



# **BEXAR COUNTY, TEXAS COMMISSIONERS COURT**

## **NOTICE OF PUBLIC MEETING**

The Bexar County Commissioners Court will meet on **Tuesday, May 16, 2017 at 9:00 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: Bexar County Sheriff Javier Salazar (Court/Sergio "Chico" Rodriguez)
2. Pledge of Allegiance: (Court/Sergio "Chico" Rodriguez)
3. **CEREMONIAL ITEM(S):**
  - a. Presentation of a proclamation on behalf of Commissioners Court recognizing May 2017 as Public Works Week.  
(Estimated Presentation Time: 5 minutes) (Court/Nelson Wolff)
  - b. Presentation of a proclamation on behalf of International Volkssport Federation proclaiming May 6, 2017 as International World Walking Day.  
(Estimated Presentation Time: 5 minutes) (Court/Kevin Wolff)
4. **SPECIAL PRESENTATION ITEM:**
  - a. Presentation regarding the Bexar County Wellness Activities.  
(Estimated Presentation Time: 10 minutes) (Tina Smith-Dean)
  - b. Presentation on the announcement of BiblioTech's designation as one of the "Top 25 Programs in American Government" by the Ash Center for Democratic Governance and Innovation at the John F. Kennedy School of Government, Harvard University.  
(Estimated Presentation Time: 5 minutes) (Laura Cole)
5. **TIME CERTAIN:**
  - a. **10:00 a.m.** In observance of Memorial Day 2017, a ceremony will held in Commissioners Court on May 16, 2017 to honor those military service members from Bexar County and surrounding areas who have died while serving our country over the past year.  
(Estimated Presentation Time: 25 minutes) (Queta Rodriguez)
  - b. **11:00 a.m.** Presentation to Commissioners Court by Reyna Torres Mendivil, the Consul General de Mexico in San Antonio.  
(Estimated Presentation Time: 10 minutes) (Ambassador Reyna Torres Mendivil)

## 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. Tenth Amendment to Lease between Domicilio Conocido, Inc., a Texas Corporation (Landlord) and Bexar County, Texas; approved March 7, 2017.
  - b. Letter from the Office of Burns Anderson Jury & Brenner, L.L.P. – Re: Bexar County Emergency Services District No. 8, Texas Health & Safety Code 775.082.
  - c. Notice of Claim from the Office of Elms Harmon Macchia, LLC – Re: Claimant: Vulcan Construction Material, LLC.
  - d. Notice from LORR Law & Order Record Retrieval to Bexar County Attn: Bexar County Judge Nelson W. Wolff – Re: Records Pertaining to: Exhibit “A” (Subpoena of Records – CaptureRx v. Airport Center, LLP).
  - e. Citation Directed to Bexar County Texas by Serving Bexar County Judge Nelson Wolff – Re: Vanessa Grant et al vs. Bexar County Texas.
8. Approval of Commissioners Court minutes for May 2, 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. Approval of a request from Bexar County Judge Nelson Wolff to appoint Tim Draves as the Chairman of the Bexar County Historical Commission to commence upon approval and to appoint Virginia Nicholas as the first-ever Chair Emeritus of the Bexar County Historical Commission.
11. Approval of a request from Commissioner Kevin Wolff, Precinct 3, to appoint the following appointees to the Cibolo Canyons Special Improvement District.

<b>Name</b>	<b>Date of Appointment</b>	<b>Expire</b>	<b>Replacing</b>
Jerome Jenko	May 16, 2017	June 1, 2018	Rachelle Gardner
Scott Siebert	May 16, 2017	June 1, 2019	Alex Reid
Jodi Cleer	May 16, 2017	June 1, 2019	Reappoint
Peter Marks	May 16, 2017	June 1, 2019	Reappoint

**Item(s) Brought by Sheriff's Office:**

**(Javier Salazar)**

12. Authorizing the Bexar County Auditor to pay invoice(s) from Fiscal Year 2017 invoice(s) in the amount of \$8,216 for services.
13. Approval of the Sheriff's Office request to decommission 2004 Pontiac Grand Am vehicle #9895 from inventory and place up for auction.
14. Approval of Sheriff's Office request to place into service 2008 Kia Sorrento VIN#KNDJD795885799517 awarded to the Sheriff's Office on December 20, 2016 under civil number 2012-CI-10217. The Narcotics unit would like to convert this vehicle to agency use for undercover operations.

**Item(s) Brought by Constable Precinct 4:**

**(Stan Ramos)**

15. Approval of a request from the Constable Precinct 4 authorizing the County Auditor to pay an invoice(s) in the amount of \$1,496.77 for Patches.

**Item(s) Brought by County Auditor:**

**(Susan Yeatts)**

16. Authorization and approval for the County Auditor to pay routine bills from Monday, May 15, 2017 through Friday, June 2, 2017.
17. Authorization to distribute upcoming payroll, to include overtime, uniform allowances, and auto allowances to be paid on Wednesday, May 31, 2017.
18. Approval of bills to include claims registers for Wednesday, May 3, 2017 and Friday, May 5, 2017; and Wednesday, May 10, 2017; and Friday, May 12, 2017.
19. Approval of Tax Assessor-Collector's Report of Taxes collected in April 2017 and approval of the order transferring tax collections for the month of April 2017 from unallocated receipts.
20. Request approval according to Section 31.11 for \$179,203.93 in refunds for payments received by the Tax Assessor-Collector's Office in the form of tax overpayments made on 21 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.
21. Authorization and approval of the extension of benefits to the current 457 Deferred Compensation plans to include a 457 Roth and loan provision options.

**Items(s) Brought by Purchasing:**

**(Mary Quinones)**

22. Awarding a contract to the lowest and best qualified bid submitted by E-Z Bel Construction, LLC (SMWBE) to provide for the purchase of construction services for the Steubing Road Project in Precinct 2, in the amount of \$465,827.38, as requested by the Public Works Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
23. Approval of a renewal and amendment to a contract between Bexar County and the law firm of Linebarger Goggan Blair and Sampson, L.L.P., and Appraisal and Collection Technologies, LLC (ACT), a company wholly owned by the law firm for a three (3) year period and providing for two (2) additional three (3) year terms to provide Delinquent Tax Collections and Software License, Hardware Purchase and Maintenance.

24. Awarding a delivery order to FarrWest Environmental Supply Inc. in the amount of \$54,950 through a BuyBoard Contract for the purchase of a Hazmat Elite Command Package as requested by the Fire Marshal's Office and Office of Emergency Management; and authorizing the Purchasing Agent to execute and file the appropriate award documents for the record.
25. Awarding a contract to the lowest and best bid submitted by Gilbert's Utility and Concrete (SMWBE) to provide for the purchase of construction services at Pletz County Park in the amount of \$53,000, as requested by the Heritage Department; and authorizing the Purchasing Agent to execute and file the appropriate award documents for record.
26. Awarding a delivery order to Scott Equipment, Inc. to provide for the purchase and installation of two (2) natural gas dryers and one (1) washing machine in the amount of \$67,290, as requested by the Adult Detention Center, Laundry Division through a BuyBoard #428-13 cooperative contract; and authorizing the Purchasing Agent to execute and file appropriate award documents for record.
27. Approval to declare seven (7) surplus vehicles for auction or disposal in, accordance with Local Government Code 263.152. (A)(1)(C)(6).
28. Authorizing the removal and sale of one (1) surplus firearm weapon to retired Bexar County Sheriff's Office Deputy Westley Kenyon in the amount of \$414.00, in accordance with attached Surplus Firearm Equipment List, as requested by the Sheriff's Office; and authorizing the Purchasing Agent to update the Bexar County Inventory Records and file the appropriate documents for record.

**Item(s) Brought by Economic and Community Development:**

**(David Marquez)**

29. Approval of contract totaling \$137,497 with the Alamo Area Resource Center for services funded for FY 2017-2018 Housing Opportunities for Persons with AIDS (HOPWA) program for the contract period beginning February 1, 2017 through January 31, 2018.
30. Approval of contract totaling \$22,000 with the BEAT AIDS Coalition Trust for services funded for FY2017-2018 Housing Opportunities for Persons with AIDS (HOPWA) program for the contract period beginning February 1, 2017 through January 31, 2018.
31. Approval of contract totaling \$657,571.14 with the Alamo Area Resource Center Trust for services funded for FY2017-2018 Ryan White Part A Formula program for the contract period beginning March 1, 2017 through February 28, 2018.

**Item(s) Brought by Public Works:**

**(Renee Green)**

32. Approval of SAWS Field Alteration Request Number 3 between Bexar County and J3 Company, LLC, requesting to increase the contract in the amount of \$4,711.98 to be paid by SAWS, at no additional cost to Bexar County, in connection with Flood Control Capital Project, Knoll Creek, SC4, Purchase Order No. 4229484. Precincts 3 and 4.
33. Approval of Field Alteration Request Number 4 between Bexar County and D. Plata Construction Co., LLC, requesting to increase the contract amount by \$15,261.72, in connection with Flood Control Capital Project, Grosenbacher Road at Madrona Outfall, MR30, Purchase Order No. 3755491, Precinct Number 1.
34. Approval of a Revival and Fourth Amendment to Lease Agreement between Bexar County, Texas, and The Thomson Group FBO owners of Salado Creek II Business Park, to revive and extend the office lease from July 1, 2016 to April 30, 2017, to extend the current term for an additional two year period effective May 1, 2017 plus up to two one year optional periods, for 6,209 square feet of rentable office space located at 3370 Nacogdoches Road, Suite 160, at a rate of \$9,789.99 per month, for the continued operation of the northeast Tax Office. Precinct 3.

35. Approval of subdivision plat#160125 within the Extra Territorial Jurisdiction of the City of San Antonio: Ashton Park Unit 3 Enclave, owner: Lennar Homes of Texas Land & Construction. LTD, located southwest of Sebastian Farm and Raceland Road, not within the Edwards Aquifer Recharge Zone. Precinct Number 1.
36. Approval of subdivision plat#CP201608 within the Extra Territorial Jurisdiction of the City of Helotes: Silver Canyon Unit 4, owner: Pulte Homes of Texas, L.P., located northwest of Castello Canyon and Bent Canyon, not within the Edwards Aquifer Recharge Zone. Precinct number 2.
37. Approval of subdivision plat#160524 within the Extra Territorial Jurisdiction of the City of San Antonio: Tribute Ranch Unit 1, owner: Meritage Homes of Texas, L.L.C., located northwest of F.M. 1560 and Sawyer Valley, not within the Edwards Aquifer Recharge Zone. Precinct Number 2.
38. Approval of subdivision plat#170064 within the Extra Territorial Jurisdiction of the City of San Antonio: Blackbuck Ranch Phase 1 Unit 3 Enclave, owner: Southerland Canyons II, LLC, located northwest of Henness Pass and Nina Ridge, not within the Edwards Aquifer Recharge Zone. Precinct Number 3.
39. Authorizing the purchase of a 0.313 acre tract of land by Warranty Deed and a 0.142 acre tract of land by Temporary Construction Easement, both tracts located in County Block 4919A, being a portion of that tract described to Soledad Elizondo and Eulalia R. Elizondo recorded in Volume 2735, Page 361 of the Deed Records of Bexar County, Texas from Eulalia Elizondo, Owner of Record, in the amount of \$45,278, total appraised value and costs to cure not included in appraisal value, plus applicable closing costs. Evans Road Phase I – Bulverde Road to TPC Parkway. Precinct 3.
40. Authorizing the purchase of a 0.320 of an acre (13,941 square feet) parcel of land by Warranty Deed, the parcel situated in the W.M. Brisbin Survey No. 89 ½, Abstract 54, County Block 4900, Bexar County, Texas, and being out of and part of Lot 13 of the Replat and Subdivision Plat Establishing Eagles Nest One Subdivision, recorded in Volume 9570, Pages 37-42, Deed and Plat Records of Bexar County, Texas from Summit Christian Center, Owners of Record, in the amount of \$52,893, total appraised value, plus applicable closing costs. Bulverde Road IV Capital Improvements Project. Precinct 3.
41. Authorizing the purchase of a Temporary Construction Easement being a 0.0686 acre (2,990 square feet) out of Lot 103, Mackey Vocational School Subdivision, an addition to Bexar County, Texas, according to plat thereof recorded in Volume 9529, Page 20, Deed and Plat Records (D.P.R.) of Bexar County, Texas, from Northside Independent School District, Owner of Record, in the amount of \$5,175 to extend the expired Temporary Construction Easement for an additional 36 months. Flood Control Capital Improvements Project, Huebner Creek Enhanced Conveyance NWWC – Segment C (LC17). Precinct 2.
42. Authorizing the purchase of a 7 foot Temporary Construction Easement being 0.018 of one acre of land in New City Block (N.C.B.) 14614, San Antonio, Bexar County, Texas, being out of Tract 1, called 1.734 acres of land conveyed to Northside Independent School District, described in Volume 7290, Page 1749, Official Public Records of Real Property, Bexar County, Texas, and shown as Variable Width Drainage Right-of-Way on the subdivision plat of Oakridge Pointe Unit-4, recorded in Volume 9534, Page 117, 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 Northside Independent School District, Owners of Record, in the amount of \$588, total appraised value. Flood Control Capital Improvements Project, South Hausman Road Low Water Crossing (LC-5). Precinct 3.
43. Approval to establish Traffic Control devices as Stop Zones at specified locations in Precinct 4.

*STOP ZONES TO BE ESTABLISHED:*

**Precinct Number 4**

All-Way Stop Location

The Stop Signs shall be on Loring Park at its intersection with Olmstead Park. This makes this

intersection an all-way stop. (2 stops)

44. Order accepting the following streets and drains in the identified subdivisions for County maintenance to begin May 16, 2017:

SUBDIVISION

STREET/DRAIN

Stevens Ranch POD, Unit 03-A  
Plat No. 140262  
Precinct # 1

James Bonham Way 219.03 lf  
Asphalt Width: 28'  
James Fannin St. 745.93 lf  
Asphalt Width: 28'  
Lucchese St. 745.93 lf  
Asphalt Width: 28'  
Sam Houston Way 1,784.38 lf  
Asphalt Width: 327.93 lf 40' wide asphalt  
1,456.45 lf 28' wide asphalt  
Santa Anna Way 885.51 lf  
Asphalt Width: 28'  
Sundance Way 513.37 lf  
Asphalt Width: 28'  
Drain "A" 11.0 lf  
Drain "B" 11.0 lf

**Item(s) Brought by Bexar Heritage and Parks:**

**(Betty Bueche)**

45. Approval of a request by Commissioners Court to appoint the following appointees to the Tri-Centennial Commission.

Name	Date of Appointment	Expire	Replacing
Mary Rose Brown	May 16, 2017	September 30, 2019	Carri L. Baker
Mario Salas	May 16, 2017	September 30, 2019	Tommy "T.C." Calvert Sr.
Lionell Sosa	May 16, 2017	September 30, 2019	Reappoint
Dr. Alfonso Chiscano	May 16, 2017	September 30, 2019	Reappoint
Dan Arellano	May 16, 2017	September 30, 2019	Dr. Felix Almaraz Jr.

**Item(s) Brought by Resource Management:**

**(Tina Smith-Dean)**

46. Approval to issue a Request for Qualifications from financial underwriting firms to update the pool of pre-qualified financial underwriting firms previously approved on as needed basis.

## **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 on a resolution in support of creating a civilian/military partnership to aid in the successful transition of discharged service members.  
(Estimated Presentation Time: 10 minutes) (Kevin Wolff)
48. Discussion and appropriate action regarding the name of the BiblioTech branch located at 1203 North Walters Street.  
(Estimated Presentation Time: 10 minutes) (Nelson Wolff)

### **Item(s) Brought by Sheriff's Office:**

**(Javier Salazar)**

49. Discussion and appropriate action regarding the approval of 65,000 hours of paid overtime for uniformed officers required to work mandatory hours in the Adult Detention Center from May 19, 2017 through September 30, 2017.  
(Estimated Presentation Time: 10 minutes) (Javier Salazar)

### **Item(s) Brought by County Manager:**

**(David Smith)**

50. Presentation, discussion and appropriate action regarding the proposed tax increment reinvestment zone, Converse Moving Forward TIRZ #1, and a corresponding interlocal agreement between Bexar County, the City of Converse and the Converse Moving Forward TIRZ #1 authorizing the County's contribution of a percentage of its General Fund Maintenance and Operation tax increment.  
(Estimated Presentation Time: 20 minutes) (Manuel Leal)
51. Discussion and appropriate action regarding the San Pedro Creek Restoration project to include the following:
- a. A status update on the ongoing design and construction;
  - b. Update on the status of the Tri-centennial Art Piece, "Plethora";
  - c. Approval of the artist recommended by the selection committee to complete the artwork to be installed on the "We Are All One" Tile Mural located at Martin Street; and
  - d. Approval of the project budget for Phase 1, Segment 1 of the project and direct staff to finalize a Second Amendment to the Cooperative Agreement between Bexar County and the San Antonio River Authority for the Construction of the San Pedro Creek Improvements Project to authorize the following for approval by Commissioners Court at a later date:
    - i. Funding for Work Packages 1, 2, 4, and 10, in an amount not to exceed \$53,449,756 for the construction of Phase 1, Segment 1 of the Project;
    - ii. Construction phase services to be provided by the design team, materials testing by SARA, and preconstruction services provided by the Construction Manager, in the amount not to exceed \$2,751,025;
    - iii. Artist design development for the interpretive elements to be installed in Phase 1, Segment 1, in an amount of \$154,000.
- (Estimated Presentation Time: 45 minutes) (Tony Canez)



**Item(s) Brought by County Auditor:**

**(Susan Yeatts)**

52. 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 April 2017. Notification of payment to those employees who have accumulated hours in excess of the FLSA maximum level for an estimated amount of \$90,162 and approval of the appropriate budget transfer.  
(Estimated Presentation Time: 5 minutes) (Susan Yeatts)

**Item(s) Brought by Bexar Heritage and Parks:**

**(Betty Bueche)**

53. Discussion and appropriate action regarding the following:
- a. Approval of an Agreement with Union Pacific Railroad at the proposed new access crossing at historic Hot Wells County Park, on the Mission Reach of the San Antonio River; and
  - b. Approval of a Contract with Davila Construction to implement phase one of Hot Wells County Park, in the amount of \$3,813,302.
- (Estimated Presentation Time: 10 minutes) (Betty Bueche)

**Item(s) Brought by Facilities Management:**

**(Dan Curry)**

54. Discussion and Appropriate action requesting permission to negotiate with the highest ranking respondent from the RFQ solicitation for Master planning services of the County-owned 51 acre site in NE Bexar County as requested by the Facilities Management Department.  
(Estimated Presentation Time: 10 minutes) (Dan Curry)
55. Discussion and appropriate action regarding a proposed new County parking garage located at 126 E. Nueva, and revisions to Administrative Policy 4.6 – Parking.  
(Estimated Presentation Time: 10 minutes) (Dan Curry)

**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
  - 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.
    - ii. Attorney General Opinion KP-0146 (RQ-0139-KP) 2017

Posted: Friday May 12, 2017 at 4:45pm