

BEXAR COUNTY, TEXAS COMMISSIONERS COURT

NOTICE OF PUBLIC MEETING

The Bexar County Commissioners Court will meet on **Tuesday, March 21, 2017 at 10:00 a.m. in the Double-Height Courtroom** on the Second Floor of the Bexar County Courthouse, 100 Dolorosa, Suite 2.01, San Antonio, Texas 78205.

NOTE: The Commissioners Court may recess at 12:00 p.m. and may reconvene at 1:30 p.m.

**NELSON W. WOLFF
COUNTY JUDGE**

**SERGIO “CHICO” RODRIGUEZ
COMMISSIONER, PRECINCT 1**

**KEVIN A. WOLFF
COMMISSIONER, PRECINCT 3**

**PAUL ELIZONDO
COMMISSIONER, PRECINCT 2**

**TOMMY CALVERT
COMMISSIONER, PRECINCT 4**

**GERARD RICKHOFF
CLERK OF THE COURT**

Questions regarding this agenda should be directed to the Bexar County Commissioners Court Support & Special Projects Administrator at (210) 335-0326. The agenda is available on the County's website (<http://www.bexar.org>). Click on “Government/Commissioners Court.”

BEXAR COUNTY COURTHOUSE ACCESSIBILITY STATEMENT FOR DISABLED PERSONS

This meeting site is accessible to disabled persons as follows: Entrance to the Bexar County Courthouse is accessible through the north end of the Courthouse located at the intersection of Dolorosa and Main streets. To access the second floor, individuals must use the handicap ramp located at the northwest corner of the County Courthouse and take the elevator to the second floor.

COMMISSIONERS COURT CEREMONIAL AGENDA

1. Opening prayer: (Court/Paul Elizondo)
2. Pledge of Allegiance (Court/Paul Elizondo)

3. **CEREMONIAL ITEM(S):**

- a. Presentation of a service pin recognizing a Bexar County employee for 30 years of service:

Name	Years	Date Employed	Office/Department
Paul Elizondo Jr.	30	1-1-1987	County Commissioner, Pct. 2

(Estimated Presentation Time: 5 minutes)

(Court)

- b. Presentation of a proclamation on behalf of Commissioners Court recognizing and proclaiming March 22, 2017 as Small Business Development Center (SBDC) Day.

(Estimated Presentation Time: 5 minutes)

(Court/Paul Elizondo)

- c. Presentation of a proclamation on behalf of Commissioners Court recognizing the San Antonio Women's Hall of Fame for their contributions and decades of services to women in Bexar County and congratulating the honorees that will be inducted at their 2017 "Breaking Barriers Inspiring The Future" Induction Gala.

(Estimated Presentation Time: 5 minutes)

(Court/Nelson Wolff)

- d. Presentation of a proclamation on behalf of Commissioners Court recognizing and proclaiming April 11, 2017 to be a day of observance for Altrusa International of San Antonio, TX, Inc.'s 100th Anniversary.

(Estimated Presentation Time: 5 minutes)

(Court/Nelson Wolff)

4. **SPECIAL PRESENTATION:**

- a. Presentation of the Bexar County JROTC Championship awards for the Orienteering and Air Rifle Marksmanship for 2017.

(Estimated Presentation Time: 20 minutes)

(Kevin Wolff)

5. **TIME CERTAIN:**

Recess Commissioners Court

- a. **11:00 a.m.:** Convene as Board of Directors, **Bexar County Housing Finance Corporation.**

(Estimated Presentation Time: 10 minutes)

(Board/Norton Rose Fulbright)

Reconvene Commissioners Court

- b. **11:30 a.m.:** The Commissioners Court invites public input regarding a mass gathering permit application by The Valero Texas Open to hold the "Valero Texas Open Golf Tournament", from April 15, 2017 through April 23, 2017, at the J.W.Marriott Hill County Resort and Spa, located at 23808 Resort Parkway, San Antonio, TX 78261.

(Estimated Presentation Time: 10 minutes)

(Chris Lopez)

- c. **11:40 a.m. or immediately following item 5b.** – Discussion and appropriate action regarding a mass gathering permit application by The Valero Texas Open to hold the “Valero Texas Open Golf Tournament”, from April 15, 2017 through April 23, 2017, at the J.W. Marriott Hill Country Resort and Spa, located at 23808 Resort Parkway, San Antonio, TX 78261.
(Estimated Presentation Time: 10 minutes) (Chris Lopez)

COMMISSIONERS COURT REGULAR AGENDA

6. Request of Commissioners Court to identify items from the Consent Agenda for additional discussion and to approve remaining Consent Agenda items.
7. Filing for record the following legal and administrative documents and directing the Criminal District Attorney’s Office to take action, if necessary:
 - a. Bexar County Sheriff’s Office FY2017 Budget for the Sheriff’s LEOSE Fund – 114.
 - b. Fax letter from Deputy Sheriffs’ Association of Bexar County, Juan Contreras, President – Re: Notice of Intention to Submit to Step 3 Negotiations – Toby Flores.
 - c. Notice of Citation Directed to Bexar County by Serving County Judge, Nelson W. Wolff – Re: Teresa Flores vs. Bexar County ET AL.
 - d. Letter from the Law Office of George Salinas regarding notice of no longer representing Ms. Rebecca Aldrich for the bodily injures, which occurred on June 16, 2016.
8. Approval of Commissioners Court minutes for March 7, 2017.
9. Communications from citizens who signed the register to speak.

CONSENT AGENDA ITEMS:

All items under the Consent Agenda are heard and acted upon collectively unless opposition is presented, in which case the contested item will be considered, discussion, and appropriate action taken separately.

Item(s) Brought by Commissioners Court:

(Court)

10. Authorizing staff to execute a grant agreement in the amount of \$25,000 in support of the San Antonio Book Festival for educational programming and BiblioTech community outreach.

Item(s) Brought by County Manager:

(David Smith)

11. Approval and execution of the Public Service Agreement between Bexar County and the San Antonio Symphony for a Community Concert honoring Dr. Martin Luther King Jr. and January’s Young People’s concert series including a performance at the Tobin Center for the Performing Arts, in the amount of \$40,000 from the Venue Project Fund.

12. Approval of:

- a. an Amendment, Assignment and Assumption of the Professional Services Agreement, as Amended, Between the County of Bexar, Bose Public Affairs Group LLC, Serna & Serna PLLC and Estell Group; and
- b. authority for staff to negotiate a Personal Services Agreement with Signal Group Consulting, LLC for Federal Legislative Consulting.

Item(s) Brought by District Attorney:

(Nicholas "Nico" LaHood)

13. Approval sought for the submission of an electronic grant application to the Office of the Governor, Criminal Justice Division, Homeland Security Grants Division, for the Bexar County Criminal District Attorney's Office "Bexar County Border Prosecution Unit Program" in the amount of \$156,843; the term of the grant will be from September 1, 2017 through August 31, 2018; authorization of the County Judge to execute a Resolution to effect this approval; and acceptance of funds upon award. No Bexar County match is required.

Item(s) Brought by Sheriff's Office:

(Javier Salazar)

14. Authorizing the Bexar County Auditor to pay invoice(s) from Fiscal Year 2017 invoice(s) in the amount of \$945.40 for services.
15. Authorization and approval for the Sheriff's Office to pay Taser International invoice in the amount of \$73,669.40 for accessories which include batteries, holsters, etc. as replacements are needed.

Item(s) Brought by County Auditor:

(Susan Yeatts)

16. Authorization and approval for the County Auditor to pay routine bills from Monday, March 20, 2017 through Friday, March 31, 2017.
17. Approval of bills to include claims registers for Wednesday, March 8, 2017 and Friday, March 10, 2017, Wednesday, March 15, 2017 and Friday, March 17, 2017.
18. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Friday, March 31, 2017.
19. Request approval according to Section 31.11, for \$60,094.64 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 14 tax account(s) to various taxing jurisdictions by individuals, businesses, corporations, etc. which have been reviewed by the Auditor's Office and found to be valid.
20. Approval of Tax Assessor –Collector's Report of Taxes collected in February 2017 and approval of the order transferring tax collections for the month of February 2017 from unallocated receipts.
21. Approval of and authorization to pay Nathan K. Coleman and Scott A. Paul \$2,074.20 and \$1,263.71 respectively for overtime hours and meals in support of the Texas Forest Services as a member of the Regional Incident Management Team (RIMT) for Hurricane Matthew.

Item(s) Brought by Tax Assessor-Collector:

(Albert Uresti)

22. Approval of a request for the waiver of penalty and interest, for the Bexar County taxing jurisdiction, in the amount of \$309.23 on account #16445-001-0200, Harmon Gary H Jr. & Carla J, tax year(s) 2015 in accordance with Section 33.011 of the Texas Property Tax Code.

Item(s) Brought by Civil District Court Administration:

(Peter Sakai)

23. Approval of a professional services contract between Bexar County and Alpha Home, Inc., for the time period of February 1, 2017 through September 30, 2017, with total expenditures not exceeding \$130,000, to secure residential drug and substance-abuse services for adults participating in the Bexar County Family Drug Treatment Court. Funding to be used pursuant to this Agreement has been approved by the COUNTY in the FY 2016-17 General Fund budget for the Civil District Courts' Children's Court.
24. Approval of a professional services contract between Bexar County and Family Violence Prevention Services, Inc., aka FVPS, for the time period of October 1, 2016 through September 30, 2017, with expenditures to be paid with approved monies from the FY 16-17 General County Funds in the amount of \$13,000 as approved for the Civil District Courts' Children's Court, as to the operation of a program to secure education and group counseling services for male and female victims and perpetrators of domestic violence referred by the Children's Court and its Specialty Courts.
25. Approval of a professional services contract between Bexar County and Alpha Home, Inc., for the time period of February 1, 2017 through September 30, 2017, with total expenditures not exceeding \$23,760, to secure assessments and outpatient substance-abuse services for adults participating in the Bexar County Family Drug Treatment Court. Monies for this program are funded by the Office of the Governor, Criminal Justice Division Grant, CJD Application Grant #1736713.
26. Approval of a contract between Bexar County and Deborah Judith Inc., dba Elite Counseling, a non-profit corporation of the State of Texas, for the time period of February 1, 2017 through September 30, 2017, with total expenditures not exceeding \$42,360, to secure the development and operation of a program to provide drug treatment assessments and services for individuals participating in the Children's Court Family Drug Court Program.

Items(s) Brought by Purchasing:

(Mary Quinones)

27. Awarding the extension of a contract with San Antonio Snack & Vending, L.P., for the estimated revenue amount of \$21,700, to provide vending concession services for two (2) months beginning April 1, 2017 and ending May 31, 2017 under the same terms and conditions; and authorizing the Purchasing Agent to execute contract modification and file the appropriate award documents for record.
28. Awarding the extension of a contract with Inmate Calling Solutions, LLC dba ICSolutions for the estimated revenue amount of \$798,500 to provide public coin and inmate telephone services for six (6) months beginning upon award and ending September 30, 2017; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
29. Awarding the renewal of a requirements contract with Texas Disposal Systems, Inc. to provide for the rental of Roll Off Dumpsters in the estimated annual amount of \$150,000, beginning April 1, 2017 through March 31, 2018 as requested by the Public Works Department; and authorizing the Purchasing Agent to execute contract modification and file the appropriate award documents for record.
30. Awarding a requirements contract to Environmental Health Group, LLC (SMWBE) to provide for the purchase of Health Inspection Services for Bexar County for the period beginning March 21, 2017 and ending March 31, 2018 for an amount not to exceed \$176,000, and providing for four one-year options for renewal as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
31. Awarding a requirements contract to AA Body Frame and Paint (SMWBE) to provide for the purchase of Automotive Body Work and Repair Services for a two-year period beginning April 1, 2017 and ending March 31, 2019, in the estimated annual amount of \$300,000, and providing for three one-year options for renewal as requested by the Public Works/Fleet Maintenance Division; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.

32. Awarding a delivery order to Romco Equipment Company to provide for the one-time purchase of five (5) each Lee Boy 500T Trailer-Mounted Asphalt Distributors, through a BuyBoard Contract as requested by the Public Works Department in the amount of \$92,875; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
33. Awarding a delivery order to Associated Supply Company, Incorporated to provide for the purchase of three (3) each Doosan Model D25S-7 Forklifts, through a BuyBoard Contract as requested by the Public Works Department in the amount of \$85,716; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
34. Awarding a delivery order to Texan Waste Equipment, Inc. to provide for the purchase of a Schwarze Model A7-Street Sweeper, through a BuyBoard Contract as requested by the Public Works Department in the amount of \$219,763; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
35. Awarding a requirements service contract with Shelton Presort, Incorporated (SMWBE) to provide Bexar County with the purchase of Pre-Sort Mail Services for the period beginning April 1, 2017 and ending March 31, 2019, for an estimated annual amount of \$49,000 and providing for three one-year options for renewal as requested by the Facilities Management Department; and authorizing the Purchasing Agent to execute the contract and file the appropriate award documents for the record.

Item(s) Brought by Public Works:

(Renee Green)

36. Approval of a Lease Agreement between Bexar County, Texas and Ithaca Investments, LTD, for an initial term of seven years, plus five one year optional extensions for 18,551 square feet of rentable office space located at 7121 New Highway 90 West, at an initial rate of \$39,266.28 per month, effective upon delivery of remodeled space from Landlord, anticipated to be October 1, 2017, for use by the Community Supervision and Corrections Department as their southwest substation location. Precinct Number 1.
37. Authorizing to enter into a Purchase and Sale Agreement for Mitigation Credits (Straus Medina Mitigation Bank) between Bexar County, TCP III Straus Medina, LLC and Mitigation Solutions USA, LLC for Bexar County to purchase a total of 319.4 Conditional Integrity Units (“CIUs”) as required by US Army Corps of Engineers (“USACE”) Fort Worth District for sale from Straus Medina Mitigation Bank to implement the Flood Control Capital Improvements Project Perrin Beitel Bridge Expansion, SC9, in the amount of \$679,310.
38. Approval of the Field Alteration Request Number 1 between Bexar County and EZ Bel Construction, LLC, (SMWBE) requesting to increase the contract amount by \$33,469.18 in connection with Public Works Capital Project, Westwood Loop Traffic Signal. Precinct Number 1.
39. Approval of subdivision plat#160354 within the Extra Territorial Jurisdiction of the City of San Antonio: Campanas Phase 6 Enclave, owner: Forestar (USA) Real Estate Group, located northwest of Estacado (private) and Resort Pkwy. (private), within the Edwards Aquifer Recharge Zone. Precinct Number 3.
40. Authorizing the County Judge to execute a Release of Lien for the property located in: Lots 18, 19, & 20 Block 16, Kings Point Subdivision, C.B. 4194B. Owner(s): Julio S. and Gloria G. Perez, Precinct Number 1.
41. Approval of subdivision plat#160104 within the Extra Territorial Jurisdiction of the City of San Antonio: Kinder West Unit 2 Enclave, owner: SA Kinder West Units 1 & 2, Inc., located northwest of Sunday Creek (private) and Kinder Parkway, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.

42. Authorizing the purchase of a 0.014 of one acre tract of land by Warranty Deed in New City Block (N.C.B.) 18047, San Antonio, Bexar County, Texas, and a Permanent Drainage Easement being two variable width drainage easements, 0.627 of one acre of land and 0.487 of one acre of land respectively, also being out of New City Block (N.C.B.) 18047, San Antonio, Bexar County, Texas, both tracts being out of a remaining portion of a 25.80 acre tract of land conveyed to AHV-RS Vickery Grove LLC, described in Book 16708, Page 517, Official Public Records of Bexar County, Texas, also being out of the Perry Davis Survey No. 267, Abstract No. 189, County Block (C.B.) 4528; and a second Permanent Drainage Easement being two variable width drainage easements, 0.065 of one acre of land and 0.299 of one acre of land respectively, in New City Block (N.C.B.) 18047, San Antonio, Texas, being out of Lot 901, Block 3, shown on the subdivision plat of Vickery Grove Unit 1, recorded in Volume 9667, Page 66-68, Deed and Plat Records, Bexar County, Texas, also being out of the Perry Davis Survey No. 267, Abstract No. 189, County Block (C.B.) 4528, from RSI Vickery Grove, LLC, a Delaware limited liability company, Owners of Record, in the amount of \$61,772, total appraised value plus applicable closing costs. South Hausman Road LWC (LC5) Flood Control Project. Precinct Number 3.
43. Authorizing the sale of property struck off to Bexar County for delinquent taxes known as cause number 2007-TA1-01066 & 2015-TA1-03875; account number 159650020110; New City Block 15965 Block 2 Lot 11 Camelot Townhouses Subdivision Unit 33 De-Annexed in Bexar County, Texas, as shown in Volume 07000, Page 0124 of the Deed and Plat Records of Bexar County, Texas; located at 6822 Neston Dr. for \$8,871.92 (the total amount of judgments against the property) to Richard D Beason pursuant to Section 34.05(h) of the Texas Tax Code and authorizing the execution of deed. Precinct Number 4.

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

44. Approval of the Investment Quarterly Report for the 1st Quarter of FY 2016-17 in accordance with Section 2256.023 (a) of the Texas Public Funds Investment Act.

Item(s) Brought by Facilities Management:

(Dan Curry)

45. Approval of a request authorizing the Auditor to pay invoice SO-0016160117, dated January 24, 2017 from Shelton Pre-Sort for a total amount of \$30,282.32 for bulk mailing services provided January 2016.
46. Approval of a request from the Director of Facilities Management authorizing the Auditor to pay one (1) invoice from The Brandt Companies, LLC for the replacement of a water heater at the Cyndi Taylor Krier Correctional Treatment Center on October 29, 2015 for the amount of \$9,847.

INDIVIDUAL AGENDA ITEMS:

The following Individual Agenda Item may be considered at any time during this meeting:

Item(s) Brought by Commissioners Court:

(Court)

47. Discussion and appropriate action regarding a request from the League of United Latin American Citizens (LULAC) for a grant for sponsorship from Bexar County for the 88th Annual LULAC National Convention & Exposition to be held July 4-8, 2017.
(Estimated Presentation Time: 15 minutes)

(Paul Elizondo)

48. Discussion and appropriate action regarding approval of a resolution supporting legislation that would conform state franchise tax deductions to what is allowed under Federal Acquisition Regulations for companies doing business with the federal government.

(Estimated Presentation Time: 15 minutes)

(T.J. Mayes)

Item(s) Brought by County Manager:

(David Smith)

49. Discussion and appropriate action regarding Bexar County’s Legislative Program and the 85th Session of the Texas Legislature.

(Estimated Presentation Time: 10 minutes)

(Melissa Shannon)

50. Discussion and appropriate action regarding the San Pedro Creek Restoration project including the following:

- a. A status update in the ongoing design and construction; and
- b. A review of the proposed Wayfinding Signage Plan to be incorporated into the design of the Creek.

(Estimated Presentation Time: 15 minutes)

(Tony Canez)

Item(s) Brought by Resource Management:

(Tina Smith-Dean)

51. Discussion and appropriate action regarding the following End of Year Budget Transfers for FY 2015-16. The following end of year budget transfers were budgeted and anticipated in the FY 2015-16 Estimates.

Office/Department	Budget Transfer Amount
County Clerk	\$364,450
District Attorney	\$722,918
District Clerk	\$447,404
Elections	\$118,371
Facilities Management - County Buildings	\$116,350
Judicial Services	\$147,207
Juvenile Probation	\$1,690,283
Medical Examiner’s Office	\$136,057
Sheriff Law Enforcement	\$646,843
Sheriff Support Services	\$159,092
Tax Office	\$207,163
Total	\$4,756,138

The following end of year budget transfers were not budgeted. However, some expenses were anticipated in the FY 2015-16 Estimate as noted below.

Office/Department	Budget Transfer Amount	Estimated	Not Estimated	Reason for Overrun
Constable Precinct 3	\$136,600	\$49,690	\$86,910	Overtime payments
Criminal District Court	\$804,626	\$563,627	\$240,999	Court Appointed Attorney Costs
District Attorney	\$82,314	\$82,314	\$0	Various operational expenses
Drug Court Fund	\$109,835	\$109,835	\$0	Loss of funding for a grant-funded position

Facilities Management - Administration	\$155,375	\$134,820	\$20,555	General fund expenditures for positions budgeted in CIP
Judicial Services	\$24,995	\$7,809	\$17,186	Temporary positions
Juvenile Probation	\$589,578	\$312,179	\$277,399	Krier Center Renovations project
Sheriff Law Enforcement	\$661,275	\$661,275	\$0	Salary payouts of time balances and various operational expenses
Tax Office	\$65,366	\$65,366	\$0	Temporary positions
Trial Expense	\$401,177	\$165,423	\$235,754	Various operational expenses
Total:	\$3,031,141	\$2,152,338	\$878,803	

The total end of year transfer for FY 2015-16 is \$7,787,279.

(Estimated Presentation Time: 15 minutes)

(Seth McCabe)

52. Presentation, discussion and appropriate action regarding the FY 2016-17 Justice of the Peace and Constable Office workload analysis and staffing.

(Estimated Presentation Time: 20 minutes)

(Heidi Arias)

Item(s) Brought by Purchasing:

(Mary Quinones)

53. Discussion and appropriate action regarding awarding policies to the following firms to provide Bexar County with the purchase of General Liability, Public Official Liability, Law Enforcement Liability, Business Auto Liability, Employment Practices Liability, Umbrella/Excess Liability, Excess Workers Compensation, and Crime insurance coverage for a one-year period beginning April 1, 2017 and ending April 1, 2018 for a combined annual premium amount of \$1,150,920 and providing for three one-year renewal options. The awards include:

Type Coverage	Firms	Annual Premiums
General Liability Public Officials Liability Law Enforcement Liability Business Auto Liability Employment Practices Liability Umbrella / Excess Liability	One Beacon Insurance Group, through APEX Insurance Services/SWBC Insurance Services	\$968,231
Excess Workers Compensation	Midwest Employers Casualty Company, through Higginbotham Insurance Agency	\$169,411
Crime	Hartford Fire Insurance Company, through APEX Insurance Services/SWBC Insurance Services	\$13,278

(Estimated Presentation Time: 5 minutes)

(Mary Quinones)

Item(s) Brought by County Auditor:

(Susan Yeatts)

54. Discussion and appropriate action regarding the acceptance of an FLSA summary report regarding non-exempt County personnel that have accrued FLSA hours in excess of 199 but less than 240, and law enforcement personnel FLSA hours in excess of 439 but less than 480, as of the month ending February 2017. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$57,510.66 and approval of the appropriate budget transfer.
(Estimated Presentation Time: 5 minutes) (Susan Yeatts)

Item(s) Brought by the County Clerk's Office:

(Gerard Rickhoff)

55. Drawing 25 names from the 2016 Grand Jury List, nine (9) of which will serve on the 2017 Salary Grievance Committee; drawing additional names as needed to serve as Alternates.
(Estimated Presentation Time: 5 minutes) (Leonor Ramirez)

EXECUTIVE SESSION (DISCUSSION ONLY: CLOSED TO PUBLIC

(Pursuant to Chapter 551, Texas Government Code)

EXECUTIVE SESSION ITEMS MAY BE DISCUSSED AND ACTED UPON, IF APPROPRIATE, IN OPEN SESSION.

56. §551.071 Consultation with Attorney for advice regarding:

- a. Pending or contemplated litigation or settlement offers in the following matters:
 - i. Kelly M. Cross, Presiding Judge Bexar County Statutory Probate Court No. 1 v. Bexar County Commissioners Court, et al.; and
 - ii. Mark Vojvodich, Constable Precinct 3 v. Bexar County Commissioners Court, et. al.

- b. Legal issues pertaining to the following matters in which the duty of the attorney for Bexar County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act:
 - i. CMAR Agreement between Sundt/Davila JV and San Antonio River Authority relating the San Pedro Creek Improvement Project.

Posted: Friday, March 17, 2017 at 4:30 p.m.