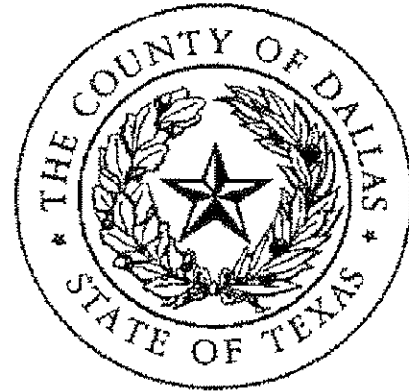


A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, September 13, 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:**

**Ms. Christina Melton Crain
Park Cities Baptist 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, September 13, 2011

7. RESOLUTIONS:

- A. Madeline McClure – Founder of TexProtects
(Presented by Commissioner John Wiley Price)
- B. National Preparedness Month in Dallas County
(Presented by Commissioner John Wiley Price)
- C. 2-1-1 Help in Texas
(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 SEPTEMBER 6-13, 2011:

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED SEPTEMBER 19, 2011:

Bid No. 2011-106-5755 Annual Contract for Document Destruction Services. (CONTRACT DATA PROVIDED SEPTEMBER 13, 2011)

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

- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated September 13, 2011.

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

*Minister's Letter of Appreciation

- F. TRANSFER OF FUNDS:

Commissioners Court Agenda – Tuesday, September 13, 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. PUBLIC HEARING: (9:00 A.M.)

A. MOTION TO OPEN PUBLIC HEARING:

B. DISCUSSION/REQUEST FOR PUBLIC COMMENT REGARDING THE COUNTY CLERK'S AND DISTRICT CLERK'S ANNUAL WRITTEN PLAN FOR FUNDING THE PRESERVATION, RESTORATION AND REDACTION OF THEIR RESPECTIVE RECORDS ARCHIVES:

C. MOTION TO CLOSE PUBLIC HEARING:

10. AWARD BIDS/RFP'S:

Bid No. 2011-100-5716 Annual Contract for the Printing and Production of Election Ballots and the Conversion of Audio Ballot Voice Files awarded to: Election Systems & Software, Inc. (CONTRACT DATA PROVIDED MARCH 22, 2011)

11. COURT ORDER:

Adopting the Nationwide Retirement Solutions, Inc. Deferred Compensation Plan for Public Employees 457 Governmental Plan and Trust and directing Nationwide to administer in accordance with its terms, and authorizing the County Judge to execute the adoption by Dallas County of the Plan document.

Commissioners Court Agenda – Tuesday, September 13, 2011

12. COURT ORDER:

Accepting payment of \$3,488.95 from State Farm Insurance Company for their insured, Alma Rosa Hernandez, as settlement of property damage sustained by Dallas County on or about July 25, 2011, and authorizing the County Judge to execute any and all documents approved by the District Attorney's Civil Division to effectuate this settlement.

13. COURT ORDER:

Accepting payment of \$4,932.30 from National Interstate Insurance Company for their insured, Boyd Adkerson and Maybe's Trucking, as settlement of property damage sustained by Dallas County on or about June 6, 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:

Denying Marvin Leon Brown's request for a reduction of Dallas County's workers' compensation subrogation lien, but acknowledging and approving the statutory request for attorney fees for Attorney William E. Hymes, in the amount of \$6,045.36, to be taken from the recovery for Dallas County.

15. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$325.00, payable to W. Michael Houston for mediation in Cause No. cc-11-02759-D, styled *Lidia Pacheco v. Dallas County, Texas*.

16. COURT ORDER:

Approving the Attorney Fee Contract between Dallas County and White & Wiggins LLP, effective September 6, 2011, in Civil Action No. 3-11CV2233-F, styled *Dallas County Constable Beth Villareal, et al vs. Dallas County, et al*.

17. COURT ORDER:

Authorizing the Professional Services Agreement between Dallas County and Everett Hinson for Media Relations Services on behalf of the District Attorney's Office.

Commissioners Court Agenda – Tuesday, September 13, 2011

18. COURT ORDER:

Authorizing the Professional Services Agreement between Dallas County and Julia Kang for Community Affairs Services on behalf of the District Attorney's Office.

19. COURT ORDER:

Authorizing the addition of a new Assistant District Attorney position anticipated to be a grade V, with the Human Resources/Civil Service Department to determine the proper classification.

20. COURT ORDER:

Authorizing the implementation of the proposed Office of Information Technology Server Team salary adjustments, including the deletion of the Server Administrator position, as outlined, by the Office of Budget and Evaluation.

21. COURT ORDER:

Authorizing the proposed plan to utilize the DIVERT funding to obtain twenty (20) additional beds: ten (10) from Homeward Bound and ten (10) from Nexus, with the understanding that the Community Supervision and Corrections Department (CSCD) will monitor the balance of the proposed funding source and make changes to bed quantities as needed.

22. COURT ORDER:

Rescinding Court Order No. 2011-1500 (9/06/11) establishing the Elected Officials Salaries, Expenses or Allowances; and 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.

23. COURT ORDER:

Filing the outlined letter certifying the completion of the continuing education requirements in Article 81.0025(e) issued to Commissioners Mike Cantrell and John Wiley Price for the calendar year of 2011.

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24. COURT ORDER:

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

25. COURT ORDER:

Approving the use of District Clerk Technology Archive and County Clerk Records Management Funds from each Clerk, in the amount of \$5,960 from each Clerk, to fund the professional services agreement with Tyler Technologies for financial data tokens.

26. COURT ORDER:

Approving the Dallas County Health and Human Services (DCHHS) FY 2012 Fee Schedule, as outlined.

27. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract No. 2012-039508-001, (RLSS – Local Public Health System), and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

28. COURT ORDER:

Approving the Texas Department of State Health Services (DSHS) Contract No. 2012-039557-001, Immunization Branch-Locals, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

29. COURT ORDER:

Approving the Food Establishment Interlocal Agreement with the cities of Balch Springs, Cockrell Hill, Glenn Heights, Highland Park, Hutchins, Lancaster, Sachse, Seagoville, Sunnyvale, University Park, and Wilmer for the provision of food service inspection services at a cost to the cities of \$150 per year for each establishment requesting inspection by the County; approving an additional fee of \$75 for additional inspections; and authorizing the County Judge to sign the Interlocal Agreements on behalf of Dallas County.

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30. COURT ORDER:

Approving the renewal agreement for Mosquito Testing with the City of Cedar Hill, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

31. COURT ORDER:

Approving the Mosquito Control Interlocal Agreement with the cities of Cedar Hill, DeSoto, Duncanville, Grand Prairie, and Rowlett for the provision of mosquito spraying at the rate of \$185.00 per hour, and authorizing the County Judge to sign the Interlocal Agreements on behalf of Dallas County.

32. COURT ORDER:

Approving the award of FY 2011 Ryan White HIV/AIDS Treatment Extension Act of 2009 (TEA) Part A Supplemental grant funds in the amount of \$1,749,191, to service providers, as outlined, and authorizing the County Judge to sign the contracts with the specific service providers on behalf of Dallas County.

33. COURT ORDER:

Authorizing the disposal of property, as outlined in the attachment, and the deletion of referenced equipment from the property records of the respective Dallas County Health and Human Services (DCHHS) grants.

34. COURT ORDER:

Authorizing the first twelve (12) month extension of (Bid No. 2010-093-5244 – Annual Contract for the Purchase of Computer Paper) with Accurate Forms & Supplies for the period of October 12, 2011 through October 11, 2012, and authorizing all County documents/payments to reflect accordingly.

35. COURT ORDER:

Approving a three (3) year Inter-local Agreement between Dallas County and the City of Dallas for the period of October 1, 2011 through September 30, 2014, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

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36. COURT ORDER:

Accepting the outlined Balch Springs City Council Resolution No. 689-11, dated August 22, 2011, authorizing the County of Dallas to act as Trustee to represent the City of Balch Springs in the sale, use, and disposition of the Properties, acquired by tax foreclosure, which have been jointly vested in the name of City of Balch Springs, County of Dallas and the Dallas Independent School District or Mesquite Independent School District, by public sealed bid or private sale as authorized by Section 34.05 of the Property Tax Code, subject to the condition that the City of Balch Springs continues providing maintenance as required by city ordinances or building codes until the Properties are resold by Dallas County.

37. COURT ORDER:

Accepting, upon official passage of a Lancaster City Council Resolution, the City of Lancaster proposal for Dallas County to represent the City in the sale, use and disposition of the Properties, acquired by tax foreclosure, which have been jointly vested in the name of City of Lancaster, Dallas County and the Lancaster Independent School District, by public sealed bid or private sale as authorized by Section 34.05 of the Property Tax Code, subject to the condition that the City continues providing maintenance as required by city ordinances or building codes until the Properties are resold by Dallas County.

38. COURT ORDER:

Approving the modifications to the Project Description of the original Interlocal Cooperation Project Agreement between the Town of Sunnyvale and Dallas County for construction, reconstruction, improvement or repair of the roads described in the modified Exhibit "A", as outlined, all within the Town's limits.

39. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Novation Agreement with H W Lochner, Inc., taking over the responsibility previously awarded to BWR, Inc.

40. COURT ORDER:

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

Commissioners Court Agenda – Tuesday, September 13, 2011

41. COURT ORDER:

Authorizing the final payment for the Lake Highlands Town Center MCIP Project 20213 construction contract with Austin Bridge and Road, in the amount of \$281,954.11 to be paid from MCIP Fund 196, Project 8201, and accepting the project as complete with no further payment due.

42. COURT ORDER:

Setting the Dallas County holiday schedule for calendar year 2012.

43. COURT ORDER:

Appointing Aaron McCarthy to serve on the Dallas County Homeland Security Advisory Committee for an initial term, effective September 13, 2011 through January 31, 2012.

44. CALLED BRIEFING SESSION:

See Briefing Agenda.

45. 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

-Joseph Pulliam vs. Dallas County; CC-10-02825-E

-Ida Porier vs. Dallas County, et al; CC-10-03610-E

*Consultation with Attorney/Legal Advice

-Redistricting

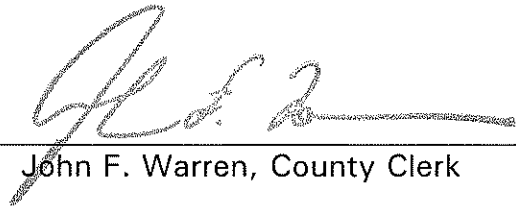
-Attorney-Client Privilege Matter Concerning Audit of Service of Civil Process and Constable Duties

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46. RECESS:

47. RECONVENE IF REQUIRED:

48. ADJOURN:



John F. Warren, County Clerk