

DALLAS COUNTY COMMISSIONERS COURT
CLOSED SESSION AGENDA

ADDENDUM

October 18, 2011

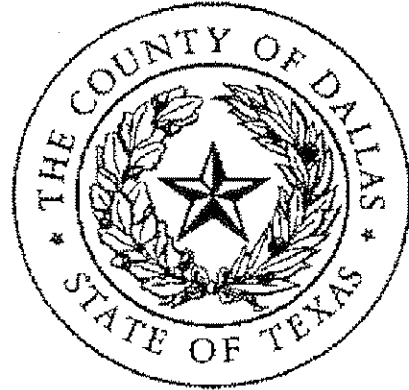
**PENDING OR CONTEMPLATED LITIGATION AND ATTORNEY CLIENT
INFORMATION Tex. Gov. Code. §§551.071(1)(A) and (B)**

Texas Democratic Party, et al. vs. Dallas County, et al.

Cause No. 3:08-CV-02117-PN/A

Tran. et al. vs. Discover Bank, et al.; 3:11-CV-2327-LN/A

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, October 18, 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:**

**Chaplain Mary Wesley
Dallas County Sheriff's Department
Chaplain Unit
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 prohibe 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. RESOLUTIONS:

- A. Greg Allbright – Board Member of Dallas Metrocare Services
(Presented by Commissioner Mike Cantrell)

- B. Gary T. Fallwell
(Presented by Commissioner Mike Cantrell)

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF OCTOBER 11-18, 2011:

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED OCTOBER 24, 2011:

Bid No. 2012-006-5776 Annual Contract for Automotive Transmission Repair, Replacement and Other Related Services. (CONTACT DATA PROVIDED OCTOBER 4, 2011)

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. (CONTRACT DATA PROVIDED OCTOBER 18, 2011)

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS:

- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated October 18, 2011.

Commissioners Court Agenda – Tuesday, October 18, 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. AWARD BIDS/RFP'S:

Bid No. 2011-097-5705 Annual Contract for the Purchase and Installation of Pre-Owned Modular Furniture awarded to: Bekins Moving Solution. (CONTRACT DATA PROVIDED JULY 5, 2011)

Bid No. 2011-104-5734 Annual Contract for Paper Towels, Toilet Paper, Seat Covers, Trash Bags and Related Items awarded to: M.A.N.S. Distributors, Inc., Complete Supply, Empire Paper and Interboro Packaging Corp.

Bid No. 2012-003-5767 Contract for the Purchase of Honeywell Micro Switches awarded to: Digital Pro Service & Installation.

10. COURT ORDER:

Authorizing the denial of a claim presented by John Morey against Dallas County.

11. COURT ORDER:

Approving the outlined lease agreement with Decker Corrections, Inc., effective October 15, 2011 for approximately 23,436 square feet at the Bill Decker Corrections Center Jail, and authorizing the County Judge to execute the lease on behalf of Dallas County.

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12. COURT ORDER:

Authorizing the County Judge to execute an amendment to the lease for the Dallas County Juvenile Probation Department with EL-SNPR REO HOLDINGS, LLC, for 3,590 square feet of office space located at 7220 Westmoreland Road, Dallas, Texas 75237.

13. COURT ORDER:

Approving submission of a grant application for the Dallas County Courts FY 2012 Formula Grant to the Texas Task Force on Indigent Defense, and designating the County Judge 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.

14. COURT ORDER:

Approving the outlined FY 2012 contract with the Association for Retarded Citizens of Dallas (ARC) to provide guardianship services to the Dallas County Probate Courts, and authorizing the County Judge to sign the contract on behalf of Dallas County.

15. COURT ORDER:

Authorizing the District Clerk's request for the following staffing adjustments: (1) the cost of position #5258 be moved from the General Fund to the District Clerks Records Management Fund; (2) the creation of a new Clerk II Grade 7 position to be funded out of the General Fund and assigned to the District Clerk's Criminal Courts Division; and (3) the transfer of position #5075 from District Clerk Administration at George Allen Courts Building to District Clerk Criminal Courts Division at the Crowley facility; funding for the new position will be offset by the movement of position #5258 from the General Fund to the District Clerks Records Management Fund, meaning there is no cost to the County General Fund.

16. COURT ORDER:

Authorizing the provision of a ten-year, 75% abatement on both real property and business personal property for the construction of a major e-commerce fulfillment facility in the City of DeSoto for Kohl's, effective January 1, 2015, subject to the project having created 200 full-time permanent jobs, 200 FTE part-time jobs, and a \$60 million increase in the County's tax base by this effective date, and authorizing the County Judge to sign the related tax abatement agreement.

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17. COURT ORDER:

Authorizing the County Judge to sign Amendment No. 1 to the contract for Desktop Technical Support Services between Dallas County and QNet, Inc., and approving the expenditure of \$36,000 annually to provide an Asset Management System during the term of the contract.

18. COURT ORDER:

Approving the revised policy language (Chapter 86 – Nepotism Policy), as outlined in Attachment A, for immediate inclusion in the Dallas County Code.

19. COURT ORDER:

Approving two (2) weeks of additional pay from date of separation (immediate termination) for all employees affected by the deletion of selected positions throughout Dallas County due to its FY 2012 budget balancing strategies.

20. COURT ORDER:

Appointing listed election judges and alternate election judges to fill vacancies for the 2011-2012 term.

21. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract #2012-039953-001 (Refugee), for the term of October 1, 2011 through September 30, 2012, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

22. COURT ORDER:

Approving the outlined Interlocal Agreement (ILA) between Dallas County and the City of Dallas for forensic laboratory services provided by the Criminal Investigation Laboratory utilized by the Dallas Police and Fire Departments, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

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23. COURT ORDER:

Granting approval for Amendment No. 16 to the State (Texas Juvenile Probation Commission) (TJPC) Financial Assistance Contract for the grant funding of The Bridge School Virtual Program.

24. COURT ORDER:

Authorizing a forty-five (45) day extension (October 15, 2011 through November 28, 2011) of (RFP No. 2006-092-2054 - Request for Proposal for Laboratory Analysis and Drug Testing Services of Urine and Blood Specimens) as awarded to Technical Resource Management dba Norchem Drug Testing, and authorizing all County documents/payments to reflect accordingly.

25. COURT ORDER:

Authorizing the second extension of (Bid No. 2009-003-3955 – Annual Contract for Work Uniforms) with Unifirst for an additional twelve (12) month period, effective November 18, 2011 through November 17, 2012, and authorizing all County documents/payments to reflect accordingly.

26. COURT ORDER:

Awarding (RFP No. 2011-036-5427 - Request for Proposals for Collection Services for Justice of the Peace Courts) to Linebarger Goggan Blair & Sampson, LLP, authorizing the County Judge to sign the outlined contract on behalf of Dallas County; and authorizing the cancellation of the existing contract for JP Court Collection Services (RFP No. 2004-054-1471) as awarded to Linebarger Goggan Blair & Sampson, LLP, effective upon execution of the new agreement.

27. COURT ORDER:

Authorizing and recognizing: (1) the award of Item No. 21 (Hot Mix, Type B) of Bid No. 2011-102-5731 – Annual Contract for the Purchase of Road and Highway Building Material as follows: Austin Asphalt, L.P. (Primary) and APAC Texas, Inc. (Secondary); (2) a contract term of October 7, 2011 through October 6, 2012; and (3) all documents/payments to reflect accordingly.

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28. COURT ORDER:

Authorizing a discretionary exemption from the competitive procurement process as allowed by Local Government Code 262.024 (a)(7)(A)(B) for the acquisition of publications (law, legal, educational and training) for various Dallas County departments, and authorizing all County documents/payments to reflect accordingly.

29. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Modification No. 2 to the Scope of Services to the contract for Preliminary Consultant Engineering Services with Jacobs Engineering Group, Inc., in an amount not to exceed \$104,620.44, for a revised contract not to exceed \$446,148.96, to be paid from MCIP Fund 196, Project 8201 for the Mansfield Road MCIP Project 40903.

30. COURT ORDER:

Authorizing the County Judge to award a construction contract with Tiseo Paving Company, in an amount not to exceed \$5,218,992.20, to be paid \$2,333,301.50 from MCIP Fund 196, Project 8201, with reimbursement from the City of DeSoto in the amount of \$2,885,690.70.

31. CALLED BRIEFING SESSION:

See Briefing Agenda.

32. 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

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

Subjects: *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 Woertendyke vs. Dallas County; DC-09-16445-B
- Mark Duvall vs. Dallas County; 3:07-CV-929
- Milad Nasrallah, Sr., et al. vs. Jim Foster; 09-16681
191st Judicial District Court of Dallas County, Texas
- Maggie Coleman vs. Hiram Rodgers, et al.; DC-10-12113-E
- Norvis Harmon, Dedrick Miller, and Tracy Robinson vs. Dallas County; DC-11-11576
- Texas Democratic Party, et al. vs. Dallas County, et al.;
3:08-CV-02117-P

*Personnel

- Request for Exception to Pay Policy
- Request for Exception to Compensation Policy
Probation Employees – Discretionary Increase

*Claims

- Safeco Insurance Company vs. Dallas County;
TW #11-000010

*Deliberations about Real Estate: Tex. Gov. Code §§ 551.072

- Potential Property Sale – 899 Stemmons (Decker Facility)
- Potential Purchase of Property (County Clerk)


*Consultation with Attorney/Legal Advice

- Redistricting
- Attorney-Client Privilege Matter Concerning Audit of Service of Civil Process and Constable Duties
- Attorney-Client Privilege Matter Concerning HUD Matters
Housing & Urban Development

33. RECESS:

34. RECONVENE IF REQUIRED:

35. ADJOURN:



John F. Warren, County Clerk