

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, March 27, 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:**

**Mr. Tariq Jaffery  
Valley Ranch Mosque  
Irving, 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)

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7. RESOLUTIONS:

- A. Jean Maier Dean  
(Presented by Commissioner Maurine Dickey)
- B. Muriithi Kemet-Cary Baylor – Eagle Scout  
(Presented by Commissioner Mike Cantrell)
- C. Trent A. McRae – Eagle Scout  
(Presented by Commissioner Mike Cantrell)
- D. Steven Walton, Jr. – Eagle Scout  
(Presented by Commissioner Mike Cantrell)
- E. April – Child Abuse Prevention Month  
(Presented by Commissioner Dr. Elba Garcia)

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 20-27, 2012.
- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED MARCH 29, 2012:

- Bid No. 2012-052-5972    Annual Contract for Personal Hygiene Products.  
(OPENING EXTENDED DUE TO ADDENDUM)  
(CONTRACT DATA PROVIDED NOVEMBER 8,  
2012)
- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.
- D. RIGHTS OF WAY:  

Summary Agreements and Contracts.

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8. CONSENT AGENDA: (Cont'd.)

E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated March 27, 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.

9. AWARD BIDS/RFP'S:

Bid No. 2012-042-5918 Annual Contract for the Purchase of Automotive and Heavy Duty Equipment Batteries awarded to: Continental Battery Co. (CONTRACT DATA PROVIDED JANUARY 31, 2012)

Bid No. 2012-043-5919 Annual Contract for the Purchase of Tires awarded to: A to Z Tire & Battery, Blagg Tire & Service, Complete Tire, Inc., **and** Southern Tire Mart LLC. (PARTIAL AWARD) (CONTRACT DATA PROVIDED JANUARY 31, 2012) \*ITEM #15 RESULTED IN A TIE BID BETWEEN A TO Z TIRE & BATTERY AND BLAGG TIRE & SERVICE. THE WINNER WILL BE DETERMINED BY ENVELOPE PULL.

10. COURT ORDER:

Authorizing the County Treasurer to transfer funds and/or issue described Dallas County checks or authorized Payroll Direct Deposits for the Period of April 1, 2012 through April 30, 2012.

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11. COURT ORDER:

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

12. COURT ORDER:

Accepting payment of \$2,788.74 from State Farm Automobile Insurance Company for their insured, Richard Henderson, as settlement of property damage sustained by Dallas County, Texas, in connection with this claim, 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:

Approving the outlined Contract for professional legal services from Rolando L. Rios, Attorney-At-Law.

14. COURT ORDER:

Approving Azteca + Russell + Turner of Dallas, Texas, as the best value respondent for SOQ 2012-034-5882 Statement of Qualifications for Construction Manager at Risk Services for the Dallas County Jail Medical Modifications Project, and authorizing staff to begin a thirty (30) day negotiation period for a final contract.

15. COURT ORDER:

Approving the professional services and maintenance agreement between Dallas County Sheriff Department (DCSD) and BravoIT, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

16. COURT ORDER:

Approving the contract renewal between Dallas County and North Central Texas Council of Governments for the AirCheck Texas Drive a Clean Machine Program, and authorizing the County Judge to sign the contract on behalf of Dallas County.

17. COURT ORDER:

Approving the training services through New Horizons Computer Learning Center and the expenditure of \$30,600 is available from the Major Technology Fund, Unallocated Reserves and transferred to 195.1090.2460 (Training).

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18. COURT ORDER:

Approving and authorizing the Office of Information Technology to use \$99,000 in funds from the Major Technology Fund, Unallocated Reserves account to be transferred to 195.1090.06520 (Maintenance) to purchase Websense software and maintenance.

19. COURT ORDER:

Authorizing the County Judge to execute the outlined Novation Agreement with Global 360 BGS, Inc., and Open Text Inc., for the liability of providing Digital Archival & Integration Services of Commissioners Court Records for the balance of the contract periods and in accordance with the terms, conditions and pricing set forth, and authorizing all County documents/payments to reflect accordingly, effective January 1, 2012.

20. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending March 27, 2012, in amounts over \$2,500 for erroneous or excessive tax payments.

21. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending March 27, 2012, in amounts over \$5,000 for erroneous or excessive tax payments.

22. COURT ORDER:

Approving the transfer of three (3) positions from the Weatherization Assistance Program funded through the Department of Energy (DOE) ARRA program budget (08311) to the Texas Department of Housing and Community Affairs (TDHCA) LIHEAP program budget (08302), and authorizing the Office of Budget and Evaluation to transfer the positions as outlined.

23. COURT ORDER:

Approving acceptance of the donation in the amount of \$50,000.00, from TXU Energy, for the provision of utility payment assistance to those financially distressed TXU Energy customers in Dallas County.

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24. COURT ORDER:

Approving Contract No. 2012-040791-001 for the FY 2011 Ryan White Treatment Extension Act (TEA) Part A allocation to the Department of State Health Services (DSHS), for an amount not to exceed \$1,000,000, for use in the Texas AIDS Drug Assistance Program (ADAP) for clients in the Dallas area, and authorizing the County Judge to sign the contract on behalf of Dallas County.

25. COURT ORDER:

Approving the FY 2012 Ryan White Part B Contract with the Department of State Health Services (DSHS), Contract No. 2012-040785, in the amount of \$3,402,567, and authorizing the County Judge to sign the contract on behalf of Dallas County.

26. COURT ORDER:

Approving the Juvenile Department's request to host the 12<sup>th</sup> Annual Conference on the Treatment of Juveniles with Sexual Behavior Problems scheduled for May 3-4, 2012; authorizing the Dallas County Auditor to utilize project account No. 94022 for accepting registration fees and paying all expenses associated with the conference; and any funds remaining after payment of all expenses shall be utilized by the Juvenile Department to pay costs associated with staff development, training, or the purchase of supplies, materials or equipment for the department's training or Psychological Services Units.

27. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to amend the residential services contracts of the existing, Title IV-E certified facilities, as outlined, to include the 'Contracted Components of Care' as mandated by the Texas Juvenile Justice Department, and authorizing the Dallas County Judge to sign the contract amendment documents on behalf of Dallas County.

28. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to award a non-residential services contract to Child and Family Guidance Center for the provision of family preservation services during FY2012 not to exceed the outlined rates, and authorizing the Dallas County Judge to sign the contract documents on behalf of Dallas County.

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29. COURT ORDER:

Authorizing a sixty (60) day extension (March 17, 2012 through May 16, 2012) of Bid No. 2009-051-4271, Annual Contract for Purchase of Rubber and Self-Inking Stamps, Name Plates, Tags/Badges and Related Items, as awarded to Rodzina Industries, Inc., and authorizing all County documents/payments to reflect accordingly.

30. COURT ORDER:

Authorizing the first extension of Bid No. 2011-054-5502, Annual Contract for Delivery and Courier Services, as awarded to Guaranteed Express, Inc., for the period May 31, 2012 through May 30, 2013, and authorizing all County documents/payments to reflect accordingly.

31. COURT ORDER:

Authorizing the first extension of Bid No. 2011-065-5544, Annual Contract for Enterprise Wide Preventive Maintenance Agreement and Service Repair for Scanners, as awarded to Office Store Depot for the period June 1, 2012 through May 31, 2013, and authorizing all County documents/payments to reflect accordingly.

32. COURT ORDER:

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

33. COURT ORDER:

Approving the contract with the Social Security Administration for the Cooperative Disability Investigation program targeting Social Security Disability fraud, and authorizing the County Judge to sign all related documents.

34. COURT ORDER:

Authorizing the current contracts with Alpha Testing, Inc., Alliance Geotechnical Group, Rone Engineering, TEAM Consultants, Mas-Tek Engineering, PSI, Inc., and Globe Engineers be extended for one (1) year.



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35. COURT ORDER:

Authorizing the County Judge to execute the Access and Indemnity Agreement for the construction/reconstruction of the Sylvan Avenue Bridge, City of Dallas Project.

36. COURT ORDER:

Authorizing and directing the County Judge to execute the outlined Letters of Support for the U.S. Department of Transportation to grant funding for the multi-modal roadway construction improvements at the interchange of IH635 and Skillman Street and citywide implementation of on-street bicycle facilities connecting to sixteen (16) DART stations.

37. CALLED BRIEFING SESSION:

See Briefing Agenda.

38. 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

\*Pending or Contemplated Litigation and Attorney-Client

Information: Tex. Gov. Code §§551.071(1)(A) and (B)

-Kevin Schoch vs. Dallas County Civil Service Commission and Dallas County, Texas; DC-11-09689-L

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

\*Claims: Tex. Gov. Code §§551.071(1)(A) and (B)

-Dallas County vs. Carl Emanuel Hunter; TW #11-000510

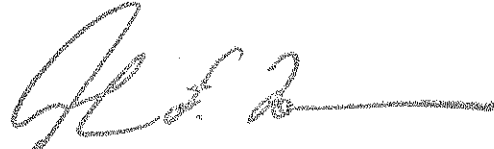
-Melissa Rukes vs. Dallas County; TW #12-000198

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39. RECESS:

40. RECONVENE IF REQUIRED:

41. ADJOURN:

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

John F. Warren, County Clerk