

ADDENDUM TO AGENDA
COMMISSIONERS COURT - DALLAS COUNTY, TEXAS
TUESDAY, MARCH 20, 2012

9:00 A.M.


Received: 3/15/2012 @ 10:30 A.M.
3/16/2012 @ 2:33 P.M.

A1. COURT ORDER:

Authorizing the Dallas County Tax Assessor/Collector to enter into a contract with the City of Balch Springs for their participation in the Dallas County Scofflaw Program and authorizing the County Judge to sign related documents required for the execution of the contract; the Dallas County Tax Assessor/Collector will charge \$5.24 per vehicle record eligible for flagging and records unable to be flagged will be listed on Dallas County Wanted for \$1 per record.

A2. COURT ORDER:

Authorizing the closing of the Decker Jail facility effective March 20, 2012 and taking the 1,080 beds off the County's count of usable beds.



John F. Warren, County Clerk

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, March 20, 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:**

**Dr. T. L. Brown
Ervay Cedar 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, March 20, 2012

7. RESOLUTIONS:

- A. James (Jim) Lewis Cook - Retirement
(Presented by Commissioner Maurine Dickey)
- B. Cathy G. Dodson
(Presented by Commissioner Mike Cantrell)
- C. Chief Matt Walling
(Presented by Commissioner Mike Cantrell)
- D. World TB Day
(Presented by Commissioner John Wiley Price)
- E. Big Thought
(Presented by Commissioner Dr. Elba Garcia)
- F. Poison Prevention Week
(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 MARCH 6-20, 2012.
- B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- C. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated March 20, 2012.
- D. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

*Minister's Letter of Appreciation
- E. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS.

Commissioners Court Agenda – Tuesday, March 20, 2012

8. CONSENT AGENDA: (Cont'd.)

F. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. AWARD BIDS/RFP'S:

- | | |
|-----------------------|--|
| Bid No. 2012-044-5920 | Demolition and Reconstruction of a New Single Family Home located at 707 W. Hickman, Hutchins, TX 75141 (Nail) awarded to: Alaniz Complete Service LLC |
| Bid No. 2012-046-5924 | Demolition and Reconstruction of a New Single Family Home located at 821 Hall Street, Seagoville, TX 75159 (Patton) awarded to: Texan Certified Homes |
| Bid No. 2012-047-5925 | Demolition and Reconstruction of a New Single Family Home located at 12517 Seagoville Rd., Balch Springs, TX 75141 (Johnson) awarded to: Texan Certified Homes |

10. COURT ORDER:

Accepting payment of \$3,758.09 from United Automobile Insurance Services for their insured Shawntavia Coleman as settlement of property damage sustained by Dallas County, Texas, in connection with this claim, and the County Judge is authorized to execute any and all documents approved by the District Attorney's Civil Division to effectuate this settlement.

11. COURT ORDER:

Accepting the mediated agreement entitled Rule 11 and Settlement Agreement in case number 3:09-CV-0148-N, authorizing the County Treasurer to release a check to the named plaintiffs or their duly appointed representative and their attorneys, and authorizing and directing the County Judge to execute any and all settlement documents in order to effectuate this settlement.

12. COURT ORDER:

Authorizing Mary Murphy be reimbursed \$3,843.17 for property damages 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.

13. COURT ORDER:

Authorizing payment of the mediated settlement amount to the Plaintiff, Revis Ray Loftis and his Attorney Don A. Tittle; the County Treasurer shall deliver the settlement check to Peter L. Harlan, Assistant District Attorney, for delivery by him to counsel for the Plaintiff; and authorizing Peter L. Harlan to execute the Settlement Agreement on behalf of Dallas County that, along with the payment of the mediated settlement amount, shall constitute full settlement and satisfaction of all claims against Dallas County arising from the alleged violation of the civil rights of Plaintiff asserted in the aforesaid lawsuit.

14. COURT ORDER:

Authorizing the transfer of \$272,421 from Road and Bridge District 1's budget to the Clean Air Task Force's Budget to provide funding for the program through August of 2012.

15. COURT ORDER:

Authorizing the following Constable staffing adjustments in order to have all of the deputies performing truancy functions reporting to one elected official: a) elimination of two (2) of the three (3) deputy constable positions in Constable Precinct One – Evans that were budgeted to be eliminated February 1, 2012; b) addition of six (6) deputy constable positions in Constable Precinct Two – Gothard along with allowing them to maintain the three (3) deputy constable positions that were budgeted to be eliminated February 1, 2012; c) elimination of two (2) of the three (3) deputy constable positions in Constable Precinct Three – Adamcik that were budgeted to be eliminated February 1, 2012; d) allow Constable Precinct Four – Williams to maintain the three (3) deputy constable positions that were budgeted to be eliminated February 1, 2012; and e) elimination of two (2) of the three (3) deputy constable positions in Constable Precinct Five – Villarreal that were budgeted to be eliminated February 1, 2012.

16. COURT ORDER:

Approving the Personal Services Contract with Austin Ribbon & Computing (ARC) for the services of Acanthia Norman and authorizing the Dallas County Judge to sign the contract on behalf of Dallas County.

17. COURT ORDER:

Approving the Personal Services Contract with Yoh for the services of Think Nguyen and authorizing the Dallas County Judge to sign the contract on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, March 20, 2012

18. COURT ORDER:

Approving Amendment #3 COBRA/Retiree Direct Billing Administration and Flexible Benefits Plan Administrative Service Agreements, between PayFlex Systems USA, Inc. and the County of Dallas, effective January 1, 2012, and authorizing the County Judge to sign the amendment on behalf of Dallas County.

19. COURT ORDER:

Approving an increase to the Justice of the Peace, Precinct 5, Place 1's change fund from \$25 to \$100.

20. COURT ORDER:

Authorizing a twelve (12) month extension (April 1, 2012 through March 31, 2013) for the license and maintenance portion of RFP No. 2008-063-3472 Request for Proposals for Digital Archival & Integration Services of Commissioners Court Records as awarded to Global 360 BGS, Inc., and authorizing all County documents/payments to reflect accordingly.

21. COURT ORDER:

Adopting the outlined county election precinct boundary changes including the absorbed and renumbered county election precinct and these county election precinct changes become effective on March 20, 2012.

22. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending March 20, 2012, in amounts over \$5,000 for erroneous or excessive tax payments.

23. COURT ORDER:

Approving the Dallas County Home Loan Counseling Center (DCHLCC) amended Section 8 Homeownership Program Administrative Plan as outlined.

24. COURT ORDER:

Approving the amended Dallas County Home Loan Counseling Center (DCHLCC) Upfront Cost Assistance Program (UPCAP) Administrative Plan as outlined.

Commissioners Court Agenda – Tuesday, March 20, 2012

25. COURT ORDER:

Approving the 2012 Comprehensive Energy Assistance Program (CEAP) Contract No. 58120001335, in the amount of \$7,811,057, effective January 1, 2012 through December 31, 2012, and authorizing the County Judge to electronically sign the Contract on behalf of Dallas County.

26. COURT ORDER:

Approving the Lease Extension Agreement with Marcer Investments, LLC, and Dallas County Health and Human Services (DCHHS) for the term of April 1, 2012 through April 1, 2013, and authorizing the County Judge to sign the agreement and all related documents on behalf of Dallas County.

27. COURT ORDER:

Approving the amendment to the Texas Department of State Health Services (DSHS) Contract No. 2012-039557-001A, Immunization Branch – Locals, for the term of September 1, 2011 through August 31, 2012, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

28. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to ratify the submission of four (4) grant applications to the Office of the Governor, Criminal Justice Division, for Juvenile Justice and Delinquency Prevention Programs grant funding for the Mental Health Court, ESTEEM Court, Diversion Male Court and Café Momentum program for a combined grant funding request of \$279,606 for FY 2013; and authorizing the Dallas County Judge as Authorized Official and the Dallas County Auditor as Financial Officer to sign the Grantee Acceptance Notices on behalf of Dallas County if grant funding is awarded.

29. COURT ORDER:

Ratifying the application submitted to the Office of the Governor, Criminal Justice Division, for continuation grant funding under the Juvenile Accountability Block Grant for the Juvenile Drug Court Program for FY 2013 and authorizing the Dallas County Judge as Authorized Official to sign the Grant Application Certification Form on behalf of Dallas County; authorizing the Dallas County Judge as Authorized Official and the Dallas County Auditor as Financial Officer to sign the Grantee Acceptance Notice on behalf of Dallas County if grant funding is awarded.

Commissioners Court Agenda – Tuesday, March 20, 2012

30. COURT ORDER:

Ratifying the application submitted to the Office of the Governor, Criminal Justice Division, for continuation grant funding under the Juvenile Accountability Block Grant for the Juvenile Case Management System for FY 2013 and authorizing the Dallas County Judge as Authorized Official to sign the Grant Application Certification Form on behalf of Dallas County; authorizing the Dallas County Judge as Authorized Official and the Dallas County Auditor as Financial Officer to sign the Grantee Acceptance Notice on behalf of Dallas County if grant funding is awarded.

31. COURT ORDER:

Authorizing the approval of the contract agreement between Dallas County and JPMorgan Chase Bank, NA and its wholly owned subsidiary Paymentech, LLC, establish and set the convenience fees as outlined in the contract agreement for credit cards, debit cards, and e-check transactions for the period of April 1, 2012 through March 31, 2014, and authorizing the County Judge to execute said documents on behalf of Dallas County.

32. COURT ORDER:

Authorizing the cancellation of Bid No. 2012-040-5916, Contract for the Purchase of Storage Container Units; rejecting all bids received from award consideration and authorizing staff to re-solicit bids under revised specifications.

33. COURT ORDER:

Authorizing that all documents, correspondence and payments for the purchase of automated capillary electrophoresis genetic instruments, PCR instruments and future acquisitions of DNA instrumentation and supplies from Applied Biosystems now reflect the name of Life Technologies.

34. COURT ORDER:

Accepting the offer from Kishor N. Patel of \$2,000.00 to purchase the vacant tax foreclosure property at 4124 Forest Lawn, Balch Springs, Texas, upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

Commissioners Court Agenda – Tuesday, March 20, 2012

35. COURT ORDER:

Accepting the offer from Kishor N. Patel of \$4,000.00 to purchase the vacant tax foreclosure property at 4822 Pebbleridge Road, Balch Springs, Texas, and upon receipt of the balance of the purchase amount, authorizing the County Judge to execute a quitclaim deed, subject to post judgment tax years and to the previous owners right of redemption, if any, and authorizing the Tax Assessor Collector to disburse the proceeds in accordance with the Property Tax Code.

36. COURT ORDER:

Approving the Interlocal Agreement between Dallas County and the City of Duncanville for the reconstruction and overlay of Santa Fe Trail, as outlined in Exhibit "A", and authorizing the County Judge to sign and execute said document.

37. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Work Order No. 3 with Lina T. Ramey & Associates, Inc. for Subsurface Utility Engineering in an amount not to exceed \$5,600.00 to be paid from Fund 196, Project 8201 for work in connection with Walnut Hill Lane MCIP 10209.

38. COURT ORDER:

Authorizing and directing the County Judge to approve funding for Project Number 501 DM at a cost not to exceed \$50,000.00.

39. COURT ORDER:

Authorizing the City of Dallas, as Trustee, to solicit sealed bids on listed tax foreclosure properties, and consenting to the sale of said properties to the highest bidder even if the bid tendered is less than the market value of the land specified in the judgment or the total amount of the judgments against the property.

40. CALLED BRIEFING SESSION:

See Briefing Agenda.

Commissioners Court Agenda – Tuesday, March 20, 2012

41. 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
- *Texas Health & Safety Code: Tex. Gov. Code §551.071 and §§161.0315, 161.032
 - CMS Survey and Update
- *Deliberations About Real Estate: Tex. Gov. Code §§ 551.072
 - Parkland Health & Hospital System's Campus Expansion Project
- *Pending or Contemplated Litigation and Attorney-Client Information: Tex.Gov.Code §§551.071(1)(A) and (B)
 - Legal Advice, RE: Employment of Outside Counsel for County Official
 - Greg Porter, Michael Ramirez and Steven W. Jones vs. Guadalupe Valdez and Jesse Flores
 - Hillvale Medical Group Association Educational Division vs. Dallas County, Texas; DC-10-07672-G
 - Dallas County, Texas, et al. vs. Cedar Springs Investments, LLC, et al.; Appeal Case No. 05-10-00443-CV
- *Claims: Tex.Gov.Code §§551.071(1)(A) and (B)
 - Dallas County vs. Richard Henderson; TW #12-000103

42. RECESS:

43. RECONVENE IF REQUIRED:

44. ADJOURN:



John F. Warren, County Clerk

ADDENDUM TO AGENDA

COMMISSIONERS COURT - DALLAS COUNTY, TEXAS

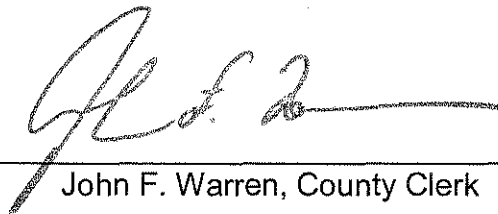
TUESDAY, MARCH 20, 2012

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