

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS


TUESDAY, FEBURARY 7, 2012

9:00 A.M.

Received: 2/3/2012 @ 1:20 P.M.

A1. COURT ORDER:

Suspending all appointments to and meetings and activities of the Homeland Security and Advisory Committee until further notice or action of the Commissioners Court.



John F. Warren, County Clerk

A G E N D A



Commissioners Court

Dallas County, Texas

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

**Dr. Karen Hollie-Thibodeaux
Lifeway Church of Dallas
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, February 7, 2012

8. RESOLUTIONS:

- A. Kathleen Marie Norton – 25 Years of Service
(Presented by Commissioner Mike Cantrell)
- B. National Black HIV/AIDS Awareness Day in Dallas County
(Presented by Commissioner John Wiley Price)

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JANUARY 31 - FEBRUARY 7, 2012.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED FEBRUARY 13, 2012:

Bid No. 2012-040-5916 Contract for the Purchase of Portable Storage Container Units.

Bid No. 2012-041-5917 Annual Contract for Short and Long Term Lease of Vehicles. (CONTRACT DATA PROVIDED JANUARY 31, 2012)

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

- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated February 7, 2012.

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

*Minister's Letter of Appreciation

Commissioners Court Agenda – Tuesday, February 7, 2012

9. CONSENT AGENDA: (Cont'd.)

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. AWARD BIDS/RFP'S:

Bid No. 2012-024-5845 Annual Contract for Road and Highway Building Materials awarded to: TXI Operations and Trinity Materials Inc. (CONTRACT DATA PROVIDED DECEMBER 6, 2011)

Bid No. 2012-029-5857 Annual Contract for the Purchase of Waterborne (Lead Free) Traffic Paint awarded to: Akzonobel Paint LLC dba Glidden Professional Paint Center and Ennis Paint, Inc. dba Ennis Traffic Safety Solutions. (CONTRACT DATA PROVIDED NOVEMBER 22, 2011) ITEM #1 – CURB MARKING PAINT - RESULTED IN A TIE BID BETWEEN ENNIS PAINT AND KELLY MOORE PAINT CO. THE WINNER WILL BE DETERMINED BY ENVELOPE PULL.

11. COURT ORDER:

Receiving and approving the Quarterly Investment Report of Dallas County Funds for the period from October 1, 2011 through December 31, 2011, as provided by the County Treasurer.

12. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$250.00 payable to Dispute Mediation Service, Inc. for the mediation fee in Cause No. DC-10-07672-G, styled *Hillvale Medical Group Association Educational Division vs. Dallas County, Texas*.

Commissioners Court Agenda – Tuesday, February 7, 2012

13. COURT ORDER:

Re-appointing Dr. Richard K. Scotch and Ron Stretcher to the North Texas Behavioral Health Authority for a two (2) year term, effective February 7, 2012 through January 31, 2014.

14. COURT ORDER:

Authorizing Electric Sky Productions to film in County buildings per the terms and conditions outlined in the location agreement, and authorizing the County Judge to execute all related documents on behalf of Dallas County.

15. COURT ORDER:

Authorizing Indefinite Quantity Architectural/Engineering Contract Work Order No. 31 to VAI Architects, Inc. for an amount not to exceed \$4,200.00 to provide professional services concerning the second and tenth floors of the Frank Crowley Courts Building, and authorizing the County Judge to execute the contract documents on behalf of Dallas County.

16. COURT ORDER:

Authorizing the recommended update to the Chapter 86 Personnel and Employment – Article V. Travel Policy Section 86-711 Section (K) Travel and Mileage Reimbursement Policy requiring itemized receipts for all County related travel per diem reimbursement requests.

17. COURT ORDER:

Approving the expenditure of \$127,458.59 to purchase hardware and installation services from Flair Data off the State's Contract DIR-SDD-1388, to build wireless network access in selected areas in the Records Building and Administration Building; funding for this request is available from the County Clerk's Court Technology Fund.

18. COURT ORDER:

Approving the revised policy language (Chapter 82 – Articles VIII-XIV) outlined in Attachment A for inclusion in the Dallas County Code.

Commissioners Court Agenda – Tuesday, February 7, 2012

19. COURT ORDER:

Establishing the Dallas County Employee Recognition Program.

20. COURT ORDER:

Approving the changes to membership in the Dallas County Local Data Advisory Board, as outlined, and charging the Dallas County Local Data Advisory Board with ensuring that Dallas County's compliance reporting improves to the 90% threshold required by the Office of the Governor, Criminal Justice Division, in order to maintain eligibility for grant funding.

21. COURT ORDER:

Approving the additional funds under the 2011-2012 Weatherization Services Agreement between Frontier Associates LLC and Dallas County Health and Human Services (DCHHS), in the amount of \$600,000, for weatherization services to eligible Oncor Energy customers.

22. COURT ORDER:

Authorizing the final twelve (12) month extension of Bid No. 2009-033-4182 Annual Contract for the Purchase of Medical and Industrial Gases as awarded to Matheson Tri-Gas for the period February 28, 2012 through February 27, 2013, and authorizing all County documents/payments to reflect accordingly.

23. COURT ORDER:

Authorizing the second extension of Bid No. 2010-032-4935 Annual Contract for the Purchase of Commercially Prepared Media and Reagents as awarded to Fisher Scientific, Inc. for the period April 1, 2011 through March 31, 2012, and authorizing all County documents/payments to reflect accordingly.

24. COURT ORDER:

Authorizing the second extension of Bid No. 2011-029-5388 Annual Contract for Hair Cutting Services for Juveniles as awarded to Reo Bowman for the period March 9, 2012 through March 8, 2013, and authorizing all County documents/payments to reflect accordingly.

Commissioners Court Agenda – Tuesday, February 7, 2012

25. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-031-5405 Annual Contract for Fixed Halon and Hood Systems as awarded to API Systems Group for the period March 14, 2012 through March 13, 2013, and authorizing all County documents/payments to reflect accordingly.

26. COURT ORDER:

Authorizing the acceptance of the revised insurance language offered by Trinity Materials for Bid No. 2012-024-5845, Annual Contract for Road and Highway Building Materials, and authorizing all County documents/payments to reflect accordingly.

27. COURT ORDER:

Authorizing the approval of the outlined contract with The Dallas Morning News for legal advertising in accordance with Local Government Code 262.024 (a) (7) (A) for the period February 15, 2012 through February 14, 2013, and authorizing the County Judge to sign all related documents.

28. COURT ORDER:

Authorizing the outlined list to be representative of the livestock to be sold in the online auction scheduled, and authorizing all County departments/inventories to reflect accordingly.

29. COURT ORDER:

Authorizing the County Judge to execute the Right of Way Acquisition and other real estate services Indefinite Delivery Indefinite Quantity Contract in reference to RFQ No. 2012-016-5806, to Stateside Right of Way Services, LLC, for an initial one (1) year term with the option to extend three (3) additional one (1) year terms.

Commissioners Court Agenda – Tuesday, February 7, 2012

30. COURT ORDER:

Authorizing the Quitclaim of real property interest, if any, without compensation, in the portion of the water line easement reserved to Dallas County in the Special Warranty Deed recorded in Volume 76069, Page 1292, Real Property Records, Dallas County, Texas, to Gustavo V. Rico and Joan A. Rico, Trustees of the Gustavo and Joan Rico Intervivos Trust, dated August 12, 1977, the current fee owners of the property, and authorizing the County Judge to execute the Deed on behalf of Dallas County.

31. COURT ORDER:

Authorizing and directing the County Judge to execute Change Order No. 7 with Tiseo Paving Company, Inc., for the Lake Ridge Parkway MCIP Project 40902 in an amount not to exceed \$610,961.60, for a total contract amount not to exceed \$6,489,742.50, with the County and City agreeing on 50/50 with the County portion to be paid from MCIP Fund 196, Project 8201.

32. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Change Order No. 17 with Cash Construction Company in connection with the Houston School Road Project 31301 from Belt Line Road to Wheatland Road, with an additional amount not to exceed \$75,858.13 which will be shared on a 50/50 by the City and County and will be paid \$36,947.57 from MCIP Fund 196, Project 8201 and \$36,947.56 to be reimbursed by the City of Lancaster and \$600.00 to be paid at 100% by the City of Lancaster and \$1,363.00 to be paid at 100% by the County.

33. COURT ORDER:

Approving the Second Request for Proposals (RFP) to be funded by the FY 2012 Ryan White Part A, Part B, MAI, and State Services grants, as outlined.

34. CALLED BRIEFING SESSION:

See Briefing Agenda.

Commissioners Court Agenda – Tuesday, February 7, 2012

35. CALL EXECUTIVE SESSION:

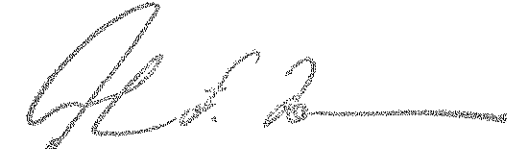
For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government 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
 - *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
 - *Personnel
 - Request for Settlement Offer on Myron Stroupe
 - *Pending or Contemplated Litigation and Attorney-Client Information: Tex. Gov. Code §§ 551.071(1)(A) and (B)
 - Lidia Pacheco vs. Dallas County; CC-11-02759-D
 - *Claims: Tex. Gov. Code §§ 551.071(1)(A) and (B)
 - Dallas County vs. Rebecca Whitehead; TW #11-000638
 - Dallas County vs. Janet Zavala; TW #11-000770
 - Stephanie Johnson vs. Dallas County; TW #11-000767
 - *Consultation with Attorney/Legal Advice
 - Consultation with Attorneys and any necessary action, Re: Constables Civil Service Grievance Hearings
 - Mandamus Action Re: Elected Official
 - *Security
 - Deliberations Regarding Security

36. RECESS:

37. RECONVENE IF REQUIRED:

38. ADJOURN:



John F. Warren, County Clerk