

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, August 7, 2012**

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

**Mr. Sammy Argumaniz  
SMU Catholic Ministry  
Dallas, Texas**

- 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)

- 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 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)

Commissioners Court Agenda – Tuesday, August 7, 2012

8. RESOLUTIONS:

- A. Recognition of John Dragovits  
Presented by Commissioner Mike Cantrell
- B. Lawson Road  
Presented by Commissioner Mike Cantrell

9. PRESENTATION:

- A. Mayor Carl Sherman and Mayor Delegation  
Presented by Commissioner John Wiley Price

10. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JULY 10 – AUGUST 7, 2012.
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S OPENED AUGUST 6, 2012:

- Bid No. 2012-084-6111 Request for Proposal for Residential and Mechanical and Weatherization Services.
- Bid No. 2012-086-6113 Request for Proposal for Mainframe Migration Solution for Dallas County.
- Bid No. 2012-087-6114 Annual Contract for Passengers, Medium and Heavy Duty Vehicles Body Damage and Collision Repair Services. (Contract data provided August 7, 2012)

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- D. RIGHTS OF WAY:

Summary Agreements

Commissioners Court Agenda – Tuesday, August 7, 2012

10. CONSENT AGENDA: (Cont'd.)

E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated August 7, 2012

F. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

G. TRANSFER OF FUNDS.

H. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS.

I. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

11. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of June, 2012.

12. COURT ORDER:

Receiving and approving the Quarterly Investment Report of Dallas County Funds for the period April 1, 2012 through June 30, 2012, as provided by the County Treasurer.

13. COURT ORDER:

Accepting the payment of \$13,948.00 from ACCC Claims Service, Inc., for their insured Antonio Trigg as a settlement of property damages sustained by Dallas County, Texas, 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 Meagan Ramon be reimbursed \$873.94 as full and final settlement by Dallas County, 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.

15. COURT ORDER:

Approving and authorizing the County Judge to sign the contract with the Texas Department of Public Safety (DPS) for Scofflaw services, and authorizing the advance payment to the Texas Department of Transportation (TxDOT) escrow account in an amount and on a schedule as determined by the County Budget Officer the monies necessary to pay for the required fees; the funding for payment of the Scofflaw information exchange is available in the County-wide dues and subscription account (120.9910.02080); authorizing the Dallas County's IT Services to continue to work with the Texas Department of Public Safety to finalize details and exchange information as necessary for the completion of the Dallas County most wanted data base which includes the drivers license data and photographic information.

16. COURT ORDER:

Authorizing the transfer of \$288,785 from Unallocated Reserves to the County Clerk General Fund budget to cover payroll for the 39 Records Management positions in the County Clerk's Office absorbed by the Records Management Fund through September 30, 2012.

17. COURT ORDER:

Approving the use of the County's FY2012 Community Development Block Grant (CDBG) funds (\$2,004,364), its FY2012 HOME funds (\$550,445), and its carryover CDBG funding remaining from prior years (\$205,251.49) for the activities and projects outlined in Attachments A, B, and C.

18. COURT ORDER:

Approving the outlined FY2013 Household Hazardous Waste (HHW) interlocal agreement and the FY2013 HHW program budget of \$1,395,821, which includes the use of \$80,000 in prior-year carry-over for contract labor, for the period of October 1, 2012 through September 30, 2013, and authorizing the County Judge to sign all related documents.

Commissioners Court Agenda – Tuesday, August 7, 2012

19. COURT ORDER:

Approving the outlined Software as a Service Contract and authorizing the County Judge to sign the Contract on behalf of Dallas County.

20. COURT ORDER:

Approving the Personal Services Contract with Austin Ribbon & Computer (ARC) for the services of Ladislau Oros and authorizing the Dallas County Judge to sign said Contract on behalf of Dallas County.

21. COURT ORDER:

Authorizing the Dallas County Office of Information Technology to utilize MTF for the extension of the Personal Services Contract for the services of Craig Morrissey and authorizing the Dallas County Judge to sign Amendment No. 1 on behalf of Dallas County.

22. COURT ORDER:

Approving the revised policy language in Chapter 86 – Article IV, Division 1, Compensation Policy and Division 5, Performance Appraisal Process (Attachment A) for inclusion in the Dallas County Code.

23. COURT ORDER:

Amending Court Order No. 2012-1060 (6/19/12) to reflect the change in funding source from the County Clerk's Court Technology Fund to the County Clerk's Records Management and Preservation Fund.

24. COURT ORDER:

Amending Court Order No. 2012-1154 (7/01/12) to reflect the change in funding source from the County Clerk's Records Management and Preservation Fund to the County Clerk's Court Technology Fund.

25. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 7, 2012, in amounts over \$2,500 for erroneous or excessive tax payments.

Commissioners Court Agenda – Tuesday, August 7, 2012

26. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 7, 2012, in amounts over \$5,000 for erroneous or excessive tax payments (Penalty and Interest Waived).

27. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 7, 2012, in amounts over \$5,000 for erroneous or excessive tax payments (No Penalty and Interest Waived).

28. COURT ORDER:

Amending Court Order No. 2012-0428 (3/6/12) to reflect the change in the contract term dates of Attachment 001A to the FY 2012 DSHS – HIV Services Contract from September 1, 2012 through August 31, 2013 to September 1, 2011 through August 31, 2012, and the grant award from \$1,467,622 to \$1,567,622.

29. COURT ORDER:

Amending Court Order No. 2012-0538 (3/27/12) to reflect the change in fiscal year of the Ryan White Treatment Act Part A grant from FY 2011 to FY 2012.

30. COURT ORDER:

Approving acceptance of donations from individuals including two (2) air conditioning units, and funds totaling \$400.00, for deposit into the Heat Relief fund for the purchase and installation of air conditioning units to qualified households, and authorizing the discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2)

31. COURT ORDER:

Approving the Texas Department of State Health Services (DSHS) Contract No. 2011-038803-001C, Public Health Emergency Preparedness (PHEP), and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, August 7, 2012

32. COURT ORDER:

Authorizing the extension of Bid No. 2009-091-4440, Annual Contract for Vehicle Auto Body and Collision Repair Services as awarded to First Class Auto, Inc. through September 30, 2012, and authorizing all County documents/payments to reflect accordingly.

33. COURT ORDER:

Authorizing the final twelve (12) month extension of Bid No. 2010-068-5132, Annual Contract for Laundry Detergents, Chemicals, Related Products and Services, as awarded to Ecolab, Inc. for the period from August 31, 2012 through August 30, 2013, and authorizing all County documents/payments to reflect accordingly.

34. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-084-5639, Annual Contract for Clothing and Apparel, with Charm Tex, Care Apparel Inc., Acme Supply Co., and Comade Inc. for the period August 23, 2012 through August 22, 2013, in accordance with the terms, conditions and pricing set forth and authorizing all County documents/payments to reflect accordingly.

35. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-085-5653, Annual Contract for Infectious and Bio-Hazardous Medical Waste Removal / Pickup and Disposal Services, as awarded to Waste Management Healthcare Solutions, Inc., for the period of August 2, 2012 through August 1, 2013, and authorizing all County documents/payments to reflect accordingly.

36. COURT ORDER:

Authorizing the twelve (12) month extension of Bid No. 2011-089-5679, Annual Contract for Unleaded Gasoline and Diesel Fuel, as awarded to Martin Eagle Oil Company, for the period from September 21, 2012 through August 31, 2013, and authorizing all County documents/payments to reflect accordingly.

37. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-090-5680, Annual Contract for the Purchase of Engine Motor Oil, Lubricants, Grease, Anti-Freeze and Other Related Automotive Chemicals, as awarded to Douglass Distributing and Felts Heavy Duty Oil, for the period of August 9, 2012 through August 8, 2013, and authorizing all County documents/payments to reflect accordingly.



Commissioners Court Agenda – Tuesday, August 7, 2012

38. COURT ORDER:

Accepting the dedication of the outlined Property from the Dallas County Community College District (DCCCD) for the Bonnie View Road MCIP Project 30227 (Wintergreen Road to Langdon Road).

39. COURT ORDER:

Approving the Interlocal Agreement between Dallas County and the City of Rowlett for the reconstruction and resurfacing of various roadways, as outlined by Exhibit "A", and authorizing the County Judge to sign and execute said document.

40. COURT ORDER:

Approving the Interlocal Agreement between Dallas County and the Town of Highland Park for the maintenance of various "Type E" Roadways, situated wholly within the territorial limits of the Town, and authorizing the County Judge to sign and execute said document.

41. COURT ORDER:

Approving the Project Specific Agreement between Dallas County and the Town of Highland Park for the purpose of transportation-related maintenance, repairs and improvements to be undertaken in the 3700 through 4100 blocks of Beverly Drive, Town of Highland Park, Texas, and authorizing the County Judge to sign and execute said document.

42. COURT ORDER:

Authorizing the County Judge to execute the outlined Work Order No. 4 to Stateside Right of Way Services, LLC in the amount not to exceed \$44,300.00 for the Pleasant Run Road (Overpass) MCIP Project 31401, with funding available from MCIP Fund 196, Project 8201.

43. COURT ORDER:

Authorizing the City of Dallas as Trustee for Dallas County in its own behalf, and on behalf of the Dallas County Community College District (DCCCD), the Parkland Hospital District, and the Dallas County School Equalization fund to solicit from the public sealed bids on any or all of the said parcels of land (as outlined in Exhibit "A") and does hereby consent to the sale of said parcels of land to the highest bidder even if the bid tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment of foreclosure or the total amount of the judgments against the property.

Commissioners Court Agenda – Tuesday, August 7, 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.

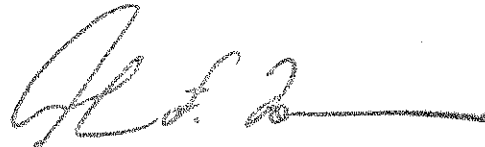
- Subjects:
- Appointments
    - 2011-2012 County Board and Committee Appointments
  - Personnel
    - Request for Exception to Pay Policy: Promotion 86-492 and Judicial Salary Plan 82-964
  - Deliberations About Real Estate: Tex. Gov. Code §551.072
    - Property Acquisition – Climate Control Facility
  - Texas Health & Safety Code: Tex. Gov. Code §551.071 and §§161.0315, 161.032
    - CMS Survey and Update
  - Claims: Tex. Gov. Code §§551.071(1)(A) and (B)
    - Dallas County Against Kathryn Morris (TW #12-00108)
    - Dallas County Against April Whitley (TW #12-000380)
    - George Cowart Against Dallas County (TW #12-000509)
    - Dallas County Against Henry DeLeon, Eric Watson, Brandi Denay Brown, Eric Lewis, Arturo Perez, Jr., Lonnie Clifford Cloer, Sr., Cesar Gonzalez, Nick Zoes, Mamushet Woldgeorgis, Floyd Davis, Gary McChristian, FFRC via Cash Bond Assignment, Kevin Walton, Clara Carcamo, Robert Johnson, Mr. Arthur Stiles, Arthur Stiles, and Ryan Pfeiffer
  - Pending or Contemplated Litigation and Attorney-Client Information: Tex. Gov. Code §§551.071(1)(A) and (B)
    - Alejandro Garcia, et al. v. Dallas County, Texas; Cause No. 3:10 - CV-02521-N
  - Legal Matters / Legal Advice, Consultation with Legal Counsel: Tex. Gov. Code § 551.071
    - Gregory London – Special Civil Service Commission’s Decision - Reinstatement

Commissioners Court Agenda – Tuesday, August 7, 2012

46. RECESS:

47. RECONVENE IF REQUIRED:

48. ADJOURN:

A handwritten signature in black ink, appearing to read "John F. Warren", written over a horizontal line.

John F. Warren, County Clerk

DALLAS COUNTY COMMISSIONERS COURT  
CLOSED SESSION AGENDA

ADDENDUM

August 7, 2012

LEGAL MATTERS / LEGAL ADVICE, CONSULTATION WITH LEGAL COUNSEL, as  
authorized by Tex. Gov. Code. §§551.071

Redistricting Matter..... N/A

**DALLAS COUNTY COMMISSIONERS COURT  
CLOSED SESSION AGENDA**

**August 7, 2012**

**ADDENDUM 2**

**PENDING OR CONTEMPLATED LITIGATION:**

*Sullo & Bobbitt, PLLC v. Greg Abbott, et al.*; Cause No. 3:11-CV-1026-D

DALLAS COUNTY COMMISSIONERS COURT  
CLOSED SESSION AGENDA

ADDENDUM #3

August 7, 2012

LEGAL MATTERS / LEGAL ADVICE, CONSULTATION WITH LEGAL COUNSEL, as  
authorized by Tex. Gov. Code. §§551.071

Public Power Pool Contract with Texas Conference of Urban Counties ..... N/A