

COURT ORDER

23

ORDER NO. 2011 507

DATE: March 15, 2011

STATE OF TEXAS §

COUNTY OF DALLAS §

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 15th day of March, 2011, on a motion made by John Wiley Price, Commissioner of District No. 3 and seconded by Dr. Elba Garcia, Commissioner of District No. 4 the following Order was adopted:

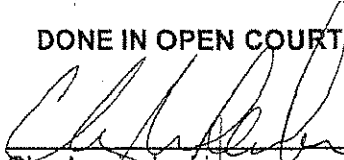
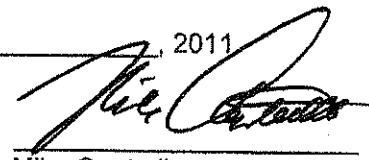
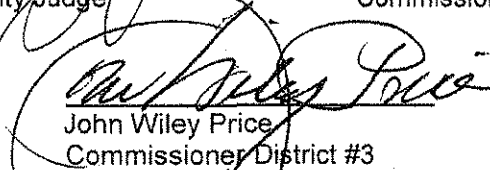
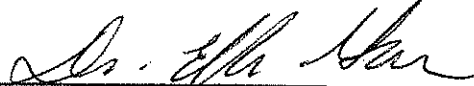
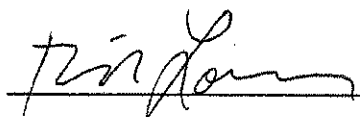
WHEREAS, on January 18, 2011, the Dallas County Commissioners Court was briefed on a series of proposals that would make the operations of Dallas County more open, accessible, and visible to the public;

WHEREAS, these proposals have been further enhanced and are now incorporated into the attached "Dallas County Policy on Transparency"; and

WHEREAS, this policy, which includes such requirements as the video-recording and the posting of Commissioners Court meetings on the internet, disclosing potential conflicts of interest, and the registering of lobbyists, is consistent with the County's strategic plan which specifically recommends that the County provide sound, financially responsible, and accountable governance.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the attached "Dallas County Policy on Transparency" is adopted, that it shall govern the various operations of Dallas County, and that it shall be implemented and administered in the manner herein described.

DONE IN OPEN COURT this the 15th day of March, 2011

 Clay Lewis Jenkins County Judge	ABSENT Maurine Dickey Commissioner District #1	 Mike Cantrell Commissioner District #2
 John Wiley Price Commissioner District #3	 Dr. Elba Garcia Commissioner District #4	
Recommended by: 		

DALLAS COUNTY POLICY ON TRANSPARENCY

SECTION 1. Introduction and Purpose

Only an open, visible, and accessible government can endure and function appropriately. Without such characteristics, the public's confidence in government will wane, accountability will deteriorate, new ideas will cease to be exchanged, and the potential for poor decisions will increase.

With the population of Dallas County now being larger than the population of about one-third of the states in the country and with the size of its annual budget approaching that of a Fortune 1000 firm, it is perhaps more important than ever that the County make its workings as transparent and accessible as possible. Accordingly, this Policy shall govern and make more open the County's major operations and decision-making processes and provide the public with precedent-setting access to records, policies, contracts, and other information.

SECTION 2. Application and Interpretation

The County's Transparency Policy shall complement, not replace, existing State and federal law. In the event a provision of this Policy is in conflict with a previously existing County policy, the Transparency Policy shall prevail and supercede the previous policy.

SECTION 3. Administration

Unless otherwise stated, it shall be the responsibility of the County Administrator (or his designee) to administer the provisions of this Policy, to collect, receive, maintain, and make accessible the information that is required by this Policy, and to monitor, facilitate, and encourage compliance with this Policy.

SECTION 4. Video-Recording of Commissioners Court Meetings

All Tuesday morning formal and briefing sessions of the Dallas County Commissioners Court shall be video-recorded and shall be posted for a period of at least two years on the County's website. A notice shall also be posted on the County's website indicating how video recordings that are older than two years and are thus no longer posted on the website may be acquired from the County.

SECTION 5. On-Line Availability of Additional Commissioners Court Meeting Information

Information pertaining to Commissioners Court meetings, including the formal and briefing session agendas, a summary of the actions taken, approved court orders and contracts, and Court member attendance, shall be posted for a period of at least two years on the County's website. A notice shall also be posted on the County's website

indicating how information that is older than two years and is thus no longer posted on the website may be acquired from the County.

SECTION 6. On-Line Calendar of County Public Meetings

The County shall post on its website a monthly calendar which shall list the time and location of public Commissioners Court meetings and the public meetings of other County boards and committees.

SECTION 7. Disclosure of Campaign Finance Reports

The campaign finance reports for at least the last two years of all Commissioners Court members shall be posted on the County's website. Other elected County officials are also strongly encouraged to post their campaign finance reports from the past two years on the County's website.

SECTION 8. Disclosure of Financial Contributions Made to Specific Non-Profits

All third-party financial contributions made over the past two years to any non-profit organization controlled by a Commissioners Court member, their spouse, or dependent shall be annually disclosed by that Court member by April 30 of each year.

SECTION 9. Disclosure of Previous/Existing Attorney-Client Relationship with Court Member

All private attorneys interested in being retained by the County for legal work must disclose the existence of any previous or on-going attorney-client relationship with any individual Commissioners Court member. Failure to do so may result in the attorney not being retained by the County.

SECTION 10. Disclosure of Outside Income

The following individuals are required to disclose the existence and source of any income generated outside of working for Dallas County that is received by that individual, their spouse, or any dependent:

- Commissioners Court members and their staff
- County Administrator, Assistant County Administrator, Auditor, and Budget Officer
- Elected officials, department heads, and other County employees who evaluate bids, proposals, and/or qualifications or who recommend the awarding of contracts and bids, the selling or acquisition of property, or the provision of economic development incentives
- Elected officials, department heads, and other employees who manage or who are otherwise responsible for the daily administration, implementation, or monitoring of a contract, bid, incentive, or property transaction

Said disclosure shall be made to the County Administrator by April 30 of each year on a Form developed by the County Administrator. Information pertaining to the amount of outside income received by someone subject to this provision shall not be required to be included on the Form by this Policy.

Any change in the sources of outside income that an individual, a spouse, or their dependents receive shall be promptly reported, as soon as practicable, to the County Administrator and must be reported in advance of either any evaluation committee meeting that the individual participates in, before any associated item is placed on the Commissioners Court's agenda, or before any consideration of the item in question by the Commissioners Court, whichever occurs first. Similarly, any individual who becomes subject to this provision after April 30 of any year must also promptly provide the information required by this Policy in advance of either any evaluation committee meeting that the individual participates in, before any associated item is placed on the Commissioners Court's agenda or before any consideration of the item in question by the Commissioners Court, whichever occurs first. Failure by a non-elected County official, department head or employee to appropriately disclose the existence and source of outside income in the manner prescribed herein may result in the termination of that individual's employment with the County.

SECTION 11. Registration of Lobbyists

All lobbyists, prior to engaging in any lobbying activity with the Commissioners Court and to the extent permitted by State law, should file a Lobbyist Registration Form with the County Administrator (for purposes of this Section, a "lobbyist" is any individual, corporation, firm, association or group that receives compensation in an amount of at least \$200 per calendar quarter that is paid, received, or reimbursed in the past, present or future in return for or in connection with providing lobbying services or makes an expenditure, excluding one's own travel, food, or lodging expenses in an amount of at least \$200 per calendar quarter in association with the provision of lobbying services).

The Lobbyist Registration Form shall contain such information as the name of the lobbyist, the lobbyist's client(s), and the issue/subject which the lobbyist anticipates discussing with any member of the Commissioners Court. This Form shall also contain any other information which the Commissioners Court deems as necessary. Each time a lobbyist either represents a different client or becomes involved with a different County issue/subject, the lobbyist should update and submit a new Lobbyist Registration Form.

All received Forms will immediately be forwarded to the Commissioners Court, and the information from these Forms will also be posted on the County's website.

This Section is mandatory and binding to the extent permitted by State law. This Section does not apply to an unpaid volunteer, an individual representing only himself, a media representative on a matter of general public interest, or a governmental entity wishing to discuss matters related to its own governmental interest.

SECTION 12. No Contact During RFP/RFQ Process

Parties responding to a request for proposal (RFP) or a request for qualifications (RFQ) shall sign a statement stating that, unless otherwise specifically allowed by a formal majority of the Commissioners Court, once the County has released the RFP or RFQ, these interested parties, as well as their employees and any paid or unpaid personnel acting on their behalf, will not contact, meet, or initiate communication with any member of the Commissioners Court for the purpose of discussing their qualifications, the qualifications of other parties, the RFP/RFQ, the anticipated contract, or past contract performance or experience until the responses to the RFP/RFQ are briefed to the Commissioners Court. However, nothing in this provision shall prevent the Commissioners Court from interacting with a current vendor/contractor about typical matters arising under the firm's current contract. Failure to refrain from such contact and discussion may result in the firm being disqualified from further consideration under said RFP/RFQ.

SECTION 13. Voluntary Moratorium on Campaign Contributions During RFP/RFQ Process

Parties interested in responding to a County request for proposal (RFP) or a request for qualifications (RFQ) shall be encouraged to sign a statement indicating that they will be willing to temporarily refrain from making any donation to any Dallas County elected official or candidate for office whose office (or potential office) has any involvement in the selection process for the associated contract during the pendency of the RFP/RFQ through thirty days after the contract is awarded.

SECTION 14. Twelve-Month Waiting Period for Employment of Certain Former County Employees

All contracts involving the County procurement of goods or services shall include a provision which prohibits the firm from hiring any individual who has previously worked for the County and in that capacity either evaluated, recommended, approved, monitored, or managed a contract involving that firm no sooner than twelve months after that individual has ceased to work for or be employed by the County. Failure to adhere to such a contractual requirement may result in the termination of the contract with the County.