

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

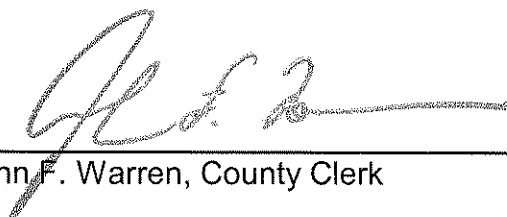
TUESDAY, SEPTEMBER 6, 2011

9:00 A.M.

Received: 9/02/2011 @ 3:47 P.M.

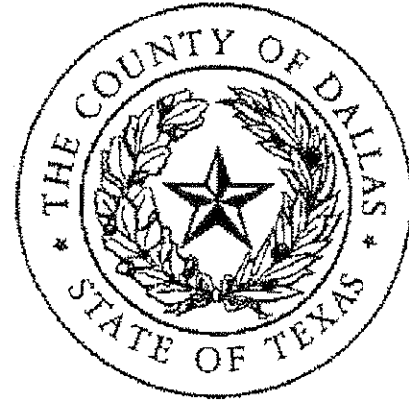
A1. COURT ORDER:

Approving the Attorney Fee Contracts between Dallas County and Gibson, Dunn & Crutcher ("the FIRM"), representing County Judge Clay Lewis Jenkins, and Billy Ravkind ("the FIRM") representing Commissioner John Wiley Price in Civil Action No. 3-11CV2233-F, styled *Dallas County Constable Beth Villareal, et al vs. Dallas County, et al.*



John F. Warren, County Clerk

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, September 6, 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 August Term:**
- 5. Motion To Open Court for the September Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Reverend H.L. vanBolden
Bethlehem Baptist Church
Terrell, 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 seccion 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, September 6, 2011

8. RESOLUTIONS:

- A. Dallas County Amateur Radio Volunteers
(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 AUGUST 30 – SEPTEMBER 6, 2011:

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED SEPTEMBER 8, 2011:

Bid No. 2011-101-5728 Demolition and Reconstruction of a New Single Family Home located at 407 E. Hickman, Hutchins, TX (Yates).

THE FOLLOWING BIDS/RFP'S TO BE OPENED SEPTEMBER 12, 2011:

Bid No. 2011-099-5714 Request for Proposal for Laboratory Analysis and Drug Testing Services of Urine and Blood Specimens.

Bid No. 2011-102-5731 Annual Contract for Road and Highway Building Materials. (CONTRACT DATA PROVIDED SEPTEMBER 6, 2011)

Bid No. 2011-103-5732 Annual Contract for Plumbing Material and Related Products. (CONTRACT DATA PROVIDED SEPTEMBER 6, 2011)

Bid No. 2011-104-5734 Annual Contract for the Purchase of Paper Towels, Toilet Paper, Seat Covers, Trash Bags and Related Items. (CONTRACT DATA PROVIDED SEPTEMBER 6, 2011)

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

Commissioners Court Agenda – Tuesday, September 6, 2011

9. CONSENT AGENDA: (Cont'd.)

D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated September 6, 2011.

E. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- *Minister's Letter of Appreciation
- *Letter to Brother Jeffery Muhammad
- *Thank You Letters (50) – Student Immunization for the 2011 – 2012 School Year

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. PUBLIC HEARING: (*9:00 A.M.*)

A. MOTION TO OPEN PUBLIC HEARING:

B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE FY 2012 TAX RATE FOR DALLAS COUNTY HOSPITAL DISTRICT:

C. MOTION TO CLOSE PUBLIC HEARING:

Commissioners Court Agenda – Tuesday, September 6, 2011

11. PUBLIC HEARING: (9:00 A.M.)

- A. MOTION TO OPEN PUBLIC HEARING:
- B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE FY 2012 TAX RATE FOR DALLAS COUNTY:
- C. MOTION TO CLOSE PUBLIC HEARING:

12. AWARD BIDS/RFP'S:

Bid No. 2011-093-5690 Annual Contract for the Purchase of Staple & Non-Staple Food Items awarded to: CD Hartnett Co. and Central Poly Corp. (CONTRACT DATA PROVIDED JULY 5, 2011)

13. COURT ORDER:

Accepting payment of \$4,310.00 from Texas Farm Bureau Insurance Company for their insured, James Lopez, as settlement of property damage sustained by Dallas County on or about July 14, 2011, and authorizing the County Judge to execute any and all documents approved by the District Attorney's Civil Division to effectuate this settlement.

14. COURT ORDER:

Authorizing the outlined contingent fee for legal services contract between Dallas County and Malouf & Nockels LLP ("the Firm"), and authorizing Dallas County Judge Clay Lewis Jenkins to sign such contract on behalf of Dallas County, Texas.

15. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$58,500.00 made payable to Michele Marvin and Sawicki & Lauten, LLP as full and final settlement by the County of Dallas, Texas, and authorizing the County Treasurer to release said check to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

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16. COURT ORDER:

Appointing Edgar A. Morales and Eladio Martinez to serve on the Dallas County Homeland Security Advisory Committee for an initial term, effective September 6, 2011 through January 31, 2012.

17. COURT ORDER:

Setting the salaries, expenses or allowances of listed Dallas County Elected Officials, and directing the Office of Budget and Evaluation to place all necessary legal notices and give written notices to all Elected Officials in a timely fashion.

18. COURT ORDER:

Authorizing the award of RFQ No. 2010-089-5231, Request for Qualifications Proposal of Energy Service Companies for Performance Contracting to Schneider Electric Buildings Americas, Inc., and authorizing the County Judge to execute the outlined agreement on behalf of Dallas County.

19. COURT ORDER:

Approving submission of a grant application for the Mental Health Diversion Court project to the Office of the Governor, Criminal Justice Division.

20. COURT ORDER:

Approving the Personal Services Contract with ARC, Austin Ribbon + Computer for the services of Kass Khanabadi, and authorizing the County Judge to sign the contract on behalf of Dallas County.

21. COURT ORDER:

Authorizing Dallas County Office of Information Technology to approve the Justice Assistance Grant (JAG) funding of \$196,000, DA Forfeiture Funds of \$30,000 (Cross Match/AFIX; CO 2011-813), and Major Technology Fund (Hardware Refresh) of \$83,000 for the purchase of additional computer disk storage from FreelT Systems (DIR-SSD-1458) in the amount of \$309,000.

Commissioners Court Agenda – Tuesday, September 6, 2011

22. COURT ORDER:

Approving TexHealth Central Texas to be designated as the entity to operate a 3-Share Plan in Dallas County.

23. COURT ORDER:

Approving the use of District Clerk Technology Archive and County Clerk Records Management Funds from each Clerk, in the amount of \$25,000 from each Clerk, to fund the Extended Support Services Agreement with Tyler Technologies additional services beyond those provided for in the M&S Agreement.

24. COURT ORDER:

Approving the outlined contract with Lammert Inc. dba Historical Publishing Network for the publication of a pictorial Cityscape book on Dallas County, and authorizing the County Judge to execute the agreement on behalf of Dallas County.

25. COURT ORDER:

Authorizing the use of Justice Assistance Grant (JAG) funds to provide a Dallas County Incident Module (DCIM) System Administrator assigned to the Dallas County Sheriff's Department, and authorizing the Civil Service Commission to review the proposed position for the proper pay grade and classification.

26. COURT ORDER:

Approving the Dallas County Elections Department's request to order a Local Option Election to be held on November 8, 2011 for "The legal sale of beer and wine for off-premise consumption only", in the Town of Sunnyvale.

27. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending September 6, 2011, in amounts over \$5,000.00 for erroneous or excessive tax payments.

Commissioners Court Agenda – Tuesday, September 6, 2011

28. COURT ORDER:

Approving submission of a grant application to the Texas Department of Transportation for the purchase of three (3) vehicles, and authorizing the County Judge to sign all related documents on behalf of Dallas County.

29. COURT ORDER:

Approving submission of the Continuation Grant Application for Title III funds for Congregate Meals, Senior Center Operations and Transportation Services to the Dallas Area Agency on Aging for fiscal year 2012, and authorizing the County Judge to sign the application and all related documents on behalf of Dallas County.

30. COURT ORDER:

Approving authorization for the County Treasurer, Joe Wells, to release payroll for Texas Department of State Health Services, Document #2011-036727-001, Immunization Branch Locals, for the months of September, October and November, 2011.

31. COURT ORDER:

Approving the FY 2012 Department of State Health Services (DSHS) State Services Contract No. 2012-039164, in the amount of \$914,446, with a term effective September 1, 2011 through March 31, 2012, and authorizing the County Judge to sign the contract with DSHS and all related documents on behalf of Dallas County.

32. COURT ORDER:

Authorizing the following: (1) cancellation of Bid No. 2011-086-5654, Annual Contract for Document Destruction, as awarded to Action Shred, Inc., (2) immediate re-bid of the solicitation and (3) disqualify said vendor from award consideration on any County solicitations for a period of thirteen (13) months, and authorizing all County documents to reflect accordingly.

33. COURT ORDER:

Authorizing the Purchasing Department to solicit Request for Proposals for Household Hazardous Waste Collection, Recycling, Disposal, and Other Related Program Services in accordance with State and Local Government Codes.

Commissioners Court Agenda – Tuesday, September 6, 2011

34. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Amendment No. 1 to the Interlocal Cooperative Agreement between North Central Texas Council of Governments (NCTCOG) and Dallas County for the Cottonwood Trail Local Air Quality (LAQP) Bicycle and Pedestrian Project for the Cottonwood Trail (Segments C, D, D Ext. and E) MCIP Project 10214, with the total amount of \$225,000.00 to be funded from Regional Transportation Council (RTC) Local Match Funds.

35. COURT ORDER:

Authorizing and directing the County Judge to execute a construction contract with CPS Civil, LLC, for the construction of the Gaston Avenue and Washington Avenue Improvements Project, MCIP 30206, in an amount not to exceed \$2,016,808.30, to be paid \$216,010.15 from MCIP Fund 196, Project 8201, with the remaining \$1,800,798.15 to be reimbursed by the City of Dallas.

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

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

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

-Lidia Pacheco vs. Dallas County; CC-11-02759-D

-Trinh Tran, et al. vs. Discovery Financial Services, et al;
DC-11-00790

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

Subjects: *Claims

-Dallas County vs. Boyd Adkerson & Maybe's Trucking;
TW #11-000339

-Dallas County vs. Alma Rosa Hernandez; TW #11-000446

-Svetlana Kostylevich – Subrogation Reduction Request Claim;
TW #11-000516

-Marvin Leon Brown – Workers Compensation Subrogation
Claim Reduction; DWC Claim #09000214

*Consultation with Attorney/Legal Advice

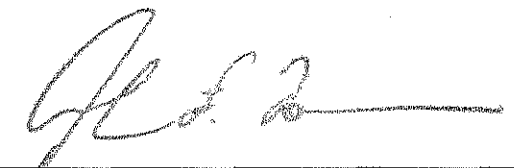
-Redistricting

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

38. RECESS:

39. RECONVENE IF REQUIRED:

40. ADJOURN:



John F. Warren, County Clerk