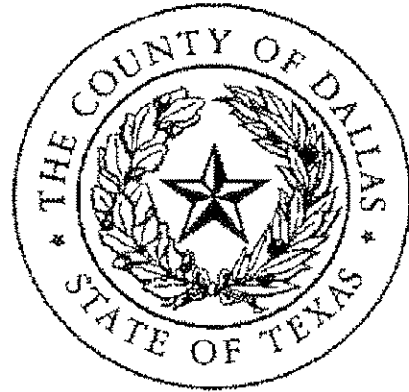


# **A** G E N D A



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, November 22, 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:**

**Dr. Robert Preece  
Zion Lutheran Church  
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 22, 2011

7. RESOLUTIONS:

- A. The New Conservatory of Dallas  
(Presented by Commissioner Maurine Dickey)

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF NOVEMBER 15-22, 2011:
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED NOVEMBER 28, 2011:

Bid No. 2012-016-5806 Request for Qualifications Indefinite Delivery Indefinite Quantity Right of Way Acquisition Services.

Bid No. 2012-021-5827 Design and Manufacture of a Mobile Election Supply Carrier.

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

To approve filing of Commissioners Court Agenda, dated November 22, 2011.

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

\*Minister's Letter of Appreciation

- F. TRANSFER OF FUNDS:

Commissioners Court Agenda – Tuesday, November 22, 2011

8. CONSENT AGENDA: (Cont'd.)

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

H. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. AWARD BIDS/RFP'S:

Bid No. 2012-007-5781 Annual Contract for the Printing, Processing and Mailing of Election Voter Registration Certificate Cards, Address Confirmation Cards and Other Related Material awarded to: National Data Services, Inc.

Bid No. 2012-012-5794 Annual Contract for Janitorial Services for the Southwestern Institute of Forensic Sciences/Office of the Medical Examiner Facility awarded to: D & A Building Services.

10. COURT ORDER:

Adopting the Dallas County Investment Policy, as developed by the County Treasurer and approved by the Dallas County Financial Review Committee, as the Official Dallas County Investment Policy, effective November 22, 2011, adopting the County Treasurer's review of Brokerage Firms, authorizing the 2012 Brokerage Firms, Banks and Local Government Investment Pools (LGIP), as outlined, adopting TexPool and TexPool Prime Investment Pools Participation Agreements and designating authorized representatives.

11. COURT ORDER:

Accepting payment of \$1,400.70 from Hartford Insurance for their insured, Kyler Davis, as settlement of property damage sustained by Dallas County in connection with this claim, and authorizing the County Judge to execute any and all documents approved by the District Attorney's Civil Division to effectuate this settlement.

Commissioners Court Agenda – Tuesday, November 22, 2011

12. COURT ORDER:

Authorizing the County Treasurer to issue a check jointly payable to State Farm Mutual Automobile Insurance Company and its counsel, Carpenter & Schumacher, P.C., in the amount of \$2,500.00 for the settlement reached in Cause No. JC-11-00215-G, styled *State Farm Mutual Automobile Insurance Company as Subrogee of David Counts d/b/a Central A/C & Heating vs. Dallas County*.

13. COURT ORDER:

Authorizing Dallas County, Texas to pay Edward H. Moore, P.C., \$85,000 in settlement of any and all attorneys fees, costs and expenses arising out of or related to the lawsuit in the United States District Court for the Northern District of Texas, Dallas Division, Cause No. 3:07-CV-0929-L, styled *Duvall v. Dallas County*, and authorizing the County Treasurer to deliver the check payable to Edward H. Moore, P.C., to Dolena T. Westergard, Assistant District Attorney, Federal Litigation Division, for delivery to Edward H. Moore.

14. COURT ORDER:

Appointing Lis Holland to the Dallas County Child Welfare Board for an initial term, effective November 22, 2011 through January 31, 2013.

15. COURT ORDER:

Appointing/re-appointing Omar F. Narvaez to the Dallas County Historical Foundation for an unexpired term, effective November 22, 2011 through January 31, 2013.

16. COURT ORDER:

Supporting, as outlined, the proposed modification to the boundary of the Zale Corporation's foreign trade subzone within the City of Irving.

17. COURT ORDER:

Approving an increase to the tele-order amount for the County Clerk's Recording section from \$1,500 to \$2,300.

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18. COURT ORDER:

Authorizing the creation of the Dallas County Dispute Resolution Center and the Human Resources/Civil Service classification review of the one (1) proposed Grade 8 position.

19. COURT ORDER:

Approving the outlined cost projection for the rental of Model 650 high speed ballot counters, DRE Touch Screen Devices and Model 100 ballot counters, as well as on-site support and professional services for the election day voting system for the 2012 election cycle; approving the Rental of Equipment Agreement for the May 2012 Joint Election between Dallas County and Election Systems & Software, and authorizing the Dallas County Judge, Clay Lewis Jenkins, to sign the Agreement.

20. COURT ORDER:

Approving a donation from Wal-Mart in the amount of \$2,000 for the STD/HIV Zip Zap Program, authorizing establishment of an escrow account for the STD/HIV Zip Zap Program for deposit of program related funds, and authorizing the Dallas County Auditor to issue payment to Wal-Mart for the purchase of incentive gift cards.

21. COURT ORDER:

Approving the revised FY 2011 Ryan White Part A budget for Dallas Legal Hospice dba Legal Hospice of Texas, and authorizing the County Judge to sign the contract amendment with the service provider on behalf of Dallas County.

22. COURT ORDER:

Approving the award of FY 2011-2012 State of Texas HIV Health and Social Services grant funds in the amount of \$36,235, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

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23. COURT ORDER:

Approving the award of FY 2011 Part A-Minority AIDS Initiative (MAI) grant funds in the amount of \$198,061, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

24. COURT ORDER:

Approving the award of FY 2011 Part A Formula grant funds in the amount of \$492,620, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

25. COURT ORDER:

Approving the award of FY 2011 Part A Supplemental grant funds in the amount of \$757,243, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

26. COURT ORDER:

Authorizing the final extension option of (Bid No. 2009-097-4461 – Annual Contract for Various Types of Environmental Abatement Services) as awarded to Empire Environmental Group, LLC., for the period of November 24, 2011 through November 23, 2012, and authorizing all County documents/payments to reflect accordingly.

27. COURT ORDER:

Authorizing the final extension option of (Bid No. 2010-007-4703 – Annual Contract for the Purchase of Paper for Office Use) as awarded to Western-BRW Paper Co., for the period of December 1, 2011 through November 30, 2012, and authorizing all County documents/payments to reflect accordingly.

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28. COURT ORDER:

Authorizing the final twelve (12) month extension of (Bid No. 2010-018-4792 – Annual Contract for the Purchase of Indigent Hygiene Packets and Related Items) as awarded to Amercare Products, Inc., effective January 5, 2012 through January 4, 2013, and authorizing all County documents/payments to reflect accordingly.

29. COURT ORDER:

Authorizing the final extension of (RFP No. 2010-019-4793 - Request for Proposal for Substance Abuse Treatment Services for the Dallas County DWI Courts) as awarded to Recovery Healthcare Corporation for the period of February 13, 2012 through February 12, 2013, and authorizing all County documents to reflect accordingly.

30. COURT ORDER:

Authorizing the first twelve (12) month extension option of (Bid No. 2011-012-5294 – Annual Contract for the Purchase of Original Equipment Manufacturer (OEM) Automotive Parts and Accessories for Passenger Vehicles and Light Duty Trucks) as awarded to Friendly Chevrolet and Park Cities Ford Lincoln Mercury for the period of November 30, 2011 through November 29, 2012, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing: (1) staff to enter into contract negotiations with Phamatech, Inc., (highest ranked firm) with respect to RFP No. 2011-099-5714, Request for Proposal for Laboratory Analysis and Drug Testing Services of Urine and Blood Specimens, (2) a month-to-month extension of RFP No. 2006-092-2054 as awarded to Technical Resource Management dba Norchem Drug Testing until such time that a new contract is awarded and executed, and (3) all County documents/payments to reflect accordingly.



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32. COURT ORDER:

Authorizing the award of (Bid No. 2012-013-5795 – Annual Contract for Janitorial Services for the Frank Crowley Courts Building, Lew Sterrett Justice Center and Adjacent Towers) to the lowest and best bidder, UBM Enterprise Inc., based on an estimated annual total amount of \$285,965.52 for the period of December 1, 2011 through November 30, 2012, and authorizing all County documents/payments to reflect accordingly.

33. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Master Agreement governing the Major Capital Improvement Program with the City of Duncanville.

34. COURT ORDER:

Authorizing the City of Dallas, as Trustee, to solicit sealed bids on listed tax foreclosure properties, and consenting to the sale of said properties 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 judgments against the property.

35. COURT ORDER:

Authorizing Work Order No. 1 of the Laboratory Services Contract with Mas-Tek Engineering & Associates, Inc., District No. 3, be executed for an amount not to exceed \$19,640.00 to be paid from Fund 196, Project 90111 for the Kiestwood Trail.

36. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Advance Funding Agreement for Project Using Funds Held in the State Highway 121 Subaccount with the Texas Department of Transportation (TxDOT) for the Wintergreen Road MCIP Project 47301, which will provide RTR funding in the amount of \$2,580,000.00, with additional project funding contributions through the Major Capital Improvement Program (MCIP): Dallas County (\$2,770,000.00); City of Duncanville (\$388,000.00); City of DeSoto (\$406,000.00); and City of Cedar Hill (\$401,000.00).

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37. COURT ORDER:

Waiving the County's "Resale to Public Jurisdiction Policy" outlined in Dallas County Code Chapter 62-91 through 62-96 (Court Order No. 2000-1423) in the City of Dallas purchase of the Properties; consenting to the sale of the Properties for the purchase prices, as outlined in Exhibit "A", and authorizing the City of Dallas, as trustee, to act on behalf of Dallas County, Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in execution of Quitclaim Deeds to transfer the County's interests in the Properties to the City.

38. CALLED BRIEFING SESSION:

See Briefing Agenda.

39. 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

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

-Dallas County vs. MERSCorp, Inc., Mortgage Electronic Registration Systems, Inc., Stewart Title Guaranty Company, Stewart Title Company, Bank of America, National Association and Aspire Financial, Inc. d.b.a. TexasLending.com; Civil Action 3:11-CV-02733-O

-Revis Ray Loftis vs. Dallas County; 3:10-CV-0016-B

-HUD Compliance Review – Update

\*Personnel

-Residency Requirements for Positions #1468 – Assistant Fire Marshal and #6626 – Emergency Management Officer – Planning (Homeland Security)

\*Claims


-Dallas County vs. Robert Palacios & Conway, Inc.;  
TW #11-000644

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40. RECESS:

41. RECONVENE IF REQUIRED:

42. ADJOURN:



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John F. Warren, County Clerk