

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

TUESDAY, JANUARY 17, 2012

9:00 A.M.

Received: 01/13/2012 @ 10:24 A.M.

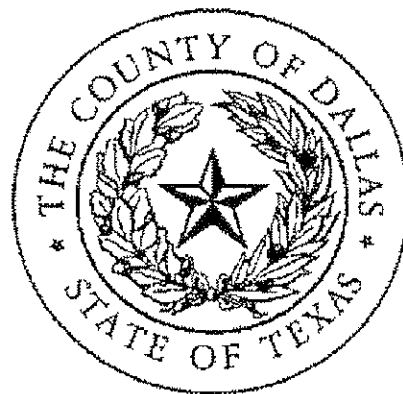
A1. COURT ORDER:

Authorizing: (1) Article VIII "Insurance" of the Professional Services Agreement with FitForce, Inc. to reflect the deletion of the language that requires the vendor's insurance to identify Dallas County as an additional insured and stating a waiver of subrogation, (2) the release of all monies withheld as a result, and (3) all documents/payments to reflect accordingly.



John E. Warren, County Clerk

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, January 17, 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 Open Court:**
- 5. Bailiff To Open Court:**
- 6. Invocation:**

**Pastor Marcus King
Johnson Chapel
DeSoto, 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 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, January 17, 2012

7. RESOLUTIONS:

- A. Metropolitan Dallas Alumnae Chapter of Delta Sigma Theta Sorority – Domestic Violence Symposium
(Presented by Commissioner John Wiley Price)

8. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JANUARY 10-17, 2012.
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED, JANUARY 19, 2012:

Bid No. 2012-023-5831 Request for Proposals for HIV Health and Social Services to be Funded by the FY 2012 Ryan White HIV / Aids Treatment Extension Act Ryan White Part A, B, and Minority Aids Initiative; and State of Texas HIV Health and Social Services Grants.

Bid No. 2012-030-5858 Notice of Tax Resale – For Sale – Tax Foreclosed Properties.

Bid No. 2012-036-5887 Contract for the Purchase and Installation of a Spray Polyurethane Foam (SPF) Roofing System at the Dallas Life Foundation Building.

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated January 17, 2012.

Commissioners Court Agenda – Tuesday, January 17, 2012

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. COURT ORDER:

Deeming Wells Fargo Brokerage Securities, LLC to be in compliance with State Statutes and the Dallas County Investment Policy, thus allowing them to be Officially Approved as an Authorized Broker for Dallas County for 2012.

10. COURT ORDER:

Authorizing the law firm of Carter Stafford Arnett Hamada & Mockler, PLLC to provide professional legal services pursuant to the contracts associated with the three (3) listed lawsuits and Commissioners Court Orders.

11. COURT ORDER:

Authorizing Homero Calderon to be paid a total of \$824.28 as full and final settlement by the County of Dallas, Texas for property damage and rental reimbursement, 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.

Commissioners Court Agenda – Tuesday, January 17, 2012

12. COURT ORDER:

Authorizing the outlined professional services agreement, not to exceed \$6,800.00 for Jacobs Engineering, to evaluate the cause of and to specify any needed repair for the Founders Garage, and authorizing the County Judge to execute the work order on behalf of Dallas County.

13. COURT ORDER:

Ratifying the execution of the outlined license agreement for 5,014 square feet of lease space with Dal-Rich Village, Ltd for the period December 21, 2011 through March 21, 2012, and authorizing the County Judge to execute all necessary documents.

14. COURT ORDER:

Approving and authorizing the Office of Information Technology to use Hyland Software, Inc. as the OnBase training vendor.

15. COURT ORDER:

Approving the extension of the Personal Services Contract with ARC, Austin Ribbon + Computer, for the services of Mary Manning, and authorizing the Dallas County Judge to sign Amendment No. 1 on behalf of Dallas County.

16. COURT ORDER:

Approving the appointment for Attorney Jeffrey B. Simon to serve on the Special Civil Service Commission upon scheduling with the Secretary to the Civil Service Commission (the Director of Human Resources) at a pay rate of \$50.92 per hour for eight (8) hours (\$1,222.08) daily.

17. COURT ORDER:

Approving the Honorable Sheriff Lupe Valdez's reappointment of Commissioner Juanita H. Nanez for the Sheriff's Department Civil Service Commission and as Chairman of the Commission for one (1) year, February 1, 2012 through January 31, 2013.

Commissioners Court Agenda – Tuesday, January 17, 2012

18. COURT ORDER:

Approving the administrative fees and rates, as outlined, as well as allowing the County Auditor to pay said fees and rates until the official contracts are presented for Court Order.

19. COURT ORDER:

Approving the Interlocal Agreement for the 504 Program between Dallas County and Dallas County Schools, as outlined in the Interlocal Agreement, and allowing the County Judge to sign the Interlocal Agreement on behalf of the County.

20. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending January 17, 2012, in amounts over \$5,000.00 for erroneous or excessive tax payments.

21. COURT ORDER:

Approving acceptance of a donation in the amount of \$186,972.25, from TXU Energy, for the provision of utility payment assistance to those financially distressed TXU Energy customers in Dallas County.

22. COURT ORDER:

Approving the Texas Department of Housing and Community Affairs (TDHCA) DOE American Recovery and Reinvestment Act (ARRA) Weatherization Assistance Program Contract Amendments with Dallas County (16090001150) and the cities of Dallas (1609000661), Irving (16090000748), Garland (16090000754), Carrollton (16090000761), Grand Prairie (16090000762), Mesquite (16090000763), Richardson (16090000764) and Balch Springs/Hutchins (16090000782), as outlined, which extend the contract terms through February 28, 2012, and authorizing the County Judge to electronically sign the Contract Amendments on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, January 17, 2012

23. COURT ORDER:

Approving the FY 2012 Department of State Health Services (DSHS) Housing Opportunities for Persons with AIDS (HOPWA) Contract, No. 2012-040632, in the amount of \$52,554, with a term of February 1, 2012 through January 31, 2013, as outlined, and authorizing Dallas County Health and Human Services to sign the contract on behalf of Dallas County.

24. COURT ORDER:

Approving the award of FY 2011-2012 State of Texas HIV Health and Social Services grant funds in the amount of \$64,284, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

25. COURT ORDER:

Approving the award of FY 2011 Ryan White Part A Formula funds in the amount of \$88,252, to service providers as outlined in Attachment A, and authorizing the County Judge to sign the contracts with the service providers on behalf of Dallas County.

26. COURT ORDER:

Approving the Sharing Funds Agreement for Year 12 with the City of Dallas for the Juvenile Accountability Block Grant (JABG) Program, and authorizing the County Judge to sign the agreement and any related documents on behalf of Dallas County.

27. COURT ORDER:

Approving ratification of the application submitted for funding under the Juvenile Accountability Block Grant (JABG) to the Office of the Governor, Criminal Justice Division (CJD), for \$117,549 for Dallas County and to ratify the authorization for the Dallas County Judge as Authorized Official to sign the Grant Application Certification Form on behalf of Dallas County; and authorizing listed officials to sign the Grantee Acceptance Notice on behalf of Dallas County if funding is awarded.

Commissioners Court Agenda – Tuesday, January 17, 2012

28. COURT ORDER:

Authorizing the extension of (Bid No. 2011-026-5350 - Annual Contract for the Purchase of Automotive and Heavy Duty Batteries) as awarded to Continental Battery Company for the period of January 17, 2012 through February 29, 2012, and authorizing all County documents/payments to reflect accordingly.

29. COURT ORDER:

Authorizing and approving, in accordance with Local Government Code 262.031, the price adjustment request for Item No. 2 (Pneumococcal Vaccine Polyvalent Pneumovax) of Bid No. 2012-009-5787 - Annual Contract for Vaccines (NDC #00006473900 1-5 dose 2.5ml vial, from \$297.50 to \$331.75 and NDC #6494300, 10-Single dose .5ml vials, from \$670.12 to \$712.36) effective January 4, 2012, and authorizing all County documents/payments to reflect accordingly.

30. COURT ORDER:

Authorizing: (1) the cancelation of Bid No. 2012-026-5853, Annual Contract for the Printing and Mailing of Tax Statements, rejecting all bids received from award consideration, (2) staff to revise and re-solicit proposals for the service based on an evaluative process, and (3) all County documents to reflect accordingly.

31. COURT ORDER:

Authorizing the Purchasing Department to solicit Request for Proposals for Fleet Tracking Global Positioning System, and authorizing the Purchasing Department to advertise solicitations in accordance with local procurement law Subchapter 262.030.

32. COURT ORDER:

Accepting the recommendation of the Evaluation Committee and authorizing the Public Works Department to negotiate contract terms and fees for Right of Way Acquisition Services for MCIP projects and other real estate related projects that are determined eligible for outsourcing services and submit the results for formal approval.

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33. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects for the Merritt Road MCIP Project 22704 from PGBT to Rowlett/Garland City Limits with the City of Rowlett, with County funding in the amount of \$1,403,831.00 to be paid from MCIP Fund 196, Project 8201.

34. CALLED BRIEFING SESSION:

See Briefing Agenda.

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

-2011-2013 County Board and Committee Appointments

*Texas Health & Safety Code Tex. Gov. Code §551.071 and §§161.0315, 161.032

-CMS Survey and Update

*Pending or Contemplated Litigation and Attorney-Client Information

-Thinh Tran, et al. vs. Discovery Financial Services, et al.;
DC-11-000790

-Hillvale Medical Group Association Educational Division vs.
Dallas County; DC-10-07672-G

-Hillvale Medical Group Association Educational Division vs.
Dallas County; DC-09-02369-J

-Dallas County vs. Hillvale Medical Group Association
Educational Division; DC-07-11086-G

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

-Texas Democratic Party, et al. vs. Dallas County, et al.;
3:08-CV-02117-P

-Greg Porter, et al. vs. Guadalupe Valdez and Jesse Flores;
3:09-CV-0148-N

-Cathy Bailey vs. Dallas County, et al.; 3:09-CV-0865-K

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

Subjects: *Claims

-Sharon Davis vs. Dallas County; TW #10-000432

*Consultation with Attorney/Legal Advice

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

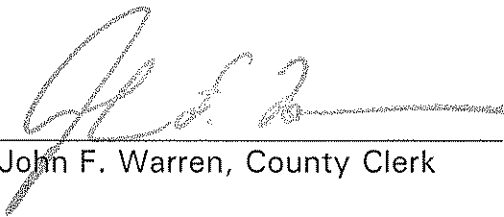
-Consultation with Attorneys and any necessary action, Re:
Constables Civil Service Grievance Hearings

-Unresolved Losses

36. RECESS:

37. RECONVENE IF REQUIRED:

38. ADJOURN:



John F. Warren, County Clerk