract with Cardwell Chevrolet, LLC – Q Chrysler Jeep Dodge Fiat to lease a remote sticker printing system (RSPS), and authorizing the County Judge to sign related documents required for the execution of the contract.

29. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract #2012-040204-001, HIV Prevention Plan, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

30. COURT ORDER:

Approving the award of the Department of State Health Services (DSHS) FY 2011 Ryan White Part B Formula funds in the amount of \$387,204, as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

31. COURT ORDER:

Approving the award of FY 2011 Ryan White Part A Formula funds in the amount of \$1,515,884, as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

32. COURT ORDER:

Approving the FY 2011 Part A Formula, Minority AIDS Initiative, and Part A Supplemental Administrative Agency and Quality Management budgets totaling \$14,625,082, as outlined in Attachment A.

Commissioners Court Agenda – Tuesday, November 1, 2011

33. COURT ORDER:

Approving the FY 2012 contract between the Dallas County Juvenile Department and the University of Texas Southwestern Medical Center for the provision of psychological services, and authorizing the Dallas County Judge to sign the contract and related documents on behalf of Dallas County.

34. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to renew contracts with the twenty-one (21) listed existing residential service providers for FY 2012.

35. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to renew the six (6) non-residential services contracts, as listed, for FY 2012, at the not to exceed listed rates, retroactive to October 1, 2011.

36. COURT ORDER:

Approving the renewal of the professional services contract with Dallas Metrocare Services for the provision of a therapist, at a cost not to exceed \$58,317, for the In-Home Family Services Program for FY 2012.

37. COURT ORDER:

Authorizing a contract renewal with Justice Benefits, Inc. (JBI) for preparation of Title IV-E Claims and random moment sampling, and authorizing the Dallas County Judge to sign the agreement on behalf of Dallas County.

38. COURT ORDER:

Recognizing the extension of (Bid No. 2008-138-3947 – Annual Contract for Vehicle Transmission Repair and Replacement Services) as awarded to AAMCO Transmissions to reflect their two (2) locations (Addison and Irving Locations), and authorizing all County documents/payments to reflect accordingly.

Commissioners Court Agenda – Tuesday, November 1, 2011

39. COURT ORDER:

Authorizing a thirty (30) day extension of (Bid No. 2010-091-5237 – Annual Contract for HVAC Systems Chemical Water Treatment and Consulting Services) as awarded to Chem Aqua through December 1, 2011, and authorizing all County documents/payments to reflect accordingly.

40. COURT ORDER:

Granting, in accordance with Texas Local Government Code 262.024(a)(7)(A), the discretionary exemption for the purchase of various components (hardware and/or software) associated with the County's AFIS system from AFIX Technologies (manufacturer) until such time as the County replaces the equipment, and authorizing all County documents/payments to reflect accordingly.

41. COURT ORDER:

Authorizing the Purchasing Department to solicit Request for Qualifications Indefinite Delivery Indefinite Quantity of Right of Way Acquisition Services for the Public Works Department in accordance with local procurement laws.

42. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Work Order No. 1 with Gorrondona & Associates, Inc., for Subsurface Utility Engineering, in an amount not to exceed \$7,550.00 to be paid from Fund 196, Project 8201, for work in connection with La Prada Drive Project 20210.

43. COURT ORDER:

Authorizing final payment for the Bear Creek Rd @ Hampton Rd MCIP Project 32501 construction contract with JRJ Paving, Inc., in the amount of \$16,100.51 to be paid from MCIP Fund 196, Project 8201, and accepting the project as complete with no further payment due.

44. COURT ORDER:

Authorizing the County Treasurer to remit payment to the State of Texas, in the total amount not to exceed \$146,483.47, for the local ten percent funding share for the S.H. 161 project 91-553/50190 to be paid from 0424-0-08141-2000-0-50190-0-0.

Commissioners Court Agenda – Tuesday, November 1, 2011

45. COURT ORDER:

Awarding the contract for the construction of the Kiestwood Trail (Bid No. 2011-088-5664) to Estrada Concrete Company, LLC, in the amount not to exceed \$790,852.63, with total funding of \$1,031,245 being available for this project from the City of Dallas (\$353,500); from Fund 196, Project #90111 (Kiestwood Trail - \$277,745); and from Fund 196, Project #8101 (Open Space Administration – Honey Spring Trail - \$400,000), and authorizing the County Judge to execute said construction contract and any related documents.

46. CALLED BRIEFING SESSION:

See Briefing Agenda.

47. 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

-Dallas County Constable Beth Villareal, et al. vs.

Dallas County, et al.; Civil Action 3:11-CV2233-F

-Nancy J. Woertendyke vs. Dallas County; DC-09-16445-B

-Mark Duvall vs. Dallas County; 3:07-CV-929

-Texas Democratic Party, et al. vs. Dallas County, et al.;
3:08-CV-02117-P

-Carolyn West vs. Citi Mortgage, Inc., et al.; CC-11-02711-A

*Consultation with Attorney/Legal Advice

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

*Security


-Deliberation Regarding Security

Commissioners Court Agenda – Tuesday, November 1, 2011

48. RECESS:

49. RECONVENE IF REQUIRED:

50. ADJOURN:



John F. Warren, County Clerk