

A G E N D A



Commissioners Court

Dallas County, Texas

Tuesday, May 8, 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:**

**Minister Eddy Ketchersid
Farmers Branch Church of Christ
Farmers Branch, 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.

- 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.

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7. RESOLUTIONS:

- A. William Edwards – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- B. Darrell Forest – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- C. Ardis Graham II – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- D. Dillon Kennedy – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- E. Hunter Kennedy – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- F. Matthew M. Lloyd – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- G. Malcolm Luster – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- H. Jordan C. McRae – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- I. Walter Munnings – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- J. Davion A. West – Eagle Scout Palm Award
Presented by Commissioner Mike Cantrell
- K. Dr. Jeffrey Barnard – Medical Examiner
Presented by Commissioner John Wiley Price
- L. Lynn Pride Richardson – Chief Public Defender
Presented by Commissioner John Wiley Price
- M. Craig Watkins – District Attorney
Presented by Commissioner John Wiley Price

RECOGNITION:

- A. Lyle B. Medlock Center
Presented by Commissioner John Wiley Price

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8. CONSENT AGENDA:

A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF MAY 1-8, 2012.

B. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS.

C. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated May 8, 2012.

D. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

- Minister's Letter of Appreciation

E. TRANSFER OF FUNDS.

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

G. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

9. AWARD BIDS/RFP'S:

Bid No. 2012-060-6009 Annual Contract for the Purchase of Automobile and General Liability Insurance for the Dallas County Sheriff's Courtesy Patrol awarded to: Texas Association of Counties. (CONTRACT DATA PROVIDED MAY 1, 2012)

10. COURT ORDER:

Approving the Attorney Fee Contract between Dallas County and Walters, Balido & Crain, LLP, effective May 8, 2012.

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11. COURT ORDER:

Authorizing the Civil Division of the Dallas County Criminal District Attorney's Office to file suit in order to recover the sustained by Dallas County, Texas, in connection with this claim.

12. COURT ORDER:

Authorizing Kenneth Kleinman be reimbursed \$1,162.08 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 the outlined Statement of Qualifications for Indefinite Delivery/Indefinite Quantity Architectural/Engineering Services be approved for advertisement and solicited in accordance with Government Code, Chapter 2254 and Dallas County policies.

14. COURT ORDER:

Approving the contract between Dallas County and CitySquare for the U.S. Department of Housing and Urban Development (HUD) Shelter Plus Care grant; and designating the County Judge as the grantee's authorized official given the power to apply for, accept, reject, alter or terminate the grant and related documents on behalf of Dallas County.

15. COURT ORDER:

Approving the District Attorney's Office grant adjustment request to reduce in-kind hours to 200 a year, valued at \$4,200, and for the County to match the other \$4,200 that will be lost from in-kind hours.

16. COURT ORDER:

Authorizing the District Clerk to use funds in Escrow 94081 for monthly rent and electricity fees for storage space for the County Clerk Records Archive for the period of May 1, 2012 through September 30, 2012, and authorizing the County Judge to sign the space agreement.

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17. COURT ORDER:

Authorizing the County Treasurer to establish an imprest account by using initial funding from one (1) of the probate escrow funds for the Probate Investigator/Court Visitor Program; the account will be established at the depository bank with signatory authority for Myra Kirkland and Judge Brenda Hull-Thompson, Presiding Judge.

18. COURT ORDER:

Approving the Personal Services Contract with Austin Ribbon & Computer for the services of Sharon Johnson, and authorizing the Dallas County Judge to sign the contract on behalf of Dallas County.

19. COURT ORDER:

Approving the outlined Software License Agreement and Maintenance Support Agreement, and authorizing the County Judge to sign the Agreements on behalf of Dallas County.

20. COURT ORDER:

Approving the purchase of twenty (20) Canon DR-6010C enterprise document scanners and twenty (20) two-year exchange warranties for each of the units for use in the District Clerk's criminal court operations; total cost of \$60,444.12 to be funded out of the District Clerk's Court Records and Preservation Fund Account 94083.

21. COURT ORDER:

Approving the purchase of ninety-six (96) Hyland OnBase WorkFlow user licenses and forty-four (44) Hyland OnBase concurrent user licenses for use in the District and County Criminal Courts; total cost of \$150,669.21 to be funded out of the Judicial Officer Time Payment Fund Account 94086.

22. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending May 8, 2012, in amounts over \$2,500.00 for erroneous or excessive tax payments.

23. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending May 8, 2012, in amounts over \$5,000.00 for erroneous or excessive tax payments.

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24. COURT ORDER:

Approving the award of RFP No. 2012-049-5927, Dallas County Community Health Assessment to New Solutions, Inc. (highest rated firm), and authorizing the County Judge to sign the contract on behalf of Dallas County.

25. COURT ORDER:

Approving the renewal agreement for Mosquito Testing with the City of Cedar Hill, and authorizing the County Judge to sign the agreement on behalf of Dallas County.

26. COURT ORDER:

Approving the Agreement between Dallas County Health and Human Services (DCHHS) and the Association of Public Health Laboratories (APHL) for participation in the multicenter evaluation of the Laboratory Response Network (LRN) Bacillus anthracis species real-time PCR assay, and authorizing the County Judge to sign the Agreement on behalf of Dallas County.

27. COURT ORDER:

Approving Amendment 001B to the FY 2012 Department of State Health Services (DSHS) State Services Contract No. 2012-039164, in the amount of \$1,567,622, with a contract term of September 1, 2011 through August 31, 2012, and authorizing the County Judge to sign the contract with the DSHS on behalf of Dallas County.

28. COURT ORDER:

Approving the 2012-2013 LIHEAP Weatherization Assistance Program Contract No. 81120001402, with the Texas Department of Housing and Community Affairs, in the amount of \$2,197,653, for a term effective April 1, 2012 through March 31, 2013, and authorizing the County Judge to electronically sign the Contract and all related documents on behalf of Dallas County.

29. COURT ORDER:

Approving the award of FY 2012 Ryan White Part A Supplemental grant funds in the amount of \$1,360,232, 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.

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30. COURT ORDER:

Approving the award of FY 2012 Ryan White Part A Formula grant funds in the amount of \$4,368,204, 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.

31. COURT ORDER:

Approving the request of the Dallas County Juvenile Department to ratify the submission of one (1) application to the Office of the Governor, Criminal Justice Division (CJD), for Juvenile Justice and Delinquency Prevention Programs grant funding for the Dallas County Juvenile Department's Family Violence Intervention Program (Family VIP) for grant funding of \$79,949.00 for FY 2013, authorizing the Dallas County Judge as Authorized Official to sign the Grant Application Certification Form on behalf of Dallas County, 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.

32. COURT ORDER:

Authorizing the second twelve (12) month extension of Bid No. 2010-036-4967, Annual Contract for X-Ray Supplies, Preventive Maintenance and Compliance Inspections, as awarded to Excel Imaging, for the period June 24, 2012 through June 23, 2013, and authorizing all County documents/payments to reflect accordingly.

33. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-058-5514, Annual Contract for a Workers Compensation Insurance Policy for the Dallas County Sheriff's Courtesy Patrol, as awarded to Roach, Howard, Smith and Barton, Inc., for the period May 12, 2012 through May 12, 2013, and authorizing all County documents/payments to reflect accordingly.

34. COURT ORDER:

Authorizing in accordance with Local Government Code (a) (1) (2), a discretionary exemption to the procurement process allowing the Undercover Divisions of the Sheriff's Department to maintain and use commercial gas cards for the purchase of fuel as needed for their assigned duties, and authorizing all County documents/payments to reflect accordingly.

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35. 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 MacArthur Boulevard MCIP Project 40804 from Bear Creek to IH 30 with the City of Grand Prairie, with County funding in the amount of \$1,500,000.00 to be paid from MCIP Fund 196, Project 8201.

36. COURT ORDER:

Executing Work Order No. 1 of the Engineering Services Contract with Nathan D. Maier Consulting Engineers in an amount not to exceed \$85,090.00, with Basic Services of \$54,135.00 and Special Services of \$30,955.00 to be paid from Fund 196, Project 8201, for design work in connection with the Brookhaven Trail Project MCIP 17701 (District 2).

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
 - Personnel
 - Request for Exception to Pay Policy
 - 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
 - Pending or Contemplated Litigation and Attorney-Client Information: Tex. Gov. Code §§551.071(1)(A) and (B)
 - Inabinet Saddler vs. Guadalupe Frias, et al.; DC-12-01907
 - KingVision, et al. vs. Dallas County, Texas; DC-07-11471
 - Legal Matters / Legal Advice, Consultation with Legal Counsel: Tex. Gov. Code §551.071
 - Building Conditions at Precinct 5
 - Opinion No. 615 from the Professional Ethics Committee for the State Bar of Texas

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

Subjects: • Security
- Deliberation Regarding Security

39. RECESS:

40. RECONVENE IF REQUIRED:

41. ADJOURN:



John F. Warren, County Clerk