

# **A G E N D A**



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, May 29, 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 David Rogers  
Arapaho Road Baptist Church  
Garland, 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 código 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. código 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. David Mitchell – 25 Years of Service  
Presented by Commissioner John Wiley Price
- B. Texas Black Women's Initiative  
Presented by Commissioner John Wiley Price
- C. AECOM, Inc. Team – SMU Project  
Presented by Commissioner Dr. Elba Garcia
- D. SMU Senior Engineering Class Team – SMU Project  
Presented by Commissioner Dr. Elba Garcia
- E. Elva Kirk Chapman – Retirement  
Presented by Judge Clay Lewis Jenkins
- F. In Memory of Jeff West  
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 MAY 22-29, 2012.

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED May 31, 2012:

Bid No. 2012-063-6020      Notice of Tax Resale – For Sale – Tax Foreclosed Properties.

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

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8. CONSENT AGENDA: (Cont'd.)

D. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated May 29, 2012.

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. AWARD BIDS/RFP'S:

Bid No. 2012-059-5994     Annual Contract for Dishwashing Chemicals & Services awarded to: Ecolab Inc. (CONTRACT DATA PROVIDED APRIL 3, 2012)

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 June 1, 2012 through June 30, 2012.

11. COURT ORDER:

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

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12. COURT ORDER:

Authorizing the County Judge to sign the Interlocal Agreement between Dallas County and the North Texas Tollway Authority (NTTA) for the implementation of Senate Bill (SB) 469.

13. COURT ORDER:

Approving the purchase of the software from PC Mall Gov in the amount of \$29,538.

14. COURT ORDER:

Approving the purchase of the Ballotsafe Software from ES&S powered by Scytl the sole source provider on behalf of Dallas County.

15. COURT ORDER:

Approving the recommendation of the Dallas County Employee Benefits Committee to allow employees who are non-smokers to access the non-smokers' discounted rates on a one-time basis by submitting the required medical documentation to Human Resources/Civil Service by June 25, 2012 for an effective date of July 1, 2012.

16. COURT ORDER:

Approving Tyler Technologies to provide an additional ninety (90) hours of case management training and Odyssey DMS (Document Management System) to staff in the County Clerk's Probate Division, the Probate judges and their staff.

17. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending May 29, 2012, in amounts over \$5,000.00 for erroneous or excessive tax payments.

18. COURT ORDER:

Approving the Memorandum of Understanding (MOU) between Parkland Health and Hospital System and Dallas County Health and Human Services (DCHHS), and authorizing the County Judge to sign the MOU on behalf of Dallas County.

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19. COURT ORDER:

Recognizing the name change of Ikon Office Solutions, Inc. to Ricoh USA, Inc. for Bid No. 2009-119-4634, Annual Contract for Bond/Blue Printing and Reprographic Services and authorizing that all County documents and payments to reflect accordingly.

20. COURT ORDER:

Authorizing the extension of Bid No. 2011-064-5543, Annual Contract for Commercial and Industrial Solid Waste/Refuse Collection and Disposal Services, as awarded to Community Waste Disposal Services for the period of June 1, 2012 through June 30, 2012 and authorizing all County documents/payments to reflect accordingly.

21. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-077-5596, Annual Contract for All Risk Building and Content Property Insurance Coverage for Dallas County, as awarded to Key & Piskuran Insurance Agency, a Higginbotham Company, for the period June 14, 2012 through June 14, 2013 and authorizing all County documents/payments to reflect accordingly.

22. COURT ORDER:

Authorizing the first twelve (12) month extension of Bid No. 2011-078-5613, Annual Contract for the Purchase of Dairy Products, as awarded to Oak Farms for the period July 21, 2012 through July 20, 2013 and authorizing all County documents/payments to reflect accordingly.

23. COURT ORDER:

Authorizing in accordance with Local Government Code (a)(1) and (2), a discretionary exemption to the procurement process for the purchase and installation of a 60 ton HVAC system from Trane Corporation and authorizing all County documents/payments to reflect accordingly.

24. COURT ORDER:

Authorizing and directing to execute the outlined Supplemental Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects for the Pleasant Valley Road MCIP Project 22010 from Richfield Drive to Miles Road with the City of Garland, with County funding in the amount of \$2,685,000.00 to be paid from MCIP Fund 196, Project 8201.

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25. COURT ORDER:

Authorizing the purchase of the right-of-way and temporary easement located at 3015 Pleasant Valley Road, Sachse, Texas, needed for the Merritt Road MCIP Project 22805, at the negotiated settlement in the not to exceed amount of \$150,000.00 or an additional amount of \$81,470.00 above the appraised value; payment to Republic Title of Texas, Inc. for the account of Pleasant Valley United Methodist Church to be paid from Fund 0196, Project 08201, and executing the two (2) Contract Agreements and any other documents necessary to consummate this transaction.

26. CALLED BRIEFING SESSION:

See Briefing Agenda.

27. 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.

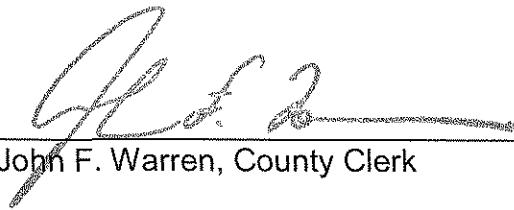
- Subjects:
- Appointments
    - 2011-2012 County Board and Committee Appointments
  - Personnel
    - Briefing – Administrative Leave Pay – Clerk II (Position #869)
  - Deliberations About Real Estate: Tex. Gov. Code §551.072
    - Property Acquisition – Climate Control Facility
    - Property Acquisition – IT Co-location Matter
  - Texas Health and 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)(B)
    - Hillvale Medical Group Association Educational Division vs. Dallas County, Cause No. DC-10-07672-G
    - John Roberts vs. Earl Cross, et al., Cause No. DC-11-04451
  - Claims: Tex. Gov. Code §§551.071(1)(A) and (B)
    - Dallas County Claim against St. Augustine's Estates, TW 12-000122
  - Legal Matters/Legal Advice, Consultation with Legal Counsel: Tex. Gov. Code §551.071
    - Building Conditions at Precinct 5
  - Security
    - Deliberation Regarding Security

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28. RECESS:

29. RECONVENE IF REQUIRED:

30. ADJOURN:



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John F. Warren, County Clerk